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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, January 11, 2016
2:44 P.M

1

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

3

4 RICHARD NICOLELLO,
Chairman5 VINCENT MUSCARELLA,
Vice Chairman

6

ROSE MARIE WALKER

7

DONALD MACKENZIE

8

DELIA DERIGGI-WHITTON
Ranking

9

10 LAURA CURRAN

11 SIELA A. BYNOE

12 WILLIAM J. MULLER, III
Clerk of the Legislature
13 (Substituted by Linda Vocatura,
Assistant Clerk)

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LIST OF SPEAKERS

EILEEN DALY-SAPRICONE.....10

BOB CONROY.....18

ERIC NAUGHTON.....19

INSERTS

INCORPORATED BY REFERENCE:

Public Works Minutes pertaining to Clerk Item 4-16; 1-11-16.....7 (Page 4 through Page 19.)	7
Government Services Minutes pertaining to Clerk Item 5-16; 1-11-16.....8 (Page 5 through Page 7.)	8
Planning Development & Environment Minutes pertaining to Clerk Item 8-16; 1-11-16.....11 (Page 5 through Page 9.)	11
Health and Social Services Minutes Pertaining to Clerk Items 25 and 28-16..15 (Page 5 through Page 8.)	15
Towns Villages & Cities Minutes Pertaining to Clerk Item 41-16.....17 (Page 4 through Page 5.)	17

1 Finance Committee/1-11-16

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. I would ask the
4 clerk to please call the roll.

5 ASST. CLERK VOCATURA: Legislator
6 Bynoe?

7 LEGISLATOR BYNOE: Here.

8 ASST. CLERK VOCATURA: Legislator
9 Curran?

10 LEGISLATOR CURRAN: Here.

11 ASST. CLERK VOCATURA: Ranking
12 Member DeRiggi-Whitton?

13 LEGISLATOR DERIGGI-WHITTON:
14 Here.

15 ASST. CLERK VOCATURA: Legislator
16 MacKenzie?

17 LEGISLATOR MACKENZIE: Here.

18 ASST. CLERK VOCATURA: Legislator
19 Walker?

20 LEGISLATOR WALKER: Here.

21 ASST. CLERK VOCATURA: Vice
22 Chairman Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 ASST. CLERK VOCATURA: And
25 Chairman Nicoletto?

1 Finance Committee/1-11-16

2 CHAIRMAN NICOLELLO: Here.

3 ASST. CLERK VOCATURA: We have a
4 quorum.

5 CHAIRMAN NICOLELLO: Thanks very
6 much. There's been a number of committees
7 held before this committee and some of those
8 items were on those committees and I just
9 ask that their minutes be incorporated by
10 reference.

11 Items 1 and 2 of 2016 are
12 resolutions to authorize the transfer of
13 appropriations heretofore made within the
14 budget for the year 2015.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Walker, seconded by Legislator
19 MacKenzie. Do we have any questions or
20 discussion?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/1-11-16

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Those carry unanimously.

6 Item 4 of 2016 is an ordinance
7 making certain determinations pursuant to
8 the State Environmental Quality Review Act
9 and authorizing the County Executive on
10 behalf of the County of Nassau to execute an
11 amendment to a lease agreement between the
12 County of Nassau, as landlord, and Sun E
13 Solar XVII Projects, LLC.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Muscarella, seconded by
18 Legislator Walker. This just went through
19 the Public Works Committee.

20 (Whereupon, please refer to the
21 minutes of the Public Works Committee dated
22 1-11-16 pertaining to Clerk Item 4 of 2016.)

23 Do we have any discussion or
24 questions?

25 (No verbal response.)

1 Finance Committee/1-11-16

2 Is there any public comment?

3 (No verbal response.)

4 All those in favor signify by
5 saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Carries unanimously.

10 Item 5 of 2016 is an item that
11 just went through Government Services, it's
12 an ordinance making certain determinations
13 pursuant to SEQRA and authorizing the county
14 executive to accept on behalf of the County
15 of Nassau an offer of purchase from the
16 County of Nassau in trust for the purposes
17 of Nassau Community College of certain
18 premises located in the Town of Hempstead.

19 (Whereupon, please refer to the
20 minutes of the Government Services Committee
21 dated 1-11-16 pertaining to Clerk Item 5 of
22 2016.)

23 LEGISLATOR MACKENZIE: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/1-11-16

2 Legislator MacKenzie, seconded by Legislator
3 Walker. Do we have any discussion?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 That item carries unanimously.

13 Items 6 and 7 of 2016 are resolutions
14 authorizing the county assessor and/or the
15 county treasurer and/or the receiver of
16 taxes of the Town of Hempstead to partially
17 exempt from real property taxation certain
18 real property situated in various school
19 districts.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRMAN NICOLELLO: Moved by

23 Legislator Muscarella, seconded by

24 Legislator Walker. Do we have any questions
25 on this? Legislator DeRiggi-Whitton.

1 Finance Committee/1-11-16

2 LEGISLATOR DERIGGI-WHITTON:

3 Thank you.

4 MS. DALY-SAPRICONE: Good

5 afternoon. Eileen Daly-Sapricone,

6 Department of Assessment.

7 LEGISLATOR DERIGGI-WHITTON: Hi

8 Eileen. I just noted that there are a

9 number of these type of situations. Is

10 there anything that we are voting on today

11 that have to do with the LIPA property?

12 MS. DALY-SAPRICONE: No.

13 LEGISLATOR DERIGGI-WHITTON: That

14 was my question. Thank you.

15 CHAIRMAN NICOLELLO: I think she

16 was anticipating that question. Any other

17 questions or discussion?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by

22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Finance Committee/1-11-16

2 Those items carry unanimously.

3 Item 8 of 2016 is an ordinance
4 making certain determinations pursuant to
5 SEQRA and authorizing the County Executive
6 of the County of Nassau to accept on behalf
7 of the County of Nassau an offer of purchase
8 from Bolla Management Corporation certain
9 premises located in the Town of Hempstead.

10 (Whereupon, please refer to the
11 minutes of the Planning Development &
12 Environment Committee dated 1-11-16
13 pertaining to Clerk Item 8 of 2016.)

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MACKENZIE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 MacKenzie. This item is before the
19 committee. Do we have any questions or
20 comments?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/1-11-16

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 That item carries unanimously.

6 I'm going to call the next six
7 items together, they are all similar. 9,
8 10, 11, 12, 13 and 14 of 2016, they are
9 resolutions to authorize the county assessor
10 and/or the county treasurer and/or the
11 receivers of taxes of the Town of Hempstead,
12 Town of Oyster Bay and Long Beach to
13 partially exempt from real property taxation
14 certain real properties situated in various
15 school districts as well as the Town of
16 Hempstead and North Hempstead to correct
17 erroneous assessments and taxes.

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR MACKENZIE: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Walker, seconded by Legislator
22 MacKenzie. Do we have any discussion on
23 this item?

24 LEGISLATOR DERIGGI-WHITTON: Can
25 I put on the record that the answer to my

1 Finance Committee/1-11-16

2 last question from the assessment office
3 will also apply to these?

4 CHAIRMAN NICOLELLO: Yes. It was
5 clear to me. I think you asked a global
6 question and she answered.

7 LEGISLATOR DERIGGI-WHITTON: I
8 just wanted to make sure.

9 MS. DALY-SAPRICONE: Eileen Daly
10 Sapricone, Department of Assessment. Any
11 items from the Department of Assessment
12 before the Legislature today do not have to
13 do with LIPA. That applies to anything that
14 is in the addendum.

15 CHAIRMAN NICOLELLO: I was going
16 to ask that question. Thank you. Do we
17 have any further comment or discussion among
18 the legislators?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 Those opposed?

1 Finance Committee/1-11-16

2 (No verbal response.)

3 Those items carry unanimously.

4 I would ask for a motion to
5 suspend the rules.

6 LEGISLATOR MUSCARELLA: So moved.

7 LEGISLATOR WALKER: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Muscarella, seconded by
10 Legislator Walker. All those in favor of
11 suspending the rules signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The rules are suspended. We have
16 three addendums; Items 17, 18, and 19 are
17 resolutions to authorize the county assessor
18 and/or treasurer and/or receivers of taxes
19 of the Town of Hempstead to exempt from real
20 property taxation certain real properties,
21 and to correct erroneous assessments.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR MUSCARELLA: Second.

24 CHAIRMAN NICOLELLO: Moved by
25 Legislator Walker, seconded by Legislator

1 Finance Committee/1-11-16

2 Muscarella. Do we have any discussion?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 All those in favor signify by

7 saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 Those items carry unanimously.

12 Items 25, 26, 27, 28, 33 and 34

13 are ordinances supplemental to the annual

14 appropriation ordinance in connection with

15 the Department of Health, Parks, Recreation

16 and Museums, Social Services, and the Police

17 Department.

18 (Whereupon, please refer to the

19 minutes of the Health and Social Services

20 Committee dated 1-11-16 pertaining to Clerk

21 Items 25, 28.)

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR MUSCARELLA: Second.

24 CHAIRMAN NICOLELLO: Moved by

25 Legislator Walker, seconded by Legislator

1 Finance Committee/1-11-16

2 Muscarella. Those items are before the
3 committee. Do we have any discussion?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Those items carry unanimously.

13 Now we go to Addendum Number 2,
14 Item 39 of 2016 is a bond ordinance making
15 certain determinations pursuant to SEQRA
16 providing for a capital expenditure to
17 finance the payment of certain judgements,
18 compromise or settle claims resulting from
19 court orders on proceedings brought pursuant
20 to Article 7 of the Real Property Tax Law
21 and determinations of the Nassau County
22 Assessment Review Commission.

23 LEGISLATOR MACKENZIE: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/1-11-16

2 Legislator MacKenzie, seconded by Legislator
3 Walker. That item is before the committee.
4 Do we have any discussion or questions?

5 (No verbal response.)

6 Hearing none, is there any public
7 comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (Nay.)

14 That item carries by a vote of
15 four to three.

16 Item 41 of 2016 is an ordinance
17 to implement the Local Government Assistance
18 Program in Nassau County.

19 (Whereupon, please refer to the
20 minutes of the Towns Villages & Cities
21 Committee dated 1-11-16 pertaining to Clerk
22 Item 41-16.)

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MACKENZIE: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/1-11-16

2 Legislator Walker, seconded by Legislator
3 MacKenzie. That item is before the
4 committee. There were questions on this in
5 Towns and Villages. We are still waiting
6 for answers. Connie, anyone here to speak
7 on this item?

8 MR. CONROY: Good afternoon,
9 Legislature. Bob Conroy, Office of
10 Management and Budget. This is an ordinance
11 which authorizes the county to distribute
12 sales tax collections that it collects to
13 the local municipalities within Nassau
14 County.

15 CHAIRMAN NICOLELLO: That's the
16 villages or the towns?

17 MR. CONROY: That's called the
18 townships, the cities and the villages.

19 CHAIRMAN NICOLELLO: Legislator
20 DeRiggi-Whitton.

21 LEGISLATOR DERIGGI-WHITTON: I
22 got some information from our last committee
23 but have there been primarily increases or
24 decreases or pretty much remained the same?

25 MR. CONROY: In terms of the

1 Finance Committee/1-11-16

2 rates?

3 LEGISLATOR DERIGGI-WHITTON: In
4 terms of the numbers that you're giving.

5 MR. CONROY: This just authorizes
6 the collection, the actual collections that
7 we do are based on what we collect -- I'm
8 sorry, the actual distributions that we make
9 during the year are based on what we collect
10 from the state.

11 LEGISLATOR DERIGGI-WHITTON: So
12 have the distributions been pretty much the
13 same, have they gone up?

14 MR. CONROY: It's pretty much
15 flat. It's been -- sales tax overall for
16 '15 was only about one percent over '14 and
17 we don't expect it to be significantly
18 higher than that for '16.

19 CHAIRMAN NICOLELLO: Mr. Naughton
20 is here.

21 MR. NAUGHTON: Eric Naughton,
22 Deputy County Executive for Finance. Just
23 to add, for the villages, the amount is
24 flat. We kept the same amount for the last
25 few years. But as Bob mentioned, for the

1 Finance Committee/1-11-16
2 three towns and two cities, it varies based
3 off the actual growth in sales tax. So if
4 our growth rate of one percent comes to
5 fruition, then the amount that they give
6 will grow by one percent.

7 LEGISLATOR DERIGGI-WHITTON:
8 Thank you.

9 CHAIRMAN NICOLELLO: Any other
10 questions or discussion on this item? Thank
11 you very much.

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 That item carries unanimously.

21 Last but not least we have
22 Addendum 3, Item 40 of 2016, a resolution
23 authorizing the County Attorney to
24 compromise and settle the action Volpe, et
25 al versus County of Nassau pursuant to the

1 Finance Committee/1-11-16

2 County law, et cetera.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR MACKENZIE: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Walker, seconded by Legislator
7 MacKenzie. This is a settlement, so I
8 believe it's appropriate to go into
9 executive session.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Motion by
13 Legislator Muscarella, seconded by
14 Legislator Walker. All those in favor of
15 going into executive session signify by
16 saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 We are in executive session.

21 (Whereupon, the Finance Committee
22 recessed into executive session at 2:55 p.m.
23 and reconvened at 3:18 p.m.)

24 CHAIRMAN NICOLELLO: We are out
25 of executive session. We have this item

1 Finance Committee/1-11-16
2 before us, Item 40 of 2016. Do we have any
3 discussion?

4 (No verbal response.)

5 Is there any public comment?

6 LEGISLATOR DERIGGI-WHITTON: I
7 have one comment.

8 CHAIRMAN NICOLELLO: Sure.

9 LEGISLATOR DERIGGI-WHITTON: Just
10 in speaking with our attorney, he feels that
11 since he was given this information this
12 morning, that it wasn't ample time for him
13 to review everything. So we are going to
14 vote to abstain now, but possibly when Full
15 Leg is in session we will have everything
16 clarified.

17 CHAIRMAN NICOLELLO: All right.
18 Is there any public comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 Abstaining?

1 Finance Committee/1-11-16

2 (Abstain.)

3 So it's four, zero, three. That
4 concludes the committee. Motion to adjourn.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Walker. All those in favor
10 signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 The committee is adjourned.

15 (Whereupon, the Finance Committee
16 adjourned at 3:18 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 25th day of January, 2016.

FRANK GRAY