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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
3:41 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

DONALD MACKENZIE (Substituted by
Howard Kopel)

SIELA A. BYNOE,
Ranking

LAURA CURRAN

ELLEN BIRNBAUM

MICHAEL PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

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INSERTS

Incorporated by reference
Public Safety Committee Minutes
Dated 12-4-17;
Clerk Items 448, 458, 459.....6

Incorporated by reference
Public Works & Parks Committee Minutes
Dated 12-4-17;
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1 Finance Committee/12-4-17

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. Finance Committee roll call.

7 Legislator Ellen 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 Howard Kopel?

17 LEGISLATOR KOPEL: Here.

18 CLERK PULITZER: Legislator Rose
19 Marie Walker?

20 LEGISLATOR WALKER: Here.

21 CLERK PULITZER: Vice Chairman
22 Vincent Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: And Chairman
25 Richard Nicoletto?

1 Finance Committee/12-4-17

2 CHAIRMAN NICOLELLO: Here.

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

5 CHAIRMAN NICOLELLO: Thank you.

6 Items 448 of 2017 is a resolution
7 authorizing the County Executive to execute
8 an amendment to a grant agreement between
9 the County of Nassau acting on behalf of the
10 District Attorney's Office and Women's
11 Opportunity Rehabilitation Center, Inc.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Walker, seconded by Legislator
16 Kopel. Any questions on this item? Note
17 for the record it went through committees
18 before and I ask that all committee minutes
19 be incorporated by reference.

20 (Whereupon, please refer to the
21 minutes of the Public Safety Committee dated
22 12-4-17 pertaining to Clerk Items 448, 458,
23 459.)

24 (Whereupon, please refer to the
25 minutes of the Public Works and Parks

1 Finance Committee/12-4-17
2 Committee dated 12-4-17 pertaining to Clerk
3 Item 479-17.)

4 (Whereupon, please refer to the
5 minutes of the Health Committee dated
6 12-4-17 pertaining to Clerk Items 470-17,
7 471-17, 472-17.)

8 CHAIRMAN NICOLELLO: Hearing no
9 questions, any public comment?

10 (No verbal response.)

11 All in favor signify by saying
12 aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Carries unanimously.

17 Next item 449 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 Oyster
22 Bay Historical Society.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/12-4-17

2 Legislator Walker, seconded by Legislator
3 Muscarella.

4 MS. KRIEB: Eileen Krieb,
5 Department of Parks. This is a grant with
6 the Oyster Bay Historical Society in the
7 amount of \$9,200 to be funded through the
8 Hotel Motel tax for their educational
9 programing.

10 CHAIRMAN NICOLELLO: Any
11 questions?

12 (No verbal response.)

13 Thank you. Any public comment?

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 Item 450, a resolution providing
21 for the issuance of a warrant directing the
22 treasurer of the County of Nassau to pay to
23 the supervisors of the several towns, and
24 the treasurers of the several villages and
25 cities within the county the sum as

1 Finance Committee/12-4-17
2 apportioned by the Nassau County Legislature
3 based on a report filed by the county
4 treasurer and county clerk showing deposits
5 for mortgage taxes for the period of one
6 year commencing October 1st, 2016 through
7 September 30, 2017.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Muscarella, seconded by
12 Legislator Walker. Do we have any questions
13 on this item?

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 That item carries unanimously.

23 The next two items are 458 and
24 459. 458 is an ordinance supplemental to
25 the annual appropriation ordinance in

1 Finance Committee/12-4-17
2 connection with the police department;
3 459 is a resolution authorizing
4 the County Executive to execute a
5 cooperative agreement and license with the
6 New York State Office of Parks, Recreation
7 and Historic Preservation in relation to a
8 new environmental education and resiliency
9 center.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Kopel, seconded by Legislator
14 Walker. Do we have any questions?

15 (No verbal response.)

16 This went through Public Safety a
17 few minutes ago. Is there any public
18 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/12-4-17

2 Calling the next several 460, 61,
3 62, 63, 64, 65, 66, 67, 68 and 69 of 2017,
4 these are resolutions to authorize the
5 county assessor and/or the county treasurer
6 and/or the receiver of taxes of the towns of
7 Hempstead and Oyster Bay to remove ad valor
8 um tax from certain real properties;

9 Also, a resolution to authorize
10 the county assessor and/or the county
11 treasurer and/or the receivers of taxes of
12 the towns of North Hempstead, Hempstead, and
13 Oyster Bay to partially exempt assessment.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 Kopel. The items are before the committee.
19 Do we have any questions or discussion?

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/12-4-17
2 Those opposed?
3 (No verbal response.)
4 Those items carry unanimously.
5 Motion to suspend the rules.
6 LEGISLATOR KOPEL: So moved.
7 LEGISLATOR MUSCARELLA: Second.
8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Kopel, seconded by Legislator
10 Muscarella. All those in favor of
11 suspending the rules signify by saying aye.
12 (Aye.)
13 Those opposed?
14 (No verbal response.)
15 Rules are suspended.
16 The first item on the addendum is
17 Item 216 of 2017, an ordinance amending an
18 ordinance allowing termination pay to be
19 paid in a single installment for certain
20 officers and employees.
21 LEGISLATOR WALKER: So moved.
22 LEGISLATOR MUSCARELLA: Second.
23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Walker, seconded by Legislator
25 Muscarella. We would like to have a

1 Finance Committee/12-4-17

2 presentation on this.

3 MR. PERSICH: Andy Persich,
4 Office of Management and Budget. The item
5 before you is giving the employees the
6 option of taking a single payment or a three
7 pay, but it gives them an option to take a
8 lump sum payment on their termination pay.

9 CHAIRMAN NICOLELLO: What is it
10 currently without this item?

11 MR. PERSICH: It's a three pay,
12 anything over \$10,000 has to be paid out in
13 three equal payments, what the balance of
14 what their outstanding termination pay.

15 CHAIRMAN NICOLELLO: And the
16 three equal payments would be over what time
17 period?

18 MR. PERSICH: Over three years.
19 When they separate service with the county.

20 CHAIRMAN NICOLELLO: So this
21 would allow the option of them taking it in
22 a single installment or what, in 2018 --

23 MR. PERSICH: Well, we're going
24 to try to accrue for it in 2017, that's the
25 plan, and we going to use funds, any

1 Finance Committee/12-4-17
2 additional surpluses in 2017 to fund
3 whatever we owe -- whatever employee
4 separates we are going to pay with 2017
5 money.

6 CHAIRMAN NICOLELLO: Any other
7 questions on this item? Legislator Bynoe.

8 LEGISLATOR BYNOE: Thank you,
9 Chair. So you said it would be over three
10 installments. Normally it's over three
11 installments but now --

12 MR. PERSICH: Currently that's
13 what it is. It's a three pay is what it is.
14 Anything over \$10,000 -- if an employee is
15 owed more than \$10,000 it would be paid out
16 over three payments.

17 So if you owe \$10,000, you would
18 get \$3,333 over three years.

19 LEGISLATOR BYNOE: So this is a
20 shift in how this is normally paid out. So
21 can you explain why we would be shifting?

22 MR. PERSICH: Well, it was done
23 previously when there was a transfer in
24 administration is what I know, so this is a
25 practice that happened in 2009.

1 Finance Committee/12-4-17

2 LEGISLATOR BYNOE: So I have
3 asked that question as well because I
4 wouldn't have been here earlier on when
5 something like that would have occurred, but
6 I did learn though, when this was utilize by
7 the prior administration that there was a
8 sunset on the item.

9 Therefore, people had only a
10 certain period of time to go. And this
11 leaves it wide open.

12 MR. PERSICH: I think any changes
13 would happen prior to the end of the year.
14 Depending on when these people separated
15 service. It would probably be within the
16 next month I imagine.

17 LEGISLATOR BYNOE: Maybe not. So
18 I'm a little concerned that this item does
19 not include a sunset period. That's one of
20 my observations.

21 Then I would like to know, if you
22 don't know then I'm going to ask
23 Mr. Chalmers, what is the financial impact
24 of this?

25 MR. PERSICH: It's going to

1 Finance Committee/12-4-17

2 depend how many people separate service. I
3 mean the total liability on the books now
4 for all ordinance employees which, this
5 covers approximately \$8 million, that would
6 mean everybody in the 300 people that the
7 ordinance would separate, we would owe \$8
8 million if this happened. I don't see that
9 being realistic.

10 So I think a portion of that, of
11 the 300 people, some will be staying on. So
12 what that number will be, I can't tell you
13 until we find out who's here or not here.

14 LEGISLATOR BYNOE: And since we
15 both have agreed we were not here in the
16 past, I believe Mr. Chalmers may have some
17 history on this so I'm going to ask that Mr.
18 Chalmers come to the microphone.

19 MR. CHALMERS: Maurice Chalmers,
20 Budget Review.

21 LEGISLATOR BYNOE: Thank you,
22 Mr. Chalmers. Mr. Chalmers, there has been
23 a mention of approximately \$8 million
24 financial impact in the event we approve
25 this item in this calendar year.

1 Finance Committee/12-4-17

2 Have you been able to do any
3 projections on that?

4 MR. CHALMERS: No. What we did
5 is, we took a look at all the termination
6 liability for all ordinance employees.

7 Now, if you take all ordinance
8 employees minus the District Attorney and
9 one or two more departments, you end up with
10 approximately 7.5 to 7.8 million.

11 So the \$8 million that was quoted
12 or talked about before seemed to be
13 accurate.

14 LEGISLATOR BYNOE: So, based on
15 where we are, less than a month out from
16 this year, where do you see us ending the
17 year in terms of finances?

18 MR. CHALMERS: Well, termination
19 pay this year is going to be a bit
20 challenging because we just had the VSIP,
21 and the VSIP according to NIFA is supposed
22 to be paid out of the operating fund so it
23 may be a little bit challenging.

24 LEGISLATOR BYNOE: And the VSIP,
25 what did we end with in total financial

1 Finance Committee/12-4-17

2 encumbrances based on the VSIP?

3 MR. CHALMERS: I believe the
4 number was in the low, \$20 million, but I
5 would have to double check to make sure.

6 LEGISLATOR BYNOE: I'm not sure,
7 I'm not aware whether NIFA would be in
8 support of any of this being financed
9 through borrowing and I'm not sure that
10 we're going to have enough money to close
11 out this year to be able to handle a
12 potentially 7.8, 8 million and expect --

13 MR. CHALMERS: And that's if all
14 those people, 200 plus people that I'm not
15 sure how many people are going to be
16 terminated and we will have to pay this, but
17 the potential liability could be up to \$8
18 million and I can't speak for NIFA in terms
19 how much they would allow us to borrow on
20 that. I don't have that answer.

21 LEGISLATOR BYNOE: I would
22 suspect since they wouldn't allow for the
23 VSIP to be paid by way of borrowing, that
24 they would be of like mind to say that they
25 wouldn't allow for this particular item to

1 Finance Committee/12-4-17

2 be paid also.

3 MR. CHALMERS: Probably not.

4 LEGISLATOR BYNOE: So I'm
5 thinking that this is -- is there somebody
6 here from OMB or administration that can
7 speak to exactly where you believe we are
8 fiscally and that we do have money for this
9 type of pay out?

10 MR. PERSICH: Well, because we're
11 coming down to the end of the year which is
12 usually when we reconcile all our year end
13 adjustments and everything else, we end up
14 finding some surpluses in certain areas. At
15 this point, I don't know where we are going
16 to be in December. We are projecting a
17 slight surplus in the monthly reports.

18 But, as of this point, unless we
19 know what the number is, I can't give you
20 the funding sources for it. But I don't
21 think NIFA will allow us to borrow it.

22 LEGISLATOR BYNOE: I don't even
23 know why then this item made it on to an
24 addendum because we don't know how we're
25 going to pay for it, and it actually not

1 Finance Committee/12-4-17

2 only exposes us to this type of financial
3 liability in this year based on the fact
4 that there is no sunset in the event there
5 are some separations in the early part of
6 2018 where we already know that NIFA is
7 going to impose cuts of up to \$18 million,
8 why would we agree to this? I think it's
9 financially reckless, quite frankly, for us
10 to even be considering this.

11 I really don't think this is
12 financially prudent at this time and I'm
13 really seriously concerned about this
14 approach. We don't know how we can pay for
15 it and we most certainly don't know how we
16 can pay for it in 2018 because it already
17 backs up against the wall for 2018.

18 So I actually would like to move
19 for tabling this item until there's some
20 kind of ability to illustrate how this can
21 be paid for and potentially an amendment to
22 the item to include a sunset so we do not
23 expose ourselves in 2018 when we already
24 know that financially we are in tough spot.

25 CHAIRMAN NICOLELLO: Motion to

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2 table. Is there a second?

3 LEGISLATOR CURRAN: Second.

4 CHAIRMAN NICOLELLO: All those in
5 favor?

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 The item is not tabled.

10 Mr. Chalmers.

11 LEGISLATOR BYNOE: I'm not quite
12 sure I was done, but --

13 CHAIRMAN NICOLELLO: I thought
14 you were because you made a motion to table.

15 Everyone gets a chance. I wanted
16 to make sure I understood something that you
17 said. The number of people eligible
18 includes people in the DA's Office; is that
19 what you said?

20 MR. CHALMERS: In total is about
21 550 ordinance employees which includes 216
22 employees in the DA's office, 15 in the
23 Board of Elections and for the purposes of
24 administration they took out about 63
25 employees out of the mix also for the

1 Finance Committee/12-4-17

2 Legislature and that would leave us with
3 about 255 employees.

4 CHAIRMAN NICOLELLO: What is the
5 exposure?

6 MR. CHALMERS: The total exposure
7 for everybody, including the DA --

8 CHAIRMAN NICOLELLO: No, no, no.
9 I mean --

10 MR. CHALMERS: \$8 million. It's
11 approximately 7.8 million to \$8 million.

12 CHAIRMAN NICOLELLO: I don't
13 think that you're going to see a mass exodus
14 out of the DA's Office or Board of
15 Elections, or Legislature for that matter.

16 MR. CHALMERS: Those employees \$8
17 million excludes it. It does not include
18 the DA.

19 CHAIRMAN NICOLELLO: It doesn't.
20 Okay, thank you. Currently this exposure
21 would be spread over three years; is that
22 correct?

23 MR. CHALMERS: Yes.

24 CHAIRMAN NICOLELLO: So pay out
25 in the current year or in 2018, '19 and '20?

1 Finance Committee/12-4-17

2 MR. CHALMERS: Correct.

3 CHAIRMAN NICOLELLO: Thank you.

4 Question for Legislator Bynoe, you keep
5 talking about a sunset, what do you have in
6 mind?

7 LEGISLATOR BYNOE: It's my
8 understanding that the prior administration
9 allowed for this same type of initiative,
10 however, everyone had to leave by December
11 31st, 2017, so that there was no exposure
12 into the next year.

13 But my problem with this item is
14 twofold. Number one, we are exposing
15 ourselves in 2018;

16 Number two, and which I actually
17 think is probably more important, is that
18 the administration can't illustrate how they
19 would pay for anything in 2017. They've
20 said it on the record that they're at a
21 point of trying to reconcile and find where
22 they may be able to locate some surplus to
23 pay for it.

24 They have not identified a
25 surplus to pay for it. So there's two

1 Finance Committee/12-4-17
2 issues that really to me are troubling with
3 this item and if they can illustrate how
4 they can pay for it and add a sunset, I
5 probably could wrap my mind around it.

6 But with the lack of both of
7 those two things being in place, it would be
8 irresponsible for the Finance Committee to
9 approve something like that.

10 CHAIRMAN NICOLELLO: This goes to
11 the Full Legislature after this in two
12 weeks. We have an opportunity at that point
13 if we decide that the administration has not
14 fully justified how it's going to pay for
15 it, to stop it at that point.

16 I'd rather give them two weeks to
17 tell us where the money is coming from
18 and/or make any changes.

19 Mr. Persich, do you have a point?

20 MR. PERSICH: Yes, I have a
21 couple of points. Number one, we are
22 projecting a \$1.5 million surplus, current
23 reports, part of the funding could come from
24 that.

25 But as we get closer to year end

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2 there are lots of stuff that occurs that we
3 do find funding sources.

4 The second thing, I want to
5 correct myself, it's \$5,000 not \$10,000 that
6 the payout comes out on. Anything greater
7 than the \$5,000 is what the three pay comes
8 into.

9 The third thing I wanted to make
10 the point is, no matter what, if we
11 terminate all these people in 2018, we will
12 still have a two and a half million dollar
13 liability in '18 if people decided to
14 separate service because that's
15 contractually what we are bound to do.

16 Of the 200 people that Mr.
17 Chalmers was referring to, if they left in
18 2018, we would still have to pay that no
19 matter what. That's part of the contract.
20 Just to make sure we all understand, that's
21 really what would happen.

22 LEGISLATOR BYNOE: That point is
23 not lost on me.

24 MR. PERSICH: My point is we
25 still have to fund it some time in 2018.

1 Finance Committee/12-4-17

2 LEGISLATOR BYNOE: That point is
3 absolutely not lost on me. What's lost on
4 me is why we would allow for someone to
5 separate in 2018 and then get the total lump
6 sum of a pay out in 2018.

7 We potentially exposing ourselves
8 to greater risk in 2018 in the event that,
9 of the 255 employees, that maybe 150 don't
10 go until 2018. There's an exposure. That's
11 the point that I'm making.

12 I definitely understand that this
13 was going to have some exposure over the
14 three-year period, but we are not protecting
15 ourselves, we're not in any way minimizing
16 the exposure in 2018 by allowing for this
17 not to have a sunset for December 31st.

18 MR. PERSICH: I understand
19 completely what you're saying and we strive
20 all the time to find savings and everything
21 else to fund things, so that's what we
22 continue to work on when we look at the
23 budget.

24 LEGISLATOR BYNOE: Yes, but I
25 don't -- in the middle of looking at a \$18

1 Finance Committee/12-4-17
2 million looming cut out of next year's
3 budget and where we are today and today's
4 budget, you're telling me we have a 1.5
5 million surplus, a \$1.5 million surplus is a
6 long way away from \$8 million.

7 CHAIRMAN NICOLELLO: Legislator
8 Curran, Legislator Birnbaum and then
9 Legislator Kopel.

10 LEGISLATOR CURRAN: I would echo
11 what Legislator Bynoe says. I mean, NIFA is
12 asking the current administration to cut \$19
13 million. We don't know what that's going to
14 be yet, but I think we all have an idea of
15 what's going to be cut. This is just making
16 next year much more difficult for all of us.

17 I wasn't here in 2009. I know
18 when an administration comes in, we do it
19 and they do it, and back and forth.

20 I just think this is fiscally
21 irresponsible. I also would be very curious
22 to know what NIFA has to say about this.

23 I have to tell you -- this is
24 very, very concerning to me and I will not
25 vote for it.

1 Finance Committee/12-4-17

2 CHAIRMAN NICOLELLO: Legislator
3 Birnbaum.

4 LEGISLATOR BIRNBAUM: I agree. I
5 find as a member of the Finance Committee
6 that we should be looking for ways to save
7 money and to all of a sudden pay out this
8 amount when we're looking to save in so many
9 areas and I'm fearful that next we're going
10 to be asked to make cuts to services such as
11 the bus, NICE Bus, we're going to be asked
12 to reduce our payments to youth services, to
13 any discretionary program, when we can leave
14 this in place the way it's been in three
15 payments rather than all of a sudden, do one
16 lump sum payment.

17 I think it's similar to what we
18 heard the discussion about before with the
19 judicial hearing officers. Why do a
20 contract for three years when we can do one?
21 This is just the opposite; why do one lump
22 sum payment when we can spread it out? I
23 think that would be financially wise,
24 prudent.

25 CHAIRMAN NICOLELLO: Legislator

1 Finance Committee/12-4-17

2 Kopel.

3 LEGISLATOR KOPEL: Just a few
4 questions, please. If this separations
5 happen in '18, what would be the total
6 potential liability?

7 MR. PERSICH: It would be \$7.8
8 million.

9 LEGISLATOR KOPEL: \$7.8 million.
10 Now the question would be --

11 MR. PERSICH: Well, we would have
12 to divide that by three.

13 LEGISLATOR KOPEL: Under GAAP,
14 would that be an accrued liability in '18 in
15 any case?

16 MR. PERSICH: Yes.

17 LEGISLATOR KOPEL: So, therefore,
18 the full 7.8 would hit the budget in '18
19 regardless of when the actual cash was paid
20 out?

21 MR. PERSICH: No. The cash would
22 be paid out, it would be a budgetary item
23 over three pay. The liability would be both
24 in total.

25 LEGISLATOR KOPEL: What I'm

1 Finance Committee/12-4-17

2 asking then, and, again, the NIFA rules, the
3 NIFA application of GAAP, the full 7.8 would
4 not hit the budget if we did it under the
5 current rules?

6 MR. PERSICH: The current rules
7 is the term pays get paid out over three
8 pay, so we budget.

9 LEGISLATOR KOPEL: So it's
10 actually on a cash basis?

11 MR. PERSICH: It's on a cash
12 basis in the budget. That's the way the
13 budget is done. We do it -- we have
14 terminations now though.

15 LEGISLATOR KOPEL: I was asking
16 about the budget rules.

17 MR. PERSICH: That's what I'm
18 saying. The budget rules, we do termination
19 leave based on a three-pay, so we budget
20 based on three payments out. If somebody
21 separates in 2017, we will budget in '18 and
22 for their termination pay.

23 LEGISLATOR KOPEL: This is not
24 paid with interest?

25 MR. PERSICH: No, there is no

1 Finance Committee/12-4-17

2 interest on that.

3 LEGISLATOR KOPEL: It's kind of
4 free borrowing right now?

5 MR. PERSICH: It's not free
6 borrowing. We are paying with budgetary
7 dollars.

8 LEGISLATOR KOPEL: What I mean
9 is, it's on a cash basis. It's free
10 borrowing essentially for two years, a large
11 sum amount.

12 MR. PERSICH: We have to
13 accommodate it in future year budgets.

14 LEGISLATOR KOPEL: I understand,
15 but if you pay it later you are deferring
16 the obligation without paying interest.

17 MR. PERSICH: Yes.

18 LEGISLATOR KOPEL: Is there any
19 benefit to the county?

20 MR. PERSICH: Cash flow reasons.

21 LEGISLATOR KOPEL: I'm asking,
22 the change you propose, does that have any
23 benefit to the county? I understand the
24 benefit to the employee. Any benefit to the
25 county?

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2 MR. PERSICH: Not per se. We
3 still have to pay them out in future years
4 but the liability will still be there.

5 LEGISLATOR KOPEL: This is
6 basically doing a nice thing for separating
7 these employees, that's what this is.

8 MR. PERSICH: I can't --

9 LEGISLATOR KOPEL: Is there any
10 other motive for doing this?

11 MR. PERSICH: I don't have the
12 answer to that. All I know is no matter
13 what we do here as far as -- the liability
14 is still going to be there.

15 LEGISLATOR KOPEL: All right.
16 Thank you.

17 CHAIRMAN NICOLELLO: I just want
18 to ask this question, if we put a sunset in
19 December 31st, so that you basically would
20 limit whatever financial impact would be
21 2017 budget, correct?

22 MR. PERSICH: Correct, we would
23 accrue for it in 2017 and have to pay for
24 with 2017 funds.

25 CHAIRMAN NICOLELLO: Isn't that,

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2 rather than having a negative effect in the
3 2018 budget, wouldn't it have a positive
4 impact on the '18 budget?

5 MR. PERSICH: Then you wouldn't
6 have the termination, you would have turn
7 over savings from people.

8 CHAIRMAN NICOLELLO: So in the
9 2018 budget, if you did that, sunseted in
10 2017, you wouldn't have the potential two to
11 \$3 million in installment payments in '18?

12 MR. PERSICH: Correct.

13 CHAIRMAN NICOLELLO: The general
14 point I wanted to make is in reference to a
15 cut that NIFA is making of \$19 million.
16 That Newsday story was inaccurate to the
17 extent that \$15 million of that cut was OTPS
18 or 15 of the 17 plus was in OTPS it was
19 something that we proposed.

20 It wasn't NIFA jumping in saying
21 we are going to cut this amount. Basically
22 they are acting like a political
23 organization.

24 The Democrats and Republicans of
25 this Legislature proposed cutting \$15

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2 million OTPS and above and beyond that NIFA
3 ordered additional cuts but basically to say
4 they cut 19 million, that's what we proposed
5 they do. Anyway, anyone else? Legislator
6 Birnbaum.

7 LEGISLATOR BIRNBAUM: Where did
8 this ordinance come from? Who proposed it?

9 MR. PERSICH: County Executive's
10 office.

11 LEGISLATOR BIRNBAUM: Do you know
12 when?

13 MR. PERSICH: I think it was
14 proposed in May.

15 LEGISLATOR BIRNBAUM: Thank you.

16 CHAIRMAN NICOLELLO: Legislator
17 Muscarella.

18 LEGISLATOR MUSCARELLA: If I can
19 ask Maurice the same question, is there any
20 budgetary benefit to doing this ordinance?

21 MR. CHALMERS: In terms of 2017,
22 it will provide the employees that could
23 possibly be out of a job, a lump sum
24 payment.

25 So instead of waiting for 2018

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2 when you get paid '18-'19 and '20, you get
3 it one shot.

4 LEGISLATOR MUSCARELLA: I
5 understand for them, but what about for the
6 county?

7 MR. CHALMERS: I don't think
8 there is a financial benefit to the county.

9 LEGISLATOR MUSCARELLA: Okay.
10 Thank you.

11 CHAIRMAN NICOLELLO: Let me
12 follow that up. Same question I have for
13 you.

14 If we sunset this in 2017 and the
15 money had to be paid out, accrued in 2017
16 had to be paid out of the budget, you are
17 thereby avoiding a potential \$2 million, \$3
18 million hit in the 2018 budget. So there's
19 that benefit, correct?

20 MR. CHALMERS: I would have to
21 agree with that. If you pay everything in
22 2017, then whatever you had budgeted for
23 2018 in terms of separation pay, you could
24 be better off.

25 CHAIRMAN NICOLELLO: Any other

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2 questions? It's our intention to move this
3 along and then we have obviously some
4 questions that have to be answered for the
5 administration as to how it would be funded.
6 Additional questions or comments?

7 Legislator Bynoe.

8 LEGISLATOR BYNOE: Again, the
9 funding of it is part of the way, the other
10 piece is making sure that the liabilities
11 remain only in 2017 so that we can reach the
12 benefit, right?

13 CHAIRMAN NICOLELLO: Right.

14 LEGISLATOR BYNOE: Of taking care
15 of the debt now and not having to deal with
16 it down the road. It can't just be that one
17 that --

18 CHAIRMAN NICOLELLO: Right. It's
19 a two parts. Legislator Curran.

20 LEGISLATOR CURRAN: Thank you.
21 It's my understanding that whatever happens
22 in committees today, this conversation is
23 not over?

24 CHAIRMAN NICOLELLO: Absolutely
25 not. Any other questions?

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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 (Nay.)
10 Passes by a vote of four to
11 three.
12 Items 470, 471, 472 are
13 ordinances supplemental to annual
14 appropriation ordinance in connection with
15 the Department of Health.
16 LEGISLATOR WALKER: So moved.
17 LEGISLATOR MUSCARELLA: Second.
18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Walker, seconded by Legislator
20 Muscarella. Items are before the committee.
21 Do we have any 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 473 of 2017, a resolution to
8 authorize the transfer of appropriations
9 heretofore made within the budget for the
10 year 2017.

11 Items 470, 471, 472 are
12 ordinances supplemental to annual
13 appropriation ordinance in connection with
14 the Department of Health.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Walker, seconded by Legislator
19 Kopel. Can we find out what this is about?

20 MS. LAURAIN: Good afternoon.

21 MaryEllen Laurain, Department of Health.

22 This is a board transfer in the
23 amount of \$62,318. They are all New York
24 State Department of Health grant funded
25 programs. It's just to maximize grant

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2 reimbursement.

3 CHAIRMAN NICOLELLO: Thank you.

4 Do we have any questions on 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 Item carries unanimously.

14 Item 475 and 476 are both
15 resolutions to authorize the County
16 Executive to execute grant agreements
17 between the county acting on behalf of the
18 Department of Parks and the Nassau County
19 Fire Fighters Museum and Education Center as
20 well as the Delancy Floyd Jones Free
21 Library.

22 LEGISLATOR MUSCARELLA: So moved.

23 LEGISLATOR KOPEL: Second.

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

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2 Legislator Kopel. Those two items are
3 before the committee. Do we have any
4 questions on these two?

5 (No verbal response.)

6 Is there any public comment?

7 MS. SANFT: Good afternoon, Heidi
8 Sanft, Vice President, Nostrand Gardens
9 Civic Association in Uniondale.

10 I have questions about the grant
11 for the Nassau County Firefighters Museum
12 and Education Center. How much is the
13 grant, first of all, do you know?

14 CHAIRMAN NICOLELLO: It is a
15 \$100,000 grant.

16 MS. SANFT: What is it to be used
17 for?

18 CHAIRMAN NICOLELLO: Do we have
19 someone from parks who can answer that
20 question?

21 MS. KRIEB: Eileen Krieb,
22 Department of Parks.

23 This is used for a special needs
24 programming at the Firefighters Museum.
25 They did not get a grant in '16 but there's

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2 the '17 grant to be used in 2018. They use
3 it to supplement their programming for
4 special need students.

5 MS. SANFT: I think that what was
6 just stated is admirable, but what I do not
7 find admirable is that the Nassau County
8 Firefighters Museum states that they are in
9 Garden City but they are in fact located in
10 Uniondale.

11 If you go into their website you
12 also see that they state that they are
13 supported by the Uniondale Fire Department
14 but they refuse to acknowledge the fact that
15 they are located in Uniondale which I find
16 really offensive.

17 Many of you may know that there
18 was a big fight about the naming or attempt
19 to name a part of Uniondale East Garden City
20 and there are certain organizations,
21 including the Fire Museum that refused to
22 acknowledge the fact that they are in
23 Uniondale. That's wrong.

24 I really don't think grants
25 should be provided unless not for profits

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2 state where they're located accurately.
3 Especially being that this is for their
4 education center.

5 I find that to be really
6 questionable and I'm very hopeful in the new
7 year that before you give out grants of
8 \$100,000 or a million dollars or \$1,000,
9 that you make sure the organization
10 identifies its address correctly.

11 Like I said, if you look on their
12 website it states that they're supported by
13 the Uniondale Fire Department and if you
14 want to get that you have to put in there
15 Uniondale, but no they're not in Uniondale
16 there are in Garden City.

17 Maybe you wonder why I find it so
18 annoying because it's just not right.

19 The other thing that I would like
20 to mention is that I noticed in going
21 through all of these that our Uniondale
22 Avenue street scaping project is still not
23 on the list. What I'm wondering is if it's
24 possible to add it to the record.

25 CHAIRMAN NICOLELLO: No, not at

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2 this time.

3 MS. SANFT: Why is that?

4 CHAIRMAN NICOLELLO: The agenda
5 has been set. There is no item before us.

6 MS. SANFT: So you don't feel
7 that it's important enough to include -- we
8 have been waiting more than two years and so
9 the contractors to get the work started, is
10 that what you're saying?

11 CHAIRMAN NICOLELLO: There are
12 many important things going on in the county
13 but everything is not necessarily on this
14 agenda.

15 MS. SANFT: I just hope I can
16 finish up. I have ten seconds.

17 I want to read something by
18 Doctor John Rizzo, the Long Island
19 Association Chief Economist from the
20 business fact book.

21 He says "it's important to target
22 investment at lower income neighborhoods to
23 reduce these disparities." Thank you.

24 CHAIRMAN NICOLELLO: Any other
25 public comment? Legislator Bynoe.

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2 LEGISLATOR BYNOE: I have to say
3 that I agree insomuch that there is no East
4 Garden City, it's Uniondale.

5 If there was an attempt to rename
6 that area, I happen to represent the area
7 that wants to be East Garden City but in
8 fact is Uniondale.

9 Congresswoman Rice worked with
10 the census bureau to make sure that it was
11 repealed and that in fact it is then going
12 to be included back into Uniondale.

13 I do think that county supported
14 agencies and county government should be
15 reflecting their locations as Uniondale.

16 I think that's something we
17 should hold those entities accountable to do
18 so. Thank you.

19 CHAIRMAN NICOLELLO: Thank you.
20 Any other comment or discussion?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

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2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 The items carry unanimously.

6 Item 479 of 2017 is a resolution
7 authorizing the County Executive to execute
8 an administrative consent agreement and
9 cooperative agreement with the State of New
10 York Department of Environmental
11 Conservation in relation to the Bay Park
12 Diversion Project and additional work.

13 LEGISLATOR MUSCARELLA: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Muscarella, seconded by
17 Legislator Walker. This just had extensive
18 discussion in the Public Works Committee
19 but, legislators, you are free to ask any
20 questions. I understand there's many
21 questions that will be also vetted at the
22 Full Legislature on the 18th. Any
23 legislators have any questions?

24 LEGISLATOR BYNOE: We are going
25 to include the earlier testimony.

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2 CHAIRMAN NICOLELLO: Yes, we will
3 incorporate that testimony by reference.

4 (Whereupon, please refer to the
5 minutes of Public Works Committee dated
6 12-4-17 pertaining to Clerk Item 479.)

7 CHAIRMAN NICOLELLO: Any public
8 comment on this item at this time?

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 The item carries unanimously.

18 Motion to adjourn.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Legislator Walker, seconded by Legislator
23 Kopel. All those in favor of adjourning
24 signify by saying aye.

25 (Aye.)

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2 Those opposed?

3 (No verbal response.)

4 We are in adjournment. Rules

5 again.

6 (Whereupon, the Finance Committee

7 adjourned at 4:17 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, 2017.

FRANK GRAY