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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

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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.

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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.)

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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?

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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

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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. PODLESAC: 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. PODLESAC: 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

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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

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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

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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

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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. PODLESAK: 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. PODLESAK: 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. PODLESAK: 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

1           10-31-16 Reconvened Full Leg

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. PODLESAK:   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. PODLESAK:   Yes, sir.

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

24          MR. PODLESAK:   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

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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

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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

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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