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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Wednesday, September 13, 2017
3:04 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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LIST OF SPEAKERS

BOB MCMANUS 6

ROSEANN D'ALLEVA 10

JOHN BUTLER 16

MARYELLEN LAURAIN 20

TIMOTHY HAHN 20

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INSERTS

Incorporated by reference

Health Committee Minutes
Dated 9-13-17 pertaining to
Clerk Items 340, 341, 342.....23

Public Safety Committee Minutes
Dated 9-13-17 pertaining to
Clerk Items 338, 343, 344, 345.....23

1 Finance Committee/9-13-17

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

5 CLERK PULITZER: Thank you, sir.
6 Finance Committee roll call.

7 CLERK PULITZER: Legislator Ellen
8 Birnbaum?

9 LEGISLATOR BIRNBAUM: Here.

10 CLERK PULITZER: Legislator Laura
11 Curran?

12 LEGISLATOR CURRAN: Here.

13 CLERK PULITZER: Ranking Member
14 Siela Bynoe?

15 LEGISLATOR BYNOE: Here.

16 CLERK PULITZER: Legislator
17 Donald MacKenzie?

18 LEGISLATOR MACKENZIE: Here.

19 CLERK PULITZER: Legislator Rose
20 Marie Walker?

21 LEGISLATOR WALKER: Here.

22 CLERK PULITZER: Vice Chairman
23 Vincent Muscarella?

24 LEGISLATOR MUSCARELLA: Here.

25 CLERK PULITZER: And Chairman

1 Finance Committee/9-13-17

2 Richard Nicoletello?

3 CHAIRMAN NICOLELLO: Here.

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

6 CHAIRMAN NICOLELLO: Thank you.

7 All of these are 2017 items. 307
8 is a resolution authorizing the County
9 Executive to execute an amendment to a
10 personal services agreement between the
11 County of Nassau acting on behalf of the
12 County District Attorney and Jack and Jill
13 of America.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MACKENZIE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 MacKenzie.

19 MR. MCMANUS: Bob McManus,
20 District Attorney's Office. This is a penny
21 amendment to a previously approved agreement
22 that began in January 2015. The initial
23 agreement called for the District Attorney's
24 Office to provide funding for Jack and Jill
25 of America Incorporated, Nassau Branch, for

1 Finance Committee/9-13-17
2 their 7th Annual Team Leadership Series.

3 Upon receipt of the fully
4 executed contract, we submit the claim forms
5 to the Comptroller's Office for payment.
6 Some of the claims were rejected because the
7 vendor had expended funding to procure items
8 for the events in December prior to the
9 start of the actual contract.

10 We consulted with the
11 Comptroller's Office and we were advised to
12 obtain a purchase order to cover the items
13 purchased prior to the beginning of the
14 agreement.

15 We prepared a requisition at the
16 end of a fairly lengthy process and we
17 received a purchase order.

18 When we attempted to expedite the
19 purchase order, we were informed by the
20 Comptroller's counsel that a purchase order
21 was not the appropriate method of
22 reimbursing the vendor and that we needed to
23 prepare a contract amendment.

24 We submitted the amendment in
25 March of 2017 after receiving approval from

1 Finance Committee/9-13-17

2 the state to expend funds for a period of
3 time that preceded the beginning of the
4 grant that was financing this item.

5 While this item is extremely
6 late, there is no additional funding
7 involved. We seek your approval to move the
8 start date of the previous agreement back 31
9 days in order to reimburse the vendor for
10 bills that we have no other way of paying at
11 this time.

12 CHAIRMAN NICOLELLO: Thank you
13 for that explanation. Does anyone have any
14 questions for Mr. Mcmanus?

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 Carries unanimously.

24 Item 313 of 2017 is a resolution
25 providing for the issuance of a warrant

1 Finance Committee/9-13-17
2 directing the treasurer of Nassau County to
3 pay to the supervisors of the several towns
4 and the treasurers of the several villages
5 and cities within the county the sums as
6 apportioned by the Nassau County Legislature
7 based on a report filed by county treasurer
8 and the county clerk showing deposits for
9 mortgage taxes for the quarter beginning
10 April 1st, 2017 through June 30th, 2017.

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Walker. The item is before the
16 committee. Do we have any discussion?

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 That item carries unanimously.

1 Finance Committee/9-13-17

2 Item 314 is a resolution to
3 authorize the transfer of appropriations
4 heretofore made within the budget for the
5 year 2017.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR MUSCARELLA: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Walker, seconded by Legislator
10 Muscarella. Do we have a speaker on this?
11 This is a budget transfer. Usually we have
12 speakers for the items that haven't gone
13 through other committees.

14 MS. D'ALLEVA: I believe this
15 item is for \$100,000?

16 CHAIRMAN NICOLELLO: Yes.

17 MS. D'ALLEVA: Roseann D'Alleva.
18 I'm speaking on this item. Basically there
19 was a program funded in the department of IT
20 and the following appropriation -- it's in
21 conjunction with the following appropriation
22 supplemental of 315-17.

23 The program that the Department
24 of Information and Technology ran needed
25 additional funding to support students,

1 Finance Committee/9-13-17

2 under privileged individuals to work at the
3 county and have an internship for the
4 summer.

5 CHAIRMAN NICOLELLO: Sounds good.
6 Any questions or discussion?

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 The item carries unanimously.

16 Thank you.

17 Item 315 is an ordinance
18 supplemental to the annual appropriation
19 ordinance in connection with the Department
20 of Information and Technology.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR MACKENZIE: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Walker, seconded by Legislator
25 Mackenzie.

1 Finance Committee/9-13-17

2 COMMISSIONER EISENSTEIN: Yes.

3 Ed Eisenstein from the IT Department,
4 Commissioner. This is for 80 foster kids
5 that were brought in from the local high
6 schools to do a summer youth program.

7 They worked in our department and
8 actually was a pretty big success. It's
9 very nice to talk about. We brought those
10 kids in and they worked for IT. We taught
11 them a number of things; a, how to work in a
12 professional environment;

13 And, secondly, we taught them how
14 to do resume writing, how to do programing.
15 A large number of them had a big success
16 story.

17 This is the second year we've
18 done it. Again, there were 15 departments
19 that joined up and housed some of them and
20 worked with them. 80 kids this year; 20
21 last year.

22 It was an eight week program and
23 we also did one day a week resume writing
24 and development so they can find jobs. A
25 number of them indicated that this is going

1 Finance Committee/9-13-17

2 to be their profession for life. So a very
3 successful program.

4 CHAIRMAN NICOLELLO: This is a
5 \$220,000 grant from New York State Office of
6 Temporary Assistance?

7 COMMISSIONER EISENSTEIN: Yes,
8 coupled with county funding.

9 CHAIRMAN NICOLELLO: Legislator
10 Birnbaum.

11 LEGISLATOR BIRNBAUM: Were all of
12 these students Nassau County residents?

13 COMMISSIONER EISENSTEIN: Yes,
14 they were all from Westbury and Hicksville
15 High School specifically.

16 CHAIRMAN NICOLELLO: Any other
17 questions or discussion?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Finance Committee/9-13-17

2 Carries unanimously. Thank you.

3 Item 316 is a resolution
4 authorizing the signing of a New York State
5 Department of Transportation supplemental
6 grant agreement for funds to support police
7 enforcement of high occupancy vehicle laws
8 on the Long Island Expressway.

9 LEGISLATOR MUSCARELLA: So moved.

10 LEGISLATOR MACKENZIE: Second.

11 CHAIRMAN NICOLELLO: Moved by

12 Legislator Muscarella, seconded by

13 Legislator MacKenzie.

14 LIEUTENANT STEPHANOFF: Good

15 afternoon. Lieutenant Greg Stephanoff,
16 Nassau County Police Department. Item
17 316-17 is a New York State HOV grant, high
18 occupancy vehicle grant. This grant is
19 primarily going to be used for extra
20 enforcement to enforce laws in the HOV
21 lanes.

22 There is an administrative part
23 to report numbers back to the state.

24 I reached out to the highway
25 unit. Approximately 13,000 tickets were

1 Finance Committee/9-13-17

2 written in the last grant and approximately
3 I believe there is about 4,000 warnings were
4 given also.

5 CHAIRMAN NICOLELLO: Any
6 questions?

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 Thank you, Lieutenant. That item
16 carries unanimously.

17 I'm going to call several items
18 in a row, and I'm not going to be calling
19 322. That will not be called today; 321,
20 323, 324, 325, 329. All ordinances
21 supplemental to the annual appropriation
22 ordinance in connection with the Office of
23 the County Clerk, Litigation Fund, Health
24 Department, Medical Examiner's Office, and
25 Police Department.

1 Finance Committee/9-13-17

2 LEGISLATOR WALKER: So moved.

3 LEGISLATOR MUSCARELLA: Second.

4 CHAIRMAN NICOLELLO: Moved by
5 Legislator Walker, seconded by Legislator
6 Muscarella. Do we have a speaker for these
7 items?

8 MR. BUTLER: Yes, John Butler,
9 fiscal officer, Nassau County Clerk, Maureen
10 O'Connell's Office.

11 The item before you allows the
12 records management division of the Clerk's
13 Office to secure New York State grant
14 funding. The grant will allow us to
15 digitize 30,000 marital separation
16 agreements and the vendor will be a New York
17 State industries for the disabled vendor.

18 CHAIRMAN NICOLELLO: Any
19 questions for Mr. Butler?

20 LEGISLATOR MACKENZIE: Yes. Is
21 there a vendor selected, or is that done
22 after the grant is --

23 MR. BUTLER: The vendor has
24 already been selected.

25 CHAIRMAN NICOLELLO: Any other

1 Finance Committee/9-13-17

2 questions?

3 (No verbal response.)

4 Thank you, John. Next I guess we
5 have several items, 323, do we have a
6 speaker on that? That's an appropriation in
7 connection with the Litigation Fund.

8 MS. D'ALLEVA: Item 323 is to
9 supplementally appropriate the \$6 million
10 for the Litigation Fund in order to
11 basically be able to pay out the
12 settlements.

13 CHAIRMAN NICOLELLO: Any
14 questions on this item? None? Or are you
15 still talking about it? Do you have a
16 question on this item? Go ahead.

17 LEGISLATOR CURRAN: How much will
18 be in the Litigation Fund after this?

19 MS. D'ALLEVA: This appropriation
20 is \$6 million and it is segregated for
21 police district litigation. Currently the
22 Litigation Fund has a little over \$200,000
23 in terms of general or county wide
24 settlements. That's what's remaining.

25 LEGISLATOR CURRAN: Okay.

1 Finance Committee/9-13-17

2 CHAIRMAN NICOLELLO: Any other
3 questions? Legislator Birnbaum.

4 LEGISLATOR BYNOE: I have a
5 question, I was just wondering whether do we
6 have litigation that's out there, the
7 potential for exposure to the amount of \$6
8 million?

9 MS. D'ALLEVA: I believe in
10 discussions with the County Attorney's
11 Office there are lists of potential
12 settlements.

13 LEGISLATOR BYNOE: Do we have --

14 MS. D'ALLEVA: I can't.

15 LEGISLATOR BYNOE: All right. I
16 stopped myself short. Thank you.

17 CHAIRMAN NICOLELLO: Legislator
18 Birnbaum.

19 LEGISLATOR BIRNBAUM: I'm a
20 little confused about the enormity of this
21 amount \$6 million. How is there a prior
22 surplus from operations of this amount?

23 MS. D'ALLEVA: So this body
24 approved a year end budget transfer for --
25 that is actually coordinated with the

1 Finance Committee/9-13-17
2 Comptroller's Office at the end of 2016,
3 which actually appropriated the \$6 million
4 to the fund balance in PDD.

5 So, therefore, we could be able
6 to appropriate it now in '17 to be able to
7 spend.

8 LEGISLATOR BIRNBAUM: So it was
9 in the fund balance?

10 MS. D'ALLEVA: This body actually
11 approved a budget transfer back in, I want
12 to say June, that dictated this amount, the
13 \$6 million. So yes. So now we have to
14 appropriate it into '17, because in '16 you
15 all approved the transfer.

16 CHAIRMAN NICOLELLO: Any other
17 questions?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 Actually we have several more
22 items together so we will call those as
23 well. They've been called. Let's discuss
24 those. 324 relates to a supplemental
25 appropriation in connection with the Health

1 Finance Committee/9-13-17

2 Department, \$24,510.

3 MS. LAURAIN: Good afternoon.

4 MaryEllen Laurain, Department of Health.

5 This is a supplemental appropriation in the

6 amount of \$24,510. This is for the

7 Adolescent Youth Prevention Act. This is

8 New York State Department of Health funding.

9 It is a COLA award and it's to conduct

10 certification checks and compliance with the

11 New York State law in selling tobacco to

12 minors.

13 CHAIRMAN NICOLELLO: Any

14 questions on this item?

15 (No verbal response.)

16 Thank you. Next item 325, this

17 relates to the Medical Examiner's Office.

18 It relates to DWI and DUI testing.

19 MR. HAHN: Timothy Hahn, Medical

20 Examiner's Office. This is a grant from a

21 New York State Governor's Traffic Safety

22 Committee in the amount of \$45,000 that's

23 used to support drug and alcohol testing in

24 suspected DWI cases.

25 CHAIRMAN NICOLELLO: Any

1 Finance Committee/9-13-17

2 questions on this item?

3 (No verbal response.)

4 Thank you.

5 329 relates to the police
6 department, New York State Governor's
7 Traffic Safety Committee Grant.

8 LIEUTENANT STEPHANOFF: Good
9 afternoon. Lieutenant Greg Stephanoff,
10 Nassau County Police Department.

11 Item 329-17 is a New York State
12 Traffic Safety Grant for \$145,000. This
13 grant is primarily going to be used for
14 extra enforcement for aggressive driving and
15 operation buckle up seat belt enforcement.

16 CHAIRMAN NICOLELLO: Any
17 questions?

18 (No verbal response.)

19 I'm going to call these all
20 together unless you want them broken out
21 separately. So all of these before us; 321,
22 323, 324, 325, 329, all in favor signify by
23 saying aye.

24 (Aye.)

25 Any opposed?

1 Finance Committee/9-13-17

2 (No verbal response.)

3 Those items carry unanimously.

4 330 is not going to be called
5 today. Items 332, 333, 334 are resolutions
6 to authorize the county assessor and/or
7 County Treasurer and/or the receivers of
8 taxes of the towns of Hempstead, North
9 Hempstead and Oyster Bay to partially exempt
10 from real property taxation certain real
11 properties situated in various school
12 districts.

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR MUSCARELLA: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Walker, seconded by Legislator
17 Muscarella. Do we have any discussion on
18 these items?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 Those opposed?

1 Finance Committee/9-13-17

2 (No verbal response.)

3 Those items carry unanimously.

4 I'm going to call another bunch;

5 338, 340, 341, 342, 343, 344, and 345.

6 These are ordinances supplemental to the

7 annual appropriation ordinance in connection

8 with the District Attorney's Office,

9 Department of Human Services, Health

10 Department, and various other departments.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR MACKENZIE: Second.

13 CHAIRMAN NICOLELLO: Moved by

14 Legislator Walker, seconded by Legislator

15 Mackenzie. These items went through

16 committees a while ago so I would ask that

17 the minutes be incorporated by reference.

18 (Whereupon, please refer to the

19 minutes of the Health and Public Safety

20 Committees dated 9-13-17 pertaining to Clerk

21 Items 338, 340, 341, 342, 343, 344, and

22 345.)

23 Any questions on these items?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/9-13-17

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Those items carry unanimously.

9 Item 346 is a resolution to
10 authorize the transfer of appropriations
11 heretofore made within the budget for the
12 year 2017.

13 LEGISLATOR MUSCARELLA: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Muscarella, seconded by
17 Legislator Walker. The item before the
18 committee relates to the Health Department.

19 MS. LAURAIN: Good afternoon.
20 MaryEllen Laurain, Department of Health.

21 These are all New York State
22 Department of Health grant funded programs.
23 They are to maximize grant reimbursement.

24 CHAIRMAN NICOLELLO: Do we have
25 any questions on this item?

1 Finance Committee/9-13-17

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor signify by
6 saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 Carries unanimously.

11 Item 348 is a resolution
12 authorizing the County Attorney to
13 compromise and settle the claims of
14 plaintiffs as set forth in the action
15 entitled Georgette Sorrell, et al versus the
16 Incorporated Village of Lynbrook, et al.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Muscarella, seconded by
21 Legislator Walker. This item is before the
22 committee. We are going to go into
23 executive session.

24 LEGISLATOR MACKENZIE: So moved.

25 LEGISLATOR WALKER: Second.

1 Finance Committee/9-13-17

2 CHAIRMAN NICOLELLO: Moved by
3 Legislator MacKenzie, seconded by Legislator
4 Walker. All those in favor of going into
5 executive session signify by saying aye.

6 (Aye.)

7 And we are inviting the Rules
8 Committee to join us so we can do this all
9 at once.

10 (Whereupon, the Finance Committee
11 recessed at 3:21 p.m. and reconvened at 3:49
12 p.m.)

13 CHAIRMAN NICOLELLO: We are out
14 of executive session. Item 348 is before
15 the committee. I'm going to ask for a vote
16 at this time. All those in favor signify
17 say aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The item passes seven to zero.

22 Unanimous. Motion to adjourn.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MACKENZIE: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/9-13-17

2 Legislator Walker, seconded by Legislator
3 MacKenzie. All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 349 is not on this committee.

9 It's on Rules. All in favor of adjourning
10 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 We are adjourned.

15 (Whereupon, the Finance Committee
16 adjourned at 3:50 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 27th day of September, 2017.

FRANK GRAY