

1. Legislative Calendar

Documents:

[11-21-2016.PDF](#)

2. Proposed Ordinances

Documents:

[PROPOSED ORD. 185-16.PDF](#)
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[PROPOSED ORD. 201-16.PDF](#)
[PROPOSED ORD. 202-16.PDF](#)

3. RECONVENED MEETING

Documents:

[RECONVENE 10-31-16 ON 11-21-16.PDF](#)

3.I. RECONVENED MEETING

Documents:

[FULL LEGISLATURE RECONV - OCT 31, 11-21-16.PDF](#)

4. Full Legislative Committee

Documents:

[FULL LEGISLATURE, 11-21-16.PDF](#)

5. Rules

Documents:

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE **NASSAU COUNTY LEGISLATURE** WILL HOLD **COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, NOVEMBER 7, 2016 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, NOVEMBER 21, 2016 STARTING AT 1:00 PM** IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1st FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

FULL LEGISLATIVE SESSION.....1:00 PM

COMMITTEE	TIME
RULES	1:00PM
PUBLIC SAFETY	1:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	1:00PM
TOWNS, VILLAGES AND CITIES	1:00PM
ECONOMIC & COMMUNITY DEVELOPMENT & LABOR	1:00PM
PUBLIC WORKS AND PARKS 1:00PM	1:00PM
HEALTH AND SOCIAL SERVICES	1:00PM
GOVERNMENT SERVICES AND OPERATIONS	1:00PM
MINORITY AFFAIRS	1:00PM
VETERANS AND SENIOR AFFAIRS	1:00PM
FINANCE	1:00PM

**MICHAEL
C.
PULITZER**
Clerk of
the
Legislature
Nassau
County,
New York

Dated: October 31, 2016
Mineola, NY

As per the Nassau County Fire Marshall's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72.

Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins and attendees will be given an opportunity to sign in to address the Legislature for a maximum of three minutes. Public comment is limited to Agenda items. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>.

LEGISLATIVE CALENDAR

NASSAU COUNTY LEGISLATURE
TWELVTH MEETING
TWELVTH MEETING OF 2016

MINEOLA, NEW YORK
NOVEMBER 21, 2016 1:00 P.M.

THE NASSAU COUNTY LEGISLATURE IS COMMITTED TO MAKING ITS PUBLIC MEETING ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. IF, DUE TO A DISABILITY, YOU NEED AN ACCOMMODATION OR ASSISTANCE TO PARTICIPATE IN THE PUBLIC MEETING OR TO OBTAIN A COPY OF THE TRANSCRIPT OF THE PUBLIC HEARING IN AN ALTERNATIVE FORMAT IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, PLEASE CONTACT THE OFFICE OF THE CLERK OF THE LEGISLATURE AT 571-4252, OR THE NASSAU COUNTY OFFICE FOR THE PHYSICALLY CHALLENGED AT 227-7101 OR TDD TELEPHONE NO. 227-8989. AS PER THE NASSAU COUNTY FIRE MARSHAL'S OFFICE, THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER HAS A MAXIMUM OCCUPANCY OF 251 PEOPLE AND THE OUTER CHAMBER WHICH WILL STREAM THE MEETING LIVE, HAS A MAXIMUM OCCUPANCY OF 72. PASSES WILL BE DISTRIBUTED ON A FIRST COME FIRST SERVED BASIS BEGINNING ONE HALF HOUR BEFORE MEETING TIME.

EVERY LEGISLATIVE MEETING IS STREAMED LIVE ON
<http://www.nassaucountyny.gov/agencies/Legis/index.html>.

1. **HEARING ON LOCAL LAW NO. -2016**

A LOCAL LAW TO AUTHORIZE A VOLUNTARY PARTIAL AMNESTY PROGRAM FOR INCOME PRODUCING PROPERTY OWNERS THAT ARE LIABLE TO PAY FINES PURSUANT TO THE NASSAU COUNTY ADMINISTRATIVE CODE §6-30.0. 540-16(LE)

2. **VOTE ON PROPOSED LOCAL LAW NO. -2016**

A LOCAL LAW TO AUTHORIZE A VOLUNTARY PARTIAL AMNESTY PROGRAM FOR INCOME PRODUCING PROPERTY OWNERS THAT ARE LIABLE TO PAY FINES PURSUANT TO THE NASSAU COUNTY ADMINISTRATIVE CODE §6-30.0. 540-16(LE)

3. **ORDINANCE NO. 181-2016**

AN ORDINANCE TO AMEND ORDINANCE NO. 248-A-1987, AN ORDINANCE WITH RESPECT TO ESTABLISHING A COMPREHENSIVE PLAN FOR WATER CONSERVATION AND REGULATION OF WATER THROUGHOUT NASSAU COUNTY, INCLUDING PROVISIONS FOR ENFORCEMENT THEREOF, PURSUANT TO ARTICLE XII OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 42-16(LE)

4. **ORDINANCE NO. 182-2016**

AN ORDINANCE AUTHORIZING THE BOARD OF ELECTIONS OF THE COUNTY OF NASSAU TO DISPOSE OF OBSOLETE LEVER VOTING MACHINES. 506-16(BOE)

5. **ORDINANCE NO. 183-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 503-16(OMB)

6. **ORDINANCE NO. 184-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PUBLIC WORKS. 505-16(OMB)

7. **ORDINANCE NO. 185-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE NASSAU COUNTY DEPARTMENT OF PROBATION. 508-16(OMB)

8. **ORDINANCE NO. 186-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER. 509-16(OMB)

9. **ORDINANCE NO. 187-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HUMAN SERVICES. 510-16(OMB)

10. **ORDINANCE NO. 188-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DISTRICT ATTORNEY'S OFFICE. 511-16(OMB)

11. **ORDINANCE NO. 189-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 513-16(OMB)

12. **ORDINANCE NO. 190-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HUMAN SERVICES. 514-16(OMB)

13. **ORDINANCE NO. 191-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HUMAN SERVICES. 515-16(OMB)

14. **ORDINANCE NO. 192-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 516-16(OMB)

15. **ORDINANCE NO. 193-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH.
517-16(OMB)

16. **ORDINANCE NO. 194-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DISTRICT ATTORNEY'S OFFICE.
518-16(OMB)

17. **ORDINANCE NO. 195-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HUMAN
SERVICES. 524-16(OMB)

18. **ORDINANCE NO. 196-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE SOCIAL SERVICES. 530-16(OMB)

19. **ORDINANCE NO. 197-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE SOCIAL SERVICES. 534-16(OMB)

20. **ORDINANCE NO. 198-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH.
544-16(OMB)

21. **ORDINANCE NO. 199-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE FIRE COMMISSION. 545-16(OMB)

22. **ORDINANCE NO. 200-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PROBATION.
546-16(OMB)

23. **ORDINANCE NO. 201-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE NASSAU COUNTY DEPARTMENT
OF PROBATION. 548-16(OMB)

24. **ORDINANCE NO. 202-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH.
550-16(OMB)

25. **RESOLUTION NO. 180-2016**

A RESOLUTION AUTHORIZING THE SIGNING OF A NEW YORK STATE
DEPARTMENT OF TRANSPORTATION SUPPLEMENTAL GRANT AGREEMENT
FOR FUNDS TO SUPPORT ENFORCEMENT OF HIGH OCCUPANCY VEHICLE
(H.O.V.) TRAFFIC LAWS ON THE LONG ISLAND EXPRESSWAY. 504-16(PD)

26. **RESOLUTION NO. 181-2016**

A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND
ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “MAP OF GRAND
MANOR ESTATE”, SITUATED IN THE HAMLET OF BALDWIN, TOWN OF
HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 507-16(PW/PL)

27. **RESOLUTION NO. 182-2016**

A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “MAP OF CARMAN HOMES AT SALISBURY ESTATES”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 533-16(PW/PL)

28. **RESOLUTION NO. 183-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE, AND MADD-LONG ISLAND, NY. 497-16(DA)

29. **RESOLUTION NO. 184-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE, AND MADD-LONG ISLAND, NY. 498-16(DA)

30. **RESOLUTION NO. 185-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE BALDWIN SCHOOL DISTRICT TO PROCURE PLAYGROUND EQUIPMENT FOR THE BROOKSIDE ELEMENTARY SCHOOL. 238-16(CE)

31. **RESOLUTION NO. 186-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF STEWART MANOR IN RELATION TO A PROJECT TO PROCURE A PORTA COUNT PRO RESPIRATORY MACHINE IN FURTHERANCE OF THE COUNTY FIRE MUTUAL AID PLAN. 520-16(CE)

32.

RESOLUTION NO. 187-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE LIDO AND POINT LOOKOUT FIRE DISTRICT IN RELATION TO A PROJECT TO PROCURE AN AMBULANCE. 521-16(CE)

33.

RESOLUTION NO. 188-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE EAST MEADOW SCHOOL DISTRICT IN RELATION TO A PROJECT TO PROCURE AND INSTALL SCOREBOARDS, BLEACHERS AND FIELD NETTING AND RELATED EQUIPMENT. 522-16(CE)

34.

RESOLUTION NO. 189-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF MINEOLA IN RELATION TO A PROJECT TO PROCURE ALS MONITORS, DEFIBRILLATORS AND RELATED EQUIPMENT. 525-16(CE)

35.

RESOLUTION NO. 190-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF WILLISTON PARK IN RELATION TO A PROJECT TO INSTALL A ROOF, RAILINGS AND RELATED ITEMS AT KELLEHER FIELD WHICH IS HANDICAPPED ACCESSIBLE. 526-16(CE)

36.

RESOLUTION NO. 191-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE NORTH BELLMORE FIRE DISTRICT IN RELATION TO A PROJECT TO PROCURE LED SIGNS. 527-16(CE)

37.

RESOLUTION NO. 192-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE LAWRENCE FIRE DISTRICT IN RELATION TO A PROJECT TO PROCURE PORTABLE RADIOS, DISPATCH EQUIPMENT AND TURNOUT GEAR IN FURTHERANCE OF THE COUNTY FIRE MUTUAL AID PLAN. 535-16(CE)

38.

RESOLUTION NO. 193-2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF LYNBROOK IN RELATION TO A PROJECT TO PROCURE EXTRICATION EQUIPMENT FOR THE VILLAGE FIRE DEPARTMENT. 542-16(CE)

39.

RESOLUTION NO. 194-2016

A RESOLUTION TO ACCEPT A GIFT OFFERED BY A DONOR TO THE DEPARTMENT OF INFORMATION TECHNOLOGY. 541-16(IT)

40.

RESOLUTION NO. 195-2016

A RESOLUTION PROVIDING FOR THE ISSUANCE OF A WARRANT DIRECTING THE TREASURER OF THE COUNTY OF NASSAU TO PAY TO THE SUPERVISORS OF THE SEVERAL TOWNS AND TO THE TREASURERS OF THE SEVERAL VILLAGES AND CITIES WITHIN THE COUNTY OF NASSAU, THE SUMS AS APPORTIONED BY THE NASSAU COUNTY LEGISLATURE BASED ON A REPORT FILED BY THE COUNTY TREASURER AND THE COUNTY CLERK, SHOWING DEPOSITS FROM MORTGAGE TAXES FOR THE PERIOD OF ONE YEAR COMMENCING OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016; PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 539-16 (LE)

41.

RESOLUTION NO. 196-2016

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 512-16(OMB)

42. **RESOLUTION NO. 197-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 528-16(OMB)

43. **RESOLUTION NO. 198-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 531-16(OMB)

44. **RESOLUTION NO. 199-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 532-16(OMB)

45. **RESOLUTION NO. 200-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 536-16(OMB)

46. **RESOLUTION NO. 201-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 537-16(OMB)

47. **RESOLUTION NO. 202-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 543-16(OMB)

48. **RESOLUTION NO. 203-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 549-16(OMB)

49.

RESOLUTION NO. 204-2016

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 551-16(OMB)

THE FOLLOWING ITEMS MAY BE UNTABLED

50.

ORDINANCE NO. 14-2016

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS SPECIFIED HEREIN WITHIN THE COUNTY OF NASSAU, AUTHORIZING \$74,986,552 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE, AND MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 49-16(PW)

51.

ORDINANCE NO. 15-2016

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$164,283,342.78 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 50-16(PW)

52.

RESOLUTION NO. 140-2016

A RESOLUTION DECLARING A CAPITAL BUDGET EMERGENCY PURSUANT TO §310(D) OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 306-16(AT)

NOTICE IS HEREBY GIVEN that the Nassau County Executive has executed the following personal service contracts, copies of which are on file with the Office of the Clerk of the Nassau County Legislature. These contracts are listed for informational purposes only.

County of Nassau acting on behalf of Human Services, Office for the Aging and Great Neck Senior Citizens Center, Inc. RE: Transportation/Congregate Meals. \$246,669.00. ID# CQHS16000018.

County of Nassau acting on behalf of Human Services, Office for the Aging and Jzanus Home Care, Inc. RE: Housekeeper/Homemaker. \$.01. ID# CQHS16000036.

County of Nassau acting on behalf of Human Services, Office for the Aging and Utopia Home Care, Inc. RE: Housekeeper Chore/Personal Care. \$.01. ID# CQHS16000042.

County of Nassau acting on behalf of Human Services, Office of Mental Health, CD & DDS and Confide, Inc. RE: Substance Abuse Treatment/Prevention. \$860.00. ID# CLHS16000032.

County of Nassau acting on behalf of Human Services, Office of Mental Health, CD & DDS and The Safe Center LI, Inc. RE: Substance Abuse Treatment/Prevention. \$415.00. ID# CLHS16000026.

County of Nassau acting on behalf of Human Services, Office of Mental Health, CD & DDS and Youth Environmental Services, Inc. RE: Substance Abuse/Treatment/Prevention. \$18,821.00. ID# CLHS16000028.

County of Nassau acting on behalf of Social Services and Julia Dyckman Andrus Memorial. RE: Foster Care Services. \$.02. ID# CQSS16000026.

County of Nassau acting on behalf of Office of Community Development and Long Island Housing Partnership, Inc. – Community Housing Development Organization. RE: HOME. \$700,000,.00. ID# CQHI16000010.

County of Nassau acting on behalf of Office of Community Development and Long Island Housing Partnership, Inc. RE: HOME. \$750,000,.00. ID# CQHI16000011.

County of Nassau acting on behalf of Treasurer and Gila LLC d/b/a MSB Government Services. RE: Collection Agency. \$40,000.00. ID# CLTR16000002.

County of Nassau acting on behalf of Police and Euro Lloyd Travel Group. RE: Travel Services. \$.01. ID# CLPD16000005.

County of Nassau acting on behalf of Parks, Recreation and Museums and JCC of the Greater Five Towns. RE: Summer Camp – N. Woodmere Park. \$.01. ID# CLPK16000003.

THE NASSAU COUNTY LEGISLATURE
WILL CONVENE NEXT
COMMITTEE MEETINGS
MONDAY DECEMBER 5, 2016 at 1:00PM
AND
FULL LEGISLATURE MEETING
WEDNESDAY DECEMBER 14, 2016 at 1:00PM

PROPOSED ORDINANCE NO. 185 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Nassau County Department of Probation.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 6, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
105,823	New York State Office of Children & Family Services	GRT	PB	AA	24,500
		GRT	PB	AB	4,443
		GRT	PB	DE	76,880

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 186 –2016

An Ordinance supplemental to the annual appropriation ordinance in connection with the Medical Examiner

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 6, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
47,000	New York State Governor's Traffic Safety Committee	GRT	ME	AA	28,000
		GRT	ME	DD	19,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 187 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Human Services.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 7, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
4,867,585	NYS Office of Alcohol & Substance Abuse Services	GRT	BH	AA	2,722,110
		GRT	BH	AB	915,475
		GRT	BH	BB	15,000
		GRT	BH	DD	700,000
		GRT	BH	DE	15,000
		GRT	BH	HH	500,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 188-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the District Attorney's Office.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 6, 2016 addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
374,200	New York State Division of Criminal Justice Services	GRT	CJ	AA	284,130
		GRT	CJ	AB	90,070

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 189-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
6,180	New York State Department of Health	GRT	HE	AA	4,666
		GRT	HE	AB	1,452
		GRT	HE	HH	62

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 190-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Human Services.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
67,500	NYS Office for the Aging	GEN	HS	AA	15,000
		GEN	HS	AB	5,250
		GEN	HS	DE	47,250

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that

this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 195 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Human Services.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
23,502,275	NYS Office of Alcohol and Substance Abuse Services	GRT	BH	DE	23,502,527

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that

this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 196 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Social Services

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 27, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
17,565,456	Federal and State Governments	GRT	SS	AA	11,724,966
		GRT	SS	AB	5,840,490

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 197-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Social Services

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 27, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
45,000	New York State Division of Criminal Justice Services	GRT	SS	DE	45,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO.**198–2016**

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated November 2, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
6,800,000	United States Department of Health and Human Services	GRT	HE	AA	110,120
		GRT	HE	AB	46,350
		GRT	HE	DD	2,397
		GRT	HE	DE	6,641,133

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 199 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Fire Commission.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated November 2, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
94,000	New York State Department of Homeland Security and Emergency Services	FCF	FC	AA	2,400
		FCF	FC	AB	300
		FCF	FC	BB	18,500
		FCF	FC	DD	72,800

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 200 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Probation.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated November 4, 2016 addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
235,000	Nassau County Traffic Safety Board	GRT	PB	AA	183,100
		GRT	PB	AB	50,000
		GRT	PB	BB	1,400
		GRT	PB	DD	500

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 181- 2016

AN ORDINANCE TO AMEND ORDINANCE NO. 248-A-1987, AN ORDINANCE WITH RESPECT TO ESTABLISHING A COMPREHENSIVE PLAN FOR WATER CONSERVATION AND REGULATION OF WATER THROUGHOUT NASSAU COUNTY, INCLUDING PROVISIONS FOR ENFORCEMENT THEREOF, PURSUANT TO ARTICLE XII OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY.

WHEREAS, Ordinance No. 248-A-1987 established a Comprehensive Water Conservation and Regulation Program (“Conservation Program”) for Nassau County, which sets forth requirements for lawn sprinkling, air conditioning systems, car washes and fleet maintenance, and fire hydrant usage throughout the County; and

WHEREAS, the purpose of the Conservation Program is to conserve, protect and manage the County’s sole source aquifer system; and

WHEREAS, while the enforcement of the Conservation Program, as well as the actions of the Long Island Commission for Aquifer Protection and the Nassau County Water Resources Board, have furthered the purposes set forth above, the County’s sole source aquifer system can be better conserved, protected and managed if automatic irrigation systems are not operational while sufficient moisture is present for vegetation to thrive; and

WHEREAS, it is the intent of the Nassau County Legislature to expand the Conservation Program by requiring the installation and maintenance of technology that inhibits or interrupts operation of an automatic irrigation systems during periods of sufficient moisture; now therefore, be it

ORDAINED BY THE NASSAU COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Sections 2-a is added to Ordinance No. 248-A-1987 as follows:

§ 2-a. Automatic Irrigation Systems.

- A. For the purposes of this section, “soil moisture device” means a soil-based device that assesses the available plant soil moisture in order to minimize the unnecessary use of water and optimize the effectiveness of an irrigation system.
- B. For the purposes of this section, “rain sensor device” means a low voltage electrical or mechanical component placed in the circuitry of an automatic landscape irrigation system that is designed to restrict operation of a sprinkler controller in the event of precipitation.
- C. For purposes of this section, “evapotranspiration-based (ET) controller” means a controller that calculates soil moisture from known weather and related inputs. An ET-based controller:
 - a. Receives and monitors weather data or on-site environmental conditions including, but not limited to, solar radiation, wind speed, temperature, relative humidity, rainfall, and soil moisture; and
 - b. Calculates or determines the amount of moisture input to and moisture lost from the soil and plant; and
 - c. Automatically creates or adjusts the irrigation schedule to apply only the amount of water that is necessary to maintain adequate soil moisture.
- D. For the purposes of this section “contractor” means a contractor that has been issued a license to install automatic irrigations systems by the Office of Consumer Affairs under the conditions and qualifications as determined

by the Commissioner of the Department of Consumer Affairs, including any required state or federal certifications.

- E. All automatic irrigation systems installed after the effective date of this Ordinance by a contractor shall be equipped with technology that inhibits or interrupts operation of the system during periods of sufficient moisture. Examples of such technology include, but are not limited to, soil moisture devices, rain sensor devices, and ET controllers. Any device that is installed pursuant to this section must be properly installed, maintained and operated in accordance with manufacturer specifications.
- F. After January 1, 2018, a contractor that activates, installs, repairs, or conducts routine maintenance on automatic landscape irrigation systems shall not activate such system unless that system is equipped with technology that inhibits or interrupts operation of the system during periods of sufficient moisture and such technology has been verified to be operational by such contractor. Examples of such technology include, but are not limited to, soil moisture devices, rain sensor devices, and ET controllers. Any device that is installed pursuant to this section must be properly installed, maintained and operated in accordance with manufacturer specifications.
- G. All contractors that install or activate automatic landscape irrigation systems shall provide written documentation to the owner of the automatic landscape irrigation system and shall certify under penalty of perjury that all work performed on such systems conforms to the provisions of this

Ordinance and to the rules and regulations of the local water provider that supplies water to the location of the automatic landscape irrigation system and shall retain copies of such documentation. For all new installations of automatic landscape irrigation systems, copies of such documentation shall be forwarded to the local water provider that supplies water to the location of the automatic landscape irrigation system.

Upon the request of the Department of Consumer Affairs, any contractor that installs or activates an automatic landscape irrigation system shall turn over copies of the documentation required by Section 2-a(F) of this Ordinance to the Department of Consumer Affairs. § 2. § 7 of Ordinance No. 248-A-1987 is amended to read as follows:

§7. Enforcement/Penalties.

- A. Except for Section 2-a of this Ordinance, the Nassau County Police Department or the Police Department of the respective cities or villages or Police Districts in the County shall be charged with the enforcement of this Ordinance except that enforcement shall be effected by the respective cities, towns or villages of the County where express provision for same has been made in this Ordinance.
- B. The Nassau County Office of Consumer Affairs shall be charged with the enforcement section 2-a of this Ordinance.
- C. Any person or persons, association or corporation committing an offense against the provisions of Section 2 of this Ordinance shall be guilty of a violation punishable by a fine of Fifty Dollars (\$50.00) for the first offense, One Hundred Dollars (\$100.00) for the second offense, Two Hundred

Dollars (\$200.00) for the third offense and Five Hundred Dollars (\$500.00) for each and every offense thereafter.

- D. Any contractor that does not comply with section 2-a of this Ordinance shall be guilty of a violation punishable by a fine of not more than \$5,000 for each such violation. Additionally, violations of this section are cause for the suspension or revocation of a contractor's license by the Department of Consumer Affairs.
- E. Any person or persons, association or corporation committing an offense of Section 3 and Section 4 of this Ordinance shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500.00) for the first offense and One Thousand Dollars (\$1,000.00) for each and every subsequent offense, or by imprisonment for a period not exceeding one year for each such offense, or both such fine and imprisonment.
- F. Any person or persons, association or corporation who uses a fire hydrant without authority and not in accordance with the regulations adopted by water purveyors in Nassau County shall be guilty of a misdemeanor punishable by a fine not exceeding Five Hundred Dollars (\$500.00) for the first offense and One Thousand Dollars (\$1,000.00) for each and every subsequent offense, or both such fine and imprisonment.

§ 3. Severability.

If any provision of this Ordinance or the application of such provision to any person or circumstance shall be held unconstitutional or invalid, the constitutionality or validity of the

remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby.

§ 4. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617(c)(20), (21), and/or (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of section 8-0109(2) of the New York Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection.

§ 5. Effective Date.

This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 182- 2016

**AN ORDINANCE AUTHORIZING THE BOARD OF ELECTIONS OF THE
COUNTY OF NASSAU TO DISPOSE OF OBSOLETE LEVER VOTING MACHINES**

WHEREAS, the Nassau County Board of Elections is in possession of lever voting machines; and

WHEREAS, the lever voting machines have become obsolete in light of the passage of the New York Election Reform and Modernization Act which requires the use of electronic voting machines for elections; and

WHEREAS, the County has already disposed majority of the lever machines via public auction but still has a small amount of lever machines remaining; and

WHEREAS, the Board of Elections would like to dispose of the remaining lever voting machines in the most expeditious manner possible; now, therefore

BE IT ORDINAINED by the Nassau County Legislature as follows:

Section 1. The Board of Elections of the County of Nassau is hereby authorized to make its remaining lever voting machines available to any public (including special districts such as fire, sanitation and water districts) or private entity or person at a public auction or for individual sale at a price that the Board of Elections deems appropriate or donating said machines to a museum or institution of primary, secondary or higher education for display or historical purposes.

§2. This Ordinance shall take effect immediately.

ORDINANCE NO. 183 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
15,656	New York State Department of Health	GRT	HE	AA	11,803
		GRT	HE	AB	3,695
		GRT	HE	HH	158

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 184-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Public Works.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 6, 2016 addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
312,727	Unified Planning Work Program	GRT	PL	AA	136,582
		GRT	PL	AB	53,882
		GRT	PL	DE	100,000
		GRT	PL	HH	22,263

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 191–2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Human Services.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
31,063	NYS Office for the Aging	GEN	HS	AA	8,000
		GEN	HS	AB	2,924
		GEN	HS	DE	20,139

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that

this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 192–2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
73,123	New York State Department of Health	GRT	HE	AA	64,012
		GRT	HE	AB	9,111

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 193 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 4, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
700,611	New York State Department of Health	GRT	HE	AA	466,290
		GRT	HE	AB	227,927
		GRT	HE	DD	1,017
		GRT	HE	HH	5,377

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 194-2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the District Attorney's Office.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated October 6, 2016 addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
1,963,619	District Attorney's Office – Civil Forfeiture Cases	GRT	DA	BB	21,418
		GRT	DA	DE	1,942,201

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 201 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Nassau County Department of Probation.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated November 3, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
211,484	New York State Office of Children & Family Services	GRT	PB	AA	48,838
		GRT	PB	AB	8,886
		GRT	PB	DE	153,760

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 202 –2016

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated November 3, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
150,000	Health Research, Inc.	GRT	HE	AA	97,480
		GRT	HE	AB	46,881
		GRT	HE	DD	3,875
		GRT	HE	HH	1,764

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

THE NASSAU COUNTY LEGISLATURE

WILL RECONVENE

THE MEETING OF OCTOBER 31, 2016

ON

NOVEMBER 21, 2016 AT 1:00 PM

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

**Michael C. Pulitzer
Clerk of the Legislature
Nassau County, New York**

**DATED: November 17, 2016
Mineola, NY**

As per the Nassau County Fire Marshal's Office, the Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>.

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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE
(Reconvened from 10-31-16)

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, November 21, 2016
4:06 P.M.

1

2 A P P E A R A N C E S:

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 ARNOLD DRUCKER

21 JAMES KENNEDY

22 DELIA DERIGGI-WHITTON

23 CARRIE SOLAGES

24 SIELA BYNOE

25 MICHAEL PULITZER,
 Clerk of the Legislature

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LIST OF SPEAKERS

GERALD PODLESAK 4
GEORGE MARAGOS 28

1 10-31-16 Reconvened Full Leg

2 CHAIRWOMAN GONSALVES: We are
3 reconvening the October 31st, 2016
4 Legislative meeting.

5 The first item is Item 2, Clerk
6 Item 393-16, a hearing on proposed local law
7 to amend the Nassau County Administrative
8 Code, the miscellaneous laws of Nassau
9 County in regards to fees payable to the
10 county agencies and department.

11 Motion to open the hearing.

12 LEGISLATOR KOPEL: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Kopel, seconded by Legislator
16 Nicolello. All those in favor of opening
17 the hearing, signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The hearing is now open. Who do
22 we have to speak on this item?

23 These are across the board fees.

24 MR. PODLESACK: Gerald Podlesak,
25 Deputy County Attorney. The local law

1 10-31-16 Reconvened Full Leg

2 removes the fee amounts from the various
3 parts of the Administrative Code and the
4 miscellaneous law and invests the
5 Legislature with the authority to set the
6 fees by ordinance.

7 CHAIRWOMAN GONSALVES: Legislator
8 Nicolello.

9 LEGISLATOR NICOLELLO: Why are we
10 doing this again?

11 MR. PODLESACK: It will make it
12 simpler in the future to amend if they have
13 to be amended, rather than actually going
14 through the rigamarole of changing the
15 Administrative Code and having to republish
16 it showing a different fee. So it's an
17 administrative convenience.

18 LEGISLATOR NICOLELLO: Still has
19 to be action by the Legislature?

20 MR. PODLESACK: Absolutely. There
21 are in fact certain fees where the
22 Legislature has delegated authority to set
23 the fees, but that is not contained within
24 this legislation.

25 LEGISLATOR NICOLELLO: Thank you.

1 10-31-16 Reconvened Full Leg

2 CHAIRWOMAN GONSALVES: Legislator
3 Ford.

4 LEGISLATOR FORD: In this
5 legislation, this local law, we're just
6 changing the way that we would raise the
7 fees, but we're not raising any fees or
8 putting any amounts in with this law; is
9 that correct?

10 MR. PODLESAK: That's correct.

11 CHAIRWOMAN GONSALVES: Any other
12 comments or questions from the legislators?

13 LEGISLATOR SOLAGES: Presiding
14 Officer, I have a question.

15 CHAIRWOMAN GONSALVES: Legislator
16 Solages.

17 LEGISLATOR SOLAGES: Thank you so
18 much, Presiding Officer. I'm just confused.
19 I have a procedural question.

20 Is this as of today's date or are
21 we continuing the previous meeting?

22 MR. PODLESAK: That's for them to
23 tell you.

24 LEGISLATOR SOLAGES: This would
25 be the continuation of the October 31st

1 10-31-16 Reconvened Full Leg
2 meeting?

3 CHAIRWOMAN GONSALVES: Yes.

4 LEGISLATOR SOLAGES: For all
5 intents and purposes, if we are looking at
6 this in the future, it seems as if, from the
7 record, this was done before the recent
8 election?

9 CHAIRWOMAN GONSALVES: Yes, if
10 you want to look at it that way, yes.

11 LEGISLATOR SOLAGES: But, in
12 reality, it wasn't before the election, it
13 was really after the election. Thank you.

14 CHAIRWOMAN GONSALVES: Any other
15 comments or questions from the legislators?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 CHAIRWOMAN GONSALVES: Legislator
20 Solages, just to clarify the effective date
21 for this legislation is January 2nd, 2017.
22 Even though we are doing it today, and it
23 really is a reconvening of October 31st, so
24 we are moving that way.

25 LEGISLATOR SOLAGES: Thank you.

1 10-31-16 Reconvened Full Leg

2 CHAIRWOMAN GONSALVES: Any other
3 comments or questions?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of closing the hearing on Item 2,
9 Clerk Item 393 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The hearing is closed.

14 Clerk Item 396, a hearing on
15 proposed local law to amend the
16 Administrative Code of Nassau County to
17 penalties on delinquent taxes.

18 Motion to open the hearing.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR MACKENZIE: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Walker, seconded by Legislator
23 MacKenzie. All those in favor of opening
24 the hearing, signify by saying aye.

25 (Aye.)

1 10-31-16 Reconvened Full Leg

2 Any opposed?

3 (No verbal response.)

4 The hearing is now open.

5 Talk to us.

6 MR. PODLESACK: Gerald Podlesack
7 again. This legislation simply raises the
8 amount of the delinquency fee from five
9 percent to six percent.

10 CHAIRWOMAN GONSALVES: Not on
11 school taxes?

12 MR. PODLESACK: This is on taxes
13 that have been returned to the county after
14 they have been through the receiver of taxes
15 that had been returned as delinquent.

16 CHAIRWOMAN GONSALVES: Any
17 questions regarding this item?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of closing the hearing signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

1 10-31-16 Reconvened Full Leg

2 (No verbal response.)

3 The closing is now closed.

4 Moving on to number four, Clerk
5 Item 397-16, a hearing on proposed local
6 law, amending title B, Article 2 of Chapter
7 5 of the Administrative Code of Nassau
8 County.

9 Motion to open the hearing.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR SCHAEFER: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Walker, seconded by Legislator
14 Schaefer. All those in favor of opening the
15 hearing signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Who's talking on this one? This
20 is in regard to the tax liens. I believe
21 this is the one that can be sold online; am
22 I correct? Are we ready?

23 MR. PODLESACK: This is the tax
24 lien modernization legislation. This would
25 make it simpler to sell tax liens by

1 10-31-16 Reconvened Full Leg

2 allowing it to be sold online.

3 CHAIRWOMAN GONSALVES: Any
4 questions of Mr. Podlesak?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of closing the hearing signify by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The hearing is now closed.

15 Let's go on to the next item.

16 It's Item 5, Clerk Item 398, a hearing on
17 proposed local law to amend the Nassau
18 County Administrative Code in relation to
19 providing greater protection to Nassau
20 County consumers.

21 Motion to open the hearing,
22 please.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 10-31-16 Reconvened Full Leg

2 Legislator Walker, seconded by Legislator
3 Kopel. All those in favor of opening the
4 hearing signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The hearing is now open. I guess
9 you're going to talk on this one.

10 MR. PODLESAK: I guess I am.
11 This local law addresses three areas, tax
12 certiorari representatives, pet groomers,
13 and the health clubs.

14 CHAIRWOMAN GONSALVES: Any
15 questions of Mr. Podlesak? Legislator
16 Bynoe.

17 LEGISLATOR BYNOE: Good evening.

18 MR. PODLESAK: Good evening.

19 LEGISLATOR BYNOE: When you were
20 last here before this body regarding this
21 particular item, I addressed concerns that I
22 had for the tax assessment reduction
23 services. And that some of the initial
24 components of that ordinance were stripped
25 out and the ordinance was then amended and

1 10-31-16 Reconvened Full Leg
2 reintroduced.

3 It took out what I would consider
4 to be the protections. We call this for
5 greater protection of Nassau County
6 consumers, but, yet, one of the industries
7 to which we all have gotten complaints from
8 our constituents regarding maybe abuses in
9 that particular industry, I find it
10 deplorable that we would be pulling out
11 elements of this ordinance that would
12 actually protect them.

13 Number one. We pulled out the
14 requirement to maintain a list of businesses
15 that would be free to the public and
16 maintained by the Consumer Affairs
17 department.

18 In addition, the tax assessment
19 reduction service business owners would not
20 be required to provide any legal
21 documentation regarding the corporate
22 existence and the names and identities of
23 the principals of those entities and
24 legitimize them.

25 In addition to that, the licensed

1 10-31-16 Reconvened Full Leg

2 applicant would not have any requirement to
3 disclose whether or not they've been
4 convicted of any crimes within the last ten
5 years.

6 In addition to that, they would
7 not have to reveal whether they had any tax
8 liens or judgments or warrants, unpaid child
9 support and things of that nature.

10 This is a financial service that
11 they are providing, and if they are in fact
12 delinquent or not in good faith providing
13 financial services to their children and the
14 like or have liens and judgments, I think
15 that that in fact creates an opportunity for
16 one to become tempted to draw outside the
17 lines.

18 I think it's really a disservice
19 to the consumers of Nassau County to have
20 stripped this out of the bill.

21 I made that clear when you were
22 here the last time and you reasoned that it
23 was pulled out because of logistics. I, at
24 that time, gave you a couple of suggestions
25 as to how I thought we could remedy your

1 10-31-16 Reconvened Full Leg

2 issues of logistics. I don't see any
3 efforts were made to do that.

4 And this comes before us again a
5 very watered down bill. I've sent a letter
6 to every member of this body requesting that
7 we not support this one in its current form.
8 I have not heard that there was any
9 amendments, any modifications, or that this
10 item was in fact under review.

11 I would like to offer on to the
12 record the letter that was sent to this body
13 and I also would like to suggest that we
14 table this item because, again, it's another
15 bill similar to the water bill that we just
16 voted on earlier, that fails to really get
17 to the intent of the services or of the
18 bill.

19 I think that it falls short and,
20 I thought the water bill fell short, in this
21 particular bill, it doesn't even fall short.
22 It's intended not to provide a service.

23 And I'm not sure why we would
24 have had it in there, and then pull it out.
25 It leads me to kind of think that something

1 10-31-16 Reconvened Full Leg

2 else is going on here.

3 But, at the end of the day, the
4 consumers should not be the ones to pay for
5 that. I would actually like to call for a
6 motion to table the item.

7 LEGISLATOR SOLAGES: Second.

8 CHAIRWOMAN GONSALVES: Legislator
9 Bynoe, it's a hearing. Sorry.

10 LEGISLATOR BYNOE: When we get to
11 the item, sorry.

12 CHAIRWOMAN GONSALVES: Legislator
13 Bynoe, did you get anything from anybody?

14 LEGISLATOR BYNOE: I did not. I
15 was just told that maybe what we should do
16 is recess the hearing and have an
17 opportunity to have this hearing reopened
18 when there has been some considerations to
19 this particular element and component of the
20 bill.

21 LEGISLATOR SOLAGES: Motion to
22 recess the hearing.

23 LEGISLATOR BYNOE: Second.

24 CHAIRWOMAN GONSALVES: There
25 isn't a motion. I'm sorry. I think this

1 10-31-16 Reconvened Full Leg

2 item has to come up as a separate item and
3 at that particular time that's probably the
4 time when you would be able to table it.
5 But, as far as this is concerned, I think we
6 have to move on with the hearing.

7 LEGISLATOR BYNOE: Presiding
8 Officer, wouldn't we want to recess the
9 hearing just for the fact that we would want
10 to have an opportunity when amended for this
11 whole body to have the opportunity to ask
12 the questions and vet the bill again?

13 CHAIRWOMAN GONSALVES: If we move
14 forward on this, it doesn't preclude the
15 fact that we can not address some of the
16 issues that you have brought up and make
17 sure that they are addressed. I know you're
18 not satisfied with that answer.

19 LEGISLATOR BYNOE: I'm not. How
20 can we even consider a bill that doesn't
21 require an entity that provides financial
22 services to our residents to require that
23 they legitimize their business, that
24 requires that they disclose whether there is
25 any convictions, but we would require that

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2 of a pet groomer? I'm a pet owner and I
3 want to make sure my pet is safe too, so I'm
4 not saying that a criminal record for a pet
5 groomer may not be of consideration.

6 I would say that somebody who is
7 dealing with my property, the single most
8 important and highest revenue resource that
9 I have, would be legitimate, would not be --
10 have any felonies, and it would be on a list
11 that the Consumer Affairs Department could
12 provide to me that I have some comfort level
13 to know.

14 That's something that we should
15 all want to know. I don't see why this
16 would be lost on the majority at all. I'm
17 really confused with that.

18 CHAIRWOMAN GONSALVES:
19 Mr. Podlesak, can you respond to Legislator
20 Bynoe's concerns?

21 MR. PODLESAK: The answer I gave
22 at the committee meetings remains the same.
23 The thinking is that we should go forward at
24 this point, regulations would be something
25 that can be accomplished in the future.

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2 LEGISLATOR BYNOE: But why?

3 Explain why, please. Because it was in the
4 bill initially and then they amended the
5 item and submitted it without those
6 protections. So please explain to me why we
7 did that.

8 MR. PODLESACK: It was a judgement
9 call that this was something that should be
10 accomplished at this point, rather than to
11 pull the entire legislation that at this
12 point having this greater amount of consumer
13 protection was better than not having this
14 greater amount of consumer protection.

15 LEGISLATOR BYNOE: It wasn't
16 beneficial to have that level?

17 MR. PODLESACK: It was not thought
18 that it would be possible to implement it,
19 no.

20 LEGISLATOR BYNOE: It wouldn't be
21 possible to --

22 MR. PODLESACK: Implement the
23 entire original language of the legislation.

24 LEGISLATOR BYNOE: This is really
25 perplexing to me. Why do we think we could

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2 achieve it for pet groomers and the like,
3 but we don't think we can achieve that for
4 tax assessment entities.

5 So one of the suggestions that I
6 had given you was to then, if you didn't
7 think you could achieve it in its first two
8 months of life, then we could maybe say
9 within six months or in four months they had
10 to provide that information or their license
11 would be revoked.

12 Why can't we even, in some way,
13 in a broader sense, figure out a way how to
14 get this done? I think stripping the
15 protections out and talking about some time
16 in the future adding them back in is really
17 just not something that is even feasible or
18 that would even occur. I'm really at a loss
19 as to why we don't think we could even
20 achieve even that.

21 MR. PODLESACK: The thinking was
22 is that the industry is involving the pet
23 groomers and health clubs were simpler
24 industries in order to regulate.

25 It was thought that the tax

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2 certiorari representatives were a more
3 difficult industry.

4 And, believe me, legislator,
5 there is nothing in the future that prevents
6 the amount of protections to be increased.

7 LEGISLATOR BYNOE: So what
8 compounds my issue with this, as I make my
9 way through the county, and I visit
10 different departments and meet with
11 different department heads, I went out to
12 Consumer Affairs some time ago.

13 I asked her pointedly, what are
14 the complaints? What are the number one
15 type of complaints that your office is
16 fielding? One of them was the tax
17 assessment industry.

18 So I'm really confused. Since
19 that was one of the number one issues. I
20 didn't hear her say pet groomers. I didn't
21 hear her say health clubs. I heard her say
22 tax assessment entities.

23 So why we would be here at this
24 point stripping out something that even the
25 Consumer Affairs department has actually

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2 identified as being one of the number one
3 issues, it's not the right thing. This is
4 not right for our constituents. It's wrong.
5 It's wrong.

6 I really am imploring that this
7 body consider tabling this item and not
8 moving it forward.

9 I think it's an injustice to our
10 residents and I think far too long they have
11 been preyed on by these particular
12 individuals in this industry. It's time for
13 us to take a stand against it.

14 CHAIRWOMAN GONSALVES: Before I
15 call on Minority Leader --

16 LEGISLATOR BYNOE: Just one other
17 question. So we know that the pet groomers
18 came here and they were opposed to the
19 ordinance. I don't remember whether there
20 were any health clubs that were here, but I
21 know I didn't hear from anyone, I don't
22 believe I did, from the tax assessment
23 industry.

24 Were you contacted from them?
25 Was there a contact made by the tax

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2 assessment entities or industry directly to
3 administration?

4 MR. PODLESACK: I have no idea. I
5 had no contact with them.

6 LEGISLATOR BYNOE: That's
7 interesting. The one entity -- we didn't
8 hear any objections for the one that's
9 getting the waiver. There's something wrong
10 with this.

11 LEGISLATOR DRUCKER: I have a
12 question.

13 CHAIRWOMAN GONSALVES: Go ahead.
14 Legislator Drucker, you get to get your name
15 on the record.

16 LEGISLATOR DRUCKER: Sir, I have
17 a question on access to the tax roll.

18 MR. PODLESACK: Yes, sir.

19 LEGISLATOR DRUCKER: As a lawyer,
20 I'm more interested in this, what section of
21 the FOIL statute allows the county to
22 condition access to copies of public records
23 upon the execution of an affidavit?

24 MR. PODLESACK: The thinking on
25 that is that it cannot be used for

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2 commercial purposes and that the county is
3 entitled to have proof that it is not being
4 used for commercial properties.

5 LEGISLATOR DRUCKER: I understand
6 the intent but where is the authority?

7 MR. PODLESAK: In FOIL?

8 LEGISLATOR DRUCKER: Yes.

9 MR. PODLESAK: We don't need it
10 in FOIL. We have it in the local law.

11 LEGISLATOR DRUCKER: The state
12 statue will prevail?

13 MR. PODLESAK: The state would
14 not be in conflict.

15 LEGISLATOR DRUCKER: By requiring
16 something additional that the state law does
17 not require?

18 MR. PODLESAK: That's right. It
19 would not be in conflict.

20 LEGISLATOR DRUCKER: Has the
21 county sought and received an opinion from
22 the committee on open government stating
23 that the proposed condition is legal under
24 FOIL?

25 MR. PODLESAK: We saw no need to

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2 do so.

3 LEGISLATOR DRUCKER: Thank you.

4 CHAIRWOMAN GONSALVES: Legislator
5 Nicolello.

6 LEGISLATOR NICOLELLO: Legislator
7 Bynoe has some very good points. The
8 administration I don't think has adequately
9 explained to this point why they took this
10 material out.

11 However I believe that it's
12 included to allow this to go forward, for
13 myself, to myself to allow this to go
14 forward.

15 However, we, as a Legislature,
16 can amend this in the very near future to
17 put those items back in.

18 I think I would be inclined to
19 vote for something like that in the very
20 near future unless the administration can
21 tell us why we can't do that.

22 Again, my position is to go
23 forward today, but in the next couple of
24 months, next several months, if there is no
25 further action on the part of the

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2 administration, we'll take the initiative to
3 put those items forward and then the
4 administration will have to tell us why we
5 can't do that.

6 CHAIRWOMAN GONSALVES: Legislator
7 Bynoe.

8 LEGISLATOR BYNOE: Is the
9 majority committing to placing that type of
10 ordinance into existence by creating a bill?

11 CHAIRWOMAN GONSALVES: I don't
12 think we have a problem with it, Legislator
13 Bynoe. It could be done before the end of
14 the year because we have a month to do it.
15 Is there any objection to putting in those
16 clauses that were there and are not there
17 now? I don't see any objection from the
18 majority, Legislator Bynoe.

19 So we will just move it forward
20 and then have to amend it, in December some
21 time hopefully. As fast as we can do it we
22 will do it.

23 If they don't come forward, guess
24 what, then we will have to take action
25 ourselves. Okay?

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2 You made good points, Legislator
3 Bynoe, and we're not going to ignore it. I
4 just don't understand why it was removed.

5 Hopefully they can rectify it and
6 put them back and, if not, guess what -- if
7 they have a legitimate reason, and I think
8 Mr. Podlesak was trying to say that
9 sometimes it's not that easy to get some of
10 this information legitimately, if I'm not
11 mistaken, but if it raises concern on our
12 behalf, then we need to act. So don't worry
13 about it.

14 Now, who else? Anybody else over
15 here? Minority Leader Kevan Abrahams.

16 LEGISLATOR ABRAHAMS: Thank you.
17 I don't have a question for Gerry, but being
18 that we are discussing fees, I did want to
19 bring up the Comptroller. He's here, and I
20 wanted to ask his opinion.

21 Obviously there were some
22 comments about his response to the
23 Legislature in regards to some of the ideas
24 he proposed around the budget process. I'm
25 curious to know what his thoughts are being

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2 that this is an item that is tied into
3 increases.

4 So, through the chair, I would
5 like to bring up the Comptroller.
6 Comptroller Maragos.

7 CHAIRWOMAN GONSALVES: Yes, he
8 may come up. How's that? Be ready.

9 COMPTROLLER MARAGOS: Thank you.
10 Good afternoon. Let me say that first I
11 hold this body, the Legislature, with the
12 highest respect and esteem.

13 So when I earlier heard that the
14 comptroller's office and myself personally
15 failed to respond to the Legislature on
16 their inquiries with regard to ideas,
17 suggestions, for detailed plans for
18 balancing the budget, and the Comptroller's
19 Office did not respond, I believe the word
20 that was used nada, was heard back I have to
21 come over and clear the record because there
22 was various communications, multiple
23 communications, both by letter and e-mails,
24 responding to the inquiries of this body.

25 Actually, the last e-mail was

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2 sent by myself to various individuals in the
3 Legislature, and that was the last
4 correspondence. And, actually, it was the
5 Comptroller's Office that did not hear back
6 from the various individuals that the last
7 email and letter was addressed to.

8 The bottom line, I believe and
9 the Comptroller's Office believes that the
10 best, simplest, and most clear and
11 definitive way to balance the budget is to
12 first look inward and challenge every
13 department to reduce expenses by 2.5
14 percent. Rather than look outward towards
15 our residents and put the burden on them to
16 provide more revenue through fines and
17 administrative fees to balance this budget.

18 That continues to be our
19 recommendation. I'm happy to take any
20 further questions with regard to it.

21 I strongly urge you, it would be
22 a lot simpler, much more effective, and
23 there's nothing more clear and detailed than
24 asking every commissioner to reduce their
25 budgets by 2.5 percent. Thank you.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Solages.

4 LEGISLATOR SOLAGES: Presiding
5 Officer?

6 CHAIRWOMAN GONSALVES: Legislator
7 Solages.

8 LEGISLATOR SOLAGES: I'm confused.
9 Based on what the Comptroller is saying, he
10 provided a detailed explanation of a plan to
11 save money thereby avoiding the worst with
12 NIFA.

13 But, from what I recall before,
14 said by the majority and by yours truly, the
15 Presiding Officer, there was not a detailed
16 explanation.

17 If the Comptroller went through
18 the great pain of providing a detailed
19 explanation, I just think that we should go
20 into the merits rather than it having serve
21 as a reason to delay over the election and
22 having a different set of plans. Was there
23 a detailed explanation or not?

24 CHAIRWOMAN GONSALVES: Legislator
25 Nicolello and then Legislator Rhoads and

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2 then me.

3 LEGISLATOR NICOLELLO: The answer
4 is, I think he just gave his detailed
5 explanation. That's it. That 2.5 percent
6 number he came up with.

7 There's been no evaluation, it
8 doesn't require layoffs, can we do layoffs,
9 what's the cost of termination. No
10 evaluation of are we cutting out positions
11 that are federally funded. No evaluations
12 of, are we cutting out positions that
13 collect revenue for the county.

14 So it was just simply, what he
15 said now, cut 2.5 percent, which, in my
16 opinion, purely a political position. It's
17 a nice one to take because it's a popular
18 one. But we have to do details and some of
19 us have been here for a while and have gone
20 through issues, days in which we did make
21 cuts and all those are issues that come up.
22 It's not an easy answer. It's complicated,
23 people are involved.

24 CHAIRWOMAN GONSALVES: Legislator
25 Rhoads.

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2 LEGISLATOR RHOADS: I mean, the
3 real issue, Comptroller Maragos, is what
4 Deputy Presiding Officer Nicolello stated,
5 it seems to be rather overly simplistic to
6 simply say that we can impose an across the
7 board two half percent cut, especially since
8 within the budget we're actually talking
9 about increases in mandated costs, how are
10 we going to address that?

11 So the issue becomes, when you
12 take pension and benefit costs, for example,
13 which were anticipated to go up by nine
14 percent year over year, if you are doing a
15 two and a half percent cut within those
16 areas, you're not talking about a two and a
17 half percent cut, because we still have to
18 makeup the nine percent that pension and
19 benefit costs increase.

20 We have to make up the increase
21 that we have in terms of contract raises
22 that are due to our employees as a result of
23 collective bargaining agreements.

24 So in some departments, two and a
25 half percent isn't two and a half percent.

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2 It wouldn't make up the difference between
3 that -- your two and a half percent may wind
4 up having to be six, seven, eight percent.

5 I guess what we asked for,
6 because the plan that you offered today is
7 the same plan that was offered at the time
8 of our budget vote on October 31st.

9 We had asked for some specific
10 detail as to how you would accomplish that
11 number and how you would address the many
12 concerns that Deputy Presiding Officer
13 Nicolello just raised. We didn't receive
14 any response to that.

15 So, in the absence of that, what
16 choice do we have but to go forward with our
17 own plan?

18 COMPTROLLER MARAGOS: Can we at
19 least agree that the number 2.5 percent is
20 clear, precise, and detailed? Even the
21 number is not precise, 2.5 is not precise?
22 Is the number precise, detailed and clear?
23 I would like to think it is.

24 LEGISLATOR MACKENZIE: Well, tell
25 us, how did you arrive at that number of

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2 2.5?

3 COMPTROLLER MARAGOS: Is the
4 number 2.5 --

5 LEGISLATOR MACKENZIE: I'll make
6 one up, I'll say 5. How about that? Can we
7 do 5, can we do 10?

8 COMPTROLLER MARAGOS: No, no.

9 LEGISLATOR MACKENZIE: Can you
10 give us any reasoning behind the number 2.5
11 other than pulling it out of the sky?

12 COMPTROLLER MARAGOS: Can we
13 agree that the number, 2.5, is precise,
14 clear and detailed?

15 LEGISLATOR MACKENZIE: No. It's
16 completely abstract. Without any analysis,
17 it means nothing.

18 Can you address the concerns of
19 Deputy Majority Leader Nicoletto, have you
20 performed any of those analyses to actual
21 departments, actual numbers, actual people
22 that might get laid off, actual areas to cut
23 other than to just come up here with a made
24 up number of 2.5?

25 COMPTROLLER MARAGOS: I'm happy

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2 to move on to address that if we can all
3 agree, and if we don't agree, I'll move on.
4 But I believe 2.5 percent is very precise
5 and very clear and very detailed.

6 Now we can talk about how we can
7 achieve it. Would you like to have some
8 ideas?

9 LEGISLATOR MACKENZIE: That was
10 the whole idea behind last time was for you
11 to give us the ideas. That was the whole
12 reason you did that, right? You said you
13 were going to have specifics.

14 The last time we were here we did
15 the same thing. We said, pie in the sky,
16 2.5, 3, whatever number you want to make.

17 COMPTROLLER MARAGOS: It's not
18 pie in the sky.

19 LEGISLATOR MACKENZIE: Well, give
20 us specifics then. That's what we're asking
21 for.

22 COMPTROLLER MARAGOS: The first
23 principal of management, sir, is
24 accountability, okay? Each commissioner
25 should be able to manage their departments

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2 within certain expectations. You're not
3 going to be take the place of the sheriff.
4 You're not going to take the place of the IT
5 commissioner. But the principle of
6 management is to challenge them, to
7 introduce efficiencies in their operations,
8 year over year. Not for you to give them a
9 free pass. Come to you and say, we need
10 more and more and more money and your answer
11 is to simply go back to the taxpayers and
12 say give me more, give me more, give me
13 more. That is non management. That's why
14 we have the situation that we have.

15 I suggested, furthermore, which
16 was completely overlooked that we appoint a
17 task force. In 30 days to get the
18 commissioners so we can wrestle and find the
19 efficiencies and challenge them and nobody
20 took us up on it.

21 From a management perspective,
22 it's management 101. Challenge your
23 commissioners to introduce efficiencies, and
24 if they can't do it, get other people who
25 will do it. Rather than for you to be

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2 sitting up there and defending the
3 inefficiencies and their waste that we have
4 in government.

5 LEGISLATOR MACKENZIE: I would
6 take offense actually to your saying that I
7 am defending inefficiency.

8 What we are asking for is the
9 same thing that we asked for last time, for
10 you to give us specifics as to expenditures
11 you can cut. I will give you the
12 opportunity. Pick a department that you
13 have analyzed.

14 COMPTROLLER MARAGOS: I will give
15 you an example. We're doing an analysis on
16 overtime now. You realize that some police
17 officers earning overtime up to \$175,000,
18 much more than their base salary? And you
19 have, not one, but many of those? Who's
20 holding those officers accountable? Who is
21 hold Armor in providing health services
22 accountable, for the quality of services
23 that they provide? And the lack of
24 penalties in the invoices that they do not
25 include and subtract from the monthly

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2 payments?

3 LEGISLATOR NICOLELLO: With
4 respect to the overtime issue, you
5 understand we have collective bargaining
6 agreements, right, that those collective
7 bargaining agreements have certain
8 requirements and, as much as the police
9 department and the county would like to
10 bring overtime down, to take certain
11 actions, you understand that we would not be
12 able to do that by law. It's easy to say
13 let's --

14 COMPTROLLER MARAGOS: But it's
15 fine to look at it from a 50,000 foot level.
16 But let me give you another statistic to put
17 into perspective. The average overtime of
18 individual officers is about \$25,000.
19 \$25,000.

20 So you have about 50 officers
21 that are earning more than their base pay.
22 What are those practices? Maybe those
23 practices should be looked at, and see if we
24 can do better.

25 LEGISLATOR NICOLELLO: That's a

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2 good point. You have been the Comptroller
3 for seven years, and the overtime has been a
4 tremendous expense. It's been a tremendous
5 expense in this budget. What have you
6 advised the administration as to how to
7 bring the overtime down? How are they going
8 to get around the union rules?

9 COMPTROLLER MARAGOS: Every year
10 we have been advising them to bring it down.
11 Two years ago --

12 LEGISLATOR NICOLELLO: Give us
13 specifics.

14 COMPTROLLER MARAGOS: Two years
15 ago we issued our report on police
16 management weaknesses and what could be done
17 to better improve management and overtime
18 and to bring it down. As well as 11 other
19 very specific recommendations in that report
20 that was simply filed away.

21 That is the responsibility of the
22 Legislature and the County Executive to
23 hopefully read a lot of those audits that we
24 all spend a lot of time, effort and money to
25 benefit the taxpayers, but it seems to go to

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2 waste. The reports are simply filed and not
3 even read.

4 LEGISLATOR NICOLELLO: I don't
5 think that report was simply filed. I think
6 there was very comprehensive responses to
7 why you were being completely unrealistic
8 and not understanding of what the procedures
9 were.

10 Let's take Social Services. Have
11 you analyzed the Social Services Department
12 and show us where, as a good manager, we can
13 cut 2.5 percent without taking away things
14 like child protective services?

15 COMPTROLLER MARAGOS: Well,
16 they've already been cut by one percent, as
17 opposed to other departments that have
18 budget increases of four to 20 percent. How
19 is that justifiable compared to some of the
20 other mandated costs --

21 LEGISLATOR NICOLELLO: Where else
22 are you going to cut in Social Services? I
23 mean, you have a number, 2.5 percent.

24 COMPTROLLER MARAGOS: I'm sure if
25 we sit down with the commissioner, I'm sure

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2 we can easily find another one percent cut.

3 LEGISLATOR NICOLELLO: Easily
4 find a one percent cut?

5 COMPTROLLER MARAGOS: Absolutely.
6 I'm confident that I can. I've done it in
7 large organizations. I would hope and I
8 would recommend that this Legislature acting
9 as the board of directors to be more
10 challenging as they are of me, and that's
11 fine, I accept that, of the commissioners
12 and the administrations to find efficiencies
13 and cost savings and ways that we all see in
14 government. I'm sure we are not operating
15 100 percent efficiently. I don't think
16 anybody believes that here.

17 CHAIRWOMAN GONSALVES: Okay.
18 Thank you very much. Let's move on.

19 Legislator Bynoe, were you
20 satisfied with the response regarding this
21 tax assessment reduction of services, and
22 that we would come back and make sure the
23 concerns that you had addressed will be
24 incorporated as well, were you satisfied?

25 LEGISLATOR BYNOE: Yes.

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2 CHAIRWOMAN GONSALVES: And there
3 was a commitment on the part of the
4 legislators, all right? Okay. We listen
5 when we have to listen. I'm glad we do.

6 Any other comments regarding the
7 hearing on the proposed local law Clerk Item
8 398?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, a motion to
13 close the hearing.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR SCHAEFER: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Walker, seconded by Legislator
18 Schaefer. All those in favor of closing the
19 hearing signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The hearing is now closed.

24 Moving on to Item 6, it's in the
25 nature of a substitution. Item 6, a local

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2 law to amend the Nassau County
3 Administrative Code and the miscellaneous
4 laws in Nassau County in regards to fees
5 payable to county agencies and departments.

6 Motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR FORD: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Ford.

12 I believe there is an amendment
13 being offered in the nature of a
14 substitution and the amendment was filed
15 November 14, 2016 at 5:45 P.M. and it
16 excludes parking tickets from the public
17 safety fee.

18 In other words, non moving
19 violations are excluded from the public
20 safety fee.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR MACKENZIE: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 MacKenzie. All those in favor of the
3 amendment in the nature of a substitution
4 which excludes the parking fee from the
5 public safety from the non moving
6 violations, signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 So we 7 nays and 12 ayes. So the
11 amendment in the nature of a substitution
12 passes.

13 Now, the item as amended, which
14 is Item 6, a proposed local law which was
15 just amended in the nature of a
16 substitution, or Clerk Item 393, all those
17 in favor of the law as amended, signify by
18 saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 We have 12 to 7. So the item
23 passes 12 to 7.

24 Moving on to the next item which
25 is Item 7, Clerk Item 396, and the item is

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2 also going to require an amendment in the
3 nature of a substitution.

4 But the item itself is a local
5 law to amend the Administrative Code of
6 Nassau County in relation to penalties on
7 delinquent taxes.

8 Motion, please.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR FORD: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Walker, seconded by Legislator
13 Ford. Now there is an amendment in the
14 nature of a substitution and that amendment
15 is as reads: This amendment adds an
16 effective date and a SEQRA determination and
17 the effective date.

18 Motion to accept the amendment in
19 the nature of a substitution.

20 Motion, please.

21 LEGISLATOR NICOLELLO: So moved.

22 LEGISLATOR DUNNE: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Nicolello, seconded by Legislator
25 Dunne. All those in favor of the amendment

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2 in the nature of a substitution signify by
3 saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 The amendment in the nature of a
8 substitution passes 12 to 7.

9 Now for the item as amended.

10 It's Item 7, I believe, a local law to amend
11 the Administrative Code of Nassau County in
12 relation to penalties on delinquent taxes.
13 All those in favor of the local law as
14 amended, signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes 12 to 7.

19 Moving along. The next item is
20 Item 8, Clerk Item 397, a proposed local
21 law, I believe it's Number 8, a local law
22 amending Title B, Article 2 of Chapter 5 of
23 the Administrative Code of Nassau County.

24 I need a motion.

25 LEGISLATOR NICOLELLO: So moved.

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2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Nicoletto, seconded by Legislator
5 Kopel. Any questions or comments regarding
6 the local law?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Item 8 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The item passes 12 to 7.

16 The next item is Item 9, Local
17 Law 398, which is a law to amend the Nassau
18 County Administrative Code in relation to
19 providing greater protections to Nassau
20 County consumers.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR SCHAEFER: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Schaefer. We also have offering an
3 amendment in the nature of a substitution
4 which is, there are several corrections in
5 Section 1, 3 and 4 of the local law designed
6 to clarify and to make more uniform with
7 existing parts of the Administrative Code.

8 Motion for the amendment in the
9 nature of a substitution, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KENNEDY: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Kennedy. All those in favor of the
15 amendment in the nature of a substitution
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 The amendment in the nature of a
21 substitution passes 12 to 7.

22 Now for the item as amended, all
23 those in favor of Item Number 9 signify by
24 saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The item passes 12 to 7.

5 The last item is Item 13,

6 Ordinance 180, an ordinance establishing a
7 fee schedule for county services for various
8 county departments.

9 Motion, please.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR MACKENZIE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Walker, seconded by Legislator
14 MacKenzie. Any comments or questions
15 regarding Ordinance 180 or Item 13?

16 LEGISLATOR ABRAHAMS: If I may,
17 Madam Presiding Officer, I want to read a
18 statement into the record.

19 CHAIRWOMAN GONSALVES: Minority
20 Leader Kevan Abrahams.

21 LEGISLATOR ABRAHAMS: Thank you.
22 First, I would like to incorporate some of
23 the debate or discussion from the hearing
24 incorporated into the legislative meeting as
25 well, but I just want to make sure that it's

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2 clear, we heard from the taxpayers of this
3 county.

4 My members as well as the
5 Legislative Democratic Minority, and we
6 continue to be against these taxes and fees
7 that are driving families out of Nassau.
8 For all these fees they are truly unfair and
9 burdensome taxes.

10 What's even more clear, it's
11 being called a so-called public safety fee
12 which, in reality, is nothing but an illegal
13 motorist tax as it's been documented by
14 Triple A as well as our counsel as per the
15 Comptroller D'Napoli's report.

16 The majority keeps saying to us
17 they are coming to us for solutions. But
18 the reality is, we've been filing for
19 solutions for the last three years and not
20 even had the decency of a hearing to vent
21 them.

22 We came up with the idea of an
23 Independent Inspector General, one, as per
24 Madeline Singas, the DA of the county,
25 identifies would root out waste fraud and

1 10-31-16 Reconvened Full Leg
2 abuse in this county. Would root out
3 contracts that are costing this county
4 dearly.

5 However, forgetting about the
6 fact that this item hasn't even been called,
7 this item hasn't even had a hearing to vent
8 it.

9 The county is being run by a
10 co-con-secrecy and, unfortunately, what
11 would add light to that process is an
12 Independent Inspector General.

13 Unfortunately, this
14 administration, and with my colleagues to
15 the right, continue to resist this
16 transparency and reform in light of the
17 fiscal problems that we currently have in
18 this county.

19 At this time our caucus again
20 will reject the \$55 fee, even though it's a
21 reduction and it's half the cost. It's not
22 half as bad because you're reducing the cost
23 by half. It's still bad. It's bad for
24 Nassau County taxpayers, bad for the
25 motorists, and it's bad for the county to be

1 10-31-16 Reconvened Full Leg

2 budgeted in this fiscal manner. Thank you.

3 CHAIRWOMAN GONSALVES: Now, the
4 item, Item 13, also has an amendment in the
5 nature of a substitution. I believe there
6 was a motion. I need to get the amendment
7 in the nature of a substitution.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR MACKENZIE: Second.

10 CHAIRWOMAN GONSALVES: I believe
11 Dennis Dunne made the motion and seconded by
12 MacKenzie, I believe.

13 Now there is an amendment in the
14 nature of a substitution which does just
15 that, it reduces the public safety fee from
16 105 to 55.

17 I need a vote on the amendment
18 and then you can speak.

19 A motion on the amendment in the
20 nature of a substitution which reduces the
21 public safety fee from 105 to 55. It's been
22 moved. All those in favor of the amendment
23 in the nature of a substitution signify by
24 saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 The amendment in the nature of a
5 substitution passes 11 to 8. Now,
6 Legislator Rhoads.

7 LEGISLATOR RHOADS: Thank you,
8 Madam Presiding Officer.

9 Just as a brief, I guess,
10 response to the Minority Leader's comment.

11 There is no question that Nassau
12 County faces some significant budget
13 challenges. There is also no question that
14 we need the active help and participation of
15 all 19 legislators in order for us to meet
16 those challenges.

17 I know that there has been a push
18 for an Independent Inspector General.
19 These, actually, calls for reform are
20 certainly not something that is new to
21 Nassau County.

22 In 2006, Citizen Action New York
23 reported that then County Executive Tom
24 Suozzi handed out over \$100 million in
25 contracts to companies that contribution

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2 nearly \$200,000 to his campaign in just his
3 first term.

4 That 77 percent of no bid
5 contracts he awarded were finalized within
6 90 days of the company's contribution to his
7 campaign.

8 It was separately reported in the
9 New York Times that in 2003 alone, that \$177
10 million in tax breaks and incentives were
11 given to six companies that had made over
12 \$67,000 in donations to Democrats including
13 the County Executive.

14 At that time it was also reported
15 that lawyers and consultants hired by a
16 county agency through no-bid contracts had
17 contributed another \$85,000 to Democratic
18 campaigns.

19 In fact, under County Executive
20 Suozzi, the County Legislature wasn't even
21 notified, much less consulted when the
22 administration entered into contracts for
23 less than \$25,000.

24 A Republican legislature at that
25 time that in the minority, many of which are

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2 still here, called for reform, but those
3 calls fell on deaf ears.

4 While we recognize the issues
5 that are going on with the county system
6 today, the calls for reform here have not
7 fallen on deaf ears. In fact, we have
8 passed a comprehensive series of reforms
9 which have included new disclosure
10 requirements for lobbyists, for vendors, and
11 for consultants.

12 We have required detailed
13 business histories for those seeking to do
14 business with Nassau County. We passed new
15 disclosure requirements for political
16 contributions by individuals and
17 corporations seeking to do business with the
18 county accompanied by affidavits attesting
19 that no contributions were made with the
20 expectation of a governmental benefit.

21 We have dropped the threshold for
22 review of contracts by the Legislature's
23 Rules Committee from \$25,000 down to \$1,000.

24 We've hired a director of
25 procurement compliance to ensure that the

1 10-31-16 Reconvened Full Leg

2 processes are being followed with respect to
3 each of the more than 4,000 contracts that
4 Nassau County enters into every single year.

5 Additionally, we have
6 strengthened the position of Commissioner of
7 Investigations which will have a staff and
8 subpoena power to conduct investigations
9 into any contract, governmental official,
10 individual or vendor doing business with
11 Nassau County, and to refer any potential
12 violation of law to the Nassau County
13 District Attorney's Office for potential
14 prosecution.

15 With these reforms, oversight and
16 participation in the county's contract and
17 procurement process is not just limited to
18 the Legislature.

19 The process now includes the
20 department initiating the contract, it
21 includes the Office of Management and
22 Budget, it includes the County Attorney,
23 County Comptroller, the Legislature, the
24 Director of Procurement Compliance, the
25 Commissioner of Investigations, and,

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2 potentially, the District Attorney if it's
3 found that any wrongdoing has been
4 accomplished.

5 In addition, prior to the
6 execution of any contract, it must be
7 reviewed and approved by the County
8 Executive and the Nassau Interim Finance
9 Authority.

10 Further the notion that we need
11 to have someone appointed for a period of
12 time is what makes them independent. In my
13 opinion, is a fallacy.

14 What makes them independent is
15 that each of us, as elected officials, doing
16 the job that we were asked to do, doing the
17 job that we were hired to do, in making sure
18 that we put everyone to their proof, to use
19 a legal term.

20 The suggestion that we can simply
21 balance the budget by eliminating waste,
22 fraud and abuse, is something that looks
23 good on the back of a campaign postcard, but
24 it's something in practice is much more
25 difficult.

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2 In the meantime, in this budget
3 process, we need to find actual solutions,
4 actual revenue, actual cuts that are going
5 to past muster not only with the electorate,
6 but are going to pass NIFA muster as well.

7 I think we have taken a serious
8 obligation to do that, I think that many of
9 the votes that we've taken today are the
10 direct result of that, and if there are any
11 suggestions from the minority, specific
12 suggestions, that we have with respect to
13 how we can address the budget, I know that I
14 for one, and I don't want to speak for my
15 caucus, but I'm sure that many agree, I
16 would love to hear them. If there are any
17 specifics, please let us know, because we're
18 all ears.

19 CHAIRWOMAN GONSALVES: Go ahead,
20 Minority Leader, we have Rules Committee.

21 LEGISLATOR ABRAHAMS: Yes, yes, I
22 understand. I'm part of that Rules
23 Committee.

24 A couple of different things,
25 Legislator Rhoads, that you pointed out that

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2 I wanted to identify.

3 I'm glad that you identified some
4 of the things that occurred under the
5 previous administration as well.

6 We have never made this about
7 Republican or Democrat. You never heard
8 that come out of my mouth in regards to
9 Republicans versus Democrats and what
10 Gulotta did versus what Suozzi did versus
11 what Mangano has done.

12 However, of all the things that
13 you pointed out, of all the things that you
14 have identified as areas of concern to make
15 this process more open, more transparent,
16 not one of them would have prevented AbTech
17 from happening again.

18 Also, in my recollection, which
19 is short, because I've only been here for
20 the last 14 years, I don't remember in the
21 history of this county, a County Executive
22 ever being indicted.

23 Now, granted the County Executive
24 deserves his day in court. He is innocent
25 until proven guilty. I think everyone

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2 believes in that mantra. That is the staple
3 of our judicial system in this country.

4 That being said, to me it is
5 unbelievable that this Legislature will
6 continue with the process that doesn't have
7 any independence, no review, no oversight
8 other than this legislative body asking
9 people at that podium, which, granted, at
10 times, we get misinformation, lies, facts
11 that get skewed, and we continue to go in.
12 We don't have the ability to swear in
13 people, or maybe the Presiding Officer
14 does, but we do not.

15 To me, to go and engage in this
16 process in a Rules Committee contract
17 process and not have any ability to properly
18 vet things but continue to vote for
19 contracts, to me is reckless and
20 irresponsible.

21 This body needs an Independent
22 Inspector General, someone to review the
23 procurement process thoroughly.

24 You talked about the appointments
25 of the procurement director as well as the

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2 Commissioner of Investigations. Those are
3 all well and good, but those positions are
4 not staffed to the proper -- I wouldn't even
5 considering accepting those positions such
6 as Mrs. Donna Myrill, in the place of an
7 Independent Inspector General, but her
8 office is not even staffed adequately to be
9 able to do the rooting out of corruption in
10 this county.

11 You take a look at some of the
12 other offices throughout this region, what's
13 going on in New York City. The fact that
14 she has a couple of other people that are
15 with her is absurd. It's almost like she's
16 being set up for failure.

17 So, to me, the bottom line is
18 that she needs a contract to remain
19 independent, not for this body, for the
20 public. So that the public believes that
21 she's independent.

22 Think about it. There is an
23 Inspector General that is hired under a
24 County Executive who has been arrested and
25 indicted. Do you really believe that the

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2 public believes that that person is going to
3 be independent of rooting out corruption in
4 that administration? That's the bottom
5 line.

6 Even though nothing has come
7 forward, the Deputy County Executive is
8 currently under investigation as well.

9 Guys, this could be a Republican,
10 Democrat, Tom Suozzi verse -- it doesn't
11 matter. To me, in this day and age, we
12 should be doing all we need to do to make
13 sure this process is transparent and open.
14 Right now it is not.

15 You cannot sell me on the fact
16 that we approving contracts which you have
17 no idea this there were bid rigging, or
18 contract steering in those processes. You
19 cannot convince this legislative body of
20 that.

21 To me, not having an Independent
22 Inspector General, you continue to
23 perpetuate a systemic problem in this county
24 of not having independence and transparency.

25 And, not for nothing, as I'm

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2 reminded by Legislator Birnbaum, over 3,000
3 people signed a petition asking for this to
4 be place on the ballot, not to say
5 Republicans or Democrats are right, let the
6 people decide if an Independent Inspector
7 General was warranted, and we couldn't even
8 bring this legislative item for that
9 consideration.

10 LEGISLATOR RHOADS: Out of all
11 the waste, fraud and abuse that you see
12 around you, has your office ever once made a
13 referral to the District Attorney?

14 CHAIRWOMAN GONSALVES: I don't
15 want to even go there. I really don't want
16 to.

17 LEGISLATOR ABRAHAMS: We have
18 forwarded things to the District Attorney in
19 many a cases, under District Attorney Rice,
20 as well as District Attorney Singas.

21 One of them I can gladly bring up
22 was the situation with Commissioner Dale.
23 But I refer to counsel, I'm sure we can
24 bring up more.

25 CHAIRWOMAN GONSALVES: No.

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2 Let's move on. We have Item 13 as amended.

3 All those in favor of Item 13, which is

4 ordinance 180, signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (Nay.)

8 The item passes 11 to 8.

9 Guess what, that's the last item
10 and we can now officially adjourn this
11 meeting. Motion, please.

12 LEGISLATOR NICOLELLO: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Nicolello, seconded by Legislator
16 Kopel. All those in favor of adjourning
17 this meeting signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The meeting is now adjourned.

22 And we have one more task today and that's
23 the Rules Committee.

24 (Whereupon, the Rules Committee
25 adjourned at 5:46 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of December, 2016.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, November 21, 2016
1:12 P.M.

1

2 A P P E A R A N C E S:

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 ARNOLD DRUCKER

21 JAMES KENNEDY

22 DELIA DERIGGI-WHITTON

23 CARRIE SOLAGES

24 SIELA BYNOE

25 MICHAEL PULITZER,
 Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: We will
3 begin with Dennis Dunne, please lead us in
4 the Pledge of Allegiance.

5 (Whereupon, the Pledge of
6 Allegiance was recited.)

7 CHAIRWOMAN GONSALVES: Thank you
8 very much, Legislator Gaylor. Mr. Pulitzer,
9 please call the roll.

10 CLERK PULITZER: Thank you,
11 ma'am. Deputy Presiding Officer Richard
12 Nicolello?

13 LEGISLATOR NICOLELLO: Here.

14 CLERK PULITZER: Alternate Deputy
15 Presiding Officer Howard Kopel?

16 LEGISLATOR KOPEL: Here.

17 CLERK PULITZER: Legislator Siela
18 Bynoe?

19 LEGISLATOR BYNOE: Here.

20 CLERK PULITZER: Legislator
21 Carrie Solages?

22 LEGISLATOR SOLAGES: Here.

23 CLERK PULITZER: Legislator
24 Denise Ford?

25 LEGISLATOR FORD: Here.

1 Full Legislature/11-21-16
2 CLERK PULITZER: Legislator Laura
3 Curran?
4 LEGISLATOR CURRAN: Here.
5 CLERK PULITZER: Legislator C.
6 William Gaylor III?
7 LEGISLATOR GAYLOR: Here.
8 CLERK PULITZER: Legislator
9 Vincent Muscarella?
10 LEGISLATOR MUSCARELLA: Here.
11 CLERK PULITZER: Legislator Ellen
12 Birnbaum?
13 LEGISLATOR BIRNBAUM: Here.
14 CLERK PULITZER: Legislator Delia
15 DeRiggi-Whitton?
16 LEGISLATOR DERIGGI-WHITTON:
17 Here.
18 CLERK PULITZER: Legislator James
19 Kennedy?
20 LEGISLATOR KENNEDY: Here.
21 CLERK PULITZER: Legislator Laura
22 Schaefer?
23 LEGISLATOR SCHAEFER: Here.
24 CLERK PULITZER: Legislator
25 Dennis Dunne?

1 Full Legislature/11-21-16
2 LEGISLATOR DUNNE: Here.
3 CLERK PULITZER: Legislator, and
4 welcome, Arnold Drucker?
5 LEGISLATOR DRUCKER: Here.
6 CLERK PULITZER: Legislator
7 Rosemarie Walker?
8 LEGISLATOR WALKER: Here.
9 CLERK PULITZER: Legislator
10 Donald MacKenzie?
11 LEGISLATOR MACKENZIE: Here.
12 CLERK PULITZER: Legislator
13 Steven Rhoads?
14 LEGISLATOR RHOADS: Present.
15 CLERK PULITZER: Minority Leader
16 Kevan Abrahams?
17 LEGISLATOR ABRAHAMS: Here.
18 CLERK PULITZER: Presiding Officer
19 Norma Gonsalves?
20 CHAIRWOMAN GONSALVES: Present.
21 CLERK PULITZER: We have a
22 quorum.
23 CHAIRWOMAN GONSALVES: Thank you
24 very much, Mr. Pulitzer.
25 Each Full Legislature meeting, we

1 Full Legislature/11-21-16

2 honor top cops. Today is no exception and
3 we have two top cops that will be honored by
4 this body.

5 I believe we have Mr. Paterson
6 from the PBA to come up and speak together
7 with the chief of the department, Steven
8 Skrynecki. We have two I believe.

9 MR. PATERSON: Once again we're
10 here to thank you for honoring two of our
11 finest.

12 When you hear this particular
13 story this month, it's going to take a
14 unique meaning. Unfortunately, over the
15 last weekend, the law enforcement community
16 had a real bad weekend. We had four cops
17 shot. One assassinated down in San Antonio.
18 It just goes to show what's going on in this
19 country unfortunately.

20 Our profession has turned from a
21 very dangerous profession to a very very
22 dangerous profession every day whether
23 you're in San Antonio, Dallas, or Nassau
24 County, you're coming across some bad
25 situations. I hope everybody really -- I

1 Full Legislature/11-21-16

2 know this body does, but I hope everybody
3 sits back and reflects and really respects
4 what our officers do each and every day.

5 I will start off with the story.
6 This month, this Legislative body is
7 honoring Police Officer Charles Samolinski
8 and Police Officer Christopher Accordino.

9 The two police officers were
10 assigned to the third precinct. They were
11 over in the Uniondale area which is 323 car.
12 They were on patrol doing what they do.

13 They notice just on the other
14 side of the border, to the village of
15 Hempstead, two subjects involved in a
16 violent fight.

17 Upon approaching, they exited the
18 vehicle and started giving them orders to
19 stop the fight. While the two subjects
20 refused, and kept on fighting, both officers
21 suddenly realize that one subject's had --
22 was armed with a firearm.

23 They both drew their guns and
24 ordered them to stop fighting and
25 immediately secured the scene. They placed

1 Full Legislature/11-21-16

2 the subject in handcuffs and thank God
3 nobody was hurt, especially the officers.

4 Hempstead Village Police Officers
5 came by and subsequently both subjects were
6 arrested on a related domestic incident plus
7 the possession of the weapon.

8 Another unique thing about this
9 story is, Police Officer Christopher
10 Accordino was on field training at the time
11 and he hadn't even graduated out of the
12 academy.

13 If you remember, unfortunately we
14 lost a New York city sergeant last month,
15 and the police officer who took out, how we
16 say the bad guy, was also on field training.

17 That just goes to show you, when
18 these guys are out here, when you come out
19 of training, you're not quite a full police
20 officer, yet you come across something like
21 this. Both officers acted professionally
22 and the new guy, the recruit, showed the
23 wherewithal to say, yeah, I'm a police
24 officer, and he did a great job.

25 Once again, we thank this

1 Full Legislature/11-21-16
2 Legislative body for recognizing these two
3 officers.

4 CHIEF SKRYNECKI: Thank you.
5 Just to echo Peter's remarks, first I would
6 like to say thank you again, to every member
7 of the Legislature for recognizing our
8 officers each month and your continued
9 support for the police department which we
10 value tremendously.

11 As Pete just said, this is a
12 tough time to be a police officer no matter
13 where you are. It's rare or it's a struggle
14 it seems to get public recognition for
15 police officers and their fine work and
16 truly you set the tone for that and we very
17 much appreciate that.

18 The story you just heard is a
19 reflection of the great quality police
20 officers that we have. This is self
21 initiated work. This is not on a radio
22 call. This is not on an assignment. These
23 are two officers who are driving around on
24 their post looking for the things that they
25 should be looking for, things that look

1 Full Legislature/11-21-16

2 suspicious, things that look unusual,
3 things, that are troubling to society. They
4 see two people engage in a fight, they take
5 appropriate action and, low and behold, one
6 of them is armed with a loaded weapon which
7 could be a horrific end to that story had it
8 not been for the incredible restraint on the
9 part of these officers, on their good
10 judgment, on how they can manage the
11 situation, and this you're hearing
12 repeatedly now here in Nassau County
13 particularly, which is our officers are
14 managing situations like this that could
15 significantly different. They're managing
16 them in a way where nobody gets hurt,
17 neither themselves, the public at large, or
18 the subject that they're apprehending.

19 So, we really want to applaud the
20 ability that they have to analyze a
21 situation, consider their options and
22 exercise the right option.

23 I will end by saying this, it's
24 also a great reflection of our police
25 academy and the staff in our police academy

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2 who is preparing these officers on their
3 very first day to carry themselves the way
4 they are.

5 So, a lot of really good things
6 happening here. Congratulations to our
7 officers again. Thank you all so much for
8 acknowledging us and Happy Thanksgiving to
9 all of you.

10 CHAIRWOMAN GONSALVES: Would
11 either of the officers like to say
12 something? Who is the new kid on the block?
13 Would you like to say something.

14 MR. PATERSON: It is an active
15 case, they really can't talk much about the
16 case themselves.

17 OFFICER SAMOLINSKI: Thank you.

18 CHAIRWOMAN GONSALVES: I'm glad I
19 heard his voice. He said thank you. The
20 other gentleman I'm sure would say the same
21 thing.

22 OFFICER ACCORDINO: Yes, thank
23 you very much.

24 CHAIRWOMAN GONSALVES: You're
25 welcome. It's our pleasure.

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2 We are gathering for a photo,
3 each of the officers will receive a citation
4 signed by every one of the Legislators on
5 this body.

6 The size of the citation,
7 warrants, of course, the signatures of
8 everyone, all 19 of us on this citation.

9 Officer Samolinski and Officer
10 Accordino.

11 Now I'm going to ask Senator
12 Kaminsky, are you here? Where are you? And
13 Mr. Drucker, would you please go down to the
14 well to be inducted. Is Mrs. Drucker here?
15 I think she should come up in.

16 For everyone who doesn't know
17 what is going on, or assuming what is going
18 on, Mr. Drucker won the election on November
19 8th, filling the seat of our dear friend of
20 all of us, Legislator Jacobs, and installing
21 him today is going to be Senator Kaminsky
22 who also won re-election I believe on
23 November 8th; am I correct?

24 LEGISLATOR DRUCKER: Yes.

25 CHAIRWOMAN GONSALVES: Joining

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2 Mr. Drucker are members of his family.

3 Without any further ado, Senator
4 Kaminsky will now formally induct Legislator
5 Drucker to this body. Let's go.

6 SENATOR KAMINSKY: Do you still
7 want to do this?

8 LEGISLATOR DRUCKER: Too late
9 now. I already signed the oath card.

10 SENATOR KAMINSKY: Please raise
11 your hand. I.

12 LEGISLATOR DRUCKER: I.

13 SENATOR KAMINSKY: Arnold
14 Drucker.

15 LEGISLATOR DRUCKER: Arnold
16 Drucker.

17 SENATOR KAMINSKY: Do solemnly
18 swear to uphold the constitution of the
19 United States.

20 LEGISLATOR DRUCKER: Do solemnly
21 swear to uphold the Constitution of the
22 United States.

23 SENATOR KAMINSKY: The
24 Constitution of the State of New York.

25 LEGISLATOR DRUCKER: The

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2 Constitution of the State of New York.

3 SENATOR KAMINSKY: And the
4 Charter and laws of Nassau County.

5 LEGISLATOR DRUCKER: And the
6 Charter and laws of Nassau County.

7 SENATOR KAMINSKY: And to
8 discharge the duties of the office of Nassau
9 County legislator.

10 LEGISLATOR DRUCKER: And to
11 discharge the duties of the office of Nassau
12 County legislator.

13 SENATOR KAMINSKY: To the best of
14 my ability.

15 LEGISLATOR DRUCKER: To the best
16 of my ability.

17 SENATOR KAMINSKY: So help me
18 God.

19 LEGISLATOR DRUCKER: So help me
20 God.

21 SENATOR KAMINSKY:
22 Congratulations.

23 LEGISLATOR DRUCKER: Thank you.

24 Thank you, Todd. I'm honored
25 that you were able to administer the oath of

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2 office to me so I can launch this new
3 challenge in my life. Thank you.

4 I want to begin by just saying
5 that it is indeed an honor and a privilege
6 to serve on the Nassau County Legislature.

7 I believe that I was elected by
8 the voters of my district so that I can
9 carry on the legacy of Judy Jacobs' blessed
10 memory, who served on this esteemed
11 institution with grace, honor and
12 distinction for more than 20 years.

13 Judy's commitment to her
14 constituents was to promote and deliver
15 open, honest and transparent government to
16 all of her neighbors and fellow residents.
17 That is my commitment as well. I look
18 forward to rolling up my sleeves and getting
19 to work to fulfill that promise.

20 I would like to take this
21 opportunity to thank certain people who made
22 this day possible.

23 First, I would like to thank
24 Chairman Jay Jacobs who believed that I
25 would be a worthy candidate to carry on the

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2 legacy of Judy Jacobs. Thank you Jay for
3 your encouragement and support from day one.

4 I would like to thank Executive
5 Director Mike Sanarono for all that you do
6 behind the scenes.

7 I would also like to thank my
8 number one coach and advisor, Dave Gugherty,
9 our Town of Oyster Bay leader. Your
10 day-to-day advice was invaluable and more
11 importantly, comforting and reassuring.

12 I would also like to thank my
13 assistant coach Matt Hines who led the way
14 in my campaign.

15 I also need to thank Gaspar
16 Tuminello, Mark Cadushin, Mike Anderson and
17 Ben Lavender who were my boots on the ground
18 at events and campaigning at various places.

19 A special thanks to Bill
20 Bialmonte, Pet Kleins, and our
21 communications director Laura O'Corcorran
22 Doolan for all that you do.

23 As well as all those volunteers
24 at the Syosset headquarters who generously
25 gave so much of their time on my behalf.

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2 I would like to thank those noble
3 organizations who endorsed me and honored me
4 with your presence today such as the Long
5 Island Federation of Labor, The Nassau
6 County Sheriff's Correction Officers
7 Benevolent Association, the working Family's
8 Party and the Independence Party.

9 I, of course, need to thank all
10 of the voters in LD 16 who have entrusted me
11 to do my part to deliver good government to
12 them and I will not let them down.

13 Finally, I would like to thank
14 all my family members who are in attendance
15 today, as well as some of my dear, dear
16 friends here today, and some of my wonderful
17 staff at my law office in Queens who have
18 all supported me and encouraged me during
19 this endeavor.

20 And, last, but certainly not
21 least, I want to thank my children, Noah and
22 Rachel, and most of all my wife Frannie
23 whose love, encouragement and support has
24 meant the world to me. She has given it
25 unconditionally knowing full well that she

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2 will now see me more infrequently than she
3 does already. I love you. Thank you all.

4 CHAIRWOMAN GONSALVES: At this
5 time I would like to congratulate you,
6 Legislator Drucker, and wish you the very
7 best in your endeavors and following through
8 on Judy Jacobs' goals and visions.

9 Congratulations on my part and
10 the part of the entire Legislature. But we
11 also have congratulations from the Minority
12 Leader Kevan Abrahams.

13 LEGISLATOR ABRAHAMS: Thank you,
14 Madam Presiding Officer. I promise to be
15 brief. It looks like we have a very full
16 agenda for today but I just wanted to again
17 express my congratulations to Arnie Drucker
18 who I have known for quite some time.

19 Obviously he's now joining us as
20 a colleague on behalf of all of our members,
21 not just the Democratic caucus, but the
22 entire Legislature as well, as well as all
23 the Nassau County residents, we wish to
24 congratulate you.

25 I think back to the first time

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2 when I was first elected to office also in a
3 special election in 2002. I can say in jest
4 that there are some ups and downs. Could be
5 quite a few downs but definitely more ups.

6 I can tell you that the job is
7 rewarding not just for yourself as well as
8 for your constituents, but rewarding for the
9 county to know that you are doing a
10 tremendous thing here today. I want to wish
11 congratulations to you, and to your family,
12 and obviously thank Senator Kaminsky for
13 swearing you in as well and all the best in
14 2016 and Happy Thanksgiving and all the best
15 in the future of the remainder of the term.

16 I want to take the opportunity, I
17 do believe there are some elected officials
18 here with us today, and I just wanted to
19 recognize their acknowledgment as well,
20 Madam Presiding Officer, New York State
21 Assemblyman Chuck Lavine is here with us.
22 He might have left. North Hempstead Town
23 Clerk Wayne Wink. There's Wayne. And North
24 Hempstead Receiver of Taxes, Charley Berman.
25 And obviously Senator Kaminsky was here

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2 earlier, but thank you again for this brief
3 moment, Madam Presiding Officer.

4 CHAIRWOMAN GONSALVES: There are
5 a number of slips that have been put before
6 me. I would like to get to each and every
7 one of them before we go to the Full
8 Legislature calendar for today so that
9 people who need to leave will have the
10 opportunity to do so.

11 The first slip that I have and,
12 by the way, we have a new addition to the
13 chamber and it's right in front of us and it
14 will be monitored by our clerk,
15 Mr. Pulitzer.

16 So, without any further ado, and
17 I hope she's feeling fine, I call on Joanne
18 Borden.

19 MS. BORDEN: Good afternoon. My
20 illness prevented me from saying this sooner
21 but I want to express my deep admiration,
22 respect and affection for the recently
23 departed Legislator Judith Jacobs.

24 She tirelessly fought for many
25 causes to help her constituents all the

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2 people of Nassau County. She encouraged me
3 to continue our fight for transgender human
4 rights and thus make her Human Rights Law
5 include everyone as she always intended.

6 We never lost that fight because
7 we never abandoned it and we will never give
8 up. Because human rights are right for
9 every human being.

10 Judy, rest in peace, we are on
11 the right side of Americanism, history and
12 humanity, and I will be obdurate.

13 Furthermore, I know the
14 Republican opponents, regardless of their
15 actions, also know unconditional protection
16 of all our rights for all our citizens is
17 the first order of a legislator's duty and
18 responsibility.

19 So I say we transgender people
20 may be considered different because we do
21 not fit the sex we were labeled with at
22 birth.

23 However, science says we were
24 born transgender. Our difference does not
25 mean that we should be separated,

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2 subjugated, discriminated against, or the
3 recipients of prejudice.

4 It is time to dispense with all
5 that ancient 4,000 year old stuff. For the
6 most part, we are good and moral citizens.
7 Human rights were not meant for some select
8 citizens.

9 So in the name of serving God,
10 country and Nassau County I ask you for
11 common plain decency. Define gender
12 identity and gender expression in our law.

13 It was God who made us this way.
14 So he must have intended for us to be this
15 way. Thank you for listening.

16 CHAIRWOMAN GONSALVES: Minority
17 Leader.

18 LEGISLATOR ABRAHAMS: Joanne,
19 welcome back. We haven't seen you in some
20 time. We're glad to see you back. It was a
21 couple of meetings ago, I believe one of
22 your friends mentioned that you were being
23 hospitalized and everyone was obviously
24 concerned, but we are glad to see you here
25 today and we are hoping that you are feeling

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2 better and your health in on the mend.

3 Obviously you mentioned some
4 comments about Judy. You know how very well
5 how dear Judy was to all the members here on
6 this body and how we respected her for the
7 last, over the last 20 years, and is such a
8 tremendous loss to this body.

9 With that being said, I just want
10 to make sure you know, though I know Judy
11 was one of your most public and advocate
12 supporters, that your concerns will not fall
13 on deaf ears.

14 We will continue to fight for
15 your concerns to make sure those protections
16 are in that law. And I will make it my
17 personal pledge, not just for Judy Jacobs
18 but for the transgender community, to ensure
19 that every single person that feels that
20 they can be subjected to some level of
21 discrimination will have that protection in
22 the law.

23 MS. BORDEN: Thank you. And I
24 have a side note for Norma. I still have
25 eight lives left. I only spent one in the

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2 hospital.

3 CHAIRWOMAN GONSALVES: And you
4 have another birthday coming up on December
5 9th.

6 MS. BORDEN: You always say the
7 9th, it's the 6th.

8 CHAIRWOMAN GONSALVES: Isn't it a
9 good thing?

10 MS. BORDEN: You got the number
11 upside down.

12 CHAIRWOMAN GONSALVES: What day
13 is it, Joanne?

14 MS. BORDEN: I lost my hearing
15 aid, what can I tell you.

16 CHAIRWOMAN GONSALVES: Is it
17 December 6th?

18 MS. BORDEN: Yes.

19 CHAIRWOMAN GONSALVES: Well, a
20 happy birthday and continued good health.
21 It was nice to see you and you were missed
22 for the past couple of meetings.

23 MS. BORDEN: All the tubes are
24 out of me now and I'm recuperating.

25 CHAIRWOMAN GONSALVES: Okay. So

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2 you're ready to do a dance. Thank you,
3 Joanne. Tom Bruno.

4 MR. BRUNO: Good afternoon.

5 You probably haven't seen us here
6 for a couple of weeks because we felt as
7 though things were going to be okay.

8 But, recently, I'm calling to
9 speak to you about the Nassau County budget
10 for 2017. I know you all have a very tough
11 decision to make in the next couple of days.
12 We as a coalition of youth service agencies
13 have stood before you many times and we are
14 here again today to ask you to please do all
15 that you can to ensure that the youth
16 services in this county continue to be
17 funded at full. Thank you very much.

18 CHAIRWOMAN GONSALVES: You're
19 welcome. Jamie.

20 MS. BOGENSHUTZ: Good afternoon.
21 My name is Jamie Bogenshutz. I'm the
22 Executive Director of Yes Community
23 Counseling Center and we have our resources,
24 our building in Massapequa serving the south
25 shore and Levittown, Island Trees

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2 communities.

3 I'm here today with my colleagues
4 once again to talk to you about what Tom
5 just mentioned about youth services and
6 funding for youth services.

7 It's funny because we stood here
8 earlier before and we were celebrating the
9 valiant efforts of our amazing police force
10 and, interestingly enough, we have a lot in
11 common. They serve and protect. We serve
12 and protect. They see people at their
13 darkest hours. We see people at their
14 darkest hours. Abused, addicted, depressed,
15 suicidal, bereaved and lost. They save
16 lives and we save lives.

17 As a matter of fact, one of my
18 social workers performed the Heimlich
19 maneuver on an eight year old little girl
20 last week and saved her life.

21 They prevent tragedies in our
22 neighborhoods and we prevent tragedies in
23 our neighborhoods. You might think that
24 those similarities should catapult us to the
25 top of the list of any list that would say,

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2 you're not go to ever touch them because we
3 need them in our communities to keep
4 everyone safe and healthy.

5 Yet, as we sit here today, both
6 of our groups are being considered for
7 dramatic funding reductions and even
8 elimination. So you might say that this is
9 not in your hands, that this is all in the
10 hands of NIFA at this point. But we know
11 that there is much that you can do. We know
12 that you can get us off the table.

13 The way you get us off the table
14 is by finding other options and alternatives
15 that keep this budget whole and keep NIFA
16 away from us. Without our services, without
17 our system in place, we are going to lose
18 lots and lots of young people in this
19 community. Every single day, all of us and
20 all our agencies from Elmont to Massapequa
21 and all in between do nothing but save
22 lives.

23 We really need you to do whatever
24 it is that you can do in a bipartisan way.
25 This is not about this side or that side.

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2 It's about all of you working together to
3 ensure that we all stay safe. We are not
4 here year after year after year singing for
5 our supper.

6 I went back through my notes and
7 I pulled out a speech, a presentation that I
8 made you to guys in 2003, and I could have
9 been reading it today. Except I would not
10 have been mentioning NIFA. So it's not
11 changing. It's not getting better. We need
12 you to do something to make sure we stay off
13 this chopping block.

14 The kids of this county are
15 looking to you to make sure they stay safe
16 and protected and we are looking to you for
17 the same thing.

18 So, whatever you have to do,
19 where ever you have to find this money
20 please find it and get us out of harm's way.
21 Thank you.

22 CHAIRWOMAN GONSALVES: Pat Boyle.

23 MR. BOYLE: Hello everyone. My
24 name is Pat Boyle. I work with Gateway
25 Youth Outreach in Elmont.

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2 First of all, Happy Thanksgiving.

3 I hope you have a joyous one and a pleasant
4 one with your families and whoever else you
5 are going to be with at that time.

6 I would also like to welcome
7 Legislator Drucker. Congratulations. You
8 have some very, very big shoes to fill.
9 Judy Jacobs was an advocate for our cause on
10 a regular basis like she was for so many
11 others. I hope you can find it in your
12 heart to be able to do the same thing.

13 I want to talk to you about two
14 different things. I read that editorial in
15 Newsday today. I agree it's an editorial,
16 not any of you talking, not anything going
17 on there, but it really kind of made me a
18 little nervous.

19 The bottom line is if some kind
20 of funding isn't found or some kind of
21 revenue stream isn't found or some kind of
22 cuts are going to be made, we know we are
23 non mandated services, discretionary
24 services.

25 But I think after what Jamie

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2 talked to you about, I don't know how you
3 can feel we are actually those types of
4 things.

5 One thing that I'm thinking about
6 is, the one thing that could help us in the
7 future, I don't know how you're going to do
8 it or maybe it's time that we do become
9 mandated services. Maybe it's time we start
10 working with the state and maybe it's time
11 we start working with the Legislature here
12 to make sure we are not put on the chopping
13 block every year.

14 It's not like we're asking for
15 more money. We're just asking for what we
16 got in the past. 1989. That's the last
17 time we received any kind of funding
18 increase and it was small at that time. 27
19 years ago.

20 We've managed to go out and find
21 other monies to be able to plug the holes as
22 far as being able to make sure we are able
23 to pay our bills. Which we have. We run
24 businesses. We don't run nice little social
25 service agencies. These are businesses we

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2 are running.

3 I like the clock by the way, it
4 keeps you on time.

5 The other thing that I wanted to
6 talk to you about was contracts. Contracts
7 haven't started going out yet. It's not
8 that I don't think commissioners don't want
9 them to go out. I think they do. The
10 problem with that is, if they don't go out
11 soon even if we are funded in next year's
12 budget, which I really believe you're going
13 to work hard to do, we're not going to see
14 any money until June. That also puts us in
15 a bad way as well too.

16 So I think what we need to do is
17 be able to make sure we are able to start --
18 the budget is passed, as far as I know,
19 we're in it.

20 So if the contracts can go out as
21 soon as possible then we can get the
22 paperwork back and be funded and we can make
23 ourselves work as businesses. We all know
24 that everyone who runs a business knows it's
25 hard to run one without funding. Thank you

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2 very much.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Pat. Dr. Reynolds.

5 DR. REYNOLDS: Good afternoon.
6 I'm Dr. Jeffrey Reynolds. I'm the president
7 and CEO of Family and Children's
8 Association.

9 I noticed, Legislator Gonsalves,
10 that you knew Joanne's birthday, and I hope
11 that I'm not here often enough so that you
12 come to know my birthday.

13 But it does feel like we're here
14 year after year after year talking about the
15 need for youth services and arguing once
16 again for our survival. I will tell you in
17 the past week since it's become known that
18 once again youth services are on the
19 chopping block, I have gotten calls from
20 residents at the county's only runaway at
21 homeless youth shelter asking if we are
22 going to stay open.

23 I have gotten calls from staff
24 about whether or not they are going to have
25 a job come the holidays. I have gotten calls

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2 from federal and state funding sources who
3 have said we kick in to make this all work,
4 are you going to continue to have funding
5 and should we continue to fund you?

6 So the destabilization of these
7 services is happening system wide at a time
8 when we can least afford it.

9 Almost all of you at one point or
10 another, if you haven't then you should have
11 spoken out about this region's heroin
12 crisis. Most of you have done so very,
13 very, very aggressively. That's good,
14 because it's one of the worst public health
15 crises we have seen in this region.

16 You need to connect the dots and
17 understand that the services we're talking
18 about or the lack thereof have a big impact
19 on what happens with this crisis.

20 When we talk about a place where
21 kids and family to go after school, we're
22 talking about services that protect kids and
23 keep them safe from drugs and alcohol.

24 When we talk about school based
25 programs or judicial diversion programs, we

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2 are talking about the very things that
3 because they have been chronically unfunded,
4 have led us to this point.

5 Quite frankly, I want 2017 to be
6 the year where we turn the corner in terms
7 of this crisis. When we see a drop in
8 deaths among 13 to 17 year olds. Where we
9 see fewer kids being locked up, fewer
10 parents grieving the loss of their kids.
11 Cutting these services virtually guarantees
12 that 2017 will mean even more fatalities and
13 deaths.

14 I'm asking you with everything
15 that we have, please protect these services
16 and please make it so we don't have to spend
17 our time year after year coming to beg what
18 amounts to in the scheme of things are
19 relatively small amounts of money.

20 Please, more than anything,
21 connect the dots and understand what we do
22 today really matters in 2017 and beyond.

23 So I thank you for your time and
24 attention.

25 CHAIRWOMAN GONSALVES: Your

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2 welcome, Dr. Reynolds. Joseph Smith,

3 MR. SMITH: Thank you. Before I
4 begin, I do want to extend my thoughts about
5 the loss of a great leader, Judy Jacobs. It
6 was my pleasure to have known Judy from the
7 very first beginning of this Legislature.
8 Like so many of you have said, and so many
9 of you have felt, her loss is just very,
10 very hard to even imagine having happened
11 but it has.

12 I welcome you, Mr. Drucker, and I
13 know that you will do everything you can to
14 live up to Judy's image and to Judy's
15 reputation and to her efforts on behalf of
16 the residents of Nassau County.

17 So, on that note, as Jaime said
18 before, I too have gone through notes from
19 the past over the years. I have spoken
20 before this Legislature many many times on
21 the same topic; youth services. Critical
22 services. Essential services. That
23 unfortunately have been labeled
24 discretionary services.

25 But our kids, your kids, my kids

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2 are not discretionary. The children of
3 Nassau County, the families of Nassau County
4 rely on professional services to be able to
5 live decent lives, to be able to have a
6 sense of hope and opportunity, and not to
7 fall prey to things like heroin addiction,
8 to things like juvenile and adult criminal
9 behavior, to things like mental disorders
10 and suicide.

11 And it's through the services
12 that we have made available over the years
13 and the systems we have built and the
14 coordination of services in our communities
15 that have helped to save lives.

16 Without those services, our
17 communities will not be the kind of quality
18 of life that we want for the residents of
19 Nassau County.

20 Each of you were elected. Each
21 of you were elected to represent the people
22 in your communities. We didn't elect NIFA.
23 How dare, how dare we come to the point that
24 unelected people can make decisions to
25 affect the quality of life in Nassau County.

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2 One of the wealthiest counties in America.

3 There's something wrong with it picture.

4 When the needs of young people
5 and the needs of families are turned over to
6 unelected people, there's something wrong.

7 You have a responsibility to do
8 whatever you need to do to balance a budget
9 and not to do it on the backs of the
10 children of Nassau County. Thank you.

11 CHAIRWOMAN GONSALVES: Thank you,
12 Mr. Smith. Alec Slatky. Speak now or when
13 the item comes up.

14 MR. SLATKY: I'll speak now.
15 Good afternoon. My name is Alec Slatky and
16 I'm here representing Triple A Northeast.
17 Serves as a membership of about 300,000
18 Nassau County residents.

19 I'm sorry if I'm a little bit
20 groggy or disheveled, I actually flew in
21 from Hawaii on a red eye, I was on vacation.
22 The weather was fabulous. Even when it
23 rained it was actually quite pleasant.

24 Unfortunately, this is a very
25 forced transition, the only damper on the

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2 trip was the news that the public safety fee
3 was being reinstated or planned to be
4 reinstated today at a lower level of \$55.
5 That's still unacceptable to us.

6 The reason is, it just violates
7 state law in our opinion. The state law
8 says the fine for red light camera ticket in
9 Nassau County is \$50. And Nassau County now
10 wants to say it's \$150. To me it's
11 obviously that that's in conflict and I
12 don't have any sympathy for blatant red
13 light runners.

14 As a matter of fact I went down
15 to a conference. I spoke at a conference,
16 the Insurance Institute for Highway safety
17 about red light cameras and I praised Nassau
18 County's red light camera program because I
19 think there is a positive safety benefit.

20 But the main issue here is that
21 when you use traffic enforcement to balance
22 the budget, then you lose that connection
23 between the traffic enforcement and traffic
24 safety.

25 The reason why I'm personally

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2 aggrieved by this is that I'd spent a lot of
3 time thinking about -- and I know a lot
4 about academics and people in the
5 transportation sector, criminal justice
6 sector, think about how to set fines to
7 balance the turns in traffic safety with the
8 need for proportionality and the need to not
9 be so punitive, but it seems like here the
10 balance is between the need to raise revenue
11 for the county and the need to avoid
12 political consequences for doing so.

13 If someone came up to me and said
14 that this was done -- it was retracted, the
15 fee was retracted and put back in today for
16 political reasons, I don't know what to say.
17 I don't know if I can argue against it.

18 It's very frustrating because I
19 think there's a real bad precedent that's
20 set here today. And now we're saying that
21 any city, any county, any village in New
22 York State can add whatever fee they want to
23 a traffic ticket, I think that traffic
24 tickets should be about safety.

25 I think that's being lost here

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2 today if you're adding this \$55 fee.

3 I'm happy to continue the
4 conversation with you but I think really the
5 public safety fee in any format is a
6 disgrace really.

7 I think there's still time. I
8 hope you believe that this is bad public
9 policy and that's why I think you stopped it
10 initially. There's still time here today to
11 vote your conscience. I don't want to be a
12 Ted Cruz but happy to continue the
13 conversation at any point in the future and
14 thank you for having me here today.

15 CHAIRWOMAN GONSALVES: You're
16 welcome, Mr. Slatky. Willene Jacobs.

17 MS. JACOBS: Yes. Good
18 afternoon. I do want to make a public
19 comment regarding the resolution in regard
20 to the LED signs for the Bellmore Fire
21 District. Of course Uniondale is definitely
22 in agreement with that, anything for the
23 fire department, as our Uniondale Fire
24 Department is in stance with us for
25 beautification for Uniondale.

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2 Ms. Gonzalves, have you tabled
3 the contract B-11-16 for the Uniondale
4 street scraping project? Was that a no?

5 CHAIRWOMAN GONSALVES: It's not
6 part of today's calendar,

7 MS. JACOBS: Given that response,
8 it is extremely disappointing and
9 discouraging that the Uniondale street
10 scraping project, B-11-16 has not been put on
11 the legislative agenda.

12 The majority of Uniondale
13 residents strongly believe that this is yet
14 another manipulative and orchestrated tactic
15 to further disenfranchise a historically
16 underserved minority community.

17 Our thoughts are neither
18 disillusional or fabricated. We understand
19 that the struggle is indeed real.

20 The residents of Uniondale are
21 united and will stand up against injustice
22 and systematic discriminatory practices.
23 Thank you.

24 CHAIRWOMAN GONSALVES: You're
25 welcome. Jack McCloy.

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2 LEGISLATOR ABRAHAMS: Madam
3 Presiding Officer, is that Pearl and Heidi,
4 are there any other speakers? I was going
5 to make a comment but I didn't want to
6 comment and cut anybody off.

7 CHAIRWOMAN GONSALVES: Fill out a
8 slip.

9 MS. SANFT: I will, right after
10 this. My name is Heidi Sanft.

11 What I want to stay is that I'm
12 in complete agreement with Pearl and I know
13 that you don't know us and what we do for
14 the community but maybe you should.

15 For the last nine years, we have
16 put our blood and our guts and our time into
17 turning this community around. That's the
18 community of Uniondale.

19 I own a business. Pearl is a
20 manager for a telecommunications company.
21 We should be working right now but we really
22 really care about Uniondale. That's where
23 we live.

24 We've done things such as remove
25 litter from planters. We plant more than a

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2 thousand flowers every day in Uniondale. We
3 go door to door and get people to clean up
4 their businesses. We don't get paid any
5 money for this.

6 I see that you're congratulating
7 and taking pictures of different people that
8 do a great job such as the police. I think
9 that's great, but they are paid to do their
10 job. We do all of this for not one penny.
11 All of this lobbying for our community.

12 I should be working right now but
13 I'm here instead. Why? Because I devoted a
14 good part of my life to making a difference.
15 But we need your help and support.

16 This money is there. The
17 contractor is selected. Please don't use
18 this -- don't use politics to stall
19 something that's long overdue.

20 Like I said, Pearl doesn't get
21 paid. I don't get paid. We're supposed to
22 be at work both of us. This is the third
23 meeting in a row that we have come to you
24 when we have jobs waiting for us. I have
25 clients wondering where am I, and I'm here.

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2 Why am I here?

3 I'm not here to waste time. Not
4 here to harass anybody. Not here to do
5 something negative.

6 We're here to make good things
7 happen in a community that's really been
8 kind of shoved aside for quite a while.

9 So, all I'm saying is, please
10 just come together and figure out a way to
11 let this project move forward. You've got
12 really good caring people who are working
13 together, we've all put our egos aside.
14 It's not about me, me, me. We don't ask for
15 anything. So if you can just move it
16 forward, I'd appreciate it.

17 CHAIRWOMAN GONSALVES: Fill out a
18 slip so you're part of the record. You need
19 to fill out a slip too. Your name?

20 MS. BORUM: Barbara Borum. I
21 would just like to express and piggyback on
22 everything that Pearl and Heidi been saying.

23 I would like for you, the
24 legislative board, to realize, this is not
25 about party. We represent people of all

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2 parties.

3 Some of the people that you are
4 denying helped to put all of you or one of
5 you in this seat.

6 So let's forget about what party.
7 It's not about party. We have nonpartisan.
8 We can't like divide like you guys do. You
9 have to come together like we come together
10 as a community and stop thinking you are
11 helping this side, more than that side,
12 because there is a little of all of us in
13 all the communities. We the people put all
14 of you in the seats that you're in. Thank
15 you.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Barbara. Jack McCloy.

18 LEGISLATOR ABRAHAMS: Give me one
19 second, Jack. I just wanted to respond. I
20 just wanted to thank Heidi, Pearl and Ms.
21 Borum for coming down today.

22 Obviously this has been
23 transpiring now for the last few weeks and I
24 think what Heidi said was, she said it best.
25 The folks that are coming down here, they're

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2 not coming down here for any financial
3 benefit. They're coming down strictly for
4 their community, love of their area,
5 beautification of their area. Seeing their
6 area represent what they truly embody in
7 each and every one of themselves.

8 I can tell you, and I'm speaking
9 now to our entire body, that all 19 of us,
10 how many times have we held a community
11 meeting and ten people show up, or 15 people
12 show up on any particular topic, and we wish
13 and employ and encourage people to show up
14 more, and care more.

15 Here we have a group of people a
16 couple of weeks ago was well over 20 some
17 odd people. Today we have some of the
18 leaders from the Nostrand Garden Civic
19 Association. I mean this is what we are
20 looking for in Nassau County. This is what
21 makes our jobs as Nassau County Legislators
22 easier when we have that ability to build a
23 bridge to folks like this in the community
24 that care, that want to see their area be
25 enhanced, that call the police, are engaged

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2 with the police. They want to see their
3 communities be safer.

4 It just seems like to me, today,
5 as well as for the last few weeks, we are
6 turning them away and we are turning our
7 backs to them. When, at a time when we
8 should be encouraging people to participate
9 in their government, and come up with ideas
10 and renditions to make sure our communities
11 are better and more enhanced, we are turning
12 backs to them over politics.

13 So, I wanted to, again, thank
14 them for coming down today and voicing their
15 concerns on behalf of the entire Nostrand
16 Garden Civic Association.

17 CHAIRWOMAN GONSALVES: Jack
18 McCloy.

19 LEGISLATOR SOLAGES: Madam
20 Presiding Officer?

21 CHAIRWOMAN GONSALVES: I have
22 three more speakers and I would like to take
23 them.

24 LEGISLATOR SOLAGES: I'll be
25 brief.

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2 CHAIRWOMAN GONSALVES: Do you
3 know what time we started, Mr. Pulitzer?

4 CLERK PULITZER: About 25 to 30
5 minutes ago. I have three more speakers and
6 I would like to have them before I say
7 that's it. I don't want them to be here and
8 not be able to voice their concerns. You're
9 not going to have three minutes, you'll have
10 one.

11 LEGISLATOR SOLAGES: I'll be
12 brief. Thank you very much, Presiding
13 Officer.

14 I just want to thank all those
15 persons from Uniondale who came here to
16 speak today. It was mentioned before
17 Legislator Judy Jacobs, may she rest in
18 peach, she was an outstanding legislator.

19 Also, this year, in 2016, we lost
20 many community leaders, people like Mel
21 Harris. Mel Harris served as the president
22 of that civic association worked also under
23 the County Executive.

24 Going forward in April, I
25 understand that the coliseum will be

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2 reopening, and I just think it would be
3 foolish to have just that side of Uniondale
4 redeveloped and not the other side of
5 Uniondale not redeveloped.

6 That's something that Mel Harris
7 -- and I don't know if my new seat comes
8 with a lower microphone, but I just think
9 that in good karma and upholding the legacy
10 of a man that worked for the county and
11 cared a lot about this great county, that we
12 reconsider this contract, Presiding Officer.

13 I would truly appreciate that
14 going forward in working with you on behalf
15 of all of the residents of Nassau County.
16 Thank you.

17 CHAIRWOMAN GONSALVES: Mr.
18 McCloy.

19 MR. MCCLOY: Thank you very much.
20 Happy Thanksgiving to all of you.

21 I would like to remind you that
22 I've attended every session for the last
23 year. I would like to remind you that the
24 reason, the main reason for that was my
25 opposition to the road diet that had been

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2 proposed for Grand Avenue in Baldwin.

3 Since the last session, I want to
4 let you know that I had a discussion with my
5 legislator, Laura Curran, and we don't see
6 eye to eye on this but we see eye to eye on
7 some other important situations that I would
8 like to mention to you.

9 There was a community meeting
10 where Kevan and Laura attended in Baldwin
11 where the topic of discussion was the water
12 increase proposal and the recent October
13 26th public service hearing that occurred to
14 discuss that increase.

15 I'd like to mention briefly to
16 you what I spoke about at that public
17 service meeting because I'm very happy to
18 say that I saw Laura at that meeting. I saw
19 Steven Rhoads at that meeting. I don't know
20 if others were there. I didn't hear anyone
21 else from the Legislature speak at that
22 meeting, but what I said was, many of us, we
23 get our bills, we pay our bills, we work, we
24 take care of family, and we repeat the
25 process day by day.

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2 What I do is I have the ability
3 to understand what other people pay for
4 water. My mom lives in Melville and I pay
5 her bills. This is a copy of her bill for
6 9,000 gallons of water in Melville. She
7 paid \$8 on her last bill.

8 This is a copy of my last bill.
9 I paid for 14,000 gallons of water, a little
10 bit less than double. My bill was \$87.42.
11 It's not double, it's not triple, it's not
12 quadruple. It's insane that they are asking
13 for a rate increase on top of what they're
14 already getting.

15 I really hope in the spirit of
16 Thanksgiving we can come together and look
17 at some of the issues that affect the
18 majority of Nassau County residents and in a
19 bipartisan way say, hey, listen, we can't
20 turn the screws any tighter.

21 I don't know if any of you would
22 be interested in finding the specifics of
23 this but I do want to point out this out to
24 you that this is extremely high.

25 The final thing I would like to

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2 mention to you about the budget is the fact
3 that I have been an advocate of fair red
4 light camera timing. I heard what Alec
5 Slatky mentioned about the red light camera
6 surcharge and the one thing I would like to
7 ask again, and I know my time is about ready
8 to end, but if a surcharge is to be placed
9 into effect, please make the yellow light
10 duration an acceptable time, and not an
11 entrapment type of situation. And at these
12 red light camera intersections, please post
13 a count down time which will allow the
14 oncoming traffic drivers to see what is
15 going to happen before the light changes
16 from green to yellow.

17 If somebody does blow through the
18 red light, give them a ticket, give them a
19 surcharge, but don't entrap otherwise safe
20 drivers. Thank you and Happy Thanksgiving.

21 CHAIRWOMAN GONSALVES: And to you
22 Mr. McCloy. Ms. Mereday.

23 MS. MEREDAY: Meta J. Mereday,
24 Baldwin resident. That looks familiar from
25 the Town of Hempstead, so I think we should

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2 have one kind of facing the other way as
3 well, that's just my two cents my three
4 minutes. Quite a few issues to talk about.

5 I was opposed to the \$105, and
6 then when the discussion came about as to
7 where the fees were actually going to be
8 utilized, that was eye opening to me.

9 I just find it interesting that
10 numbers can be changed. Just wondering if
11 the discussion behind the scenes took place
12 with the controller with regard to the ideas
13 that he had in place.

14 I have a concern, because, again,
15 most of the residents only find out in
16 Newsday because they can't attend these
17 activities during the middle of the day and
18 prior to a holiday because they are working.
19 I don't know if it's fortunate or
20 unfortunate that I work at night because
21 actually this is the time I should be doing
22 other things and possibly sleeping, but in
23 this county you can get no rest.

24 The NICE Buses, that's a whole
25 other issue that was a grand plan from this

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2 current administration in terms of
3 privatizing it and it would in fact save the
4 county and save the county residents money.
5 We seem to be paying more in subsidy for
6 this privatized project, another fail for
7 the county and also a detriment to the
8 residents.

9 Under probe in line for \$1.4
10 million contract, again, this speaks to the
11 issue that I have expressed on numerous
12 occasions about the lack of adequate vetting
13 for the contracts we have, we must act like
14 we're our own country. We don't even reach
15 out to the city of New York or the county of
16 Suffolk to find out if any of these
17 potential contractors who are getting multi,
18 million dollar contracts might have some
19 issues, might have a problem with that as
20 well.

21 Significant to what I'm always
22 addressing is the homelessness story. US
23 homelessness is down, Long Island is up a
24 bit.

25 I challenged the Long Island

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2 Coalition for homelessness back in the
3 summer when they made their bogus claim that
4 they had eradicated veteran homelessness on
5 Long Island when in fact national statistics
6 continue to show that 25 percent of the
7 nation's homeless residents are veterans.

8 So I don't understand how Long
9 Island's homelessness can be up but the
10 veteran homelessness is zero.

11 We have a significant issue that
12 we have to continue to address in this
13 county. We all talk about the epidemics and
14 heroin and things of that nature.

15 But if we continue to refuse to
16 address what we're not providing to our
17 veterans in Nassau County through a system
18 and an agency for the numbers and for the
19 limited budget, because no one is bringing
20 up that issue about the budget, and the
21 budget constraints that are impacting the
22 veteran services agency, that is ill
23 equipped ill advised in terms of the
24 services that they're providing. Thank you.
25 I should be back a little bit later if I

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2 stay here long enough.

3 CHAIRWOMAN GONSALVES: Rich, I
4 believe, Schurin.

5 MR. SCHURIN: Yes. Thank you and
6 good afternoon. I have a comment
7 specifically to you, Legislator Ford, but I
8 want all the other legislators to be aware
9 of it.

10 As you know, another pedestrian
11 was killed on Austin Boulevard a few weeks
12 ago. The road averages at least one
13 pedestrian death per year for many years.
14 The redevelopment of the project, the Austin
15 Boulevard project, has been in the works for
16 many many years and people keep on dying.
17 Literally dying.

18 I was very disheartened to learn
19 that the project has been put on hold again
20 for at least two years I'm told because of
21 the reconstruction of the Barnum Isle
22 Bridge, and I'm here today to say to you
23 there is absolutely no reason that a safety
24 project like that needs to be put on hold
25 because of a traffic concern relating to the

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2 reconstruction of a bridge.

3 I would urge you and all the
4 other legislators to take a look at that
5 because, if the statistics are correct, and
6 prove correct in the future, another person,
7 at least one more person, two more people
8 will die.

9 As you know, I live on the other
10 side, and I now have teenage children and
11 they cross that road. I tell them not to
12 but they do anyway. It's an extremely
13 dangerous road and something needs to be
14 done. The bridge project should not stall
15 that. That's the first topic that I want to
16 raise.

17 The second topic is on the tax,
18 for the ticket tax, the motor vehicle ticket
19 tax. It's just a tax on -- further tax on
20 us residents. I spoke against it last time.
21 Cutting it in half is not the solution.

22 The county's problems were
23 created by a corrupt assessment system, a
24 corrupt and inefficient assessment system,
25 which the Legislature is responsible for.

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2 Hasn't been able to fix.

3 There's many other ways to save
4 money. It's the burden on the residents of
5 Nassau County, it's too much. This is
6 really just another tax.

7 I don't think you need to cut any
8 of the good youth programs that all the
9 people spoke out against. There's plenty of
10 savings all over the place. As you all
11 know, there's constantly people being hired
12 in the board of elections and other places
13 because of referrals and family members, et
14 cetera. There is lots of ways to save money
15 in this county without asking the residents
16 of this county to pay more and more and
17 more. Thank you.

18 CHAIRWOMAN GONSALVES: Legislator
19 Ford.

20 LEGISLATOR FORD: Mr. Schurin,
21 thank you very much for bringing up the
22 projects that we are doing in Island Park
23 specifically along Austin Boulevard. You're
24 right, we have been waiting a very long time
25 to reconstruct Austin Boulevard and

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2 everything, we have the funding. Everything
3 is set for it to go.

4 Unfortunately, what had happened
5 was, New York State came down and inspected
6 all the bridges in our area and I guess they
7 might have done it all through New York
8 State.

9 They deemed the Barnum Island
10 Bridge to be in need of replacement because
11 of safety concerns.

12 The Barnum Island Bridge
13 reconstruction has nothing to do with
14 traffic patterns or alleviating any type of
15 traffic. What it is, it is a safety
16 project. That bridge is probably well over
17 70 years old and it needs to be replaced.

18 We were awarded funding by the
19 federal government and if we did not start
20 this project as we are starting it right
21 now, we would be in danger of losing that
22 money, go to another project, and we would
23 have to start the process over again trying
24 to get funding to replace that bridge which
25 may take ten years.

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2 Because of Sandy it also helped
3 to expedite to a certain degree the
4 disrepair of the bridge. A lot of the
5 trucks that went over were overweight but
6 they needed to go over because homes were
7 being rebuilt and the construction companies
8 needed to get into the South Shore that way.

9 I understand the frustration and
10 this is something that going to the civic
11 meetings, and reporting it like sending
12 information to the Herald and having
13 community forums as well in regard to these
14 projects, this was something that I
15 expressed.

16 A lot of the residents who did
17 attend understand the fact that, yes, we do
18 need to redo Austin Boulevard, but this is
19 something more of a safety concern because
20 of the bridge and the condition that it's
21 in. It's two safety projects. We had to
22 pick one.

23 MR. SCHURIN: I understand what
24 you're saying but, as you know, the
25 gentleman that was killed approximately two

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2 miles from the bridge. There is aspects of
3 the project that can be done at the same
4 time. Children cross that road, the
5 entirety of that road. The bridge is only a
6 small part of that road. It's not true that
7 the county can not do these two projects
8 simultaneously. Maybe there are parts of it
9 that have to be put aside because of the
10 bridge, but there's other parts of it that
11 can be done.

12 If somebody thinks creatively and
13 somebody revises and tweaks the plan a
14 little bit, it can be done.

15 So, I hear what you're saying,
16 what you're saying is true, but it's not
17 true that the Austin Boulevard safety plan,
18 entirety of the plan has to be put on hold
19 two years, and you know that.

20 LEGISLATOR FORD: I'm sorry you
21 don't agree, but our engineers have said
22 that and a lot of our emergency personnel
23 agree the fact that we need right at this
24 point to do one project at a time because
25 both of them are like big projects and we

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2 are going to be redirecting traffic.

3 MR. SCHURIN: When you make a
4 choice, people's lies are at stake when you
5 make that choice.

6 LEGISLATOR FORD: Right. Thank
7 you.

8 CHAIRWOMAN GONSALVES: That ends
9 public comment and I believe everyone who
10 put in a slip had an opportunity to speak,
11 even though we went over the 30 minute
12 limit.

13 We will now go the calendar of
14 November 21st. There are several items that
15 are part of the consent calendar. I will
16 read those items and, by consent, that means
17 both sides of the aisle have agreed to the
18 items and so we can block all of those items
19 in one vote.

20 Beginning with Item 4, Ordinance
21 182; Item 5, Ordinance 183; Item 6,
22 Ordinance 184; Item 7, Ordinance 185; Item
23 8, Ordinance 186; Item 9, Ordinance 187;
24 Item 10, Ordinance 188; Item 11, Ordinance
25 189; Item 12, Ordinance 190; Item 13,

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2 Ordinance 191; Item 14, Ordinance 192; Item
3 15, Ordinance 193; Item 16, Ordinance 194;
4 Item 17, Ordinance 195; Item 18, Ordinance
5 196; Item 19, Ordinance 197; Item 20,
6 Ordinance 198; Item 21, Ordinance 199; Item
7 22, Ordinance 200; Item 23, Ordinance 201;
8 Item 24, Ordinance 202;
9 Item 25, Resolution 180; Item 27,
10 Resolution 182; Item 28, Resolution 183;
11 Item 29, Resolution 184; Item 30, Resolution
12 185; Item 31, Resolution 186; Item 31,
13 Resolution 186; Item 32, Resolution 187;
14 Item 33, Resolution 188; Item 34, Resolution
15 189; Item 35, Resolution 190; Item 36,
16 Resolution 191; Item 37, Resolution 192;
17 Item 38, Resolution 193; Item 39, Resolution
18 194; Item 40, Resolution 196; Item 41,
19 Resolution 196; Item 42, Resolution 197;
20 item 43, Resolution 198; Item 44, Resolution
21 199; Item 45, Resolution 200; Item 46,
22 Resolution 201; Item 47, Resolution 202;
23 Item 48, Resolution 203; Item 49, Resolution
24 204.
25 Motion, please.

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2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR NICOLELLO: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Nicolello.

7 I believe since they have been
8 vetted in the committees and as part of the
9 consent calendar, all those in favor of the
10 items that were just called, signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The items pass unanimously.

16 Now we go to the non-consent
17 items and that begins with Hearing Number 1
18 on a local law.

19 Mr. Pulitzer, read the item and
20 call for a motion to open. Item 1.

21 MR. PULITZER: Thank you. Item
22 Number 1 on the calendar is a hearing on a
23 proposed local law, Clerk Item 540, a local
24 law to authorize a voluntary partial amnesty
25 program for income producing property owners

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2 that are liable to pay fines pursuant to the
3 Nassau County Administrative Code, Section
4 6-30.

5 CHAIRWOMAN GONSALVES: A motion
6 to open the hearing.

7 Motion, please.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR GAYLOR: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Walker, seconded by Legislator
12 Gaylor. All those in favor of opening the
13 hearing signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The hearing is open.

18 Who is here to speak on this
19 item?

20 MR. ARCURI: Hi. My name is
21 Anthony Arcuri. I have my colleague John
22 Bollinini here from the Department of
23 Assessment.

24 At this point, I would like to
25 give you a brief rundown of the incoming

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2 expense statements, we call them the ASIE.
3 The purpose of the annual survey of incoming
4 expense is to comply with the stipulations
5 set forth in Section 6-30 of the Nassau
6 County Administrative Code while ensuring
7 the collection of usable income and expense
8 data in a minimally intrusive manner.

9 To facilitate this, owners of
10 Class 4, commercial rent producing
11 properties are asked to participate in the
12 valuation process by reporting their numbers
13 and expenses to the agency.

14 The Nassau County Department of
15 Assessment collects this income and expense
16 data on an annual basis through its survey.

17 The purpose of the survey is to
18 gather data for statistical analysis that
19 will establish the full market value of all
20 income generating properties.

21 The requested information is not
22 used directly to determine the assessed
23 value of the reporting property, rather the
24 data is collected and used to analyze
25 changes and trends in the levels of income

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2 and expense of similar rent producing
3 properties both locally and county wide.

4 The information provided aids the
5 department in the development of schedules
6 and guidelines that result in fairer and
7 more equitable assessed values for all
8 property types.

9 In 2013, the INE Law was passed
10 by the Legislature requiring all Class 4
11 income producing properties to file an
12 income and expense statement, ASIE, with the
13 Department of Assessment.

14 The law provided, if properties
15 failed to submit a survey, they would be
16 subject to a monetary penalty. The number
17 of filings received by the department was
18 somewhat impacted by the temporary
19 retraining order in 2014. The TRO has since
20 been lifted.

21 The law before you today allows
22 commercial non filers due process, entitles
23 them to hearings, and to participate in an
24 amnesty program.

25 CHAIRWOMAN GONSALVES: Minority

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2 Leader.

3 LEGISLATOR ABRAHAMS: Good

4 afternoon. I didn't catch your name.

5 MR. ARCURI: Anthony Arcuri.

6 LEGISLATOR ABRAHAMS: Nice to

7 meet you. I just have a couple of questions

8 but obviously I want to clarify for the

9 record that this is a -- the Legislature is

10 embarking on a partial amnesty as it relates

11 to fines that are liable for payment -- pay

12 for statements due between 2014, 2015, 2016

13 and provided that owners would pay 75

14 percent of that fine which would meet their

15 full satisfaction. Am I understanding this

16 correctly?

17 MR. ARCURI: Correct.

18 LEGISLATOR ABRAHAMS: So, my

19 first question becomes, this covers periods

20 2014, '15 and '16?

21 MR. ARCURI: Yes. The calendar

22 year, yes. We are asking, let's say, in '14

23 for the '13 data. Today we're asking for

24 the '15 data because the '16 is not

25 completed yet.

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2 LEGISLATOR ABRAHAMS: What has
3 been the compliance rate with those that
4 have met that criteria for submitting that
5 information since 2014?

6 MR. ARCURI: Actually I have
7 prepared a 13 year study going back to 2003,
8 but let's address the more recent filers.

9 For the 2013 which would be
10 calendar '14, so let's talk calendar years
11 from now on. So 2014, 66 percent
12 compliance; for 2014, 69 percent compliance.
13 And for 2013, 56 percent compliance.

14 LEGISLATOR ABRAHAMS: Any
15 perspective on the decrease from 2015 to
16 2016?

17 MR. ARCURI: The year is still
18 open. We looked at filers and people filed
19 over the weekend, filed today. There would
20 be late filers, but the filings are coming
21 in. So cumulatively, over a period of time,
22 the '16 filers might catch up.

23 LEGISLATOR ABRAHAMS: The county,
24 as you well know, has determined that they
25 plan to generate revenue from this

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2 particular program.

3 You had just identified that the
4 county is at 56 percent compliance in fiscal
5 year 2016.

6 What would this amnesty bring
7 that compliance rate up to? What are we
8 looking to try to accomplish for those years
9 going back from '14, '15, and '16? Five
10 percent on each year? I'm trying to get an
11 idea of what we're talking about.

12 MR. ARCURI: I really cannot
13 speculate to that, but I can tell you this.
14 In calendar year 2008, the department
15 imposed a penalty for non filers. In that
16 year we had 82 percent compliance.

17 The following year when there was
18 no penalty we had 80 percent compliance and
19 it has been trailing off ever since.

20 The farther we got away from a
21 monetary penalty, you got that first uptick,
22 and from that moment on it's been trailing
23 off to what we have now. So I think the
24 trend speaks --

25 LEGISLATOR ABRAHAMS: I see what

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2 you mean. I don't know if you can answer
3 this because obviously I would need somebody
4 from the administration to answer it.

5 From our standpoint this seems to
6 be something that is being proposed to fill
7 a budget gap.

8 As you probably well know, and
9 not to look at things in a vacuum, but the
10 county is reducing the public safety fee
11 from \$105 to \$55. By doing that, they are
12 also proposing this to fill the budget gap.
13 I know you can't really answer that.

14 Mr. Becker, is there somebody
15 here from the administration that can help
16 us understand why we should consider a one
17 shot for today? That's my question.

18 MR. BECKER: Legislator Abrahams,
19 I would have to take that back. I don't
20 think they were prepared to answer that
21 question, so I'm going to have to get that
22 information upstairs and get a response for
23 you.

24 LEGISLATOR ABRAHAMS: Is
25 Mr. Naughton here today?

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2 MR. BECKER: Let me see if he's
3 available to come down.

4 LEGISLATOR ABRAHAMS: I just want
5 to make sure I understand. Is this
6 perceived as a one shot? It seems to me
7 that this is an amnesty program that is
8 going into effect for fiscal year 2017 for
9 calendar year 2016. Do we plan to see this
10 revenue on a going forward basis?

11 MR. BECKER: Let me see if I can
12 get Mr. Naughton to come down.

13 LEGISLATOR ABRAHAMS: While you
14 do that, and I can't see behind you, Fran,
15 is Maurice Chalmers here?

16 CHAIRWOMAN GONSALVES: Hold on.
17 Mr. Kopel has a response to that.

18 LEGISLATOR ABRAHAMS: I'm not
19 looking -- no disrespect to Mr. Kopel but --

20 CHAIRWOMAN GONSALVES: If you
21 need Mr. Chalmers --

22 LEGISLATOR ABRAHAMS: Madam
23 Presiding Officer, no disrespect to
24 Mr. Kopel, but I'm not seek seeking nor
25 looking for his response.

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2 CHAIRWOMAN GONSALVES: I would
3 rather that you go through the chair to have
4 Mr. Chalmers come up and address us.

5 LEGISLATOR ABRAHAMS: So, do you
6 want me to hold off on Mr. Chalmers, I can
7 continue my questioning?

8 CHAIRWOMAN GONSALVES: Yes.

9 LEGISLATOR ABRAHAMS: Sure.

10 MR. BECKER: Madam Chair, I'm
11 going to get Mr. Naughton down.

12 CHAIRWOMAN GONSALVES: As quickly
13 as possible, please.

14 LEGISLATOR ABRAHAMS: Okay. Sir,
15 we have to hold off on Mr. Chalmers now.

16 CHAIRWOMAN GONSALVES: Mr. Arcuri,
17 Legislator Kopel wants to elaborate on what
18 you just said.

19 LEGISLATOR ABRAHAMS: Madam
20 Presiding Officer, I wasn't done with
21 Mr. Arcuri yet. You said to hold off on my
22 questioning for Mr. Chalmers and go through
23 the chair.

24 CHAIRWOMAN GONSALVES: You're not
25 finished?

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2 LEGISLATOR ABRAHAMS: No.

3 CHAIRWOMAN GONSALVES: Go ahead.

4 And then Mr. Kopel will go. Certain things
5 he wants to clear up.

6 LEGISLATOR ABRAHAMS: Mr. Arcuri,
7 I'm sorry to put you at such a disadvantage.
8 Just one thing as far as a programmatic
9 standpoint.

10 The report that you had
11 referenced that talked about going back a
12 few years, can you provide that to my
13 finance director, Michelle Darcy? I don't
14 know if you have the copy with you there or
15 not, I know Mr. Naughton is not here with
16 us, but if you do have that that would be
17 ideal. Hold on one second.

18 We just want to make sure, you
19 had mentioned -- that's the report?
20 Michelle will come down and grab that and
21 make a copy. You mentioned the TRO is now
22 lifted. We just want to make sure --

23 CHAIRWOMAN GONSALVES: Mr. Arcuri,
24 do you have another copy of that?
25 Mr. Becker, would you please bring that copy

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2 of Mr. Arcuri's statement here? He has a
3 listing of all.

4 LEGISLATOR ABRAHAMS: He has the
5 report. I just have one or two more follow
6 up questions for Mr. Arcuri and then I will
7 be able to wrap it up.

8 The first one, you had mentioned
9 in your opening comments that the TRO has
10 been lifted and I just wanted to make sure
11 we understand from your perspective being
12 from where you are in the department that
13 there are no other legal challenges out
14 there to the law. Mr. Denion can answer I
15 guess.

16 MR. DENION: Conal Denion, County
17 Attorney's Office. The legal challenge that
18 was brought by the Bening, the last name,
19 plaintiffs, is on appeal. They've appealed
20 that. The county was successful at the
21 Supreme Court but that is on appeal so that
22 is ongoing. There is no TRO but they have
23 brought an appeal in the case.

24 LEGISLATOR ABRAHAMS: Mr. Arcuri,
25 according to our notes, we were looking at

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2 Mr. Chalmers' report and I will have
3 Mr. Chalmers come up later to explain it as
4 well, but it indicates that the department
5 used a .5 percent penalty in their
6 calculation for survey year 2013.

7 It's not clear why but it looks
8 like the .75 was not used when it should
9 have been which, based off the calculations
10 in the Mr. Chalmers' report from Independent
11 Budget Review, is a \$9 million difference.
12 Can you clarify that for us?

13 MR. ARCURI: Yes. Any
14 percentages of fines or penalties that we
15 used are on advice from the County
16 Attorney's Office.

17 LEGISLATOR ABRAHAMS: I guess
18 that points it to Mr. Denion.

19 MR. DENION: Unfortunately I was
20 not part of that advice but we will find out
21 about that for you and get back to you.

22 LEGISLATOR ABRAHAMS: I think
23 that's tremendously important to understand
24 why the county in this program is not
25 looking at \$9.9 million in additional

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2 revenue. Who was a part of that discussion?

3 MR. DENION: I'll have to get
4 back to you on that. I know I wasn't part
5 of it.

6 LEGISLATOR ABRAHAMS: I would
7 say, obviously I know Mr. Kopel has
8 questions, and I have greater questions too,
9 but I would consider that we motion to table
10 while we're waiting to get this information.

11 This is \$9.9 million that the
12 Office of Legislative Budget Review has
13 identified and it cover some of the very
14 same youth services that I think we're
15 advocating for today. Yes, this is a
16 hearing.

17 CHAIRWOMAN GONSALVES: The
18 hearing is ongoing so there is no need to
19 table it.

20 MR. DENION: We will try to get
21 you an answer as soon as possible.

22 CHAIRWOMAN GONSALVES: Are you
23 finished with your questions of Mr. Arcuri?
24 Are you finished with Mr. Arcuri so that
25 Legislator Kopel can ask his questions?

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2 LEGISLATOR ABRAHAMS: I am done
3 questioning but I think what we would like
4 to see happen and, obviously I know there
5 are other members who want to question, but
6 what we would like to see happen, unless the
7 information is forthcoming before this
8 hearing is over, that we recess the /HRAERG
9 or what's the proper procedure, table?
10 We'll recess the hearing until we get the
11 proper answers, then reopen the hearing once
12 we get the answers to our satisfaction.

13 I think that's the best way to
14 proceed. You just heard from youth board
15 agency groups that came here pleading their
16 case and it seems like to me, based off the
17 report that's been put together by OLBR, it
18 looks like the county could be not utilizing
19 this 9 and a half million dollars.

20 CHAIRWOMAN GONSALVES: Legislator
21 Kopel.

22 LEGISLATOR KOPEL: Good
23 afternoon, Mr. Arcuri. Let me just check
24 one or two things with you please.

25 First of all, a good deal of that

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2 money is already due, so we're -- just the
3 effect of this would be simply to forgive
4 part of it but to hurry it up, just in terms
5 of the cash.

6 The next question is this. Can
7 one do an accurate assessment roll without
8 this information?

9 MR. ARCURI: The richer the body
10 of information that we get, the better
11 assessment roll we can produce.

12 LEGISLATOR KOPEL: So it would be
13 fair to say, would it, not that the lack of
14 this information from all of the people who
15 have not been producing it is essentially
16 raising havoc with our assessment system
17 altogether. In other words, a lot of the
18 claims may be happening simply because we're
19 just not getting the right information?

20 MR. ARCURI: Again, we do not use
21 the -- it's not a one for one relationship.
22 We don't get an income and expense statement
23 in our hand and go and use that to create a
24 value. The more of them we get in our hand
25 the more statistics --

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2 LEGISLATOR KOPEL: I understand.

3 But if we are missing 20 percent of the
4 information, we've got a problem?

5 MR. ARCURI: Yes. The richer the
6 statistics --

7 LEGISLATOR KOPEL: And that would
8 tend to produce errors in the system
9 naturally?

10 MR. ARCURI: As an assessor, I
11 would tend to agree with you, sir.

12 LEGISLATOR KOPEL: An important
13 reason at least from my perspective and I'm
14 sure many others would, in trying to get
15 this hurried up, we are bringing in more
16 information and then going forward. We are
17 doing a better system. We have better
18 information. We are producing more accurate
19 tax roll which causes less problems in the
20 future.

21 Instead of waiting for whatever
22 court cases there are to wind their way
23 through the system, we are getting the
24 information now and that's a helpful thing
25 from my perspective.

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2 MR. ARCURI: Yes, we definitely
3 need the information to do our jobs
4 correctly.

5 LEGISLATOR KOPEL: Now, do you
6 have to have a feel for I guess the other
7 comparable jurisdiction in a way would be
8 New York City?

9 MR. ARCURI: I'm employed by
10 Nassau County for 12 years. In those 12
11 years, I have in director of the income and
12 expense unit. Prior to that, I was employed
13 by New York City, by the Department of
14 Finance.

15 LEGISLATOR KOPEL: So you've got
16 a great feel for it, how was their
17 compliance?

18 MR. ARCURI: I was director of
19 their income and expense unit for five years
20 before I came here.

21 LEGISLATOR KOPEL: So why don't
22 you go ahead and contrast what's going on
23 there and what's going on here in terms of
24 compliance and penalties and so forth.

25 MR. ARCURI: Extremely high

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2 compliance in New York City. There is a
3 penalty based on percent of value much like
4 the penalty proposed here.

5 The biggest difference is, if you
6 fail to file an RPIE, that's what the city
7 calls it, Real Property Income Expense
8 statement, if you fail to file that, you do
9 not qualify to grieve your assessment for
10 that year.

11 That fosters a situation where
12 you have very high percentages of
13 compliance.

14 LEGISLATOR KOPEL: And, as a
15 result of that, would you say that they have
16 less grievances?

17 MR. ARCURI: Oh, yes.

18 LEGISLATOR KOPEL: As a result of
19 the compliance?

20 MR. ARCURI: And less successful
21 ones as well.

22 LEGISLATOR KOPEL: And less
23 successful ones because, A, people comply
24 because people don't want to have a fine
25 and, B, because they don't want to lose the

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2 right to grieve their right if it's wrong,
3 and, as a result, we just get a much better
4 tax roll.

5 MR. ARCURI: That's correct.

6 LEGISLATOR KOPEL: And that's
7 what we're trying to achieve over here as
8 our primary result of trying to speed up all
9 this compliance.

10 I think I've got what I need.
11 Thank you, sir.

12 CHAIRWOMAN GONSALVES:

13 Mr. Naughton is here if you would like to
14 ask. Who had questions of Mr. Naughton?
15 Mr. Naughton, you're here. He's at the
16 podium.

17 LEGISLATOR ABRAHAMS: How are
18 you, Eric.

19 MR. NAUGHTON: Good afternoon,
20 how are you?

21 LEGISLATOR ABRAHAMS: Good. Can
22 you explain the financing of this amnesty
23 program? Forgive me if this question came
24 up, I was in the back.

25 There's been a lot of discussion

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2 that this is a perceived one shot in terms
3 of revenue.

4 First, can you confirm what the
5 program will generate in revenue?

6 MR. NAUGHTON: As you are well
7 aware, this item was not proposed by the
8 administration. This was an amendment
9 proposed by the majority.

10 LEGISLATOR ABRAHAMS: I do know.

11 MR. NAUGHTON: So we have not
12 performed any analysis on this item. Our
13 budget did not include it. So we had
14 suggested -- we had a proposed budget that
15 included a public safety fee.

16 NIFA has now issued a letter to
17 both leaders stating that the inclusion of
18 this will be rejected and we will have to
19 deal with that as it should happen by this
20 committee.

21 LEGISLATOR ABRAHAMS: So let's
22 just backtrack one second. As you well
23 know, the public safety fee was \$105 as
24 proposed by the administration.

25 MR. NAUGHTON: Correct.

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2 LEGISLATOR ABRAHAMS: It is now
3 being proposed at \$55.

4 MR. NAUGHTON: Yes.

5 LEGISLATOR ABRAHAMS: The loss of
6 that revenue is how much?

7 MR. NAUGHTON: \$36 million.

8 LEGISLATOR ABRAHAMS: So
9 understanding that you have not had a chance
10 to review it, I guess the question is more
11 posed to the majority, in regards to does
12 this proposal generate \$36 million? I guess
13 it really begs the question of, also, I
14 don't know if Legislative Budget Review has
15 had a -- Maurice, have you had a chance --

16 CHAIRWOMAN GONSALVES: I'm going
17 to call Mr. Chalmers to the podium. He can
18 answer the questions you are asking
19 Mr. Naughton. So I will call Mr. Chalmers
20 to the podium to answer those questions.

21 LEGISLATOR ABRAHAMS:
22 Mr. Naughton, just a quick question. It
23 came up a little earlier in regards to the
24 penalty the department is using.

25 As far as I know, the assessment

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2 department reports to the County Executive,
3 but it talked about the use of the penalty
4 being .5 and not .75. Are you familiar with
5 how that number was determined?

6 Mr. Denion said it was discussion
7 with the County Attorney's Office, higher
8 than himself, but just trying to get some
9 answers.

10 MR. NAUGHTON: Myself nor anyone
11 from OMB was involved in any of those
12 discussions.

13 LEGISLATOR ABRAHAMS: So I'm just
14 curious then, because Mr. Denion said it was
15 a discussion with the County Attorney
16 earlier.

17 How can the County Attorney have
18 a discussion about something that's fiscal
19 without yourself or Roseann there?

20 MR. NAUGHTON: I believe the
21 discussion was to assist the majority and
22 coming up with ways, different alternatives,
23 so that's why it did not include the rest of
24 the administration.

25 LEGISLATOR ABRAHAMS: I

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2 understand, but wouldn't the finance arm of
3 the administration be vital to providing the
4 majority with the information of how much
5 this generates and the methodology on .5
6 versus .75?

7 MR. NAUGHTON: I think their
8 staff has enough knowledge to figure that
9 out without us.

10 LEGISLATOR ABRAHAMS: Without
11 you. Okay. I guess the question we have to
12 figure out is and it's really pointed to the
13 Presiding Officer, why are we using that
14 penalty number and not the other number?
15 But, thank you, Mr. Naughton. I guess
16 Mr. Chalmers.

17 CHAIRWOMAN GONSALVES: We're
18 waiting for Mr. Chalmers to come up.

19 LEGISLATOR ABRAHAMS: Madam
20 Presiding Officer, I don't know if you're
21 going to give me an answer on that one.

22 MR. CHALMERS: Maurice Chalmers,
23 budget review.

24 LEGISLATOR ABRAHAMS: Maurice, a
25 couple of things. As you heard from Mr.

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2 Naughton, his office has not looked at what
3 this particular amnesty program will
4 generate in revenue.

5 It has been said and well
6 documented that, of course by NIFA, that
7 going from \$105 public safety fee, to \$55,
8 the county will lose \$36 million.

9 MR. CHALMERS: About \$35.4
10 million, \$36 million, yes.

11 LEGISLATOR ABRAHAMS: So looking
12 at this particular program, this program
13 would generate how much revenue?

14 MR. CHALMERS: Well, the universe
15 for the server years, '13, '14, and '15, we
16 estimate to be approximately \$70.4 million
17 for those three years. That's the universe.
18 Estimating that we have 100 percent
19 participation.

20 In addition to your point of what
21 you are talking about, the data we got has a
22 final .5 percent for 2013. So it was a more
23 conservative number. We actually
24 highlighted that there could be an
25 additional opportunity once that is

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2 clarified of the \$9.9 million you are
3 talking about. The \$9.9 million will be
4 above the \$70.4 million.

5 LEGISLATOR ABRAHAMS: I see. You
6 are saying a lot of interesting things,
7 Maurice. I want to make sure I can capture
8 all of them.

9 So the county's universe, the
10 most the county can collect, and that's
11 assuming everything lines up perfectly for
12 us is roughly \$70.4 million?

13 MR. CHALMERS: That's correct.

14 LEGISLATOR ABRAHAMS: I think Mr.
15 Arcuri had mentioned before that the last
16 time the county imposed some penalty to
17 certain degrees, they were able to generate,
18 I thought you said 82 percent, the number in
19 2008.

20 Have you looked at any of that
21 information to determine what the county
22 would actually --

23 MR. CHALMERS: What we got was
24 property specific information. Those are
25 the properties that actually owe us money.

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2 So those are really specific. Those are I
3 guess the balance of the 82 percent and the
4 18 percent that did not comply.

5 LEGISLATOR ABRAHAMS: I
6 understand. If we have the 70.4 and then
7 looking at the .5, which, doing the math,
8 that gets us to 35.4, \$36 million, going
9 forward to future years, how is this not a
10 one shot in revenue if we're dwindling down
11 off of that \$70 million? Are we expecting
12 it to be replenished with more delinquent
13 people to the same magnitude in the future?

14 MR. CHALMERS: We expect the
15 majority of it to be a one shot. There
16 could be an aspect of it where some property
17 owners may decide not to provide the
18 information and that could be recurring. We
19 have no way of saying how much of it could
20 be recurring.

21 LEGISLATOR ABRAHAMS: So would
22 \$36 million recur?

23 MR. CHALMERS: Probably not.

24 LEGISLATOR ABRAHAMS: Would \$20
25 million recur?

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2 MR. CHALMERS: Again, without --

3 LEGISLATOR ABRAHAMS: I guess
4 what I'm driving at is that, is this more
5 one shot than recurring?

6 MR. CHALMERS: Most of it will
7 not be recurring revenue. What we
8 highlighted also was the cost avoidance
9 also. We actually pay a lot of money on tax
10 certs, commercial tax cert and we could have
11 an opportunity for cost avoidance going
12 forward. That may not a revenue item, but
13 it can also be a cost avoidance.

14 CHAIRWOMAN GONSALVES: Legislator
15 Ford.

16 LEGISLATOR FORD: Just following
17 along this line of questioning, basically
18 this could be a one shot deal, so that the
19 \$36 million or \$40 million --

20 MR. CHALMERS: Or 70.

21 LEGISLATOR FORD: -- we could
22 collect it, say, in 2017. So then as
23 Legislator Kevan Abrahams was saying, then
24 maybe in 2018, we may not have as many
25 businesses that are not in compliance so

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2 that we may not be looking at recouping \$70
3 million or 36.

4 But you did indicate though that
5 because more companies would be in
6 compliance, we would have less grievances so
7 that if we owed \$80 million in tax certs out
8 which we have to pay back, instead of that
9 being \$80 million, that could be reduced to
10 say \$15 million and we save the \$65 million
11 and that's recurring?

12 MR. CHALMERS: That's the cost
13 avoidance proponent of this local law.

14 LEGISLATOR FORD: Thank you very
15 much.

16 LEGISLATOR ABRAHAMS: Denise,
17 just to wrap up my point, and I agree with
18 what is being said, but what I'm saying is,
19 you're take a three-year period of \$70.4
20 million, I understand that you're going to
21 have a higher compliance rate going forward,
22 we get that. But, unless the 70.4
23 represented one year, you're not going to be
24 able to make that all up. That's three
25 years. That's what I'm saying.

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2 LEGISLATOR KOPEL: And you're
3 correct except that the hope is, and the
4 plan is that we won't have to.

5 In other words, when we have a
6 higher compliance, we have less of a need
7 for refunds. So you have a higher
8 compliance, you're making up that much money
9 and perhaps more, on the other end, by not
10 having to worry about the refunds. So your
11 budget is going to come in fine.

12 LEGISLATOR ABRAHAMS: When you
13 say your budget, are you saying the county
14 budget or as it pertains this item?

15 LEGISLATOR KOPEL: No, no. The
16 county budget. In other words, you're not
17 going to get this particular income next
18 time, we hope, but on the expense side of
19 the ledger, you are going to be eliminating
20 expense.

21 So, yes, the income side of the
22 ledger goes down but so does the expense
23 side of the ledger. If things work out
24 well, you're doing the right thing, the
25 smart thing, that way. Would that be fair,

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2 Maurice?

3 MR. CHALMERS: I think that's
4 fair.

5 LEGISLATOR ABRAHAMS: If I'm
6 understanding what you're saying, obviously
7 I agree with you that we will have a more
8 accurate assessment roll to be able to -- I
9 just don't believe that through that
10 efficiency that we are going to generate or
11 have efficiencies that generate to the tune
12 of \$36 million which sounds like to me
13 that's what the number is starting in fiscal
14 year 2017.

15 LEGISLATOR KOPEL: Well, except,
16 by the way, we're not going to get 100
17 percent compliance or anything like it, just
18 by the nature of things. So, there will be
19 some, regardless of whatever we don't
20 collect now, we still have it going forward
21 in the future we can collect that. So at
22 some point you're right, that in a perfect
23 world, that money goes away. We can't
24 project it that far into the future I don't
25 think. By doing this, in getting that

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2 money, you're reducing your costs going
3 forward.

4 LEGISLATOR ABRAHAMS: The Amnesty
5 program, as it stands alone, not trying to
6 balance the budget, I think I agree with
7 your sentiments.

8 That being said, when you're
9 trying to balance the budget, which is
10 obviously billions of dollars, it seems to
11 me for the same concerns that NIFA has had,
12 it runs into a very hazy matter where NIFA
13 has indicated that they would reject this
14 proposal if it tries to do that.

15 I think if you tried to do this
16 while keeping the budget balanced, I don't
17 think we would be at the position where NIFA
18 is threatening further action.

19 LEGISLATOR KOPEL: The problem
20 with NIFA, if you'll forgive me and they'll
21 forgive me, is that a lot of things they do
22 are very hazy and not necessarily based upon
23 logic and not based upon the correct
24 accounting and the correct thinking. So
25 that doesn't necessarily impress me all that

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2 much.

3 LEGISLATOR ABRAHAMS: Look, I'm
4 probably one of the few members outside of
5 Rich, Norma, Dennis, that was here when NIFA
6 was here from its origination.

7 So I can tell you, I've seen it
8 change, I've seen it morphed, and I've seen
9 it do different things, but NIFA, one thing
10 I do know, is that scary, the four of us are
11 the only ones that are here, and Vinnie,
12 sorry, but I will say -- my point is that
13 obviously they are here and we have to deal
14 with them, regardless of whether we believe
15 they are hazy or inconsistent, whatever may
16 be the case, we have to deal with them.

17 LEGISLATOR KOPEL: We have to do
18 the right thing.

19 LEGISLATOR ABRAHAMS: I
20 understand that, Howard, but they've made a
21 very strong point to myself, as well to
22 Madam Presiding Officer as well as to the
23 entire Legislature about their disagreement
24 on this particular item.

25 I think if it stood alone, and it

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2 wasn't trying to balance the budget, I don't
3 think we would receive that letter.

4 LEGISLATOR KOPEL: You're right,
5 but we are an elected body and we have the
6 responsibility to make these decisions on
7 behalf of our constituents and on behalf of
8 the entire county.

9 They are an unelected body.
10 There are some, may I say, can I be bold to
11 say there might be some political
12 influences. But I think that what we need
13 to do is simply adhere to sensible budgetary
14 practices.

15 If NIFA comes out with some good
16 ideas and good suggestions, that's great.
17 We will thank them and kiss them on both
18 cheeks so to speak. That's not what I'm
19 hearing.

20 CHAIRWOMAN GONSALVES: Do you
21 have any other questions for Mr. Chalmers?
22 Legislator DeRiggi-Whitton, do you have
23 question for Mr. Chalmers:

24 LEGISLATOR DERIGGI-WHITTON: No.
25 But can I ask the County Attorney to step

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2 forward again if that's possible?

3 Hi. I know there was a question
4 as to what happened to the fines during the
5 period of the TRO. Were they being
6 accumulated during that time? Can you
7 explain that to us?

8 MR. DENION: I don't know how
9 that was calculated. Tony, did you give a
10 grace period for those or not?

11 LEGISLATOR DERIGGI-WHITTON: Just
12 to reiterate, did the fines continue to
13 accrue while the TRO was in effect?

14 MR. ARCURI: During the TRO,
15 people continued to file. That didn't stop
16 us from receiving filings even though at
17 that time we didn't ask for them.

18 As far as the penalty, if you
19 didn't file at any period whether there is a
20 TRO in effect or not, you're considered not
21 compliant so there would be a fine.

22 LEGISLATOR DERIGGI-WHITTON: That
23 seems to go against what the County
24 Attorney's Office stated.

25 I understand that's the County

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2 Attorney's position on. The question I
3 guess is, do you expect that to be
4 challenged because the TRO is in place?

5 MR. DENION: Again, I'm not one
6 to speculate on that, but I'm not aware of
7 any or aware of any challenge on that basis.

8 LEGISLATOR DERIGGI-WHITTON: It
9 has almost been mentioned to our counsel,
10 you have no indication of it?

11 MR. DENION: I haven't received
12 any, no.

13 LEGISLATOR DERIGGI-WHITTON: Do
14 you have any idea what that would add up to
15 especially with the commercial properties?

16 MR. DENION: I don't know.

17 LEGISLATOR DERIGGI-WHITTON: So
18 the fact that, would you agree that it's
19 still a possibility that that could happen.

20 MR. DENION: Again, I don't want
21 to speculate as to what might happen. I
22 don't know.

23 LEGISLATOR DERIGGI-WHITTON:
24 Would there be anything that would preclude
25 the commercial property owners from

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2 contesting that those fees,

3 MR. DENION: I'm not aware of
4 anything that would keep them out of court,
5 but I'm not aware of anything that would
6 give them success either.

7 LEGISLATOR DERIGGI-WHITTON: So
8 it's another unknown factor I suppose?

9 MR. DENION: I wouldn't say
10 there's a lot of risk in that. I mean, the
11 law is the law. The TRO has been lifted.

12 LEGISLATOR DERIGGI-WHITTON: The
13 question is, during the time of the TRO,
14 were those fees legally imposed?

15 MR. DENION: Yes. I'm not aware
16 of anything that challenges that conclusion.
17 They weren't collected during that time of
18 course, but once the TRO is lifted, it's
19 lifted.

20 CHAIRWOMAN GONSALVES: I have two
21 other people here. Legislator MacKenzie.

22 LEGISLATOR MACKENZIE: Just to be
23 clear, there is no legal impediment to the
24 county collecting these fines right now?

25 MR. DENION: That's correct.

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2 LEGISLATOR MACKENZIE: So the TRO
3 is lifted and the county can collect these
4 fines and there is nothing legally stopping
5 them from doing so?

6 MR. DENION: Correct.

7 CHAIRWOMAN GONSALVES: Legislator
8 Nicolello.

9 LEGISLATOR NICOLELLO: I just
10 wanted to touch base on, with respect to the
11 recurring aspects.

12 Again, I think this was mentioned
13 before but we don't expect the amnesty to be
14 100 percent successful?

15 MR. CHALMERS: Probably not.

16 LEGISLATOR NICOLELLO: So, to the
17 extent it's not successful, '13, '14 and
18 '15, the county will still have the ability
19 to go after those who have chosen not to
20 accept the amnesty?

21 MR. CHALMERS: Correct.

22 LEGISLATOR NICOLELLO: When the
23 amnesty ends, that will not be the end of
24 the collection of '13, '14, '15?

25 MR. CHALMERS: No. That will not

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2 be the end of it.

3 LEGISLATOR NICOLELLO: Your
4 office also looked at New York City,
5 correct?

6 MR. CHALMERS: Yes, we did.

7 LEGISLATOR NICOLELLO: You looked
8 at the numbers that New York City has been
9 collecting on an annual basis?

10 MR. CHALMERS: Yes, we did.

11 LEGISLATOR NICOLELLO: Before we
12 do that, what's the rate, the cooperation
13 rate, I guess if you want to call it that,
14 of people actually providing the income and
15 expenses to the city?

16 MR. CHALMERS: Actually, when you
17 go to the fines, we found that approximately
18 their success rate is approximately 47.3
19 percent. Out of what they bill, they
20 collect approximately 47.3 percent.

21 LEGISLATOR NICOLELLO: But the
22 compliance rate in terms of businesses
23 providing their income and expense
24 statements is high?

25 MR. CHALMERS: Mid '90s.

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2 LEGISLATOR NICOLELLO: So then
3 the universe, the numbers that they're
4 actually going after would be five percent,
5 six percent, something of that nature?

6 MR. CHALMERS: Correct.

7 LEGISLATOR NICOLELLO: Again, as
8 was just mentioned, the amount that they're
9 actually collecting from those, that five or
10 six percent is only, as you said, 47
11 percent?

12 MR. CHALMERS: That is correct.

13 LEGISLATOR NICOLELLO: How much
14 are they collecting each year?

15 MR. CHALMERS: We have the
16 percent of the charges with me. I could
17 probably get you exactly how much they
18 collected. I could get those numbers for
19 you and how much was actually collected.

20 LEGISLATOR NICOLELLO: How much
21 are the charges?

22 MR. CHALMERS: Three percent,
23 actually you could go up to three percent,
24 four percent, five percent, depending on how
25 late you file.

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2 LEGISLATOR NICOLELLO: Do we have
3 any ideas as to how much they have been
4 receiving in terms of these fines that are
5 being collected in New York City?

6 MR. CHALMERS: I believe it's in
7 the mid 20s, like 25 to 30. Mid 20s per
8 year.

9 LEGISLATOR NICOLELLO: I guess my
10 point is that there is a recurring aspect to
11 this. This is not just a generic one shot
12 such as we saw in the past days where they
13 would sell property and couldn't sell the
14 property again?

15 MR. CHALMERS: Some business
16 owners may make that business decision not
17 to provide you that information because they
18 don't want you to know it. We can't say how
19 much of it would be occurring. There could
20 be some aspect of it that is recurring
21 although not to the amount that we see for
22 those past three years that is actually
23 owed, but some aspect of it could be
24 recurring.

25 LEGISLATOR NICOLELLO: Thank you.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Curran.

4 LEGISLATOR CURRAN: I have a few
5 points and a couple of questions, so whoever
6 is qualified to answer, please decide
7 amongst yourselves.

8 It does seem to me this is not
9 firm, it's shaky revenue no matter how you
10 slice it. We can project that we will get
11 half the big universe, but we really don't
12 know for sure. So that's a possible we have
13 to keep in mind and really do have to come
14 up with a contingency and that's something
15 we will be looking into if this doesn't
16 materialize in the coming months.

17 Also, something came up very
18 interesting to give it more teeth. I wonder
19 if we can discuss not letting businesses
20 file for a tax grievance if they don't file
21 for the following year, if they don't file
22 the income and expense report.

23 If they don't comply why should
24 we be looking to give them a break or
25 thinking about getting a break?

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2 CHAIRWOMAN GONSALVES: I think
3 there are people on this side of the aisle
4 who agree they should not be able to file a
5 tax grievance. However, we are not too sure
6 whether or not we can impose that kind of I
7 guess --

8 LEGISLATOR CURRAN: You mean
9 legally?

10 CHAIRWOMAN GONSALVES: Yes.

11 LEGISLATOR CURRAN: Even in the
12 city?

13 CHAIRWOMAN GONSALVES: Our
14 counsel was looking into that but it's a
15 possibility that we may not be legally able
16 to do it. So we are exploring that
17 possibility.

18 LEGISLATOR CURRAN: That's
19 interesting though. So even if the city can
20 legally do it, there's a chance that --

21 CHAIRWOMAN GONSALVES: The city
22 can do a heck of a lot more than we can do.
23 They don't have a guaranty. They don't have
24 to pay back anybody.

25 LEGISLATOR CURRAN: That's true.

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2 Now, this is a question I think would be for
3 Maurice Chalmers or maybe our finance guys,
4 I'm not sure.

5 But I see this as possibly
6 benefiting, no matter what happens with how
7 much revenue we get for this year because it
8 is shaky and looks like it's going to be
9 mostly a one shot, that it could benefit
10 Class 1 property homeowners because it will
11 help solve the fundamental problem of base
12 proportion.

13 As the economy gets better and
14 the businesses do better, they would get
15 more income -- I know it's not case per case
16 but generally the assessment would be higher
17 for businesses for Class 4 which could ease
18 the burden on Class 1.

19 Do you think that that is
20 realistic?

21 MR. CHALMERS: Well, not being an
22 assessor, I would guess that if you fix the
23 assessment for Class 4 properties, then the
24 base proportion would change accordingly.

25 This law, the information allows

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2 you to better assess Class 4 properties. So
3 that could be a net benefit also of getting
4 the information and properly assessing Class
5 4 properties.

6 LEGISLATOR CURRAN: Right.

7 Because we don't have all the information we
8 need as the gentleman was saying to properly
9 assess Class 4 properties now. This would
10 give us more information and with the
11 economy improving, businesses doing better,
12 could help a little bit the tax burden for
13 property one taxpayers, Class 1 taxpayers.

14 MR. CHALMERS: I would say yes.

15 LEGISLATOR CURRAN: That's
16 interesting. Thanks.

17 CHAIRWOMAN GONSALVES: Next I
18 have Legislator Rhoads.

19 LEGISLATOR RHOADS: Thank you.
20 For Mr. Chalmers, I know the discussion came
21 up with respect to whether we're basing our
22 numerical assumptions on .5 or .75 and I
23 believe you had stated for the purpose of
24 being more conservative, we use the .5
25 figure instead of the .75.

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2 MR. CHALMERS: The .5 was a
3 more conservative approach based on the data
4 we got. So we were absolutely okay with it
5 if we find out the .75 should have been
6 used, the opportunity becomes \$9.9 million.

7 LEGISLATOR RHOADS: So in other
8 words, the total universe that we're talking
9 about as opposed to being 70.4 in theory
10 could be 80.3?

11 MR. CHALMERS: Correct.

12 LEGISLATOR RHOADS: Am I also
13 correct in my understanding that we have the
14 ability to capture theoretically 100 percent
15 of that money through the amnesty program
16 and through enforcement mechanisms?

17 MR. CHALMERS: That would be the
18 entire universe, correct.

19 LEGISLATOR RHOADS: In other
20 words, the amnesty is proposed, it's 60
21 days, that's a voluntary compliance program,
22 the estimate city wide is that compliance is
23 about 47 percent as you indicated, correct?

24 MR. CHALMERS: That's a
25 collection rate. The success rate is about

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2 47 percent.

3 LEGISLATOR RHOADS: However, the
4 county still does have the ability under the
5 law to actually reduce the outstanding debt
6 to a judgement to a judgment and then
7 collect on the judgement theoretically to
8 capture the remainder?

9 MR. CHALMERS: That is correct.
10 And the city also, they actually gave us an
11 example for 2014 I believe they collected
12 almost 6.5, I forget, \$6.7 million, so the
13 collection will continue.

14 LEGISLATOR RHOADS: So while the
15 amnesty itself may be risky in terms of how
16 many people wind up voluntarily complying,
17 the ability to capture the either 70.4
18 million or 80.3 million, depending on what
19 we receive, is completely within our
20 control, correct?

21 MR. CHALMERS: I believe that is
22 the case, yes.

23 LEGISLATOR RHOADS: Thank you.

24 CHAIRWOMAN GONSALVES: Any other
25 comments or questions from the legislators?

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2 Legislator Curran.

3 LEGISLATOR CURRAN: Since it's
4 \$70 million in the universe and we're
5 talking about half of that, is that because
6 we're basing it on what the city had, about
7 half complying? Is that what that's based
8 on?

9 MR. CHALMERS: What we did was,
10 we did a couple of scenarios. We said if we
11 were to be 50 percent -- if we have a
12 success rate of approximately 50 percent,
13 then we would collect I believe it was \$35.2
14 million.

15 LEGISLATOR CURRAN: Say that
16 again.

17 MR. CHALMERS: If we had the same
18 level of success as the city and we
19 collected approximately 50 percent of what
20 we billed, then we would get 35.2 million in
21 2017.

22 LEGISLATOR CURRAN: Thank you.

23 CHAIRWOMAN GONSALVES: Any public
24 comment regarding this item? Yes,
25 Mr. McCloy.

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2 MR. MCCLOY: This isn't a topic I
3 planned to speak about but it's very much of
4 interest. The way it reads is, a local law
5 to authorize a voluntary partial amnesty
6 program for income producing property
7 owners.

8 I don't understand as someone who
9 is not as involved on this topic as all of
10 you are, why there is an amnesty possibility
11 at all? It's not like a ticket amnesty
12 where summons are issued to people and you
13 might not be able to contact them and reach
14 out to see if you can collect additional
15 income.

16 Any property in Nassau County is
17 some location an entity that you should be
18 able to identify. This should be a topic
19 like I mentioned before, everybody on the
20 Legislature should be in unanimous agreement
21 that if somebody is not in compliance in
22 2013 and 2014 and 2015, we'll go after them,
23 seize their property and put somebody else
24 in the position that they will be
25 responsible.

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2 If you have to pay taxes for 2013
3 or 2014 or 2015, you have deadlines to pay
4 those taxes. I, as an individual, don't
5 understand why amnesty would be granted to
6 anyone.

7 I think the Legislature should
8 put some teeth in this and go after them and
9 anybody who is not in compliance with the
10 law should receive the wrath of the
11 Legislature. I just don't get it.

12 I do want to mention to you that
13 the assessment situation has been a topic
14 that I have been concerned about for many
15 years.

16 I have spoken to our current
17 county executive, the former county
18 executive, former assessors, James Davis I
19 spoke to Thadeus Jankowski, I spoke to Pat
20 Foy. I spoke to their predecessors about
21 changing the way the property taxes are
22 assessed in my community in Baldwin. There
23 are two buildings that were built at the
24 same time, that are the same square footage,
25 that are mirror image identical properties

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2 and one pays 60 percent more than the other.
3 Based on income generation, which is what
4 you're talking about right now. It
5 shouldn't be based on income generation, but
6 that's a different topic.

7 Even if you want to go the route
8 of income generation, don't grant them
9 amnesty, put some teeth into the Legislature
10 and go and grab what's ours. Thank you.

11 CHAIRWOMAN GONSALVES: Legislator
12 Muscarella wants to respond, Mr. McCloy.

13 LEGISLATOR MUSCARELLA: I don't
14 know if you want an answer, and this is only
15 a partial answer.

16 From their perspective and from
17 our perspective, there's substantial
18 litigation going on as to whether or not the
19 fines and impositions are proper or not.

20 Rather than go through that whole
21 procedure which takes a substantial amount
22 of time, we are offering those entities to
23 say, okay, we'll forego that on an
24 individual basis, that appeal process, and
25 pay your 75 cents on the dollar.

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2 We understand that although the
3 county believes it's in a very good position
4 and we'll win the lawsuit that we are
5 entitled to 100 percent, that that takes a
6 substantial amount of time to work its way
7 through the court system.

8 So, we're saying, you know what?
9 We'll deal with you, you deal with us. Pay
10 us the 75 percent, we'll take it now and
11 forego the rest of the 25 percent. You drop
12 out of the lawsuit and abide by paying the
13 75 cents on the dollar.

14 However, those people who don't
15 accept that 75 cents on the dollar, if that
16 court case works its way through the system
17 and ultimately the county prevails on its
18 position, we will absolutely go against them
19 for 100 percent of what they owe us.

20 MR. MCCLOY: I understand what
21 you just said, but I just think that from
22 the perception the entities that
23 accommodated the county and provided the
24 information, you make them feel like bad
25 behavior is being rewarded.

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2 I think that it opens the door to
3 have a higher number of noncompliant
4 individuals in the future which just repeats
5 this whole cycle over and over with a
6 reducing set of revenue every year. That's
7 my personal viewpoint.

8 CHAIRWOMAN GONSALVES: Mr.
9 McCloy, Legislator Kopel wants to respond to
10 that.

11 LEGISLATOR KOPEL: You made some
12 interesting points, Mr. McCloy, except that
13 I suggest that you be cognizant of several
14 possible answers to those.

15 First of all, I don't think it's
16 going to encourage future disregard of the
17 law because 75 percent of a hefty fine is a
18 lot more than zero percent of a hefty fine.
19 It's still a hefty fine. So what we're
20 doing now is, we're discounting what is
21 already a hefty fine. Number one.

22 Number two, it is possible that
23 some people were not entirely aware of the
24 new fine, the relatively new fine. It's
25 appropriate perhaps at the outset for the

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2 first couple of years to grant some
3 recognition to that. Maybe they ought to
4 have been but they weren't.

5 Finally, remember, that there is
6 a very significant benefit to the county as
7 well. Very, very significant benefit,
8 because all the people that are going to pay
9 up and do their amnesty, they're going to
10 submit their income and expense and we get
11 that and we have a much more accurate tax
12 roll.

13 Remember, the basic purpose of
14 this is to avoid a huge expense to the
15 county historically, perhaps the largest,
16 which is paying back all of this money on
17 behalf of, mostly other entities like school
18 districts and so forth and so forth, because
19 perhaps our tax rolls weren't accurate
20 enough. So this is going to save us money.

21 All in all, you have a point, but
22 I think the better argument is to try to get
23 this done. Except that, maybe, sure, we
24 would like to get 100 percent but I think it
25 makes sense to do it this way.

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2 MR. MCCLOY: Well, I understand
3 your comment also, but I have to take issue
4 with one thing. You said that some of these
5 individuals involved in this situation might
6 not have known about it. Ignorance of the
7 law is no excuse.

8 LEGISLATOR KOPEL: That's true
9 but it happened and it was relatively new.
10 Again, we're just, seriously, we're just
11 beating the horse here.

12 MR. MCCLOY: I just want to
13 mention one thing, there are a finite number
14 of commercial properties in Nassau County
15 and the excuse that some of these people
16 might not have known about it doesn't hold
17 water. At least to someone like me that
18 looks at it more from an outside perspective
19 and I let you know why I think that this
20 will generate more bad behavior in the
21 future, if you feel the advantages outweigh
22 that, that's fine. I just wanted to let you
23 know that this is the right way to do it. I
24 think you should go after --

25 LEGISLATOR KOPEL: You have given

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2 us some very thoughtful and important
3 comments. Thanks.

4 MR. MCCLOY: Thank you.

5 CHAIRWOMAN GONSALVES: Ms.
6 Mereday.

7 MS. MEREDAY: Yes. Where do I
8 start? I keep hearing that same theme about
9 we're going to be saving money, it's
10 generating revenue, going to create all
11 these opportunities.

12 You can kind of put the blank in
13 front of it because the consolidations of
14 the police precincts were going to save
15 money. It was not going to increase the
16 costs for the police officers. It was going
17 to increase the aspect of public safety.
18 That didn't happen.

19 So I think to jump on that
20 statement you just made just a few minutes
21 ago, Legislator Kopel, about beating the
22 horse, yeah, they're going to be some of us
23 that are going to continue to beat the
24 horse, ring the bell, raise the flag, make
25 noise to get the points across to the

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2 residents; those that are still staying
3 here. Those that don't have to address the
4 ongoing squatter issue. And, just to get
5 some sense into these programs that are not
6 saving us money, not increasing revenue, and
7 definitely not bringing down expenses.

8 We can talk about the PILOTs that
9 aren't working. Again, like I said, the
10 consolidations that aren't working. Those
11 school cameras that didn't work.

12 Now, this amnesty program that is
13 slated to be the next end all be all for one
14 shot is Minority Leader Abrahams so
15 eloquently stated, this alleged 70 million
16 dollars of anticipated revenue with the
17 annual diminishing return, but I'm pretty
18 sure that that enforcement that was
19 addressed, that's not going to go down.

20 So I'm wondering if one of these
21 professional services contract for yet
22 another group of legal advisors would be the
23 ones that would be assigned to that because
24 there was talk about the restraining order
25 being lifted but there are appeals in place.

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2 So that means that there is some type of
3 legal entity that we the taxpayers are going
4 to be charged with in some form or fashion.

5 But, again, it won't be called a
6 property tax. It will be called a
7 surcharge, a professional services contract,
8 it will be called a contract addendum or an
9 addition or attachment that again will not
10 address the needs, it will not fill a gap
11 because you continue to refuse in the
12 majority to review the mistakes that you
13 have been making on our backs.

14 To scrap these bogus one shot
15 deals that do not work and then you're going
16 to come back with some other title that is
17 going to be called a fee or something that
18 we're going to be responsible for. So, yes,
19 riders up, because the horses are still
20 coming out the gate.

21 CHAIRWOMAN GONSALVES: Thank you
22 very much, Ms. Mereday.

23 There being no other comment, a
24 motion to close the hearing.

25 LEGISLATOR KOPEL: So moved.

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2 LEGISLATOR WALKER: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Walker. All those in favor of closing the
6 hearing signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 The hearing is now closed.

11 Now item Item 2 which is a vote
12 on a proposed local law. Item 2 is a local
13 law to authorize the voluntary partial
14 amnesty program for income producing
15 property owners that are liable to pay fines
16 pursuant to the Nassau County Administrative
17 Code.

18 Motion, please.

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR FORD: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Kopel, seconded by Legislator
23 Ford. I guess all the comments from the
24 hearing will be transferred into this. Any
25 questions before we close? Minority Leader.

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2 LEGISLATOR ABRAHAMS: I think
3 Ms. Mereday brought up a question earlier, I
4 thought she posed it to the majority in
5 regards to your discussions with the
6 Comptroller.

7 Part of the reason why we are
8 considering revenue items for the budget
9 almost three weeks since we voted for the
10 budget is because I believe, Madam Presiding
11 Officer, you were having discussions with
12 the Comptroller about his proposal for cuts
13 across the board to the department.

14 So I guess the question proposed
15 to the Presiding Officer, to yourself,
16 representing the majority, where did -- how
17 did you evaluate those --

18 CHAIRWOMAN GONSALVES: He never
19 presented a detailed plan that he proposed
20 here at the budget hearing. When he was
21 asked about it, he certainly did not
22 respond. So, therefore, he did not present
23 any detailed plan to resolve the financial
24 problems of the budget. That's on the
25 record and I will say it ten times. He did

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2 not. And we reached out to him and we got
3 nada.

4 LEGISLATOR ABRAHAMS: I'm just
5 curious, and obviously you don't have to
6 answer this, when did the epiphany of this
7 idea come into the majority's mind set?

8 It just seems to me, again, we
9 lost an opportunity to revalidate confidence
10 in the electorate on how Nassau County
11 operates and, again, we punted after
12 Election Day, after November 8th, when you
13 could have considered this proposal,
14 reducing the fee to \$55, and to me it
15 doesn't sound like a novel idea, it could
16 have been done very easily on October 31st,
17 so I'm just curious, I mean obviously in
18 regards to restoring faith in the
19 electorate, when did this idea come about?
20 Was this something being considered on
21 October 31st?

22 LEGISLATOR NICOLELLO: The only
23 thing I can suggest is that we were
24 searching and that search is probably not
25 over today. We are searching for ways to

1 Full Legislature/11-21-16
2 reduce the public safety fee. This was
3 something that came up at the very end. We
4 did not have time to do this before October
5 31st, but, again, my suspicion is, with this
6 budget, this search will not be over today.
7 I think this is going to be an ongoing
8 process.

9 Especially with NIFA's
10 involvement, they've inserted themselves in
11 the process, they require responses. I
12 believe this is not going to be the end.

13 MS. MEREDAY: I'm probably out of
14 line, I know I am. If there is
15 consideration when we can have calls made,
16 and I can see that Deputy Presiding Officer
17 Kopel, I'm sorry that my appearance
18 continues to give you consternation, but you
19 just have to get over it, sir.

20 LEGISLATOR KOPEL: Actually, I
21 don't.

22 MS. MEREDAY: Okay. Well, I'm
23 still here. Anyway, I'm concerned as to why
24 other representatives from the county can be
25 called if there is a question that pertains

1 Full Legislature/11-21-16
2 to the constituency, but as to Minority
3 Leader Abrahams' statement, why can't we
4 have a representative from the Comptroller's
5 Office, if not the Comptroller here, for
6 something this significant? Why can't we
7 have him called or someone from his office
8 called since he put on the record that he
9 had ideas.

10 CHAIRWOMAN GONSALVES: Thank you
11 very much. I'm telling you right now, I did
12 make a statement just earlier --

13 MS. MEREDAY: You made a
14 statement.

15 LEGISLATOR KOPEL: The presiding
16 officer is speaking.

17 CHAIRWOMAN GONSALVES: I'm not
18 going to battle with you, Ms. Mereday. He
19 had no detailed plan to offer us. Period.
20 That's it.

21 MS. MEREDAY: The people still
22 have a right to speak when and if it's
23 necessary they have a right to speak, and
24 every one else can get called, but it seems
25 to me this would be an opportunity for you

1 Full Legislature/11-21-16
2 at this public setting to have the
3 Comptroller who was on the record and said
4 he had ideas, to come and address this body
5 and the public who stays here on their own
6 dime to get an answer from him, a response
7 to that.

8 LEGISLATOR NICOLELLO: The
9 Comptroller had one concrete suggestion when
10 he was before us, and after the fact which
11 was, that there is \$100 million or so or
12 \$120 million in uncollected tickets over the
13 years.

14 The truth of the matter is, some
15 of them go back for decades and there are
16 various amnesties and they are virtually
17 uncollectible. He came up and threw out
18 this figure and said all this money is
19 available.

20 The truth of the matter is, on
21 our best day, we might be able to collect
22 five percent of that.

23 So my answer is, basically, he
24 did not give us any sort of reasonable
25 detailed idea that we can run with.

1 Full Legislature/11-21-16

2 LEGISLATOR ABRAHAMS: If I may,
3 before you call the question, I mean, in
4 light of what NIFA has indicated to this
5 entire Legislative body, I think it's been
6 very clear that if this program was to stand
7 alone and not be used to balance the budget
8 as it's been deemed by NIFA to the tune of
9 \$36 million, we already know what we are
10 setting up.

11 We are setting up a stand off
12 between this legislative body, the county,
13 and the County Executive. What it will also
14 determine is for the very same groups that
15 Mr. Naughton has identified in his letter to
16 NIFA, those groups will be in jeopardy if we
17 decide to go forward with this action.

18 I respectfully ask that we table
19 this matter and make sure we get the buy-in
20 from NIFA as well as from the executive
21 branch and all sides to make sure how we
22 proceed.

23 I think right now what's going to
24 end up happening is, NIFA will reject these
25 items as they outlined in their letter.

1 Full Legislature/11-21-16

2 The County Executive, through
3 Mr. Naughton, if Mr. Naughton wants to
4 speak, I'm sure he could, through his letter
5 has identified how they would close the gap
6 if the county went forward with these
7 actions, and the same groups that were here
8 pleading to us today in the form of youth
9 board and bus and all these other groups
10 will be left in the cross hairs. We know
11 what's going to happen. This script has
12 been written before.

13 CHAIRWOMAN GONSALVES: I now am
14 going to ask you one question.

15 LEGISLATOR ABRAHAMS: I
16 respectfully ask that we table this matter.

17 CHAIRWOMAN GONSALVES: We're not
18 going to table. What have you brought to
19 the table?

20 LEGISLATOR ABRAHAMS: Madam
21 Presiding Officer, I'm glad you brought that
22 up. We have brought up multiple amendments
23 over the period since you have been
24 Presiding Officer and you have not called
25 one of them.

1 Full Legislature/11-21-16

2 CHAIRWOMAN GONSALVES: That's not
3 true.

4 LEGISLATOR ABRAHAMS: You have
5 not. Then, on top of it, to show your
6 partisanship --

7 CHAIRWOMAN GONSALVES: That's
8 your point of view.

9 LEGISLATOR ABRAHAMS: We have
10 called for an Independent Inspector General,
11 something that would generate not only
12 transparency in this county, but it would
13 also generate --

14 CHAIRWOMAN GONSALVES: You want
15 to make a motion to table, make a motion to
16 table.

17 LEGISLATOR ABRAHAMS: Let me
18 finish. You asked me a question.

19 CHAIRWOMAN GONSALVES: What did
20 you bring to the table?

21 LEGISLATOR ABRAHAMS: I'm giving
22 you examples. What the Inspector General
23 will do help, it will help the county recoup
24 all of these contracts that are coming up
25 that are costing the county money. It would

1 Full Legislature/11-21-16
2 rule out corruption and rule out waste and
3 abuse.

4 CHAIRWOMAN GONSALVES: I'm not
5 even going to continue the conversation.

6 LEGISLATOR ABRAHAMS: We do want
7 an Inspector General because it would
8 identify contracts which feed your gravy
9 train. We get that.

10 CHAIRWOMAN GONSALVES: Governor
11 Cuomo recently appointed a director of
12 procurement compliance. If it's good enough
13 for him it should be good enough for us. At
14 that point, the motion to table. S

15 LEGISLATOR ABRAHAMS: I'll make
16 the motion.

17 LEGISLATOR SOLAGES: I will
18 second it.

19 CHAIRWOMAN GONSALVES: Made by
20 Minority Leader Kevan and seconded by
21 Legislator Solages.

22 All those in favor of tabling
23 this item signify by saying aye.

24 (Aye.)

25 All those opposed?

1 Full Legislature/11-21-16

2 (Nay.)

3 Okay. We need to move on with
4 the business of this county.

5 LEGISLATOR SOLAGES: There are a
6 lot of other ideas that we raised.

7 CHAIRWOMAN GONSALVES: Where are
8 they?

9 LEGISLATOR SOLAGES: Legislator
10 Bynoe has suggested, that Suffolk has tried
11 that raised revenue that Legislator Bynoe
12 raised. There are a lot of ideas that we
13 raised.

14 CHAIRWOMAN GONSALVES: Legislator
15 Solages, this is an ongoing process and I
16 would like us to continue and take a vote on
17 the local law creating this amnesty program
18 for those who are delinquent.

19 All those in favor of the local
20 law signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The item passes 12 to 7.

25 Next is Item 3, Ordinance 181, an

1 Full Legislature/11-21-16
2 ordinance to amend Ordinance Number 248A
3 1987, an ordinance with respect to
4 establishing a comprehensive plan for water
5 conservation and regulation of water
6 throughout Nassau County, including
7 provisions for enforcement thereof pursuant
8 to Article 12 of the County Government Law
9 of Nassau County.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR SCHAEFER: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Schaefer. Who is here to speak on this
16 item?

17 MR. PODLESIAK: I am. Gerry
18 Podlesak, Deputy County Attorney. County
19 Attorney Foskey requested that I speak to
20 this item. This item is amending an
21 existing ordinance broadening its scope in
22 order to address the use of devices to
23 prevent irrigation systems, home irrigation
24 systems to be activated when there is in
25 fact sufficient moisture on lawns, et

1 Full Legislature/11-21-16

2 cetera. It puts the onus upon the
3 contractors when they are installing the
4 devices to make sure they are contained
5 within the systems and when they do repair
6 work to make sure such devices are included.

7 CHAIRWOMAN GONSALVES: Any
8 questions or comments regarding this item?
9 Legislator Birnbaum.

10 LEGISLATOR BIRNBAUM: I don't
11 know if you know this, but do you know what
12 the method of enforcement would be for this
13 ordinance?

14 MR. PODLESAK: The enforcement
15 agency is the Consumer Affairs Department.
16 There is a request -- a requirement that the
17 contractors file reports when they are
18 working on systems so that the Consumer
19 Affairs Department is advised, and there are
20 also penalties for contractors should they
21 not make direct filings.

22 CHAIRWOMAN GONSALVES: Any other
23 questions? Legislator Curran.

24 LEGISLATOR CURRAN: Just
25 piggybacking on that, the Office of Consumer

1 Full Legislature/11-21-16

2 Affairs, do you they have enough personnel
3 to do the enforcement?

4 MR. PODLESAK: This is a passive
5 enforcement. It's a requirement that the
6 individual firms that are doing the work
7 include the paperwork. The expectation is
8 that in order to avoid a fine, it would be
9 much easier for the individual contractors
10 just to do the correct work and make the
11 necessary filings. It's not something where
12 it calls for an active enforcement but a
13 passive enforcement.

14 LEGISLATOR CURRAN: So how would
15 it be enforced if it's passive?

16 MR. PODLESAK: It's passive. The
17 expectation is, the industry is rather
18 small. The industry will know the rules and
19 the industry will abide by the rules.

20 LEGISLATOR CURRAN: How do we
21 know if they're not is the thing?

22 MR. PODLESAK: The expectation is
23 that if it's not, it will somehow become
24 apparent to individuals when they see that
25 there is a sprinkler system operating during

1 Full Legislature/11-21-16

2 the course of a rainstorm that there
3 obviously has been a violation and there
4 will be some repercussions.

5 LEGISLATOR CURRAN: So people
6 calling, neighbors calling, that sort of
7 thing?

8 MR. PODLESAK: Exactly. Fire
9 departments will have the greatest vested
10 interest in this because the idea is to make
11 sure the water pressure is sufficient.

12 I would believe that they would
13 take an active role in making sure.

14 LEGISLATOR CURRAN: I think that
15 this is great. This can preserve a lot of
16 water but I would hate to see it be
17 toothless.

18 MR. PODLESAK: As I said, it's a
19 passive methodology.

20 LEGISLATOR CURRAN: I hear you.

21 CHAIRWOMAN GONSALVES: Legislator
22 Bynoe.

23 LEGISLATOR BYNOE: I have to
24 agree with Legislator Curran in that a
25 passive process could potentially make this

1 Full Legislature/11-21-16

2 a toothless piece of legislation.

3 I think sometimes just going out
4 and maybe randomly selecting a contractor
5 and going through some of their service
6 calls just to verify would a more productive
7 way of doing this. But, on a whole other
8 note, what about people that are self
9 maintaining their properties, irrigation
10 system?

11 MR. PODLESACK: The legislation
12 does not address that.

13 LEGISLATOR BYNOE: That's a
14 loophole. Because if you're only looking at
15 contractors, anyone who might be self
16 performing the duties of maintaining their
17 irrigation system, would in fact go
18 undetected.

19 I don't think this is really
20 effective. I think we are falling short of
21 the intent without having random sampling of
22 contractors and maybe someone who is tasked
23 with going out in the rain and looking to
24 see if someone is in violation or partnering
25 with the local village water districts or

1 Full Legislature/11-21-16

2 something more substantive. I think this
3 really kind of falls short a little bit.

4 CHAIRWOMAN GONSALVES: Legislator
5 Curran.

6 LEGISLATOR CURRAN: If I may add,
7 I think this is where the one size fits all
8 cuts to all departments doesn't necessarily
9 work because Consumer Affairs is revenue
10 generating these pretty substantial fines
11 for people who are not being good stewards
12 of our water and I think they should be
13 penalized appropriately.

14 LEGISLATOR NICOLELLO: My
15 understanding is that these reports have to
16 be sworn to by the contractors and that
17 there could be -- and the paperwork could be
18 called upon by the Department of Consumer
19 Affairs, so there's a built in motivation
20 for them to comply because obviously if
21 they're swearing to something, there's also
22 penalties that are involved, the penalties
23 in the law.

24 MR. PODLESACK: That's correct.

25 LEGISLATOR NICOLELLO: That's it.

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2 Thanks.

3 CHAIRWOMAN GONSALVES: There
4 being no other comments or questions from
5 the legislators, any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of Item 3, Ordinance 42-16 which
9 amends Ordinance 248A 1987 signify by saying
10 aye.

11 (Aye.)

12 Any opposed?

13 (Nay.)

14 The item passes 18 to 1. Am I
15 right? Everybody is in their seat.

16 We have one more item on today's
17 calendar. It's Item 26. The reason why we
18 did not include it is because Legislator
19 Laura Schaefer has asked to recuse herself.

20 That's Item 26, Resolution 181, a
21 resolution to authorize the release of the
22 surety bond and escrow deposit covering
23 improvements of the map of Grand Manor
24 Estates situated in the Hamlet of Baldwin,
25 town of Hempstead, County of Nassau, New

1 Full Legislature/11-21-16

2 York.

3 Motion, please.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR KENNEDY: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Walker, seconded by Legislator
8 Kennedy. Someone from DPW should really be
9 here to say whether or not they satisfied
10 whatever.

11 MR. BECKER: Mr. Katz is here.

12 MR. KATZ: Martin Katz, DPW,
13 Division of Planning. Yes, the applicant
14 satisfied the terms of the bond and we had
15 an inspector certify that all public bonded
16 items were done to the satisfaction of
17 county and all applicable regulations.
18 There was no opposition at the Planning
19 Commission hearing. It's ready to go.

20 CHAIRWOMAN GONSALVES: Any
21 questions on this item?

22 CHAIRWOMAN GONSALVES: Are there
23 any other comments or questions from the
24 legislators?

25 (No verbal response.)

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2 Is there any public comment?

3 Yes, Ms. Mereday.

4 MS. MEREDAY: How much? Released
5 to who? And what part of the Baldwin does
6 this reflect?

7 CHAIRWOMAN GONSALVES: Can you
8 answer that question for Ms. Mereday,
9 please? It's a surety bond that the county
10 holds.

11 MR. KATZ: This is one part of
12 Baldwin. It's north of Atlantic Avenue, a
13 little North of Atlantic Avenue on the west
14 side of Grand Avenue. You want the amounts
15 and the public bond? The surety bond for
16 all public improvements that were bonded is
17 in the amount of \$455,458.79. Cash escrow
18 in the amount of \$16,148.

19 CHAIRWOMAN GONSALVES: Great.
20 Thank you very much.

21 MS. MEREDAY: I still don't know
22 what the improvements actually were.

23 MR. KATZ: These are all items
24 that aren't unit specific, all landscaping
25 and fencing and lighting and curbing and

1 Full Legislature/11-21-16

2 roads and drainage, water service.

3 Everything that's under the public bond that
4 isn't specific to individual lots.

5 CHAIRWOMAN GONSALVES: They
6 satisfied the project and therefore the
7 surety bond is released.

8 MS. MEREDAY: I get it but that
9 doesn't reflect the issues in terms of
10 drainage and street scaping, et cetera,
11 that's all of the Baldwin area. So, we're
12 trying to understand where this Grand Manor
13 portion is because we're still dealing with
14 issues between the town and the county on
15 the northern part of Baldwin, just south of
16 Southern State and north of Sunrise Highway,
17 where the county funded project, and we
18 still have drainage issues going into the
19 shopping center and on a number of streets
20 that we get a letter from the County
21 Executive. They're telling us it's a town
22 road and we get a letter from the Town of
23 Hempstead saying it's a county road.

24 So that's why I just needed that
25 clarification so I can advise the residents

1 Full Legislature/11-21-16
2 of Baldwin as to, again, where our tax
3 dollars are going and when they have
4 complaints who they can direct it to. Thank
5 you.

6 CHAIRWOMAN GONSALVES: Jack
7 McCloy.

8 MR. MCCLOY: Ms. Mereday and I
9 are both Baldwin residents. We both attend
10 many of the local community meetings,
11 Baldwin Civic Association meetings, Baldwin
12 Oak Civic Association meetings, Baldwin
13 Chamber of Commerce meetings, other local
14 meetings.

15 This particular situation has not
16 been voiced and a myriad of community
17 projects always come up. I would like on a
18 personal level to know exactly where these
19 funds are going. I think you know by my
20 comments in the past that my concern is,
21 when monies are expended, they are expended
22 in a fiscally prudent way just because it's
23 going to my community doesn't mean I'm for
24 it.

25 I think it's a good policy to be

1 Full Legislature/11-21-16

2 very specific as to where county funds are
3 being spent. I, for one, really don't have
4 any clarification, even after the gentleman
5 explained how these funds are going to be
6 spent, as to where these funds are going. I
7 would like it to be tabled and some
8 specifics provided to the community.

9 CHAIRWOMAN GONSALVES: This is
10 money that is owed to the contractor based
11 on the fact that the county holds back money
12 to make sure that improvements that had to
13 be made were made. Since they justified
14 those improvements, because DPW does not
15 just arbitrarily come and file a resolution
16 to release a surety bond, unless they have
17 gone out and inspected. Am I correct?

18 MR. MCCLOY: I will defer to my
19 legislator, are you familiar with the
20 specifics, and are you comfortable with
21 this?

22 LEGISLATOR CURRAN: Yes. This
23 came up in committees and I had the very
24 same question. This is just like a boiler
25 plate thing that happens when there's a

1 Full Legislature/11-21-16

2 development happening and they're using some
3 county resources is the way I understood it
4 during committees. I'm comfortable with it.

5 MR. MCCLOY: So you're
6 comfortable that it's being spent in an
7 appropriate fiscally prudent manner?

8 LEGISLATOR CURRAN: Yes.

9 MR. MCCLOY: I will take your
10 word for it. Thank you.

11 LEGISLATOR CURRAN: I was
12 comfortable because I asked the very same
13 questions in committees.

14 CHAIRWOMAN GONSALVES: There
15 being no other comments or questions, all
16 those in favor of Item 26, Resolution 181
17 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 Looks like it's unanimous with
22 one recusal, Legislator Schaefer. Call Ms.
23 Schaefer back, please.

24 That ends the calendar for today,
25 November 21st.

1 Full Legislature/11-21-16

2 A motion to adjourn, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR NICOLELLO: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Nicolello. All those in favor of adjourning
8 the November 21st, 2016 meeting, signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The meeting is now adjourned. I
14 would like to take a five minute break.

15 (Whereupon, the Full Legislative
16 Committee adjourned at 3:54 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of December, 2016.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, November 21, 2016
5:16 P.M

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A P P E A R A N C E S :

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO, (substituted by
Vice Chairman Vincent Muscarella)

HOWARD KOPEL

DENNIS DUNNE

KEVAN ABRAHAMS,
Ranking

DELIA DERIGGI-WHITTON

CARRIE SOLAGES

MICHAEL C. PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

GERALD PODLESAK	5
KEN ARNOLD	7
CHRISTOPHER MISTRON	11
FRAN BECKER	13
PAUL BRODERICK	13
NARDA HALL	18
ROBERT CLEARY	21

1 Rules Committee/11-21-16

2 CHAIRWOMAN GONSALVES: Please
3 take your seats for the Rules Committee.

4 Please call the roll for the
5 Rules Committee.

6 CLERK PULITZER: Legislator
7 Carrie Solages?

8 LEGISLATOR SOLAGES: Here.

9 CLERK PULITZER: Substituting
10 will be Delia DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON: Here.

12 CLERK PULITZER: Ranking Member
13 Kevan Abrahams?

14 LEGISLATOR ABRAHAMS: Here.

15 CLERK PULITZER: Alternate Deputy
16 Presiding Officer Howard Kopel?

17 LEGISLATOR KOPEL: Here.

18 CLERK PULITZER: Legislator
19 Dennis Dunne?

20 LEGISLATOR DUNNE: Here.

21 CLERK PULITZER: Substituting
22 will be Vincent Muscarella.

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: Chairwoman Norma
25 Gonsalves?

1 Rules Committee/11-21-16

2 CHAIRWOMAN GONSALVES: Present.

3 CLERK PULITZER: Thank you. We
4 have a quorum.

5 CHAIRWOMAN GONSALVES: Thank you,
6 Mr. Pulitzer. We have a few items. The
7 first is Item E-241, a contract with County
8 Attorney and Lynn Gartner Dunne & Covello,
9 LLP.

10 Motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Kopel. Who is here to speak on this item?

16 MR. PODLESAK: Gerald Podlesak
17 one more time. This is an amendment of an
18 existing contract and we're exercising a
19 renewal option for one year extending the
20 term to April 15th of 2017. There is no
21 increase of funding under this amendment.

22 CHAIRWOMAN GONSALVES: Any
23 questions of Mr. Podlesak? Legislator
24 DeRiggi-Whitton.

25 LEGISLATOR DERIGGI-WHITTON: How

1 Rules Committee/11-21-16

2 much has the law firm billed to date?

3 MR. PODLESAK: I do not know.

4 LEGISLATOR DERIGGI-WHITTON: Do
5 you know what they are specifically working
6 on?

7 MR. PODLESAK: Yes. There has
8 been a new case they've been assigned. It's
9 a federal case. It's Chekowski et al
10 against Nassau County. It's a class action
11 under the equal pay act alleging that the
12 911 operators are not paid the same as
13 Firecom. No bills have been submitted for
14 this matter yet.

15 CHAIRWOMAN GONSALVES: Any other
16 questions regarding contract E-241?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Contract E-241 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

1 Rules Committee/11-21-16

2 The contract passes four to two.

3 I believe Mr. Abrahams is not here. Four to
4 two.

5 Next is contract E-255 and I'm
6 going to call the next one with it, E-256.
7 E-255 is a contract with the Department of
8 Public Works and CG-3PL Engineering;

9 And Item E-256 is a contract with
10 the Department of Public Works and CG-3PL
11 Engineering.

12 Motion for the two of them,
13 please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Muscarella. Mr. Arnold.

19 MR. ARNOLD: Good evening.

20 Ken Arnold, Public Works. Item 255 is a
21 contract with CG-3PL to assist the
22 department in program management services
23 associated with our Sandy recovery,
24 specifically for our HUD DR money that we
25 are receiving for the police precinct and

1 Rules Committee/11-21-16

2 the Barnes Avenue projects.

3 Item 256 is a contract amendment
4 with CG-3PL. We recently came to this body
5 to award them a program management contract
6 where they were assisting us with our FEMA
7 recovery.

8 The current contract that was
9 being worked under, under this area of work,
10 is expired on August 31st. We needed to
11 retroactively date their program management
12 agreement till September 1st so we had no
13 break in service because we have to keep
14 working to make sure we are in compliance
15 with all our regulations.

16 CHAIRWOMAN GONSALVES: Any
17 questions of Mr. Arnold? Legislator
18 DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON: Can
20 you just explain how the contractor would
21 select the subcontractors who are named in
22 the MWBEs?

23 MR. ARNOLD: On 255?

24 LEGISLATOR DERIGGI-WHITTON: The
25 first item that they're on, 255.

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2 MR. ARNOLD: Yes. That contract
3 required a 30 percent MWBE, 15 percent on
4 each side and the firms submit subcontractor
5 firms that they request to work with.

6 LEGISLATOR DERIGGI-WHITTON:
7 Most of these were from out of state? I
8 know it's out of Nassau County, but the
9 subcontractors?

10 MR. ARNOLD: In this case, a lot
11 of the expertise for storm recovery is all
12 over the nation, so they look for the right
13 person in those compliance laws with HUD
14 compliance and those sorts of things.

15 In this case, yes, some of these
16 people are out of state, the subcontractors.

17 LEGISLATOR DERIGGI-WHITTON: In
18 your opinion, do you think that we have
19 enough local subcontractors that could do
20 the job?

21 MR. ARNOLD: In this particular
22 area of expertise, I would think that some
23 out of state contracts would be warranted to
24 bring in for that type of work.

25 LEGISLATOR DERIGGI-WHITTON: Are

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2 they going to be subject to the prevailing
3 wage that Nassau County requires?

4 MR. ARNOLD: This is a
5 professional service. Prevailing wage
6 doesn't apply. I believe this contract has
7 a standard wage by title that is in
8 compliance with HUD requirements that
9 they'll be paid under.

10 LEGISLATOR DERIGGI-WHITTON: I
11 know, sometimes with out of state
12 contractors, the wages are so much lower.

13 MR. ARNOLD: Well, this contract,
14 if you look into the details, you will see
15 that each job category has a different wage
16 rate associated with it, and it's a
17 professional service.

18 LEGISLATOR DERIGGI-WHITTON: I
19 think you've just explained that this
20 contract was approved back in July of 2016.

21 MR. ARNOLD: Yes. The time that
22 that contract got certified was past the
23 September 1st date which is why we came back
24 to this body.

25 CHAIRWOMAN GONSALVES: Any other

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2 questions or comments from the legislators?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of Item E-255 and E-256 signify by
8 saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The two items pass four to two.

13 Now we have, I believe, some U
14 contracts and I also believe I can put two
15 of them together. That is contract U-76, a
16 contract with the Department Traffic Safety
17 Board and Village of Old Brookville.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Mr. Mistron.

24 MR. MISTRON: Christopher
25 Mistron, Stop DWI coordinator. This

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2 particular contract is with the Village of
3 Old Brookville to engage in the stop DWI
4 enforcement throughout the village. It is
5 all funded and no county funds are used.

6 CHAIRWOMAN GONSALVES: Any
7 questions of Mr. Mistrion on this item?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 There being none, all those in
12 favor of U-76 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 It's unanimous. 6 to zero.

17 The next two, U-81 and U-82.

18 U-81 is a contract with the Department of
19 Social Services and Long Island Marriott
20 Hotel and Conference Center;

21 And U-82 is a contract with the
22 Department of Human Services and Long Island
23 Marriott Hotel.

24 Motion, please.

25 LEGISLATOR DUNNE: So moved.

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2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Muscarella. We have Mr. Broderick here?
6 Who do we have?

7 MR. BECKER: Madam Chair, we have
8 two different speakers for two different
9 items from the two different departments.

10 CHAIRWOMAN GONSALVES: Okay. Mr.
11 Broderick, you can go ahead.

12 MR. BRODERICK: Paul Broderick,
13 Deputy Commissioner, Department of Social
14 Services.

15 The item before you is for
16 \$13,620 between the Department of Social
17 Services and the Long Island Marriott and
18 Hotel and Conference Center. It is for the
19 annual foster care children holiday party.
20 Do you have any questions?

21 CHAIRWOMAN GONSALVES: Any
22 questions? Legislator DeRiggi-Whitton.

23 LEGISLATOR DERIGGI-WHITTON: Just
24 regarding one of the disclosure forms, it
25 was supposedly checked off that no

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2 contributions were made on behalf of the
3 vendor, but we did find a contribution to
4 the Friends of Ed Mangano made by Richard A.
5 Smith of \$1,250. When we cross-reference
6 it, they do show up, although this vendor
7 said there were no contributions.

8 MR. BRODERICK: Is that a
9 statement? That's with the Long Island
10 Marriott? I'm not really too --

11 LEGISLATOR DERIGGI-WHITTON: Yes.
12 Richard A. Smith from Wading River.

13 MR. BRODERICK: Is he a board
14 member? What role does he play? I'm a
15 little bit confused. It's a corporation.
16 Is he on the board of the Marriott
17 Corporation maybe?

18 LEGISLATOR DERIGGI-WHITTON: He
19 is the corporate manager from what I'm being
20 told.

21 MR. BRODERICK: The corporate
22 manager? From here or the corporation
23 manager?

24 LEGISLATOR DERIGGI-WHITTON: It's
25 Richard A. Smith, I don't want to give his

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2 address to the public, but he lives in
3 Wading River.

4 LEGISLATOR KOPEL: And Wading
5 River is, is that connected, is that the
6 same?

7 LEGISLATOR DERIGGI-WHITTON: He
8 is the corporate manager.

9 LEGISLATOR KOPEL: He's the
10 corporate manager and he's the same person
11 that made the contribution?

12 LEGISLATOR DERIGGI-WHITTON:
13 That's what it seems. It's just something
14 to be aware of.

15 MR. BRODERICK: What does that
16 mean? I'm not really sure.

17 LEGISLATOR KOPEL: And it wasn't
18 disclosed?

19 LEGISLATOR DERIGGI-WHITTON: No.

20 LEGISLATOR KOPEL: Motion to
21 table.

22 MR. BECKER: Madam Chair, before
23 you do that, it's a corporate manager, but
24 not an owner of the Marriott.

25 LEGISLATOR DERIGGI-WHITTON: But,

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2 Fran, if you read it, it's says, on behalf
3 of vendor or all corporate officers on our
4 disclosure form, so he would qualify as a
5 corporate --

6 LEGISLATOR KOPEL: Fran, in an
7 abundance of caution and given the current
8 climate, let's just find out for sure.

9 CHAIRWOMAN GONSALVES: A motion
10 to table, please, U-81 and U-82.

11 LEGISLATOR SOLAGES: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Solages, seconded by Legislator
15 Kopel. All those in favor of tabling U-81
16 and U-82 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 MR. BECKER: Madam Chair, I know
21 that you tabled the item but this is for the
22 Christmas foster care part that they have
23 every year and have been. I don't know if
24 it's going to impinge on having the party.
25 That's all.

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2 CHAIRWOMAN GONSALVES: We have
3 another Rules Committee meeting on December
4 5th. When is the party? We can put it
5 before the Rules Committee on December 5th
6 to make sure whatever is missing is added to
7 the item.

8 The next item is A-38, a
9 resolution authorizing the director of
10 Nassau County Office of Purchasing to award
11 and execute a contract between the County of
12 Nassau acting on behalf of the Nassau County
13 Correctional Center and Cream-O-Land
14 Dairies.

15 Motion to untable, please.

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Dunne to untable, seconded by
20 Legislator Kopel. All those in favor of
21 untabling A-38 signify by saying aye.

22 (Aye.)

23 Any opposed to untabling Item
24 A-38?

25 (No verbal response.)

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2 Who is going to talk on this
3 particular contract?

4 MS. HALL: Good evening. Narda
5 Hall, Correctional Center.

6 Item A-38-16 is to authorize and
7 award a blanket purchase order for milk and
8 milk products for the Nassau County
9 Correctional Center to Cream-O-Land Dairies,
10 L.L.C.

11 The bid was advertised in
12 Newsday, posted to the Nassau County website
13 bid solicitation board, where four vendors
14 were notified electronically of the bid.

15 Minority Affairs was given a copy
16 of the bid. One vendor located in Florence,
17 New Jersey submitted a bid.

18 Cream-O-Land Dairies, L.L.C. is a
19 vendor of milk to the East Meadow Schools
20 and the Nassau County Medical Center in East
21 Meadow which makes deliveries to the
22 Correctional Center viable and cost
23 efficient.

24 Historically, Cream-O-Land
25 Dairies has held milk requirement contracts

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2 with Nassau County with satisfactory
3 performance and is the current provider of
4 milk to the Nassau County Correctional
5 Center.

6 The estimated cost of this one
7 year contract is \$210,197 from the general
8 funds.

9 The purchasing department
10 recommends awarding this contract to
11 Cream-O-Land Dairies, L.L.C. as the lowest
12 responsible bidder meeting specifications.

13 CHAIRWOMAN GONSALVES: Legislator
14 Kopel.

15 LEGISLATOR KOPEL: This is once
16 again a little bit disturbing. One bid for
17 something as a commodity item such as milk,
18 we published it and we got only got one bid.

19 Has there been an analysis of
20 whether the price is reasonable as compared
21 with, not necessarily the correctional
22 center, but what other bulk purchasers are
23 getting?

24 MS. HALL: I'm not sure if there
25 was an analysis but I can check with the

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2 purchasing department.

3 LEGISLATOR KOPEL: That's not
4 going to help us now. Any theory as to why
5 only one bidder?

6 MS. HALL: At this moment, no, I
7 don't, but I can inquire.

8 LEGISLATOR KOPEL: Do you have
9 any idea, do we pay it on time? Is this
10 cleared through the Comptroller's Office?

11 MS. HALL: They've been with us
12 for over ten years, so --

13 LEGISLATOR KOPEL: That's not my
14 question. I mean -- all right.

15 CHAIRWOMAN GONSALVES: Any
16 comments or questions from the legislators?
17 Legislator Solages.

18 LEGISLATOR SOLAGES: Thank you.
19 But this is a New Jersey company. I just
20 question why we can't find a New York
21 Company that produces milk.

22 LEGISLATOR KOPEL: We can't find
23 any company.

24 LEGISLATOR SOLAGES: I know there
25 are reputable companies in New York State

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2 that --

3 LEGISLATOR KOPEL: Nobody wants
4 to deal with us any more.

5 LEGISLATOR SOLAGES: I guess
6 we're milking this opportunity.

7 LEGISLATOR KOPEL: You need some
8 new material.

9 LEGISLATOR BECKER: Madam Chair,
10 Robert Cleary, procurement officer, would
11 like to add to the conversation, please.

12 CHAIRWOMAN GONSALVES: Go ahead.

13 MR. CLEARY: Robert Cleary,
14 Director of Procurement Compliance.

15 I haven't looked at this
16 particular bid, but I did buy milk for and
17 dairy products for Rikers Island, Department
18 of Corrections, New York City.

19 The market has been very limited
20 for many many years. The requirements for
21 correctional facilities are very specific
22 and the dairy market is not broad.

23 So we typically receive two or
24 three bids in the city, and there has also
25 been some consolidation.

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2 So I think one of the vendors
3 that previously participated is no longer
4 existing. So, the fact that we got limited
5 competition on this particular bid given the
6 market doesn't surprise me.

7 CHAIRWOMAN GONSALVES: Any other
8 comments or questions?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Contract A-38 signify by saying
14 aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is E-231, a
20 personal services agreement between the
21 County of Nassau and the Nassau County
22 Department of Public Works and Jacobs
23 Project Management Company.

24 A motion to untable.

25 LEGISLATOR DUNNE: So moved.

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2 LEGISLATOR KOPEL: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Kopel. All those in favor of untabling
6 E-231 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Mr. Arnold, it's yours.

11 MR. ARNOLD: E-231 is a contract
12 amendment for Jacobs Project Management,
13 Jacobs Project Management Supplies, Program
14 Management Services for our Cedar Creek and
15 pump station non-Sandy work for the
16 department. This is an extension for an
17 additional year, no extra additional
18 funding.

19 CHAIRWOMAN GONSALVES: Any
20 comments or questions for Mr. Arnold?
21 Legislator DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: I
23 see that the contractor answered yes to the
24 question regarding whether the company had
25 been declared in default or termination for

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2 cause on any contract. Do you know what the
3 clarification was for that?

4 CHAIRWOMAN GONSALVES: I have
5 something before me which is part of the
6 disclosure form which is a response to
7 question 7b which I think you are looking
8 at.

9 It reads as follows: The time to
10 time and in ordinary course of its business,
11 Jacobs Project Management Company and/or its
12 affiliated companies are subject to various
13 terminations for convenience and claims and
14 disputes including but not limited to
15 arbitrations and other legal proceedings.

16 No such determination is expected
17 to have a material adverse affect on the
18 consolidated financial statements.

19 The reporting entity, Jacobs
20 Project Management Company JPM Company
21 received a letter dated January 13, 2016
22 from Akama Construction Services, L.L.C.
23 terminating subcontract A-12-004285 between
24 ACS and JPM Company for default. Jacobs is
25 reviewing the basis and validity of the

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2 default. Is that what you're looking at?

3 LEGISLATOR DERIGGI-WHITTON: Yes.
4 So that's still pending basically and that's
5 where I believe we are right now, and Jacobs
6 is reviewing it, but there is a default on
7 record. I don't know if that's been taken
8 into consideration before giving this
9 contract.

10 Also, my second question is, what
11 do we do when we do find a default or some
12 kind of issue like this, there must be some
13 kind of follow up for ourselves?

14 MR. CLEARY: Robert Cleary.
15 Thank you for that review. Yes, we did
16 confirm with the company, these are pending
17 issues.

18 They are vigorously, in their
19 words, vigorously defending themselves, they
20 don't agree with the determination.

21 There is no indication that
22 outstanding pending issue would prevent them
23 from performing the work on this contract.

24 Now, generally speaking, to
25 answer your question about what happens when

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2 there's a default, we will inquire what was
3 the nature of the default, what was the
4 nature of the dispute.

5 Is it something that speaks to
6 the nature of the work to be performed on
7 our contract, is it something that suggests
8 that they are incapable of performing the
9 work on our contract. In this particular
10 instance, that wasn't found to be the case.

11 LEGISLATOR DERIGGI-WHITTON:

12 Well, the fact that it is still pending is
13 one question. This is also falling under
14 the category that we've been seeing recently
15 where Rob Walker has been signing these
16 contracts without a date.

17 He signed the DPW approval which
18 is basically the same thing. So, again,
19 it's not dated which we have come across a
20 number of times. I'm just not sure what the
21 significant of that is.

22 MR. CLEARY: That's an internal
23 document. The reality is that the text of
24 the document is useful for informing why the
25 decision was made which vendor was selected.

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2 But, it is an internal document, it is not a
3 formal technical requirement of the bid.

4 On the other hand, if there is a
5 date indicated, we did correct those
6 documents for those four items and return
7 them with the dates on them.

8 LEGISLATOR DERIGGI-WHITTON: This
9 was returned with the date on it, this item?

10 MR. CLEARY: There were revised
11 versions of the justifications.

12 LEGISLATOR DERIGGI-WHITTON: I
13 haven't seen the revised item. The only
14 copy I have does not have a date on it.

15 MR. CLEARY: We can provide that.

16 LEGISLATOR DERIGGI-WHITTON: With
17 Rob Walker's signature.

18 The last question with this,
19 just, again, we're just trying to be careful
20 but, was there a typo with this, was there a
21 typo on the amendment? Because the first
22 contract, it's 1-1-17 through 12-31-17. We
23 know that the county has extended the
24 contract from 1-1-15 through 12-31-16. I
25 want to make sure the dates are all in line.

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2 MR. ARNOLD: The staff summary
3 indicates that it was extended by the
4 commissioner's letter to the end of '16, but
5 to extend additionally requires legislative
6 action which is why we are here today.

7 LEGISLATOR DERIGGI-WHITTON: All
8 right. I think that's it.

9 CHAIRWOMAN GONSALVES: Legislator
10 Kopel.

11 LEGISLATOR KOPEL: Do we have
12 experience with this vendor, other
13 experience?

14 MR. ARNOLD: Yes, this vendor has
15 been a program manager for all our building
16 and foundation programs that goes back to
17 the early 2000s, and, in addition --

18 LEGISLATOR KOPEL: So we have had
19 satisfactory performance?

20 MR. ARNOLD: Yes.

21 LEGISLATOR KOPEL: So then I'm
22 not particularly worried. Delia, I'm not
23 particularly worried about the fact that
24 they have got a commercial dispute. It
25 happens to every one.

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2 CHAIRWOMAN GONSALVES: Are there
3 any other questions or comments?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 All those in favor of Contract
8 E-231 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 The item passes four to three.

13 Moving on to the next and the
14 last item. Clerk Item E-251, a personal
15 services agreement between the County of
16 Nassau acting on behalf of the Nassau County
17 Department of Public Works and Lockwood
18 Kessler & Bartlett, Inc.

19 Motion to untable, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. All those in favor of untabling
25 E-251 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item is untabled.

6 What are you going to tell us?

7 MR. ARNOLD: Item 251 is a
8 construction management services contract
9 for the wastewater pump station, skater
10 improvement project that we are doing in the
11 department. This is for various pump
12 stations to allow instrumentation control
13 back in the central station. This LKB on
14 this contract will oversee all the
15 construction and inspection services.

16 CHAIRWOMAN GONSALVES: Any
17 questions or comments for Mr. Arnold?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of E-251 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes four to three.

3 Motion to adjourn.

4 LEGISLATOR BECKER: Madam Chair,
5 we were looking to untable E-237 and E-245
6 as well?

7 CHAIRWOMAN GONSALVES: Not today.
8 December 5th. We will do that on December
9 5th. Motion to adjourn.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Kopel, seconded by Legislator
14 Dunne. All those in favor of adjourning
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The Rules Committee is adjourned
20 and Happy Thanksgiving to everyone.

21 (Whereupon, the Rules Committee
22 adjourned at 5:46 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of December, 2016.

FRANK GRAY