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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, December 5, 2016
3:29 P.M

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

RICHARD NICOLELLO,
Chairman

VINCENT MUSCARELLA,
Vice Chairman

ROSE MARIE WALKER (substituted by
C. William Gaylor III)

DONALD MACKENZIE

ELLEN BIRNBAUM
Ranking

LAURA CURRAN

SIELA A. BYNOE

MICHAEL PULITZER,
Clerk of the Legislature

LIST OF SPEAKERS

DAVE RICH.....	6
BOB MCMANUS.....	8
NICK SERANDIS.....	9
KEVIN WALSH.....	11
GERALD PODLESAK.....	16
KATE MURRAY.....	18
ROBERT MARIN.....	25
EILEEN KRIEB.....	39
TIM LACHAPELLE.....	45
RANDY KAPLAN.....	48
META MEREDAY.....	50

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INSERTS

Incorporated by reference
Public Safety Committee,
Health and Social Services Committee
Dated December 5, 2016 pertaining to
Clerk Items 585, 586, 587)34

1 Finance Committee/12-5-16

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. Mr. Pulitzer,
4 please call the roll.

5 CLERK PULITZER: Thank you, Mr.
6 Chairman. Roll call. Legislator Ellen
7 Birnbaum?

8 LEGISLATOR BIRNBAUM: Here.

9 CLERK PULITZER: Legislator Laura
10 Curran?

11 LEGISLATOR CURRAN: Here.

12 CLERK PULITZER: Ranking Member
13 Siela Bynoe?

14 LEGISLATOR BYNOE: Here.

15 CLERK PULITZER: Legislator
16 Donald MacKenzie?

17 LEGISLATOR MACKENZIE: Here.

18 CLERK PULITZER: Legislator C.
19 William Gaylor III?

20 LEGISLATOR GAYLOR: Present.

21 CLERK PULITZER: Vice Chairman
22 Vincent Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: And Chairman
25 Richard Nicoletto?

1 Finance Committee/12-5-16

2 CHAIRMAN NICOLELLO: Here.

3 CLERK PULITZER: We have a
4 quorum, sir.

5 CHAIRMAN NICOLELLO: Thank you,
6 Mr. Pulitzer. Item 529 of 2016 is a
7 resolution to authorize a transfer of
8 appropriations heretofore made within the
9 budget year 2016.

10 LEGISLATOR GAYLOR: So moved.

11 LEGISLATOR MUSCARELLA: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Gaylor, seconded by Legislator
14 Muscarella. Do we have a presentation on
15 what this is about?

16 MR. RICH: Dave Rich, Traffic and
17 Parking Violations Agency. The agency needs
18 the additional \$1.4 million to cover its
19 contract expenses. We have generated
20 additional revenues therefore we have
21 generated additional expenses.

22 CHAIRMAN NICOLELLO: How much in
23 additional revenues?

24 MR. RICH: \$7 million.

25 CHAIRMAN NICOLELLO: What do you

1 Finance Committee/12-5-16

2 attribute that to?

3 MR. RICH: We try to increase
4 collection agencies as well as increase boot
5 and tow enforcement actions. As well as, we
6 fell behind, so to speak, about six weeks
7 lag, so what we do is we did a Saturday
8 overtime maybe about four times this year
9 and that helps to get us about two weeks
10 behind from violation date to actual
11 issuance of notice.

12 CHAIRMAN NICOLELLO: Any other
13 questions for Mr. Rich?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 Item 554 of 2016 is a resolution
24 making certain determinations pursuant to
25 SEQRA and authorizing the County Executive

1 Finance Committee/12-5-16
2 on behalf of the County of Nassau to execute
3 a lease agreement between the county as
4 tenant and Hempstead 9 L.L.C. as landlord.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR MACKENZIE: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Muscarella, seconded by
9 Legislator MacKenzie. The item is before
10 the committee.

11 MR. MCMANUS: Bob McManus,
12 District Attorney's Office. This lease
13 agreement is for a building that is utilized
14 by the Counsel of Thought and Action, better
15 phone as COTA.

16 This is a program conducted by
17 the Family and Children's Association under
18 a contractual agreement with the District
19 Attorney's Office to provide services to
20 individuals who are reentering the community
21 after incarceration as well as high risk
22 youth.

23 The program provides services to
24 these individuals, training, educational
25 programs and recreational programs for

1 Finance Committee/12-5-16

2 youth.

3 CHAIRMAN NICOLELLO: What is the
4 term in the agreement, Four years?

5 MR. SERANDIS: Nicholas Serandis,
6 Deputy County Attorney. What was the
7 question again?

8 CHAIRMAN NICOLELLO: The term.

9 MR. SERANDIS: The term goes
10 through December 31st, 2020. And additional
11 option year after that for a renewal period
12 at the discretion of the county and landlord
13 which goes through 2023.

14 CHAIRMAN NICOLELLO: The only
15 question I had is this, did any -- was any
16 search made or was any thought given to
17 leasing space -- not leasing, but to using
18 any county owned property?

19 I think there's always an issue
20 of county owned property and usage of that
21 and getting maximum uses, but before we went
22 to decide the lease, did we look at that?

23 MR. SERANDIS: The original --
24 the current tenant, the program -- been in
25 the program for a while.

1 Finance Committee/12-5-16

2 The ownership of the building
3 recently changed hands due to a foreclosure
4 action from the old owner which was 100
5 Blackmen which was taken over by this
6 Hempstead 9, L.L.C. which is now Hempstead
7 9, L.L.C. which has done major renovations
8 to the site to make it habitable for the
9 programs conducted by the District Attorney.

10 CHAIRMAN NICOLELLO: Is it also
11 approximate to the District Court Building,
12 is that one of the reasons why?

13 MR. MCMANUS: Yes, sir, it is
14 centrally located in the Village of
15 Hempstead. And may I add, it's also, the
16 program has been housed in that building for
17 several years now.

18 CHAIRMAN NICOLELLO: Any other
19 questions for Mr. McManus or Mr. Serandis?
20 Legislator Curran.

21 LEGISLATOR CURRAN: Who
22 negotiated the terms of the agreement, was
23 it our county real estate office or the DA's
24 office?

25 MR. MCMANUS: At the time, the

1 Finance Committee/12-5-16
2 formal negotiations would have been
3 conducted by County Bureau of Real Estate.

4 LEGISLATOR CURRAN: That makes
5 sense. How is the rent determined?

6 MR. SERANDIS: How is the rent
7 derived at? It is basically done be a
8 comparable value in the area -- the landlord
9 is responsible for the payment of all taxes,
10 maintenance of the building which is
11 factored into the total overall value of the
12 rental per square foot.

13 MR. WALSH: Good afternoon.
14 Kevin Walsh, Office of Real Estate Services.
15 Nick and the District Attorney's Office, Bob
16 and Jeff Stein have worked with us together.

17 We did look at comparable values
18 in the area. We've been looking at a lot of
19 other leases in Hempstead. We occupy space
20 for example, TPVA, and also for 40 Main
21 Street, a lot of other offices are there.
22 This is a program that has been at this
23 location like was mentioned, I think just
24 moments ago, in the vicinity of district
25 court, which is very important for the

1 Finance Committee/12-5-16

2 services they provide.

3 The rate is actually below market
4 especially when you're not paying any taxes;
5 water, sanitation, and the District Attorney
6 has let me know, since ownership has
7 transferred recently, we have been very
8 happy with the way the building has been
9 handled. There had been flood in the
10 basement that has been dealt with, and the
11 lease term now is a four year, with a four
12 year renewal. The renewals each year are
13 two and a half percent increase which is
14 pretty nominal for the area now.

15 CHAIRMAN NICOLELLO: Legislator
16 Bynoe.

17 LEGISLATOR BYNOE: Thank you.
18 Good afternoon. So I visited that building,
19 I went there and participated in the
20 program. I just remember when I visited, at
21 some point I believe 100 Blackmen still had
22 one of the office space.

23 Does this give them full use of
24 the entire building now?

25 MR. MCMANUS: I'm not aware that

1 Finance Committee/12-5-16

2 they are using any space in the building I
3 know. The District Attorney, yes, will have
4 full use of the entire space.

5 LEGISLATOR BYNOE: Thank you.

6 CHAIRMAN NICOLELLO: Any other
7 questions?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 The item carries unanimously.

17 Item 555 of 2016 is an ordinance
18 to amend Ordinance Number 13 of 2016
19 adopting the capital budget for the year
20 2016 for the County of Nassau corresponding
21 to the first year of the four year capital
22 plan.

23 LEGISLATOR MACKENZIE: So moved.

24 LEGISLATOR GAYLOR: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/12-5-16

2 Legislator MacKenzie, seconded by Legislator
3 Gaylor. We have an amendment in the nature
4 of a substitution which is the amendment
5 which appropriates new outside funding into
6 projects, adds budget to match existing bond
7 ordinances and allows the county to secure
8 50 percent DASNY matches for NCC projects.

9 LEGISLATOR GAYLOR: So moved.

10 LEGISLATOR MACKENZIE: Second.

11 CHAIRMAN NICOLELLO: Motion to
12 amend by Legislator Gaylor, seconded by
13 Legislator MacKenzie. All those in favor of
14 the amendment signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 The item as amended is before
19 the committee. Any discussion? Legislator
20 Bynoe.

21 LEGISLATOR BYNOE: So this is a
22 procedural question. It's been reported to
23 me by our legal team that really and
24 truthfully this should be brought to the
25 Legislature -- it should have been brought

1 Finance Committee/12-5-16

2 as an emergency based on the fact that this
3 is actually not procedurally correct to
4 bring it without asking for the emergency
5 because it's not just a new program, capital
6 budget emergency to be precise.

7 CHAIRMAN NICOLELLO: Whoever you
8 told that the emergency would be for new
9 projects, this in fact is not adding new
10 projects, it's removing projects.

11 LEGISLATOR BYNOE: It's doing
12 what?

13 CHAIRMAN NICOLELLO: It's not
14 adding new projects. If it was adding new
15 projects it would require a capital budget
16 emergency. But it's not adding new
17 projects, it's simply removing projects.

18 LEGISLATOR BYNOE: So, I'm sorry,
19 I actually see here that some of them are
20 labeled as new projects.

21 CHAIRMAN NICOLELLO: The
22 amendment actually removes that part of the
23 item, takes out the new projects.

24 LEGISLATOR BYNOE: So there was
25 an attempt by our legal counsel because this

1 Finance Committee/12-5-16

2 was raised earlier, I thought it would be
3 better if the attorneys discussed this but I
4 think there wasn't a time allowed for that
5 and so this is why I'm trying to raise the
6 issue now. But I really think -- can we
7 momentarily table this item and have our
8 attorneys discuss this issue and then return
9 to it more appropriately later on because I
10 don't feel as if I'm the best person to be
11 discussing this issue.

12 And I think that you're also
13 getting legal counsel from Meredith behind
14 you. I think it would be better if both
15 Peter Klein and Meredith have an opportunity
16 to discuss this technicality.

17 CHAIRMAN NICOLELLO: Mr. Podlesak,
18 would you like to comment?

19 MR. PODLESAK: Our understanding
20 is the same one that you had mentioned, that
21 it only applies when there are new projects
22 and by amending the legislation and removing
23 the new projects it no longer needs a
24 capital emergency.

25 LEGISLATOR BYNOE: If we can't

1 Finance Committee/12-5-16

2 agree that they should discuss it, I will
3 just read the little part of the Charter
4 that says, this section requires that
5 declaration of such an emergency with the
6 approval of 13 affirmative votes for any
7 amendments which provide for additional
8 programs, projects or activity.

9 So it actually goes a little
10 further than the actual programs but,
11 honestly, we are, in good faith, I'll tell
12 you we are in support even if you bring it
13 as an emergency, we just don't want to set a
14 precedent by allowing for something to
15 happen against procedure.

16 So if you could have Meredith
17 maybe speak with Peter Klein so that we can
18 move on to the rest of the business of this
19 committee.

20 CHAIRMAN NICOLELLO: I agree. We
21 have a week before the Full Legislature, so
22 perhaps they can discuss this and figure out
23 what we can do, come to an agreement as to
24 what is the correct procedural way to do
25 this.

1 Finance Committee/12-5-16

2 LEGISLATOR BYNOE: Thanks.

3 CHAIRMAN NICOLELLO: Thanks. Do
4 we have any further questions on this item?

5 (No verbal response.)

6 Is there any public comment? Ms.
7 Murray.

8 MR. MURRAY: Good afternoon.

9 I'll be very brief. Kate Murray, appearing
10 on behalf of Nassau Community College.

11 As I understood it, we are here
12 for this amendment to satisfy SUNY's, a new
13 policy that they just asked us to have our
14 2017 projects which were previously
15 unanimously approved by this body, I believe
16 October 5, but I could be wrong on that
17 date, to have them placed in the 2016
18 capital improvement plan of the county.

19 These eight projects, which had
20 been previously approved, amount to about
21 \$9.85 million. If we don't have an actual
22 county approval again, even though it was
23 previously approved by this body by December
24 15th, we will lose the \$9.8 million. That's
25 what I understood the amendment to be.

1 Finance Committee/12-5-16

2 I don't want to be -- I know you
3 have some legal questions. I don't want to
4 get involved in that argument but that's
5 basically what my understanding was.

6 CHAIRMAN NICOLELLO: Thank you.
7 Again, what I suggest we do is move this
8 along and, within the next ten days, we'll
9 have counsel speak and make sure they are in
10 agreement with the terms of the procedures
11 and, if not, we'll have to deal with it on
12 the 14th.

13 Any other questions or
14 discussion?

15 MS. MURRAY: And a special
16 welcome to Legislator Drucker.

17 LEGISLATOR DRUCKER: Always a
18 pleasure to see you, Kate.

19 LEGISLATOR BYNOE: Legislator
20 Nicolello, so I understand exactly what
21 you're suggesting now, are you suggesting
22 that we move it through this committee?

23 CHAIRMAN NICOLELLO: Yes. Move
24 it through the committees and we have nine
25 days before the next Legislative meeting to

1 Finance Committee/12-5-16
2 reach an agreement or with respect to
3 procedures or not, then we can discuss it
4 then.

5 LEGISLATOR BYNOE: We don't think
6 this is something that the two counsels can
7 discuss and remedy within ten minutes? We
8 have other business.

9 CHAIRMAN NICOLELLO: They are
10 lawyers, so --

11 LEGISLATOR BYNOE: So the item
12 that the community college is bringing
13 forward is for new projects; am I correct?

14 CHAIRMAN NICOLELLO: My
15 understanding I'm getting from counsel is
16 no, it's not. So I think we can go around
17 in circles until we don't reach an agreement
18 today and then deal with it in nine days.

19 LEGISLATOR BYNOE: Are any of
20 these projects new work? Because you're
21 saying you moved out the new work, that you
22 just made an amendment to move out the new
23 work; am I correct?

24 So I'm told that we are moving,
25 some of these items include new work.

1 Finance Committee/12-5-16

2 They're not new projects but they
3 incorporate new work. So I just need
4 someone to indicate for me on the record
5 whether that is accurate.

6 MR. PODLESAK: My information is
7 is that it's not new work. It's already
8 approved work and it's just being added to
9 this particular budget amendment. But it is
10 existing work.

11 LEGISLATOR BYNOE: If it's not
12 currently in the budget I don't know how it
13 could be old work.

14 MR. PODLESAK: But it's
15 previously been approved.

16 LEGISLATOR BYNOE: That doesn't
17 make sense to me.

18 MR. PODLESAK: I think the
19 Chairman's recommendation is a good one.
20 Pass it today and then have any kind of
21 conversations. And then if it's necessary
22 to cure it with a budget emergency
23 resolution that could be done.

24 LEGISLATOR BYNOE: I'm okay with
25 doing that as long as we're clear as to

1 Finance Committee/12-5-16

2 exactly what we are doing, that we're moving
3 items that have new work in it. They may
4 not be new projects but they have new work
5 built into existing projects.

6 So that's my understanding and
7 so, if I can have somebody clarify on the
8 record that that is the case, then I'm
9 comfortable with moving forward. We just
10 want some clarity on the record.

11 MR. PODLESACK: My information is
12 not new projects. It's existing work that's
13 been approved.

14 LEGISLATOR BYNOE: Not projects,
15 we're talking about work now. New work and
16 new projects are two different things.

17 This is new work and old
18 projects, and existing projects. That's my
19 understanding.

20 MR. PODLESACK: I think the whole
21 matter -- you've got to come to the
22 microphone.

23 MS. MURRAY: Many of the projects
24 could be continuing projects. For example,
25 we have a huge parking lot renovation, that

1 Finance Committee/12-5-16

2 is going to be in several stages.

3 So we've begun the work, and with
4 the new appropriations that this body gave
5 us back in October, those projects will
6 continue.

7 LEGISLATOR BYNOE: Thank you.
8 The question actually was far reaching. It
9 just wasn't inclusive of Nassau Community
10 College, but I appreciate your answer. But,
11 in the interest of time, let's move on,
12 please.

13 CHAIRMAN NICOLELLO: Is there any
14 public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor indicate by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item carries unanimously.

22 I'm going to call the next
23 several items together. 556, 557, 558, 559,
24 560, 561, 562, and 563.

25 These are resolutions to

1 Finance Committee/12-5-16
2 authorize the county assessor and/or the
3 county treasurer and/or the receiver of
4 taxes of the Towns of Oyster Bay, North
5 Hempstead, and Hempstead to do the
6 following: Exempt from real property
7 taxation certain real properties situated in
8 various school districts to restore taxes on
9 certain properties, to partially exempt from
10 real property taxation certain real
11 properties and to correct erroneous
12 assessments and taxes in accordance with
13 petitions.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR MACKENZIE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Muscarella, seconded by
18 Legislator MacKenzie. Do we have any
19 discussion on these items? Legislator
20 Curran.

21 LEGISLATOR CURRAN: Just a couple
22 of points I want to make. None of these
23 assessment correction items indicate whether
24 there will be a cost to the county. I think
25 it would be good to know what the cost is

1 Finance Committee/12-5-16

2 going forward.

3 Then, the second point I would
4 like to make is, I may have questions when
5 this comes before the Full Leg. So, can we
6 have a representative from the Assessors
7 Office here for Full Leg next week? I don't
8 have them yet, but I might have them then,
9 so I want to make sure there's someone here.

10 I will ask my first question.

11 MR. MARIN: Deputy County
12 Attorney Robert Marin.

13 LEGISLATOR CURRAN: How are you?
14 None of these assessment correction items
15 indicate whether there will be a cost to the
16 county.

17 MR. MARIN: The resolutions
18 themselves, just going from memory, deal
19 with various exemptions; in some cases they
20 would be STAR exemptions. In other cases,
21 they would be wholly exempt properties,
22 properties sold to religious institutions,
23 for example, or partial exemptions would
24 possibly be veteran exemptions. They're in
25 the backup. I don't have them in front of

1 Finance Committee/12-5-16

2 me.

3 So, in those instances the rolls
4 have closed and, in order to make those
5 changes to the rolls, it has to be done by
6 Legislative approval.

7 LEGISLATOR CURRAN: So it doesn't
8 cost the county anything, it's just
9 basically who owes what, right?

10 MR. MARIN: I mean, I hate to
11 give you a terrible lawyer answer but it
12 depends. It depends on the nature of the
13 exemption. Whether it's adding properties
14 back on, then it certainly wouldn't.

15 If it's an exemption and the
16 rolls have closed, the STAR exemption, for
17 instance, is a complicated animal because
18 the state has taken that over directly. So,
19 it really depends on the specific exemption.

20 But, off of recollection, none of
21 these are substantial in nature. In terms
22 of large dollar amounts, a couple of hundred
23 here, a thousand here, yes, but, you know,
24 \$250,000, no. That's not as fact specific
25 as you want, or maybe it is?

1 Finance Committee/12-5-16

2 LEGISLATOR CURRAN: It clarifies
3 it. It does. Is this something that would
4 make sense, I don't know if it does, but is
5 this something that would make sense to have
6 in these resolutions with the dollar amounts
7 on these?

8 MR. MARIN: Not necessarily
9 because it's a moving target because
10 assessed values change in a certain capacity
11 and whatnot.

12 In certain circumstances, again,
13 the property comes back on the tax roll or
14 goes off the tax roll, so it's either a
15 reduction of the tax roll or addition to the
16 tax roll.

17 It's a lot of math. And to be
18 very honest with you, assessment and these
19 resolutions are complicated enough. So to
20 start to add things of that nature and if we
21 miss a decimal point or off a couple of
22 cents, then we're going be back here again,
23 and then in instances where a mathematical
24 error is made by human error or otherwise,
25 we would have to come back and then would

1 Finance Committee/12-5-16

2 probably be in refund status because we made
3 a mistake. We said it's X amount and now it
4 was really Y amount. The county guaranty
5 requires us to cover the Y amount, the
6 difference between X and Y. So just
7 thinking practically to be quite honest.

8 LEGISLATOR CURRAN: Another
9 technical question. So let's say there's
10 more than expected exemptions, veteran's
11 exemptions just to throw in an example, what
12 happened then because the levy is the levy,
13 do other people's assessments then go up to
14 make up that difference? But that would
15 happen I imagine the following year?

16 MR. MARIN: I think you're
17 correct. I don't -- I think you're correct.

18 We are in a two year lag. We
19 don't operate in real time.

20 LEGISLATOR CURRAN: So I might
21 have more questions next week. I hope
22 you'll be back. Thank you.

23 MR. MARIN: Thank you.

24 CHAIRMAN NICOLELLO: Legislator
25 Bynoe.

1 Finance Committee/12-5-16

2 LEGISLATOR BYNOE: I have a
3 question about 557. It says an exemption
4 for religious purpose. I asked for some
5 research to be done on this, and we were
6 unable to find any information on the owner.
7 So, could someone from the assessor's office
8 provide me with that information?

9 MR. MARIN: Working on that.

10 CHAIRMAN NICOLELLO: Any other
11 questions? We will have it for Wednesday.

12 LEGISLATOR BYNOE: I'm fine with
13 passing it through now, but if you would,
14 could you have it in advance of next week
15 Wednesday, possibly, and have it forwarded
16 to my -- not even my office but everyone on
17 the Finance Committee.

18 MR. MARIN: I can certainly look
19 at that, absolutely.

20 LEGISLATOR BYNOE: Please.

21 CHAIRMAN NICOLELLO: Do we have
22 any further questions on this item?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Finance Committee/12-5-16

2 All those in favor signify by
3 saying aye.

4 (Aye.)

5 Those opposed?

6 (No verbal response.)

7 Those items pass unanimously.

8 The next several items 564, 565,
9 566, 567, 568, 569, 570, 571, 572, 573,
10 these are resolutions to authorize the
11 assessor of the county of Nassau to extend
12 on the annual assessment roll of the County
13 of Nassau for the year 2017 for the Towns of
14 Oyster Bay, North Hempstead, Hempstead, and
15 that's it. Hempstead amounts assessed by
16 the town boards for construction or
17 reconstruction of sidewalks for survey
18 and/or demolition and/or securing unsafe
19 premises or clearing costs.

20 LEGISLATOR GAYLOR: So moved.

21 LEGISLATOR MACKENZIE: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Gaylor, seconded by Legislator
24 MacKenzie. Those items are before the
25 committee. Do we have any questions on

1 Finance Committee/12-5-16

2 these items?

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 Once again, we have some more
13 assessment items. 576, 577, 578, 579, 580.

14 These are resolutions to authorize the
15 County Assessor and/or the County Treasurer
16 and/or the Receiver of Taxes of the Towns of
17 Hempstead, North Hempstead, Oyster Bay and
18 City of Long Beach to correct erroneous
19 assessments and taxes in accordance with
20 petitions to exempt from real property
21 taxation certain real properties and that's
22 it.

23 LEGISLATOR MUSCARELLA: So moved.

24 LEGISLATOR MACKENZIE: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/12-5-16

2 Legislator Muscarella, seconded by
3 Legislator MacKenzie. Those items are
4 before the committee. I assume you have the
5 same questions and they'll get you the
6 information before the next meeting.

7 Any other questions or
8 discussion?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Carries unanimously.

18 Item 581 of 2016 is a resolution
19 to fix the time and date on what's the
20 consolidated tax warrants, shall be issued
21 to the town and city receivers of taxes for
22 the collection of taxes and assessments
23 levied by the County Legislature and
24 extended by the County Assessor.

25 LEGISLATOR GAYLOR: So moved.

1 Finance Committee/12-5-16

2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Gaylor, seconded by Legislator
5 Muscarella. Do we have any discussion on
6 this item?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Carries unanimously.

16 585, 586, 587, these are
17 ordinances supplemental to the annual
18 appropriation ordinance in connection with
19 the Department of Health, Chemical
20 Dependency and Developmental Disabilities
21 Services and the District Attorney's Office.

22 LEGISLATOR MACKENZIE: So moved.

23 LEGISLATOR MUSCARELLA: Second.

24 CHAIRMAN NICOLELLO: Motion by
25 Donald MacKenzie, seconded by Legislator

1 Finance Committee/12-5-16

2 Muscarella. These items went through the
3 committees earlier and I ask that all
4 committee minutes be incorporated by
5 reference.

6 (Whereupon, please refer to the
7 minutes of the Public Safety Committee and
8 Health and Social Services Committee dated
9 December 2016 pertaining to Clerk Items 585,
10 586, 587.)

11 Any questions on these items?

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 Those items carry unanimously.

21 Item 588 of 2016 is an ordinance
22 supplemental to the annual appropriation
23 ordinance in connection with the Office of
24 Management and Budget.

25 LEGISLATOR GAYLOR: So moved.

1 Finance Committee/12-5-16

2 LEGISLATOR MACKENZIE: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Gaylor, seconded by Legislator
5 MacKenzie. This item is before the
6 committee and deals with indigent legal
7 services. Is there someone, Mr. Podlesak,
8 to speak on this?

9 MR. PODLESAK: This is one of the
10 periodic appropriations that need to be made
11 in order to finance one of the programs that
12 we have that furnishes legal services to the
13 indigent and is a routine matter that comes
14 up over time.

15 CHAIRMAN NICOLELLO: This is a
16 grant, correct?

17 MR. PODLESAK: Correct.

18 CHAIRMAN NICOLELLO: Do we have
19 any questions for Mr. Podlesak?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 Finance Committee/12-5-16

2 Those opposed?

3 (No verbal response.)

4 Carries unanimously.

5 589 of 2016 is an ordinance
6 supplemental to the annual appropriation
7 ordinance in connection with the District
8 Attorney's Office.

9 LEGISLATOR MUSCARELLA: So moved.

10 LEGISLATOR MACKENZIE: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Muscarella, seconded by
13 Legislator MacKenzie. This went through the
14 Public Safety Committee earlier. Any
15 questions at this time? Do we have any
16 questions at this time?

17 (No verbal response.)

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 Carries unanimously.

1 Finance Committee/12-5-16

2 We have some more transfers of
3 appropriations; 590, 591, 592, 593, 594.
4 These are resolutions to authorize the
5 transfer of appropriations heretofore made
6 within the budget for the year 2016.

7 LEGISLATOR GAYLOR: So moved.

8 LEGISLATOR MUSCARELLA: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Gaylor, seconded by Legislator
11 Muscarella. Do you want to explain these
12 items, Gerry? These are transfers of
13 appropriations, several of them, 591, 592,
14 593, 594. Just briefly.

15 MR. PODLESAK: I'm sorry. I was
16 trying to do two things at once. 590
17 through 594. These are different agencies
18 that are affected. 590 is the police
19 department. We also have -- there's also
20 two human services items, and we don't have
21 Board of Elections.

22 CHAIRMAN NICOLELLO: Do we have
23 any questions for Mr. Podlesak?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/12-5-16

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously.

9 I'm going to call 595 and 596
10 together. These are resolutions authorizing
11 the County Executive to execute grant
12 agreements between the County of Nassau
13 acting on behalf of the Department of Parks,
14 Recreation and Museums, and Levittown Post
15 1711 Inc., as well as the West End Civic
16 Association.

17 LEGISLATOR MACKENZIE: So moved.

18 LEGISLATOR GAYLOR: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator MacKenzie, seconded by Legislator
21 Gaylor. We have an amendment in the nature
22 of a substitution which extends the term of
23 these grants.

24 LEGISLATOR MUSCARELLA: So moved.

25 LEGISLATOR MACKENZIE: Second.

1 Finance Committee/12-5-16

2 CHAIRMAN NICOLELLO: Legislator
3 Muscarella makes the amendment, seconded by
4 Legislator MacKenzie. All those in favor of
5 the amendment signify by saying aye.

6 (Aye.)

7 Those opposed? Legislator
8 Birnbaum.

9 LEGISLATOR BIRNBAUM: I was
10 reading the one for the county of the City
11 of Long Beach so it was specifically for the
12 events that took place, it sounds like in
13 2016, yet the amendment extends it to 2017;
14 is that right; to December 31, 2017, and it
15 was all spent in 2016?

16 CHAIRMAN NICOLELLO: This would
17 be Item 596.

18 MS. KRIEB: Eileen Krieb,
19 Department of Parks. This was a grant given
20 to them for their summer program for their
21 movie nights.

22 It took us a long time to
23 reconcile all their previous movie nights
24 that they had last summer, that's why we
25 have extended it so that it fits within

1 Finance Committee/12-5-16

2 their timing.

3 LEGISLATOR BIRNBAUM: Will there
4 be another grant for the summer events in
5 2017?

6 MS. KRIEB: If they apply.

7 LEGISLATOR BIRNBAUM: So the
8 extension was to just give them more time?

9 MS. KRIEB: Yes, because this is
10 already December and it gives them more time
11 to submit their documentation. A lot of
12 these small groups have a real hard time
13 with their recordkeeping.

14 LEGISLATOR BIRNBAUM: Okay.
15 Thank you.

16 CHAIRMAN NICOLELLO: Questions?
17 Legislator Gaylor.

18 LEGISLATOR GAYLOR: My notes show
19 that you are asking to extend the time to
20 March of 2017; is that correct?

21 MS. KRIEB: Yes. We did an
22 amendment for both 595-16, for the post and
23 also for the West End Neighbors until March
24 2017.

25 LEGISLATOR GAYLOR: Thank you.

1 Finance Committee/12-5-16

2 CHAIRMAN NICOLELLO: Any other
3 questions?

4 (No verbal response.)

5 All in favor of the amendment
6 signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 It's amended. Now we vote on the
11 item as amended. All those in favor of the
12 item as amended signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Carries unanimously.

17 Item 597 of 2016 is a resolution
18 authorizing the County Executive to execute
19 a grant agreement between the County of
20 Nassau acting on behalf of the Department of
21 Parks, Recreation and Museums and the
22 Levittown Historical Society.

23 LEGISLATOR GAYLOR: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/12-5-16

2 Legislator Gaylor, seconded by Legislator
3 Muscarella. Do we have any questions on
4 this item?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 That item passes unanimously.

14 Item 598 of 2016 is an ordinance
15 making certain determinations pursuant to
16 SEQRA and authorizing the County Executive
17 to accept on behalf of the county an offer
18 of purchase of Homes for our Homecoming
19 Heroes, Inc. of certain premises located in
20 the Incorporated Village of Freeport.

21 LEGISLATOR MACKENZIE: So moved.

22 LEGISLATOR GAYLOR: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator MacKenzie, seconded by Legislator
25 Gaylor. This item is before the committee

1 Finance Committee/12-5-16
2 and went through the Planning Committee
3 earlier and there was discussion on it. Do
4 we have any questions at this time?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 That item carries unanimously.

14 599 of 2016 is an ordinance
15 supplemental to the annual appropriation
16 ordinance in connection with the Police
17 Department.

18 LEGISLATOR GAYLOR: So moved.

19 LEGISLATOR MUSCARELLA: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Gaylor, seconded by Legislator
22 Muscarella. This went through Public Safety
23 a couple of minutes ago. Do we have any
24 questions?

25 (No verbal response.)

1 Finance Committee/12-5-16

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 That item carries unanimously.

10 Item 600 of 2016 is a local law
11 to amend the Nassau County Administrative
12 Code in relation to the verification of
13 section, block, and lot information in
14 instruments presented for recording. I will
15 move that item.

16 LEGISLATOR MUSCARELLA: Second.

17 CHAIRMAN NICOLELLO: Seconded by
18 Legislator Muscarella. That item is before
19 the committee. Mr. Podlesak, can you just
20 give us a description of this?

21 MR. PODLESAK: Yes. This raises
22 the fee to \$350.

23 CHAIRMAN NICOLELLO: That's the
24 tax map verification fee.

25 MR. PODLESAK: That's correct.

1 Finance Committee/12-5-16

2 CHAIRMAN NICOLELLO: I think we
3 have some speakers on this item but before
4 we get to them, do we have any discussion
5 before we call them up?

6 (No verbal response.)

7 Mr. Lachapelle. Put your name in
8 for the record.

9 MR. LACHAPELLE: My name is Tim
10 Lachapelle. I'm here representing the Long
11 Island Board of Realtors.

12 Thank you, Chairman, for allowing
13 me to speak here today. Again, I'm here on
14 behalf of the Long Island Board of Realtors.
15 I'm here to warn you that raising the tax
16 map verification fee is counterproductive to
17 our goal and that goal is creating a
18 balanced budget.

19 Last year, the county raised the
20 tax map verification fee from \$75 to \$225.
21 They raised the mortgage recording fee from
22 \$150 to \$300.

23 Now, we raised our objections
24 that we were given certain assurances that
25 this was a one time budget deal designed to

1 Finance Committee/12-5-16

2 fix the holes in the budget, to cut the
3 deficit, and to provide for the mandatory
4 services that our county provides.

5 Yet, here we are one year later,
6 the budget isn't balanced. The deficit
7 hasn't been reduced. And you are asking to
8 take another \$125 tax map verification.

9 LIBOR believes that increasing
10 real estate fees will hurt the real estate
11 industry and create a long term negative
12 effect for home values.

13 The county's fiscal health is
14 dependent on home values. If home values go
15 down, the towns will be looking at a
16 shortfall in property tax revenue.

17 This is something that I'm sure
18 the counties would like to avoid because
19 they would be forced to raise their property
20 taxes to make up for that shortfall.

21 I commend our county officials
22 for keeping our property tax rates stable
23 over the years, but stable home values are
24 equally important to the economic health of
25 our county and much harder to control.

1 Finance Committee/12-5-16

2 Each time you raise the fee
3 higher you are giving surrounding counties a
4 competitive advantage in the real estate
5 market.

6 Elected officials, you need to
7 ask yourselves, at what point will a
8 prospective home buyer feel better off
9 purchasing in Queens or Suffolk. How high
10 do closing costs have to be to start
11 negatively affecting our home values?
12 Because when it does start to negatively
13 affect home values, we are in trouble.

14 How high do the closing costs
15 have to be? \$2,000? \$3,000? It's well
16 over \$1,000 to record a mortgage and all the
17 necessary documents at this point.

18 I don't know at what point when
19 they're going to be too high, but I'm urging
20 you not push the envelope. Please reject
21 this budget measure so it doesn't go to
22 Rules and so that the realtors don't have to
23 oppose the entire budget.

24 CHAIRMAN NICOLELLO: Thank you,
25 Mr. Lachapelle. Mr. Kaplan is here also.

1 Finance Committee/12-5-16

2 MR. KAPLAN: Good afternoon,
3 everybody. Randy Kaplan, director of
4 program and affairs for the Long Island
5 Board of Realtors.

6 As you know, we work closely with
7 many of you on the last budget. We were
8 hoping that we would be victorious. I knew
9 the caveat was there about NIFA rejecting
10 it.

11 Well, here we are again, and I'm
12 going to tell you the same thing we told the
13 folks in Suffolk County. You are sending a
14 mixed message. Okay?

15 Long Island claims, the
16 leadership of Long Island claims they want
17 to attract and retain young people, first
18 time home buyers, senior citizens, even
19 veterans we're talking about, veterans also
20 purchase homes just to let everybody know
21 that, and here's the message again.

22 \$25 here, 50 bucks here, 75 bucks
23 here. Sure. It sounds like it's nothing,
24 but when you're a first time home buyer or
25 you're looking to downsize and looking to

1 Finance Committee/12-5-16

2 record these mortgage fees and these
3 documents, every penny adds up and it's just
4 one more barrier to homeownership.

5 We cannot stand and watch this
6 happen. I know you're all under a lot of
7 pressure from NIFA to come up with something
8 that makes sense, but if we don't have our
9 people staying on Long Island and the
10 resources here to keep them, we are all in
11 trouble.

12 So, we are imploring everybody
13 here to please come up with another option
14 that makes sense.

15 Tim had mentioned that we don't
16 want this to get to the committees and we
17 certainly are going to try to get -- we need
18 something else, folks.

19 Please don't attack the real
20 estate. Everybody is leaving. You all know
21 it. Many of you have grandchildren or
22 children that are leaving because they can't
23 afford to stay here. It's only getting
24 worse. Thank you.

25 CHAIRMAN NICOLELLO: Thank you,

1 Finance Committee/12-5-16

2 Mr. Kaplan. Barbara Ford.

3 MR. LACHAPELLE: She had to leave
4 but echoes our sentiments.

5 CHAIRMAN NICOLELLO: Any other
6 public comment? Ms. Mereday.

7 MS. MEREDAY: Meta J. Mereday,
8 Baldwin resident.

9 Again, this is not going to do it
10 folks. I don't know even understand,
11 particularly having worked with a real
12 estate attorney, not only are the homeowners
13 being jeopardized, but a lot of the small
14 businesses and those who have to execute
15 these types of documents on a regular basis.

16 It really becomes very cost
17 prohibitive for them and, as the gentleman
18 mentioned, when you have veterans who are
19 going through changes, and we are losing a
20 lot of veterans in the student population,
21 but as well as other students.

22 I mean, my Godson graduated from
23 Freeport High School with honors and he's
24 living and working in Hartford, Connecticut.
25 He couldn't find a job here in this area,

1 Finance Committee/12-5-16

2 and, heaven forbid, couldn't afford to live
3 here.

4 So, we need to do something
5 different. Again, if you raised it last
6 time and the quick hit didn't do it, we need
7 to really stop with the quick hit fixes. We
8 need to start digging deep, drawing down,
9 and taking the onus off the taxpayers.

10 For many of us who are paying
11 increased school taxes and we don't have
12 children in the school system, I think we
13 might entertain more so a slight increase in
14 the property taxes because it is our home.

15 So, we have to stop saying, well,
16 we haven't raised our property taxes, well,
17 why do we have so many people leaving the
18 county? So, guess what? Keeping the
19 property taxes at a certain level and not
20 raising them, that's not doing. Cutting the
21 bus system, that's not doing it.

22 All these different cameras and
23 punishments and tariffs and surcharges and
24 calling it what you don't want to call it,
25 and now trying to raise fees for getting a

1 Finance Committee/12-5-16

2 title or mortgage or real estate or
3 whatever, we have to pay more to get into
4 the parks, we have to pay more to get out of
5 the parks.

6 Soon you're going to put a toll
7 booth on our driveways to say if we cross
8 the sidewalk we have to pay for that too,
9 just to go into the street.

10 So we really need to start
11 refocusing and revisiting some of the things
12 that we do. The fact again, we have all
13 these personal service contracts for the
14 special attorneys, special legal
15 consideration, special components, we need
16 to pay somebody else to actually serve a
17 notice, I have a problem with that.

18 So, maybe if we start looking at
19 some of these departments getting them to
20 operate more efficiently, increasing the
21 number of grants that we could be getting.

22 If we had a solid program and
23 services for our veterans, for our seniors,
24 for our young people, guess what, we would
25 get funded from the state and federal

1 Finance Committee/12-5-16

2 government.

3 Long Island as a region is so far
4 behind other states and municipalities that
5 it's a shame because we pay the highest
6 property taxes in the country, as well as
7 utilities, but what are the residents
8 getting, absolutely nothing. Thank you.

9 CHAIRMAN NICOLELLO: A few words
10 of response. This is something that none of
11 us are eager to do.

12 In fact, the problems with this
13 fee were correctly pointed out and we
14 understood those, which is one of the
15 reasons that we took it out of the menu that
16 the County Executive had proposed.

17 But NIFA has looked at our budget
18 and rejected it. They're in the position of
19 forcing us to make cuts in social services
20 and other much needed programs. So we are
21 between a rock and a hard place.

22 So we have to make a difficult
23 choice which is pass these fees or face
24 those cuts that are going to affect the most
25 vulnerable parts of our population and other

1 Finance Committee/12-5-16

2 very nasty effects on our county residents.

3 So, speaking on behalf of myself,

4 it's not something we want to do, not

5 something we are eager to do. We understand

6 everything that you said, especially

7 Mr. Kaplan and Mr. Lachapelle about the

8 difficulties, increased costs, with respect

9 to closing and real estate transactions.

10 You're 100 percent right.

11 But, again, we are in a difficult

12 position and sometimes in this position as a

13 legislator you have to make hard choices and

14 I think that's what we're called to do

15 today.

16 Anyone else have any other

17 comments?

18 LEGISLATOR SOLAGES: Yes. I

19 don't know if the speakers will be here when

20 we have the full session.

21 CHAIRMAN NICOLELLO: You still

22 have to wait until Rules.

23 Any other discussion?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/12-5-16

2 (No verbal response.)

3 All those in favor of this item
4 signify by saying aye.

5 (Aye.)

6 Those opposed?

7 (Nay.)

8 That item passes by a vote of
9 four to three and goes to Rules.

10 Finance Committee addendum.

11 Motion to suspend?

12 LEGISLATOR MACKENZIE: So moved.

13 LEGISLATOR GAYLOR: Second.

14 CHAIRMAN NICOLELLO: By

15 Legislator MacKenzie, seconded by Legislator
16 Gaylor. All those in favor of suspending
17 the rules signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The rules are suspended. There
22 are a number of capital items I'm going to
23 call all together. 451, 470, 471, 472, 473,
24 474, 475, 477, 478, 479. These are all bond
25 ordinances providing for capital

1 Finance Committee/12-5-16
2 expenditures to finance the capital projects
3 identified herein within the County of
4 Nassau and authorizing various amounts of
5 bonds of the county to finance such
6 expenditures.

7 LEGISLATOR MACKENZIE: So moved.

8 LEGISLATOR MUSCARELLA: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator MacKenzie, seconded by Legislator
11 Muscarella. The items are before the
12 committee. Do we have any discussion?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 The items pass along by a vote of
22 four to three.

23 The last two items, 603 and 604
24 of 2016 are resolutions to authorize the
25 County Assessor and/or the County Treasurer

1 Finance Committee/12-5-16
2 and/or the Receiver of Taxes of the Town of
3 Hempstead to correct erroneous assessments
4 and partially exempt from real property
5 taxation certain real properties.

6 LEGISLATOR GAYLOR: So moved.

7 LEGISLATOR MACKENZIE: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Gaylor, seconded by Legislator
10 MacKenzie. This item is before the
11 committee. Do we have any discussion on
12 these items?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Those items carry unanimously.
22 Motion to adjourn.

23 LEGISLATOR GAYLOR: So moved.

24 LEGISLATOR MACKENZIE: Second.

25 CHAIRMAN NICOLELLO: Motion to

1 Finance Committee/12-5-16

2 adjourn by Legislator Gaylor, seconded by
3 Legislator MacKenzie. All those in favor of
4 adjourning signify by saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously. Committee
9 is adjourned and we now go back to Rules.

10 (Whereupon, the Finance Committee
11 adjourned at 4:19 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 21st day of December, 2016.

FRANK GRAY