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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, February 13, 2017
4:26 P.M.

1

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

3

4 RICHARD NICOLELLO,
Chairman5 VINCENT MUSCARELLA,
Vice Chairman

6

ROSE MARIE WALKER

7

DONALD MACKENZIE

8

9 SIELA A. BYNOE,
Ranking

10 LAURA CURRAN

11 ELLEN BIRNBAUM

12 MICHAEL PULITZER,
Clerk of the Legislature

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COMMISSIONER ED EISENSTEIN..... 11

JOHN BUTLER..... 15

EILEEN KRIEB..... 17

STEVEN CORTE..... 22

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DIEDRE CALLEY..... 50

MAURICE CHALMERS..... 52

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INSERTS

Incorporated by reference
Planning Minutes
Dated 2-13-17 pertaining
To Clerk Item 27 at pages 5-8.....13

1 Finance Committee/2-13-17

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

5 CLERK PULITZER: Thank you, sir.
6 Finance Committee. 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
19 Rosemarie Walker?

20 LEGISLATOR WALKER: Here.

21 CLERK PULITZER: Vice Chairman
22 Vincent Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: And Chairman
25 Nicolello?

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2 CHAIRMAN NICOLELLO: Here.

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

5 CHAIRMAN NICOLELLO: Thank you.
6 The first three items are bond ordinances;
7 14, 16 and 17 of 2017, bond ordinances
8 providing for capital expenditures to
9 finance the capital projects identified
10 therein within the County of Nassau and
11 authorizing \$3 million, Item 14; \$2 million,
12 Item 16; and \$600,000 in Item 17 of bonds of
13 the County of Nassau to finance such
14 expenditures pursuant to the local finance
15 law of New York and the County Government
16 Law of Nassau County.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Muscarella, seconded by
21 Legislator Walker. Those first three items
22 are before the committee.

23 MR. ARNOLD: Good afternoon. Ken
24 Arnold, Public Works. Item 14-17 is for \$3
25 million associated with the Traffic Parking

1 Finance Committee/2-13-17
2 Violations Agency's computer system
3 replacement. I have Mr. Dave Rich here if
4 there are any questions on that.

5 Item 16 is on the department
6 technology equipment replacement for IT.
7 The commissioner is here in room for
8 questions on that, and that's for \$2
9 million.

10 Finally, for Item 17, it's for
11 police department IT infrastructure for
12 \$600,000. I believe there is someone from
13 PD here if there is any questions on that.

14 CHAIRMAN NICOLELLO: Why don't we
15 have the speakers each give a very brief
16 overview on what these bond ordinances are
17 about.

18 MR. RICH: David Rich, Deputy
19 Director of Nassau County Parking and
20 Violations Agency.

21 Currently we are operating on a
22 system that was installed back in 1995. So
23 not only is it not current with the other
24 current technologies that are out there, we
25 have outgrown it and it's limited our

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2 ability to effectuate collection and
3 adjudication.

4 We've actually since 2005, 2006,
5 we've done one RFI and three RFPs, and
6 unfortunately we still haven't found a
7 suitable vendor where we need to replace
8 this current system.

9 CHAIRMAN NICOLELLO: Any
10 questions for Mr. Rich? Thank you.

11 LIEUTENANT STEPHANOFF: Good
12 afternoon. Item 17-17 is for our IT
13 infrastructure. This is for our
14 interoperable radio. It's going to be in
15 conjunction with new vehicles that we plan
16 on purchasing to satisfy the replacement
17 cycle of our Fleet.

18 CHAIRMAN NICOLELLO: Thank you.
19 Any questions for the lieutenant?
20 Legislator Bynoe.

21 LEGISLATOR BYNOE: Thank you,
22 Chairman Nicolello. I have a statement that
23 I would like to enter onto the record and
24 it's specifically regarding Item 17.

25 So it's my understanding that 17

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2 will be voted on separately although it was
3 called together with these other items; am I
4 correct?

5 CHAIRMAN NICOLELLO: Yes, we will
6 vote on these items separately.

7 LEGISLATOR BYNOE: So on that
8 item we of course recognize the need to
9 implement important safety projects, but we
10 are equally concerned with the integrity of
11 the procurement process that will be used to
12 spend the millions of dollars that we are
13 currently asked to borrow.

14 The acting police commissioner
15 has provided assurance that the vendors to
16 be funded by the bonding will be selected
17 from the state's list, so that it will be
18 coming from off the OGS procurement list,
19 and that are fully vetted by the state.

20 So we will support the police
21 public safety items in committee today,
22 having been promised that the appropriate
23 police personnel will appear at the Full
24 Legislature and will satisfy us that there
25 were adequate safe guards to the integrity

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2 of the procurement process.

3 Further, I would like to ask that
4 this item be amended to require that it be
5 used specifically for police public safety
6 and it will be legally binding.

7 So this was a request that was
8 made earlier to the County Attorney and I'm
9 under the understanding that that in fact
10 can be achieved while we are here looking at
11 these items in committee today.

12 CHAIRMAN NICOLELLO: With respect
13 to Item 17, I don't know that we can do that
14 today. There might be issues in terms of
15 how we phrase that, in terms of whether it's
16 acceptable to NIFA.

17 So whether it gets done today or
18 not, there is two weeks before the Full
19 Legislature if any amendments can be made,
20 there is sufficient time to do that between
21 now and then.

22 LEGISLATOR BYNOE: So our support
23 is contingent upon that and I suspect that
24 NIFA would be comfortable with the idea that
25 we are asking for a specific use for this

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2 bonding in that they approved or they
3 haven't till this point disapproved the
4 bonding that was utilized for Nassau
5 Community College with the same amendments
6 and restrictions.

7 So our approval again in Full Leg
8 is contingent upon the amendment to the item
9 and having the proper police personnel here
10 to assure us that the procurement process
11 was appropriately employed using the OGS New
12 York State contract procurement policies.
13 Thank you.

14 CHAIRMAN NICOLELLO: Duly noted.
15 Why don't we have Mr. Eisenstein come up and
16 address Item 16.

17 COMMISSIONER EISENSTEIN: I
18 believe that is the equipment replacement.
19 That is used to replace end of life computer
20 equipment. Generally computer equipment
21 goes end of life between three and five
22 years. We have been able to stretch it to
23 seven years and beyond. That's what the
24 equipment is used for; computers, printers
25 and general operating items.

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2 CHAIRMAN NICOLELLO: Any
3 particular department or is it county-wide?

4 COMMISSIONER EISENSTEIN: It's
5 spread out, most of the departments from
6 assessment to all the buildings that really
7 require computers.

8 We generally judge, we try to
9 stretch it as long as possible before we
10 have to replace equipment, and if we do we
11 still take the old stuff and give it to
12 somebody that doesn't need that power.

13 CHAIRMAN NICOLELLO: Any other
14 questions for Mr. Eisenstein?

15 (No verbal response.)

16 Is there any public comment for
17 any of these three items?

18 (No verbal response.)

19 Hearing none, I'm going to call
20 the first two, 14 and 16 for a vote. All
21 those in favor of 14 and 16 signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (Nay.)

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2 Those items pass by a vote of
3 four to three.

4 Item 17, all those in favor
5 signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Those items pass unanimously in
10 this committee.

11 The next three items are Items
12 25, 26, 27 and they are all ordinances
13 supplemental to the annual appropriation
14 ordinance in connection with the Health
15 Department, Police Headquarters Fund;

16 And Item 27 includes a transfer
17 of appropriations. These items went through
18 committee a little while ago.

19 I ask that the minutes be
20 incorporated by reference from those
21 committees.

22 (Whereupon, please refer to the
23 minutes of the Public Safety Committee dated
24 2-13-17 pertaining to Clerk Item 27 at pages
25 5-8.)

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2 CHAIRMAN NICOLELLO: We need a
3 motion.

4 LEGISLATOR MACKENZIE: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator MacKenzie, seconded by Legislator
8 Walker. These three items are before the
9 committee. Legislator Birnbaum.

10 LEGISLATOR BIRNBAUM: I just want
11 to make a statement similar to what the
12 Minority Leader said when it was in the
13 Rules Committee about the surplus and
14 funding police headquarter personnel costs,
15 and I, again, emphatically state that my
16 constituency and the residents in the Town
17 of North Hempstead would like to see the
18 reopening of the Sixth Precinct fully funded
19 and fully staffed.

20 CHAIRMAN NICOLELLO: Any other
21 discussion?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

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2 saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Those items carry unanimously.

7 Item 33 is a resolution to
8 authorize the transfer of appropriations
9 heretofore made within the budget for the
10 year 2016.

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR MACKENZIE: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Muscarella, seconded by
15 Legislator MacKenzie. Mr. Butler.

16 MR. BUTLER: Good afternoon, John
17 Butler, fiscal officer, Nassau County Clerk,
18 Maureen O'Connell's Office.

19 Item 33-17 is a board transfer
20 that moves funding between object codes in
21 this case from DD to BB which are consumable
22 to equipment. It does doesn't increase the
23 department's budget overall in any way.

24 CHAIRMAN NICOLELLO: Being moved
25 within the budget from consumables to

1 Finance Committee/2-13-17

2 equipment?

3 MR. BUTLER: Correct.

4 CHAIRMAN NICOLELLO: Any

5 questions?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 That item carries unanimously.

15 Item 37 is a resolution

16 authorizing the County Executive to execute
17 a grant agreement between the County of
18 Nassau acting on behalf of the Department of
19 Parks, Recreation, and Museums and the
20 Museums at Mitchell doing business as the
21 Cradle of Aviation.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR MACKENZIE: Second.

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

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2 MacKenzie. Item is before the committee.

3 Do we have a speaker for this item?

4 MS. KRIEB: Good afternoon.

5 Eileen Krieb, Department of Parks.

6 This is a grant agreement that is
7 given annually to the Cradle of Aviation in
8 the amount of \$600,000 for programing funded
9 through Hotel Motel funds.

10 CHAIRMAN NICOLELLO: This is
11 something we do on annual basis?

12 MS. KRIEB: Yes, annual basis.

13 CHAIRMAN NICOLELLO: Do we have
14 any questions on this item? This involves
15 things such as obviously the Cradle itself,
16 the Fireman's Museum

17 MS. KRIEB: No, that normally
18 would be separate. This is just for the
19 Cradle of Aviation.

20 CHAIRMAN NICOLELLO: Any other
21 questions?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

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2 saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 That item carries unanimously.

7 Calling the next few items

8 together, Items 38, 39, 40, 41, 42, 43, and

9 44 of 2017. These are resolutions to

10 authorize the county assessor or the county

11 treasurer and/or the receiver of taxes of

12 the Towns of North Hempstead, Oyster Bay and

13 Hempstead to partially exempt from the real

14 property taxation certain real properties

15 situated in various school districts;

16 Item 41 is also a resolution to

17 authorize the county assessor, et cetera, of

18 the Town of North Hempstead to correct

19 erroneous assessments and taxes.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRMAN NICOLELLO: Moved by

23 Legislator Muscarella, seconded by

24 Legislator Walker. These items are before

25 the committee. Do we have any discussion on

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2 these items? Legislator Curran.

3 LEGISLATOR CURRAN: Is there
4 anyone here to talk about them?

5 MR. BECKER: Legislator Curran,
6 what questions would you have?

7 LEGISLATOR CURRAN: I know this
8 is a regular thing that we often get, but it
9 does raise some questions.

10 MR. BECKER: I didn't plan on
11 having anybody speak because it's all pretty
12 much standard pro forma kind of stuff. But
13 if you have a question and I can get it
14 answered for you between now and the
15 legislative session, I would be happy to do
16 that.

17 LEGISLATOR CURRAN: Yes.

18 MR. BECKER: You want to email
19 your question or state it now? I prefer
20 that you email it so I can forward it on to
21 the department, if you don't mind.

22 LEGISLATOR CURRAN: Also, the
23 gist of them, these exemptions were
24 erroneously not approved. I just want to
25 know how that happens and what we can do to

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2 have that not happen in the future, what
3 kind of measures can be taken. Sometimes
4 it's two years in a row.

5 MR. BECKER: I understand. Would
6 you mind emailing me that so I can send it
7 on to the department for an answer and have
8 it to you before the next legislative
9 session and it can be provided to everyone.
10 Is that okay with you?

11 LEGISLATOR CURRAN: It's a deal.

12 MR. BECKER: Thank you very much.

13 CHAIRMAN NICOLELLO: Any other
14 questions?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Those items carry unanimously.

24 Item 46 and 47 are ordinances
25 supplemental to the annual appropriation

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2 ordinance in connection with the Probation
3 Department and the Department of Toxicology/
4 Medical Examiner.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Walker. Do we have any
10 discussion? These items also went through
11 committees earlier. Any questions?

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 Items 48, 49, 50 are resolutions
22 to authorize the county assessor and/or
23 county treasurer and/or the receivers of
24 taxes of the Towns of Oyster, Hempstead and
25 North Hempstead to partially exempt from

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2 real property taxation certain real property
3 situated in various school districts.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR MUSCARELLA: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Walker, seconded by Legislator
8 Muscarella. These items are before the
9 committee.

10 I guess the same questions will
11 apply to these items as before as posed by
12 Legislator Curran. We will have an answer
13 before the Full Leg. Legislator Curran.

14 LEGISLATOR CURRAN: So there is
15 nobody here from assessment to answer
16 questions?

17 MR. BECKER: I didn't really ask
18 anybody only because rather than have them
19 sit here for three hours or so --

20 CHAIRMAN NICOLELLO: I don't know
21 if Mr. Corte is in the back.

22 MR. CORTE: I'm sorry.
23 Unfortunately I saw this on the agenda but I
24 really -- Steven Corte, Deputy County
25 Assessor. I'm sorry, I didn't know about

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2 this ahead of time so I'm not really really
3 prepared to answer your questions but I will
4 take this back with me and we'll get that
5 for you.

6 LEGISLATOR CURRAN: Okay. And
7 just so you get the gist of the questions,
8 it's just how it happens that they're
9 erroneously not approved and sometimes it's
10 two years in a row for the same parcel.

11 I would also love to get a sense
12 of how much has been refunded to the
13 taxpayers in past years because of these
14 erroneously not approved exemptions. Thank
15 you.

16 MR. BECKER: We will get that
17 those answers to you.

18 LEGISLATOR CURRAN: I will
19 followup with an email.

20 CHAIRMAN NICOLELLO: That would
21 be great. I appreciate it. This way I can
22 follow-up myself.

23 CHAIRMAN NICOLELLO: Any other
24 questions?

25 (No verbal response.)

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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 Items carry unanimously.

10 I'm going to call the next four
11 bond ordinances together, call them
12 together, they'll be before us, but if we
13 need to break them out for votes we can.

14 Item 51, 52, 54, and 57, skipping
15 over 53 for now. These are bond ordinances
16 providing for capital expenditures to
17 finance the capital projects identified
18 herein within the County of Nassau and
19 authorizing, with respect to 51, it's \$4.6
20 million of bonds;

21 With respect to 52, it's \$1.2
22 million of bonds;

23 With respect to 54, it's
24 \$5,109,000 of bonds;

25 And with respect to 55, it's \$1

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2 million of bonds.

3 And these are bonds for the
4 County of Nassau to finance such
5 expenditures pursuant to the Local Finance
6 Law of New York and the County Government
7 Law of Nassau County.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Walker, seconded by Legislator
12 Muscarella. These four items are before the
13 committee.

14 MR. ARNOLD: Ken Arnold, Public
15 Works. These items are all dealing with
16 public safety. I've invited the departments
17 to come up and speak to them on specifics.

18 For the fire marshal vehicles we
19 have Mr. Priest, and for the police items I
20 have Mr. Stephanoff.

21 LIEUTENANT STEPHANOFF: Good
22 afternoon. Lieutenant Greg Stephanoff.
23 Item 51 of '17 is the police fleet
24 replacement for \$4.6 million. This is for
25 our patrol vehicles specifically. This is

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2 needed to keep up with the replacement
3 cycle.

4 We are getting to a point where
5 there's high mileage cars out there and they
6 need to be replaced.

7 Item 53 is for two projects. The
8 first one is for the village police 911
9 upgrade. The second is the police fleet
10 replacement also.

11 CHAIRMAN NICOLELLO: I didn't
12 call Item 53. Just called the bond
13 ordinances. I think I misspoke. It was 51,
14 52, 54, and 55 at this time.

15 LIEUTENANT STEPHANOFF: I
16 apologize. 54 of '17 is the village 911
17 system. This system, we currently have a
18 Verizon 911 system, the 911 system is the
19 portion that intakes the calls, records the
20 calls.

21 We were notified by Verizon that
22 it's reaching end of life. This system is
23 not a nice to have it's a must have. It
24 allows our 911 operators to intake the
25 calls. The system records as they do that

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2 and this is also, there is a 911 back up in
3 case this system goes down. We maintain a
4 back up system for emergencies. Because
5 it's end of life, we are going to be looking
6 to replace that portion of it. This bond
7 ordinance will allow us to do that.

8 CHAIRMAN NICOLELLO: Then also
9 55, I don't know if you mentioned that.

10 LIEUTENANT STEPHANOFF: Item 55,
11 this project is our police vehicle,
12 specialty vehicle replacement. These are
13 vehicles such as our ESU trucks, emergency
14 service trucks, and our bomb squad respond
15 trucks. This is also for our replacement
16 cycle. This is going to be used to replace
17 higher mileage older vehicles.

18 CHAIRMAN NICOLELLO: Any
19 questions for the lieutenant? Legislator
20 Bynoe.

21 LEGISLATOR BYNOE: I would just
22 like to state that our affirmative vote on
23 51, 54 and Item 55 again is subject to the
24 same conditions as noted on Item 17-17.

25 CHAIRMAN NICOLELLO: Duly noted.

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2 Any further questions on this item?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 Thank you. All those in favor of
7 these items signify by saying aye.

8 ASSISTANT CHIEF PRIEST: Item 52
9 for the Fire Marshal's Office, Assistant
10 Chief John Priest. The \$1.2 million capital
11 project in front of you is the first time in
12 the history of the Fire Marshal's Office
13 since our inception in the mid 30s that
14 we've gone for a capital project on our own.
15 It also is for replacement vehicles.

16 All the vehicles are replacement.
17 There are 16 vehicles in total. Most of
18 them are from 2004 to 2006. While I
19 understand that some people would maybe
20 rightly say that's not really all that old,
21 I will say they are all emergency vehicles
22 and emergency response is hard mileage on
23 these and hard usage on these vehicles.

24 Primarily they allow us to
25 fulfill our role under the charter for

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2 hazardous materials response for the county,
3 both for the public and the 71 volunteer
4 fire departments in support of them. We
5 have one of the largest hazardous material
6 teams in the county.

7 The other thing under our
8 charter, one of our primary responsibilities
9 is to support the fire departments in fire
10 investigations. Six of these vehicles would
11 be directly for fire investigations which is
12 24-7 to respond and assist the fire
13 departments in determining the cause of the
14 fire and work with the police in the
15 investigations.

16 I will say that the vast majority
17 of these vehicles are on state bid and state
18 contracts. Two of the vehicles are absolute
19 specialty vehicles that will be designed and
20 then go out for bid to be chosen from the
21 responsible bidders.

22 CHAIRMAN NICOLELLO: I request
23 that before the Full Legislature if you
24 could give us an idea on some of the mileage
25 on the vehicles we're talking about.

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2 ASSISTANT CHIEF PRIEST: I
3 certainly can.

4 CHAIRMAN NICOLELLO: Obviously
5 seeing that there's a lot of miles on them
6 and --

7 ASSISTANT CHIEF PRIEST:
8 Certainly. I can tell you two of the pick
9 up trucks for hazardous materials response
10 were actually always having our fingers
11 crossed, they were in the water in Sandy and
12 they absolutely have to be replaced.

13 CHAIRMAN NICOLELLO: Does anyone
14 else? Legislator Bynoe.

15 LEGISLATOR BYNOE: Good
16 afternoon. Could you tell me how many
17 vehicles you're looking to replace and how
18 many of them are the hazardous material
19 vehicles?

20 ASSISTANT CHIEF PRIEST: There
21 are a total of 16 vehicles. Two of the very
22 specialized hazardous materials vehicles
23 take up almost half of the capital project.

24 We are replacing or looking to
25 replace, I should say, we have a couple of

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2 utilities trailers that were given to the
3 county by the state, I believe over ten
4 years ago that carry supplies for our
5 decontamination efforts and our Level A
6 chemical response.

7 The trailers are in, first of
8 all, disrepair. They take longer to be
9 attached to other vehicles. We are looking
10 for an actual vehicle to carry that stuff
11 in. Six of the vehicles are for fire
12 investigation. Nine then would be hazardous
13 materials or in the hazardous materials
14 related field, and then there are some
15 vehicles that would be used for our routine
16 responses.

17 Still emergency response, but
18 response to a fire department asking for an
19 inspection or to an overcrowding situation
20 on a public safety event. Did I answer your
21 question?

22 LEGISLATOR BYNOE: You did. I
23 just want to know, are they going to come
24 fully equipped?

25 ASSISTANT CHIEF PRIEST: The

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2 money included, for example, one of the
3 vehicles is a Ford Explorer for our canine.
4 The ATF requires us to have a vehicle only a
5 certain number of years old for that. Those
6 vehicles come from Ford fleet service with a
7 police package already in it, all the
8 emergency equipment necessary. There is
9 money in the capital project for us to
10 install radios, et cetera, later on.

11 LEGISLATOR BYNOE: Thank you very
12 much.

13 CHAIRMAN NICOLELLO: Any other
14 questions? I think the minority needs a
15 couple of minutes before we move ahead.

16 LEGISLATOR BYNOE: I just want to
17 make a statement on Item 52 that we are
18 inclined to vote affirmatively also for this
19 item but, again, the same conditions that
20 apply to Item Number 17, Item Number 51, 54
21 and 55 also apply to Item 52.

22 So, that being said that we would
23 like supporting documentation or an
24 opportunity to have someone here that
25 actually was part of the procurement process

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2 that can speak to the actual OGS process and
3 how the actual vendor was selected. Okay?
4 Or will be selected.

5 It's my understanding you are
6 going off of OGS, there will be at least
7 four or five vendors that can provide the
8 service. There was someone within your
9 agency that decided which one they were
10 going to go with.

11 We would like the people or the
12 person who made that decision to come and
13 give us a presentation as to how they were
14 selected and just support --

15 ASSISTANT CHIEF PRIEST: I
16 certainly can go over how we hope to make
17 the decision. We will do everything I can
18 to satisfy your request.

19 I will go back to my first
20 statement. This is the first time the Fire
21 Marshal's Office has ever asked for a
22 capital project. We certainly don't have a
23 department within ourselves.

24 Over the years we have used DPW
25 for input on how vehicles are purchased and

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2 followed the county's purchasing and
3 procurement plan, I would imagine in this
4 situation, Mr. Cleary would also be involved
5 to make sure we follow all the necessary
6 rules.

7 LEGISLATOR BYNOE: So this
8 process is a little different than the
9 police department's in that they had an
10 internal group within the police department
11 that played a role and I believe there was
12 someone from the IT department within the
13 county's administration that also assisted
14 them.

15 But, what you're saying now, from
16 what I'm understanding is that DPW actually
17 was part of that procurement process,
18 correct?

19 MR. ARNOLD: Yes, for both PD and
20 Fire Marshal, DPW Fleet will place the
21 orders through the OGS contracts and work
22 through with purchasing. Both the
23 departments will give us the specs of what
24 they need.

25 LEGISLATOR BYNOE: So then we are

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2 asking for somebody from DPW alongside
3 police personnel as well as any decision
4 makers within the Fire Marshal?

5 MR. ARNOLD: There will be
6 somebody from my fleet office or we'll just
7 get the purchasing, Mr. Cleary, and his
8 people here, because they are the ones that
9 make the final submittals of the bids.

10 LEGISLATOR BYNOE: So whoever you
11 think might be appropriate to be able to
12 answer the questions we'll have. Thank you.

13 MR. BECKER: Legislator Bynoe,
14 did Mr. Cleary meet with your caucus and
15 share with you his very detailed procurement
16 policy that's being implemented in the
17 county?

18 LEGISLATOR BYNOE: He apparently
19 met with legal counsel this morning.

20 MR. BECKER: I knew he met with
21 somebody. Okay. It might be wise if he met
22 with the caucus at some particular point
23 because he's put in place some very
24 extensive procurement policies now and
25 working very closely with Ken Arnold and all

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2 the departments and he's going to be the
3 best one to query and ask maybe not just on
4 this item, but maybe we should sit with him
5 with all of the purchasing and all the
6 various procurement policies that are now in
7 place. Mr. Klein might want to have
8 everybody sit down. It would be a good
9 thing for you to do that as well as the
10 majority to discuss his very extensive
11 procurement program that he has in place
12 now. It might help globally to look at that
13 regarding everything that's happening.

14 LEGISLATOR BYNOE: Yes, again, I
15 think that would be great. We did meet with
16 the Acting Commissioner of police earlier
17 today who described a process that actually
18 employed individuals from his agencies
19 within the police department.

20 That's why we believe in
21 supplement to whatever Mr. Cleary will
22 provide will require people from within his
23 department as well, but thank you very much.

24 CHAIRMAN NICOLELLO: Any other
25 discussion?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 I take it from your comments I

6 can call these four items together?

7 LEGISLATOR BYNOE: Yes.

8 CHAIRMAN NICOLELLO: Items 51,

9 52, 54, and 55, all those in favor signify

10 by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Those items carry unanimously.

15 Item 53 of 2017 is an ordinance

16 to amend ordinance number 13 of 2016

17 adopting the capital budget for the year

18 2016 for the County of Nassau.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR MUSCARELLA: Second.

21 CHAIRMAN NICOLELLO: Moved by

22 Legislator Walker, seconded by Legislator

23 Muscarella. This is Item 53 which is an

24 amendment to the ordinance.

25 MR. ARNOLD: Ken Arnold. Item

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2 53-17 is the amendment to the capital budget
3 for 2016. It amends three projects, amends
4 two projects and adds a fourth project which
5 is the fire marshal vehicles.

6 CHAIRMAN NICOLELLO: And the
7 three that are amended are the three bonds
8 we discussed, correct?

9 MR. ARNOLD: Yes, 911 police
10 fleet, just two.

11 CHAIRMAN NICOLELLO: Two, and it
12 adds the Fire Marshal.

13 Any discussion for Mr. Arnold?

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 Item carries unanimously.

23 We have more bonds; 56, 57, 58,
24 59. They are all bond ordinances. They
25 provide for capital expenditures to finance

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2 the capital projects identified herein
3 within the County of Nassau and authorize \$3
4 million of bonds, that's Item 56;

5 Item 57 authorizes a million
6 dollars of bonds. Actually Item 57, 58 and
7 59 all authorize a million dollars of bonds
8 of the County of Nassau to finance such
9 expenditures pursuant to the Local Finance
10 Law of New York.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Walker, seconded by Legislator
15 Muscarella. These four bond ordinances are
16 before us.

17 MR. ARNOLD: Ken Arnold, Public
18 Works. Item 56-17 is a bond ordinance for
19 traffic signal construction and
20 modification. The department has a
21 tremendous backlog of signal installations.
22 These are traffic safety conditions and need
23 to be addressed.

24 Item 57-17 is associated with
25 pavement markings. Again, the department

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2 has numerous projects that we need to move
3 forward, some that have state aid associated
4 with them to upgrade and refurbish the
5 pavement markings on county roadways.

6 And finally Item 58-17 is
7 associated with traffic studies. The
8 department has in excess of 1,000 inquiries
9 requiring investigation and work with both
10 in-house and consultant staff and this
11 capital project would fund that work.

12 CHAIRMAN NICOLELLO: With respect
13 to the traffic signal construction, what do
14 you do if you don't have the new equipment?
15 Are you cannibalizing what's out there, or
16 are you using old equipment? What's
17 happening?

18 MR. ARNOLD: Right now we a
19 certain amount of in-stock materials for the
20 capital of maintenance, I would call, of
21 equipment if something fails and needs to be
22 replaced or gets hit on the road. We have
23 some money to deal with those for the time
24 being.

25 What we do not have is any new

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2 equipment or replacement of an intersection
3 say if somebody wanted a left turn signal or
4 something like that we're going to
5 reconstruct or partially reconstruct an
6 intersection. Those projects are on hold
7 right now.

8 CHAIRMAN NICOLELLO: And you're
9 not here to speak about 59 which deals with
10 lead asbestos abatement?

11 MR. ARNOLD: Yes, Item 59-17 is
12 \$1 million for various asbestos and lead
13 abatement. This is an important project to
14 the department as our maintenance folks or
15 other capital projects are doing work and
16 they run across a hazardous condition
17 associated with the asbestos or lead, this
18 would fund that work and make that area
19 safe.

20 A good example is, we just had a
21 project in the police headquarters where we
22 had a radiator leak. The radiators are
23 insulated by asbestos and the little money
24 we had we were able to deal with that, but
25 on a large scale we're just about out of

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2 money to move forward.

3 CHAIRMAN NICOLELLO: What do you
4 in those circumstances, do you have to
5 contract out to somebody who comes in with
6 the gear on?

7 MR. ARNOLD: We have an on-call
8 contract that I think recently came across
9 to this body. We have two; one with JC
10 Broderick which is our engineering
11 hygienist. They do the safety work. Then
12 we have one with Branch which actually does
13 the removal of the materials.

14 CHAIRMAN NICOLELLO: Does anyone
15 else have any questions for Mr. Arnold?

16 (No verbal response.)

17 Hearing none, is there any public
18 comment?

19 (No verbal response.)

20 I'm going to call the four
21 together, 56, 57, 58, 59; all those in favor
22 signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (Nay.)

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2 Those items move and carry in
3 this committee by a vote of four to three.

4 Item 80 of 2017 is an ordinance
5 making determinations pursuant to the State
6 Environmental Quality Review Act regarding a
7 lease of a portion of the right of way
8 located at the northwest corner of Wantagh
9 Avenue and Merrick Road in Wantagh, New
10 York, to Wantagh 3215, L.L.C. and
11 authorizing the County Executive of the
12 County of Nassau to execute said lease and
13 all pertinent documents in connection
14 therewith.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Walker, seconded by Legislator
19 MacKenzie. The item is before the
20 committee.

21 This item went through planning a
22 while ago. Mr. Serandis was there. Can you
23 approach the podium, Mr. Serandis, please?

24 I know you gave a thorough
25 overview before. I want to cover a couple

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2 of points.

3 The department has -- the county
4 has determined it's in our interests to
5 lease this property as opposed to sell it.
6 That, by leasing it, if you take the fair
7 market value of what we would have gotten
8 for selling it, by leasing it, we will get
9 the equivalent amount of money in 13 years,
10 my calculations.

11 Therefore, for the following 36
12 years, we will be actually be receiving
13 additional monies that we would not have
14 gotten if we had sold it instead of leased
15 it. Did you get all that?

16 MR. SERANDIS: Not quite. I know
17 the issue has been raised by the vendor and,
18 as I said in the other committee, after a
19 period of time when DPW may had a chance to
20 explore the reasons for not approving a sale
21 of a property we may revisit the issue, but
22 at this time the landlord as well as the
23 county is content with having this lease
24 arrangement.

25 CHAIRMAN NICOLELLO: The only

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2 point I was making, Mr. Serandis, was simply
3 this, by leasing it instead of selling it
4 over the long term of the 49 years, we get
5 substantially more money to the county.

6 MR. SERANDIS: Yes. The county
7 will realize more money and, as I said
8 before, the lease will be readjusted after
9 every 20 years to conform with market value
10 and at that time it point I presume we will
11 have revisitation of that issue.

12 CHAIRMAN NICOLELLO: Any more
13 questions on that issue?

14 (No verbal response.)

15 Thank you, Mr. Serandis. Is
16 there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Carries unanimously.

24 Items 82, 83, 84, 85 and 87 are
25 ordinances supplemental to the annual

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2 appropriation ordinance in connection with
3 the Health Department and the Department of
4 Parks and Recreation and Museum.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR MACKENZIE: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Walker, seconded by Legislator
9 MacKenzie. The Items 82 through 85 went
10 through committees earlier. 87 did not.

11 So do we have a speaker for 87?

12 MS. KRIEB: Eileen Krieb,
13 Department of Public Works. This is an
14 appropriation to move revenue received
15 through Hotel Motel to the park's expense
16 account to PK General account to PK 97. It
17 should have paralleled a former thing that
18 went before the Leg in October but was
19 somehow misplaced or an oversight on it. So
20 this is part of the Hotel Motel
21 appropriation that we normally do twice a
22 year.

23 CHAIRMAN NICOLELLO: Okay. Any
24 questions?

25 (No verbal response.)

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2 Is there any public comment?

3 (No verbal response.)

4 Thank you, Ms. Krieb. All those
5 in favor signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Those items carry unanimously.

10 Item 89 of 2017 is a resolution
11 declaring a capital budget emergency
12 pursuant to Section 310D of the County
13 Government Law of Nassau County.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR MACKENZIE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Muscarella, seconded by
18 Legislator MacKenzie. The item is before
19 the committee. Mr. Podlesak.

20 MR. PODLESAK: This is a
21 technical requirement, Item 53, which you
22 already had approved, has an additional
23 project in it and because there is an
24 additional project there has to be a
25 declaration of a capital budget emergency.

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2 CHAIRMAN NICOLELLO: What was the
3 additional project, was that the fire
4 marshal?

5 MR. PODLESAK: Vehicles for the
6 Sheriff's Department.

7 CHAIRMAN NICOLELLO: Okay. Do we
8 have any questions for Mr. Podlesak on this
9 item?

10 LEGISLATOR BIRNBAUM: What is the
11 amendment here that's causing the capital
12 budget emergency?

13 MR. PODLESAK: It's the sheriff's
14 vehicles in number 53.

15 LEGISLATOR BYNOE: Which we
16 haven't vote on yet, right? We did fire
17 marshal. We didn't do sheriff. Excuse me,
18 he said sheriff. We voted on 53. That we
19 passed. I think the confusion came in
20 because he mistakenly said the Sheriff's
21 Department but it should have been the fire
22 marshal.

23 LEGISLATOR BYNOE: I think we can
24 move forward.

25 CHAIRMAN NICOLELLO: We're okay

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2 with this one. The item specifically refers
3 to the Fire Marshal fleet replacement that
4 we considered before. Thank you, Mr.
5 Podlesak. Any other discussion?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Carries unanimously.

15 The last item for now is 93 of
16 2017 which is a resolution providing for the
17 issuance of a warrant directing the
18 treasurer of the County of Nassau to pay to
19 the supervisors of the several towns and the
20 treasurers of the several villages and
21 cities the sums as apportioned by the County
22 Legislature based on a report filed by the
23 county treasurer and the county clerk
24 showing deposits for mortgage taxes from the
25 quarter beginning October 1st, 2016 through

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2 December 31st, 2016.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR MUSCARELLA: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Walker, seconded by Legislator
7 Muscarella. The item is before the
8 committee.

9 Do we have a speaker on the
10 mortgage recording taxes? It is 93 of 2017.

11 MS. CALLEY: Hi. Diedre Calley,
12 Budget Review Office. The resolution before
13 you represents the quarterly allocation of
14 the mortgage recording tax collections for
15 October 1, 2016 through December 31, 2016.

16 Today \$12 million is being
17 distributed to the towns, villages and
18 cities located in Nassau County.

19 From a yearly perspective, the
20 mortgage recording tax collections are up
21 36.1 percent. I'm available for any
22 questions you may regarding this item.

23 CHAIRMAN NICOLELLO: Thank you.
24 Legislator Curran.

25 LEGISLATOR CURRAN: You said it

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2 was up 36.1 percent?

3 MS. CALLEY: Correct.

4 LEGISLATOR CURRAN: On what do
5 you account that to?

6 MS. CALLEY: Well, the housing
7 market this year was very good. On a year
8 to date basis in 2016, homes sales were up
9 about 7.8 percent. So this goes up in line
10 with that because if there is more houses
11 trading hands, there will be more mortgages,
12 so --

13 LEGISLATOR CURRAN: So more
14 recording taxes.

15 MS. CALLEY: Exactly.

16 CHAIRMAN NICOLELLO: Legislator
17 Muscarella.

18 LEGISLATOR MUSCARELLA: Could you
19 just tell me, that 36 percent represents
20 about how much money; do you know?

21 MS. CALLEY: Well, this tax is
22 equivalent to 1.05 percent of the principal
23 debt or obligations secured on the mortgage.

24 So I would have to do some
25 calculations but it's one percent of the

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2 total mortgages taken out.

3 LEGISLATOR MUSCARELLA: I
4 understand that, but when you're talking
5 about an increase of 36 percent from last
6 year, that increase is about how much money?
7 I'm just curious.

8 MS. CALLEY: Can I get back to
9 you on that? I have to do a spreadsheet. I
10 can get that number for you.

11 LEGISLATOR MUSCARELLA:
12 Absolutely. Not a problem. Thank you.

13 CHAIRMAN NICOLELLO: Maurice
14 Chalmers.

15 MR. CHALMERS: It's approximately
16 \$3 million.

17 LEGISLATOR MUSCARELLA: Thank
18 you.

19 CHAIRMAN NICOLELLO: Any other
20 questions?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

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2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Passes unanimously.

6 I'm going to be putting the
7 committee in recess as we have addendum
8 items.

9 (Whereupon, the Finance Committee
10 recessed at 5:11 p.m. and reconvened at 5:30
11 p.m.)

12 CHAIRMAN NICOLELLO: I'm going to
13 call the Finance Committee back to order.
14 Let me back up a little bit. I need a
15 motion to suspend the rules.

16 LEGISLATOR MUSCARELLA: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Muscarella, seconded by
20 Legislator Walker. All those in favor of
21 suspending the rules signify by saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 The rules are suspended.

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2 Item 81 of 2017 is a bond
3 ordinance providing for a capital
4 expenditure to finance the capital projects
5 identified herein within the County of
6 Nassau and authorizing \$250,000 of bonds.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Walker, seconded by Legislator
11 MacKenzie. This item is before the
12 committee. Mr. Corte.

13 MR. CORTE: Steve Corte,
14 Department of Assessment. The contract
15 before you, we are looking for an extension
16 of funding. This was the same contract
17 originally approved in 2014, late 2014.

18 We have already done the first
19 fly over which was April 2015. This is the
20 second of three. So we're looking to
21 continue the funding so we can just carry
22 this forward.

23 CHAIRMAN NICOLELLO: What is the
24 purpose of the fly over?

25 MR. CORTE: The fly overs from

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2 Sanborne, they produce what they call
3 oblique images. The oblique images that we
4 use have been authorized by the Office of
5 Real Property Tax Services. It gives us the
6 ability to say we've done inspections of
7 properties.

8 That's important because our long
9 term plan is to eventually finish the
10 systematic review, and at some point do a
11 reassessment of the county.

12 That will all help us keep up our
13 inventory and move at the pace we have to to
14 be given the ORPs grant of \$500,000.

15 CHAIRMAN NICOLELLO: Is this
16 needed for the assessment, I don't know what
17 the correct term is, re-evaluation, whatever
18 is happening now, that should be concluded
19 within the next year or so?

20 MR. CORTE: We are using this
21 every day. We use it right now just to do
22 our regular permit work.

23 We've increased our production by
24 about 25 percent using Sanborne. It takes
25 people off the road. Gives them the ability

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2 to look at these properties very, very
3 quickly. They are doing 25, 35 percent more
4 work each day just by sitting at their desk.

5 So we're using it right now, but
6 it will enhance our efforts as we go
7 forward.

8 CHAIRMAN NICOLELLO: What if this
9 is not approved? What if we don't approve
10 this, what does assessment have to do?

11 MR. CORTE: We'll be back on the
12 road again. It's just much more time. Much
13 more of an expense because of the mileage to
14 be paid and the other things that go along
15 with that.

16 CHAIRMAN NICOLELLO: So, in the
17 long run, this will save us money?

18 MR. CORTE: Absolutely. And one
19 thing for this second fly over that was
20 actually an issue in the first one, there is
21 a program change in this called change
22 finder. It needs to be done in the second
23 year.

24 What it does, it compares the
25 photography from the 2015 fly over to the

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2 17. And it gives us a report of any changes
3 that we've seen county-wide. So it's kind
4 of a check and balance to us having permits
5 from the towns and the villages.

6 CHAIRMAN NICOLELLO: How is this
7 done, is it done by drones or something
8 else?

9 MR. CORTE: No. It's actual
10 planes that they fly actually in four
11 directions and piece the photographs
12 together.

13 CHAIRMAN NICOLELLO: Okay. Any
14 other questions for Mr. Corte? Legislator
15 Bynoe.

16 LEGISLATOR BYNOE: So, Chairman
17 Nicolello, I would have to say I have
18 concern that this, all of these items are
19 only being presented now, within the last 15
20 minutes, and ask for our consideration for
21 approval.

22 I would argue that we have not
23 had enough time to vet these bond ordinances
24 and the purpose of these ordinances -- in a
25 way that will allow us to move forward in

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2 approving any of these items today.

3 So that is the statement that I'm
4 putting on record for all four of these
5 items at this time, and that's all that I
6 have to say on the matter, but I believe
7 other members have questions on the items as
8 well. Thank you.

9 CHAIRMAN NICOLELLO: This is
10 obviously the committee. The Full
11 Legislature is not for two weeks. I
12 understand your point and we're trying to do
13 part of our due diligence by asking
14 questions here, and these items have enough
15 urgency to be moved along, then they should
16 be, but, again, in two weeks -- we will have
17 two more weeks to review these items in more
18 detail.

19 Anyone else have a question?
20 Legislator Birnbaum.

21 LEGISLATOR BIRNBAUM: Well, I
22 didn't really have a chance to study it yet,
23 but could you explain how this is different
24 than the last contract that we had with them
25 and why we have to use -- we never had a

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2 contract?

3 MR. CORTE: It's the same
4 contract. Just for some reason, and I
5 think, probably I'll say it's probably our
6 fault, we assumed at the time the first
7 contract was approved, that it included the
8 funding for all three fly overs. We were
9 informed that it didn't. And it would have
10 to go individually every time that we needed
11 to fund it to do it. That's why I'm here
12 today. That's why it happened at the last
13 minute.

14 LEGISLATOR BIRNBAUM: But why do
15 we have to fund it out of capital bonds?

16 MR. CORTE: I personally don't
17 care where you take the money from.

18 LEGISLATOR BIRNBAUM: Okay. This
19 seems like an operational expense, no
20 different than your other expenses?

21 MR. CORTE: I'm told where to
22 take it from, so I don't know where that
23 happens.

24 LEGISLATOR BIRNBAUM: Is there
25 anyone from your department who would know

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2 about the budgeting that could talk about
3 it?

4 MR. CORTE: Well, the assessor
5 is, Mr. Davis is in charge of the budgeting
6 for our department.

7 LEGISLATOR BIRNBAUM: Maybe at
8 the next meeting he can tell us why?

9 CHAIRMAN NICOLELLO: That's a
10 good question as to why is this being done
11 through a bond as opposed to operating
12 expenses and if there's any benefit to us
13 doing it this way as opposed to the other
14 way. Any other questions?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Abstain?

24 (Abstain.)

25 Passes by a four ayes, three

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2 abstentions.

3 Item 102 of 2017 is a resolution
4 declaring a capital budget emergency
5 pursuant to Section 310D of the County
6 Government Law of Nassau County.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Walker, seconded by Legislator
11 MacKenzie.

12 Mr. Podlesak, my understanding is
13 that this emergency relates to the funding
14 for vehicles for the court officers; is that
15 correct?

16 MR. PODLESAK: Not for court
17 officers, for sheriffs.

18 CHAIRMAN NICOLELLO: Sheriffs.
19 Thanks for the correction. Any questions on
20 the capital budget emergency? Legislator
21 Birnbaum.

22 LEGISLATOR BIRNBAUM: Can you
23 explain why this is being done as an
24 emergency? Why it came down at the last
25 minute at five o'clock on the day of a

1 Finance Committee/2-13-17
2 committee meeting?

3 MR. PODLESAK: There's two
4 different kinds of emergencies. There's the
5 emergencies that are under the seven day
6 rule of the Charter for legislation of a
7 general nature that comes before the
8 Legislature.

9 When we have capital bonding
10 situations, capital plan amendments where
11 there is a change in the outstanding capital
12 plan, the technical requirement is that
13 there needs to be a determination of a
14 capital budget emergency first. It's called
15 an emergency, but in many ways it's more of
16 a just -- it's a hoop that has to be jumped
17 through to do this.

18 LEGISLATOR BIRNBAUM: Okay. I
19 hear what you're saying, so in other words
20 this is unanticipated expenses that we
21 hadn't planned for, these are not items that
22 we would have considered purchasing for the
23 county in the past?

24 MR. PODLESAK: I wouldn't say it
25 was unanticipated. It was not included.

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2 I do not know what the process
3 was before this as far as putting it
4 together.

5 But at this time it's being added
6 to the capital budget. That's why it's
7 being done this way.

8 LEGISLATOR BIRNBAUM: So this
9 item is for vehicles for the Sheriff's
10 Office to transport, perhaps prisoners, I
11 don't know the details because I haven't
12 really seen it, but is this not something
13 that the county would have known we needed?

14 MR. PODLESAK: As I said, I do
15 not know what the process was before this
16 and when the decision was made.

17 LEGISLATOR BIRNBAUM: So perhaps
18 at the next meeting we can have somebody to
19 speak about that?

20 MR. PODLESAK: I will take it
21 back to my office and see why -- what the
22 consideration was at the time, it's best I
23 can do.

24 LEGISLATOR BIRNBAUM: This is for
25 the vehicles, right?

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2 CHAIRMAN NICOLELLO: This is not
3 the item for the vehicles.

4 LEGISLATOR BIRNBAUM: Oh, this is
5 just the emergency that we're talking about
6 first. So we can talk about the items.
7 Okay. I'm not that familiar, and not having
8 really studied the items I know it includes
9 that. Okay. So I understand what you mean
10 by the emergency.

11 MR. PODLESACK: It's a poor choice
12 of words. I wouldn't have called it an
13 emergency.

14 CHAIRMAN NICOLELLO: Any other
15 questions on the capital budget emergency?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 All those in favor of Item 102
20 signify by saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 Those abstaining?

25 (Abstain.)

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2 Again that passes by four ayes
3 and three abstentions.

4 Item 103 of 2017 is a bond
5 ordinance providing for a capital
6 expenditure to finance the capital projects
7 identified herein within the County of
8 Nassau and authorizing \$2 million of bonds,
9 et cetera.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Muscarella, seconded by
14 Legislator Walker. And this is Item 103.
15 Mr. Arnold.

16 MR. ARNOLD: Yes. Item 103 is a
17 capital bond ordinance for the snow removal
18 truck replacement program. It's for \$2
19 million.

20 The department has in excess of
21 16 vehicles that are way past their useful
22 life. Some of these in service go back to
23 1994 to 1999, these 16 vehicles.

24 We are looking to replace eight
25 of these vehicles this year, and eight of

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2 these vehicles for next year, and that's
3 what the request of this funding is for.

4 CHAIRMAN NICOLELLO: So what is
5 the urgency with respect to this item?

6 MR. ARNOLD: The lead time for
7 snow trucks could be eight or nine months,
8 so we're looking to get trucks ordered now
9 so we can ensure that we have them for next
10 year.

11 Through the state contract
12 there's certain build-out dates that we have
13 to get these ordered by and we looking to be
14 in a position to do all that.

15 CHAIRMAN NICOLELLO: Any other
16 questions? Legislator Birnbaum.

17 LEGISLATOR BIRNBAUM: Again, I
18 certainly understand that your department
19 probably does need them, and just had a very
20 bad snowstorm so I'm sure they were put to
21 the test, but to first receive the item at
22 five o'clock on the day of the committee
23 meetings, could this not have waited until
24 the next Rules Committee meeting? The next
25 Finance Committee? Why did it have to be

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2 today?

3 MR. ARNOLD: I don't know.

4 LEGISLATOR BYNOE: Can we ask
5 Mr. Arnold, could you answer the question
6 that was posed?

7 MR. ARNOLD: The department put
8 their needs in. I don't speak to when
9 things get called.

10 LEGISLATOR BYNOE: Is there
11 anyone who can answer the question?

12 MR. ARNOLD: We'll find out.

13 LEGISLATOR BIRNBAUM: This is the
14 first we're hearing about the needs for the
15 vehicles. If it's a true need, I believe it
16 is, but why did it have to come today?

17 MR. ARNOLD: The snow trucks have
18 been in the capital request dating back over
19 a year now.

20 CHAIRMAN NICOLELLO: Any other
21 questions for Mr. Arnold?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

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2 saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Abstaining?

7 (Abstain.)

8 Passes by a vote of four in the
9 affirmative and three abstentions.

10 Item 104 is 2017 is a bond
11 ordinance providing for a capital
12 expenditure to finance the capital projects
13 identified herein within the County of
14 Nassau and authorizing \$1 million of bonds
15 of the county.

16 LEGISLATOR MUSCARELLA: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Muscarella, seconded by
20 Legislator Walker. Mr. Arnold.

21 MR. ARNOLD: This item is a
22 replacement for sheriff vehicles. They have
23 38 vehicles in excess of \$100,000; and in
24 addition they have 90 vehicles in excess of
25 ten years old.

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2 These vehicles perform various
3 functions from prisoner transportation,
4 canine operations, security at the facility,
5 the movement of food between buildings and
6 so on and so forth.

7 So they're looking to replace
8 their older vehicles that are getting near
9 the end of their useful life and their
10 increased maintenance associated with
11 running these vehicles today.

12 CHAIRMAN NICOLELLO: Any
13 questions for Mr. Arnold?

14 LEGISLATOR BYNOE: So, again, we
15 question why it had to be done today and why
16 only at this last moment, minutes within the
17 meeting, the committee meeting are we being
18 requested to review these items?

19 If this was of such urgency why
20 wasn't it part of the calendar in advance of
21 5:15 this afternoon?

22 Again, we're going to abstain
23 from voting on this item because we have not
24 had enough time to review the item or vet it
25 or ask any questions or even come up with

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2 any questions that might be important to
3 hear the answers for.

4 Again, we're really interested to
5 know why at 5:15 p.m. we received these
6 items and why they weren't part of the
7 regular calendar.

8 It doesn't appear that we're
9 going to get an answer to that question
10 today but know that the question is out
11 there and we would like an answer. Thank
12 you.

13 CHAIRMAN NICOLELLO: I think
14 that's a fair question and I also think that
15 this item among the three other ones, two
16 other ones we considered probably has the
17 most urgency to it if their vehicles are in
18 as bad of shape as you're saying.

19 But, again, this will not come
20 before the Full Legislature for at least two
21 weeks, potentially longer, so that there is
22 the ability to get information between now
23 and then.

24 This tees it up for the Full
25 Legislature on the 27th if we choose to move

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2 them forward at that time.

3 But for amendments in the future,
4 I think we need to see some sort of
5 justification that there is an actual
6 emergency that justifies them coming to us
7 at five o'clock on a committee meeting day.

8 MR. ARNOLD: Understood.

9 CHAIRMAN NICOLELLO: Do we have
10 any further comments or questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 Abstain?

20 (Abstain.)

21 Carries by a vote of four, zero,
22 three. Motion to adjourn.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

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2 Legislator Walker, seconded by Legislator
3 Muscarella. All in favor?

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 Carries unanimously.

8 (Whereupon, the Finance Committee
9 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 28th day of February, 2017.

FRANK GRAY