

1. Meeting Minutes

Documents:

[FULL LEGISLATIVE SESSION, 03-23-20.PDF](#)

2. Legislative Calendar 3-23-20

Documents:

[3-23-20.PDF](#)

3. Proposed Ordinances

Documents:

[PROPOSED ORD. 20-20.PDF](#)  
[PROPOSED ORD. 21-20.PDF](#)  
[PROPOSED ORD. 22-20.PDF](#)  
[PROPOSED ORD. 23-20.PDF](#)  
[PROPOSED ORD. 24-20.PDF](#)  
[PROPOSED ORD. 25-20.PDF](#)  
[PROPOSED ORD. 26-20.PDF](#)  
[PROPOSED ORD. 27-20.PDF](#)  
[PRPOSED ORD. 28-20.PDF](#)  
[PROPOSED ORD. 29-20.PDF](#)

4. Proposed Local Laws

Documents:

[PROPOSED LOCAL LAW CLERK ITEM 21-20 AMENDMENT.PDF](#)  
[PROPOSED LOCAL LAW CLERK ITEM 79-20.PDF](#)

5. PROPOSED RESOLUTIONS 3-23-20

Documents:

[PROPOSED RES. 31-20.PDF](#)  
[PROPOSED RES. 32-20.PDF](#)  
[PROPOSED RES. 33-20.PDF](#)  
[PROPOSED RES. 34-20.PDF](#)  
[PROPOSED RES. 35-20.PDF](#)  
[PROPOSED RES. 26-20.PDF](#)  
[PROPOSED RES. 27-20.PDF](#)  
[PROPOSED RES. 28-20.PDF](#)  
[PROPOSED RES. 29-20.PDF](#)  
[PROPOSED RES. 30-20.PDF](#)

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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building  
1550 Franklin Avenue  
Mineola, New York

Monday, March 23, 2020  
1:20 P.M.

1

2     A P P E A R A N C E S:

3

4     LEGISLATOR RICHARD J. NICOLELLO

5             Presiding Officer

6             9th Legislative District

7

8     LEGISLATOR HOWARD KOPEL

9             Deputy Presiding Officer

10            7th Legislative District

11

12    LEGISLATOR DENISE FORD

13            Alternate Presiding Officer

14            4th Legislative District

15

16    LEGISLATOR KEVAN ABRAHAMS

17            Minority Leader

18            1st Legislative District

19

20    LEGISLATOR SIELA BYNOE

21            2nd Legislative District

22

23    LEGISLATOR CARRIE SOLAGES

24            3rd Legislative District

25

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2     LEGISLATOR DEBRA MULE

3             5th Legislative District

4

5     LEGISLATOR C. WILLIAM GAYLOR III

6             6th Legislative District

7

8     LEGISLATOR VINCENT T. MUSCARELLA

9             8th Legislative District

10

11    LEGISLATOR ELLEN BIRNBAUM

12            10th Legislative District

13

14    LEGISLATOR DELIA DERIGGI-WHITTON

15            11th Legislative District

16

17    LEGISLATOR JAMES KENNEDY

18            12th Legislative District

19

20    LEGISLATOR THOMAS MCKEVITT

21            13th Legislative District

22

23    LEGISLATOR LAURA SCHAEFER

24            14th Legislative District

25

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2     LEGISLATOR JOHN FERRETTI, JR.

3             15th Legislative District

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5     LEGISLATOR ANDREW DRUCKER

6             16th Legislative District

7

8     LEGISLATOR ROSE WALKER

9             17th Legislative District

10

11     LEGISLATOR JOSHUA LAFAZAN

12             18th Legislative District

13

14     LEGISLATOR STEVEN RHOADS

15             19th Legislative District

16

17     MICHAEL PULITZER

18             Clerk of the Legislature

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1 Full - 3-23-20

2 LEGISLATOR NICOLELLO: Call the  
3 this meeting of the Nassau County Legislature  
4 to order and ask that Legislator Bill Gaylor  
5 lead us in the Pledge of Allegiance.

6 (Whereupon Pledge of Allegiance was  
7 recited.)

8 LEGISLATOR NICOLELLO: Please  
9 remain standing for a moment of silence for  
10 all of our residents who are suffering from  
11 this virus, those that obviously have  
12 contracted the virus, their families, all of  
13 our residents who are going through this very  
14 difficult time and the anxiety that it has  
15 caused. Thank you.

16 I am going to call the roll.  
17 Deputy Presiding Officer Kopel.

18 LEGISLATOR KOPEL: Here.

19 LEGISLATOR NICOLELLO: Alternate  
20 Deputy Presiding Officer Ford.

21 LEGISLATOR FORD: Here.

22 LEGISLATOR NICOLELLO: Minority  
23 Leader Abrahams.

24 LEGISLATOR ABRAHAMS: Here.

25 LEGISLATOR NICOLELLO: Legislator

1 Full - 3-23-20

2 Siela Bynoe.

3 LEGISLATOR BYNOE: Here.

4 LEGISLATOR NICOLELLO: Legislator

5 Carrie Solages.

6 LEGISLATOR SOLAGES: Here.

7 LEGISLATOR NICOLELLO: Legislator

8 Debra Mule.

9 LEGISLATOR MULE: Here.

10 LEGISLATOR NICOLELLO: Legislator

11 Gaylor.

12 LEGISLATOR GAYLOR: Present.

13 LEGISLATOR NICOLELLO: Legislator

14 Muscarella.

15 LEGISLATOR MUSCARELLA: Here.

16 LEGISLATOR NICOLELLO: Legislator

17 Birnbaum.

18 LEGISLATOR BIRNBAUM: Here.

19 LEGISLATOR NICOLELLO: Legislator

20 DeRiggi-Whitton.

21 LEGISLATOR DERIGGI-WHITTON:

22 Here.

23 LEGISLATOR NICOLELLO: Legislator

24 Kennedy.

25 LEGISLATOR KENNEDY: Here.

1 Full - 3-23-20

2 LEGISLATOR NICOLELLO: Legislator

3 McKevitt.

4 LEGISLATOR MCKEVITT: Here.

5 LEGISLATOR NICOLELLO: Legislator

6 Schaefer.

7 LEGISLATOR SCHAEFER: Here.

8 LEGISLATOR NICOLELLO: Legislator

9 Ferretti.

10 LEGISLATOR FERRETTI: Here.

11 LEGISLATOR NICOLELLO: Legislator

12 Drucker.

13 LEGISLATOR DRUCKER: Here.

14 LEGISLATOR NICOLELLO: Legislator

15 Walker.

16 LEGISLATOR WALKER: Here.

17 LEGISLATOR NICOLELLO: Legislator

18 Lafazan.

19 LEGISLATOR LAFAZAN: Here.

20 LEGISLATOR NICOLELLO: And

21 Legislator Steve Rhoads.

22 LEGISLATOR RHOADS: Here.

23 LEGISLATOR NICOLELLO: We are all

24 here in person or participating via remote.

25 I just would like to add to that



1 Full - 3-23-20

2 moment of silence to include NBC employee  
3 Larry Edgeworth who had contracted the virus  
4 and has tragically passed away. Thank you  
5 again.

6 To start things off, I think all of  
7 us on behalf of the residents of Nassau County  
8 want to extend a heartfelt thank you and our  
9 appreciation for the health care workers who  
10 are on the front line, who are reporting for  
11 work, who are aiding the sick and those who  
12 are in need of health care at this time. Very  
13 strenuous, very stressful and they're  
14 reporting for work every day to make sure  
15 their residents are being cared for.

16 I want to thank you to our police  
17 and responders. As is always the case, when  
18 those of us who are sheltering in our homes  
19 and taking precautions and staying away and  
20 social distancing, our police and first  
21 responders, although they are getting the  
22 protection, although they're following their  
23 own protocols to keep themselves safe, they  
24 are still out there on the front lines and  
25 making sure they respond to emergencies and

1 Full - 3-23-20

2 all the different means of assistance that our  
3 residents need.

4 Also to thank you the workers who  
5 are providing our essential services both in  
6 government, here in Nassau County, and at the  
7 other levels of government. Also in the  
8 private sector that are keeping our society  
9 afloat. From utilities, the food service  
10 workers, especially for our government  
11 workers, who are providing the services that  
12 people need in this time of crisis.

13 Why are we here with this pandemic  
14 going on?

15 Basically, as the people I have  
16 just mentioned, we are doing our jobs.  
17 Governor Cuomo made a point of this last week  
18 when speaking at the legislature. Our job is  
19 a crucial job, especially in an emergency, is  
20 that your elected officials meet and do the  
21 business of government to keep our government  
22 running, to make sure that those emergency  
23 items get passed, that the administration gets  
24 the support that it needs.

25 To amplify why we are here at this

1 Full - 3-23-20

2 point, over the last few days the  
3 administration has come to us with a number of  
4 emergencies. It is important that for the  
5 continuity of government that we continue to  
6 meet on a regular basis. It's important that  
7 we be there for those emergencies again to  
8 keep government services running not only just  
9 during the crisis but when we come out on the  
10 other side of this that things be as  
11 normalized as possible.

12 The CDC issued guidelines  
13 indicating that for the next eight weeks there  
14 will be no gathering of more than be 50  
15 people. Or their should be no gatherings of  
16 more than 50 people. So we will continue to  
17 meet on a regular basis to do the business of  
18 the county but we will continue to do so using  
19 all the mechanisms that we can through  
20 electronic participation, limiting the  
21 involvement of the public in this chamber et  
22 cetera.

23 We have taken a number of  
24 precautions today. There are several  
25 legislators who are participating remotely.

1 Full - 3-23-20

2 We have spaced ourselves out as much as  
3 possible. This chamber has been cleaned and  
4 recleaned and cleaned as early as this morning  
5 to make sure that it is as safe as possible.  
6 Each of us had our temperature taken as we  
7 walked into the chambers. And again, we have  
8 limited the number of staff who are here and  
9 the number of members of the administration.

10 The public, unfortunately, is not  
11 joining us for the first time in the history  
12 of this legislature. At least present.  
13 Public can and hopefully are watching via our  
14 streaming. We have developed a mechanism for  
15 the public to participate in terms of comments  
16 by submitting emails to the legislature.  
17 We've received a number of them and they will  
18 be read in just a few moments.

19 Before I proceed does anyone want  
20 to add anything?

21 We do have public comment. Two or  
22 three of the slips relate to an item which we  
23 are going to hold until later but there are  
24 one or two that may be of a more generic  
25 nature. So do we have someone that can read

1 Full - 3-23-20

2 those two emails? There's one by the ACLU and  
3 one by Mr. Margolis. He submitted two. One  
4 relates directly to the phase-in legislation  
5 which we will consider. We will hear that  
6 later. But he also considered one as to  
7 procedure. We have Chris Boyle will read  
8 them.

9 MR. BOYLE: Chris Boyle with the  
10 Majority. This comment was submitted on March  
11 23rd from the Nassau County New York Civil  
12 Liberties Union.

13 To the Nassau County Legislature; I  
14 am submitting these comments to the  
15 legislature to be entered into the record for  
16 the legislative session taking place on March  
17 23, 2020.

18 As the director of the Nassau  
19 County New York Civil Liberties Union and a  
20 member of the Nassau County Jail Advocates I  
21 was hoping to write generally about the issues  
22 and needs of the Nassau County Correctional  
23 Facility and establish a working relationship  
24 with the new sheriff. Under the  
25 circumstances, these comments will also

1 Full - 3-23-20

2 include the topic of COVID-19 and the lives at  
3 risk currently inside the jail.

4 As advocates for incarcerated  
5 people, we were encouraged to see some  
6 positive media exposure when Mr. Dzurenda  
7 indicates that he is open to working with the  
8 advocacy community. We look forward to  
9 reaching out to arrange introductory  
10 meetings.

11 Under the immediate situation, we  
12 encourage Sheriff Dzurenda to make a public  
13 statement as quickly as possible outlining a  
14 plan for keeping people safe and lowering  
15 anxiety inside the facility. As is clear, the  
16 level of anxiety for incarcerated people,  
17 their families and of course correction  
18 officers is known to be very high and  
19 information, expertise, solid policy and  
20 comprehensive planning will help to alleviate  
21 that anxiety. It is vital that the sheriff  
22 and the county leaders, including the Public  
23 Safety Committee of the legislature, show  
24 leadership and provide public information as  
25 quickly as possible.

1 Full - 3-23-20

2 The Nassau County Jail Advocates  
3 and New York Civil Liberties Union are  
4 concerned for all people at the facility and  
5 particularly those most vulnerable, including  
6 people over 50, women who are pregnant, people  
7 with substance abuse issues and mental health  
8 issues.

9 We would like to recommend that in  
10 addition to creating a plan to reduce the  
11 population inside the jail by considering  
12 release of vulnerable people to their  
13 families, the availability of mental health  
14 support be accelerated, access to testing be  
15 prioritized to the extent possible, phone  
16 calls, stamps and writing materials be made  
17 accessible at no cost and video visits be  
18 offered. We hope that the temperature checks  
19 are being conducted on a regular basis and  
20 information and education on the disease is  
21 being made available to incarcerated people.

22 We would also request that careful  
23 recordkeeping be put in place to be able to  
24 report out to the public exactly how many  
25 people are being separated or isolated and for

1 Full - 3-23-20

2 how long, how many people have been exposed,  
3 what are the hygiene and sanitation protocols  
4 for the facility and what is the time lapse  
5 between a request for a medical visit and the  
6 actual visit.

7 We would also request that  
8 communication with families be attended to as  
9 anxiety is very high amongst families and  
10 there doing time on the outside.

11 We hope that the sheriff brings new  
12 reform lens to his work at the Nassau County  
13 Jail as we have heard he brought to the Nevada  
14 prison system. We'd like to call the  
15 following issues to his attention.

16 There is an ongoing problem at the  
17 jail concerning the grievance process.  
18 Currently advocates receive many reports of  
19 incarcerated people being threatened if they  
20 put in a grievance or ask for a grievance  
21 form.

22 Incarcerated people have to ask for  
23 a grievance form from COs which creates a very  
24 obvious power dynamic.

25 One option for grievances, which is



1 Full - 3-23-20

2 the first option available, is conducted  
3 internally entirely by correction staff. This  
4 is an obvious conflict of interest.

5 There is no centralized location to  
6 determine the extent, number or categories of  
7 grievances. Incarcerated people have an  
8 option to snail mail grievances to the  
9 oversight board known as the Board of  
10 Visitors. They can send a grievance to the  
11 SCOC only after the internal process -- which  
12 is already problematic -- has been exhausted.  
13 They can call the district attorney's  
14 anti-corruption hotline, which relies on legal  
15 thresholds. They can call advocates. Many of  
16 them exhaust all these options and there is no  
17 mechanism to determine and compile data and  
18 outcomes.

19 There is no appropriate protocol or  
20 policy regarding the housing of transgender  
21 individuals. When asked, the prior sheriff  
22 stated that the policy is based on anatomy.  
23 That is not an appropriate policy.

24 There is no public reporting on the  
25 number of people requiring substance abuse

1 Full - 3-23-20

2 treatment or medication or medication and  
3 treatment for mental illness.

4 There's no routine training of COs  
5 concerning de-escalation or training on the  
6 special needs of people with mental illness.

7 There is no public reporting on the  
8 number of people kept in keep-lock or the  
9 number of hours on average they are kept in  
10 keep-lock.

11 There are virtually no reentry  
12 programs with the requisite preplanning to  
13 provide an opportunity for success when people  
14 leave the jail.

15 People are being interviewed by ICE  
16 agents with no information about their rights  
17 to refuse. Language access information is not  
18 available.

19 Families who visit are often  
20 standing in line outdoors in weather and  
21 visiting hours are shutdown one and a half  
22 hours prior to the times posted.

23 Access to law libraries are limited  
24 depending on space-sharing arrangements with  
25 the few programs that exist inside the jail.

1 Full - 3-23-20

2 Materials in the law libraries are inadequate.

3 These are only some of the issues  
4 that have been identified by Nassau County  
5 Jail Advocates. We would like to emphasize  
6 that these items outlined as no public  
7 reporting also means that the public and  
8 advocates assume there is no recordkeeping.  
9 The data points listed above, as well as  
10 others, should be required by the Public  
11 Safety Committee of the legislature and  
12 reported on publicly.

13 Since the 1990s Nassau County Jail  
14 has been subjected to oversight by the  
15 Department of Justice and the New York State  
16 Attorney General's Office. It has been the  
17 site of over 13 deaths between 2011 and 2017.  
18 The oversight board has very little authority  
19 and the culture inside the jail is known to be  
20 abusive.

21 The New York Civil Liberties Union  
22 has been involved with trying to clean up the  
23 jail and it's culture since that time. We  
24 have conducted interviews and have compiled  
25 reports based on those interviews and would

1 Full - 3-23-20

2 welcome the opportunity to share them with the  
3 new sheriff. We look forward to setting up  
4 meetings and we encourage immediate public  
5 comments outlining a comprehensive plan during  
6 this scary time. Leadership from the top can  
7 go a long way toward mitigating anxiety and  
8 ensuring safety and prioritizing the value of  
9 the lives of those currently incarcerated  
10 during the COVID-19 crisis.

11 That's from the New York Civil  
12 Liberties Union.

13 LEGISLATOR NICOLELLO: There were  
14 two from Mr. Margolis. One had to do with  
15 procedure. It's shorter than the second one.

16 MR. BOYLE: I believe this is  
17 it. This is in regards to the legislative  
18 meeting today, March 21, 2020, from Michael  
19 Margolis, 97 Northern Parkway West, Plainview,  
20 New York 11803.

21 Dear Legislature, whatever our  
22 differences may be please stay safe during  
23 this extremely difficult time.

24 With that being said, I'm aware  
25 that the governor has issued an executive

1 Full - 3-23-20

2 order for the legislature to operate and hold  
3 a meeting without the public, which supersedes  
4 the open meeting law. It should be noted that  
5 based on the current coronavirus threat to all  
6 of us and the need for our legislature, the  
7 local government, to operate without everybody  
8 potentially becoming sick, the governor's  
9 actions make total sense.

10 However, with that stated, the  
11 governor did what he did to ensure local  
12 government could operate safely to handle  
13 emergency issues during this time. Not for  
14 the legislature to prevent and slip in a  
15 proposed local law that are not an emergency  
16 at the given time without the public being  
17 able to present and ask questions, provide  
18 rebuttal to responses, et cetera, as the  
19 majority of people in Nassau County are  
20 self-quarantined to their homes based on the  
21 state of emergency and wouldn't even think  
22 that there is a meeting occurring.

23 For example, on the agenda today  
24 proposed local law clerk item 79-20 is  
25 something that should be addressed as it

1 Full - 3-23-20

2 specifically mentions a need to extend a  
3 deadline due to the effects of the  
4 coronavirus.

5 However, proposed local law clerk  
6 item 21-20 amendment is something that should  
7 not be voted on today given the fact that this  
8 proposed local law has nothing to do with an  
9 immediate need, coronavirus, or is detrimental  
10 to the life and safety of all of Nassau  
11 County, that should trump every resident's  
12 rights.

13 Further, it should be noted that  
14 Presiding Officer Nicoletto has repeatedly  
15 stated to the public, through the media, that  
16 proposed local law item 21-20 amendment would  
17 not be voted on until June. Therefore, any  
18 vote at this time would clearly be a political  
19 move to slip in a law during a time of  
20 political game.

21 I urge you not to vote on anything  
22 today not deemed as an emergency as a result  
23 of the coronavirus as it will surely add to  
24 the legal challenge which can result in the  
25 offset of whatever action is taken and

1 Full - 3-23-20

2 additional legal expenses and issues for the  
3 entire Nassau County. Thank you.

4 LEGISLATOR NICOLELLO: Thank you  
5 Chris. There are other emails pertaining  
6 public comments which will be read at the time  
7 that the items that they relate to are  
8 called.

9 In the mean time, anyone who is  
10 watching who does want to submit a public  
11 comment can do so by sending to the following  
12 email address. M Pulitzer. M-P-U-L-I-T-Z-E-R  
13 at Nassau County NY, that's all one word,  
14 Nassau County NY dot gov. I can't guarantee  
15 that if you email us now it will be read into  
16 the record at this meeting but it will be made  
17 part of the record of today's meeting.

18 As I said, some of the legislators  
19 are participating electronically. That is  
20 permitted under the governor's order. As well  
21 as the fact that we are having this meeting  
22 without the public being present.

23 However, we also need to suspend  
24 our rules at least to the extent that it  
25 applies to participation by electronic means.

1 Full - 3-23-20

2 Notwithstanding the governor's directive, we  
3 still have to abide by our rules. I would ask  
4 for a motion to suspend the rules to allow  
5 legislators to participate electronically.

6 Deputy Presiding Officer Kopel  
7 makes that motion. Seconded by Legislator  
8 Rhoads. All in favor signify by saying aye.  
9 Those opposed? Motion passes.

10 For those who are participating  
11 electronically I guess we will handle this  
12 like a conference call. When you have  
13 something to add to the proceedings just speak  
14 up and we will make sure that you get  
15 recognized in turn.

16 We have as part of our regular  
17 calendar, aside from the hearing and the  
18 proposed local law involving the phase-in, all  
19 of the other items have passed through  
20 committees two weeks ago, were debated and  
21 discussed at that time. Public comment was  
22 available at that time on those items. But it  
23 has been agreed by the Minority and Majority  
24 that these items can be passed at this time  
25 without any further debate or discussion by



1 Full - 3-23-20

2 the legislature. So I'm going to read those  
3 items and then we're going to have a vote.

4 The vote itself will be a voice  
5 vote unless I hear any opposition from those  
6 participating remotely. Then we will go to a  
7 roll call.

8 Item 3, Ordinance 20. Item 4,  
9 Ordinance 21. Item 5, Ordinance 22. Item 6,  
10 Ordinance 23. Item 7, Ordinance 24. Item 8,  
11 Ordinance 25. Item 9, Ordinance 26. Item 10,  
12 Ordinance 27. Item 11, Ordinance 28. Item  
13 12, Ordinance 29. Item 13, Resolution 26.  
14 14, Resolution 27. 15, Resolution 28. 16,  
15 Resolution 29. 17, Resolution 30. 18,  
16 Resolution 31. 19, Resolution 32. 20,  
17 Resolution 33. 21, Resolution 34.

18 Motion on all those items?  
19 Legislator Schaefer moves that. Legislator  
20 Drucker seconds the consent items. Any debate  
21 or discussion? Hearing none, all in favor  
22 signify by saying aye. Those opposed? Those  
23 items pass unanimously.

24 Now we are going to go to the  
25 emergency items that have been submitted for

1 Full - 3-23-20

2 this legislative meeting. I'm going to  
3 read -- there's consent on most of these  
4 emergency items, so I'm going to read the ones  
5 that there's consent on and we will have a  
6 vote on those and then read the ones without a  
7 consent second.

8 78 of 2020 is a resolution to  
9 authorize the transfer of appropriations  
10 heretofore made within the budget for the year  
11 2020.

12 79, a local law to amend the Nassau  
13 County Administrative Code to extend the  
14 deadline to file an application for the  
15 correction of an assessment for the tentative  
16 assessment roll filed on January 2, 2020.

17 80, a resolution requesting the  
18 legislature of the state of New York to enact  
19 and the governor to approve and act to amend  
20 the retirement and social security law in  
21 relation to the retirement of members who  
22 serve as police medics, police medic  
23 supervisors and members who perform police  
24 medic related services in the County of Nassau  
25 Police Department.

1 Full - 3-23-20

2 82, a resolution requesting the  
3 legislature of the state of New York to enact  
4 and the governor to approve and act to amend  
5 the retirement and social security law in  
6 relation to establishing a death benefit for  
7 deputy sheriffs employed by Nassau County.

8 83, a resolution requesting the  
9 legislature of the state of the New York to  
10 enact and the governor to approve and act to  
11 amend the retirement and social security law  
12 in relation to providing accidental disability  
13 retirement for deputy sheriffs in Nassau  
14 County.

15 85, a resolution to authorize the  
16 Nassau County Office of Emergency Management  
17 to accept any assistance, including but not  
18 limited to gifts or grants of real or personal  
19 property, but not including money, from any  
20 public or private source for the purpose of  
21 responding to and recovering from the novel  
22 coronavirus, COVID-19 disaster emergency.

23 A-14 of 2020, a resolution  
24 ratifying the commissioner of shared services  
25 award and execution of a purchase order

1 Full - 3-23-20

2 between the county acting on behalf of the  
3 Department of Public Works and Winter Brothers  
4 Hauling of Long Island.

5 I need a motion to establish an  
6 emergency. Moved by Legislator Rhoads.  
7 Seconded by Legislator Mule. Any debate or  
8 discussion on establishing the emergencies for  
9 these items? Hearing none, all in favor of  
10 these items signify by saying aye. Correct  
11 there is no negative votes on those? They all  
12 pass by all 19 members of the legislature.

13 What I'm going to do is before we  
14 go to considering those items, just calling  
15 the emergency on the other two that will not  
16 receive unanimous consent.

17 84 is a resolution requesting the  
18 legislature of the state of New York to enact  
19 and the governor to approve and act to amend  
20 Chapter 269 of the laws of 1979 relating to  
21 authorizing the county of Nassau to lease  
22 certain lands acquired pursuant to the  
23 provisions of Article 15 of the Parks and  
24 Recreation Law in relation to extending such  
25 authorization to lease or permit such

1 Full - 3-23-20

2 premises.

3 81 of 2020 is a resolution  
4 authorizing the county executive to execute a  
5 grant agreement between the county acting on  
6 behalf of the Department of Parks and the  
7 Museums at Mitchel doing business at the  
8 Cradle of Aviation.

9 That's 84 and 81 of 2020.

10 Moved by Legislator Ford. Seconded  
11 by Legislator Gaylor. 84 relates to Silver  
12 Beach. 81 relates to the museum at the Cradle  
13 of Aviation.

14 We have a motion on an emergency.  
15 All in favor signify by saying aye. Those  
16 opposed? We are going to do a roll call to  
17 establish the votes on these obviously because  
18 I can't see and can't determine who is  
19 actually voting no on these. To streamline  
20 things, all members of the Minority have voted  
21 no for these emergencies. All members of the  
22 majority have voted yes. So the vote is 11 to  
23 8. We need 13 votes. So those emergencies  
24 fail.

25 So now we go to the items on the

1                   Full - 3-23-20  
2    emergency calendar where we did establish  
3    emergencies. With the consent of the Minority  
4    I'm not going to reread these items. I'm  
5    simply going to call the item numbers. Clerk  
6    item 78, 79, 80, 82, 83, 85 and A-14. Moved  
7    by Legislator Ferretti. Seconded by  
8    Legislator Lafazan. These items are before  
9    us.

10                   Several of the items relate to home  
11   rule messages. We have two specifically with  
12   respect to the New York Nassau County Deputy  
13   Sheriffs. One of which relates to a  
14   deficiency in retirement death benefits  
15   according to the deputy sheriffs. Another  
16   relates to accidental disability retirement  
17   benefits afforded to deputy sheriffs. These  
18   are home rule messages that require  
19   legislation by the state to be signed by the  
20   governor of the state of New York.

21                   There is another home rule message  
22   relating to the police medics relating to a  
23   change in the nomenclature, the way they are  
24   referred to, so that the law is consistent and  
25   there's no issue when these police medics have

1 Full - 3-23-20

2 to deal with the various administrations of  
3 the state of New York.

4 Let's see. There is a budget  
5 transfer that we approved last week. We are  
6 simply ratifying for emergency services.

7 There is an emergency to allow the  
8 county to accept a gift or gifts of personal  
9 property under the circumstances. This  
10 relates to when individuals want to give gifts  
11 of supplies, masks, gowns, and that type of  
12 thing to the county in this emergency  
13 situation.

14 And lastly, there was an emergency  
15 having to do with the hauling of trash or  
16 debris from county facilities. Again, that's  
17 goes to an emergency situation.

18 Included within this group is an  
19 extension of the grievance deadline from April  
20 2nd to April 30th. This will give people  
21 additional time to file their challenges to  
22 their assessment. As we've said before, our  
23 residents are suffering through an incredible  
24 crisis situation. Some of our residents have  
25 been diagnosed with coronavirus. Some have

1 Full - 3-23-20

2 been hospitalized. Others are quarantining at  
3 home. Families affected. Others have  
4 potentially been exposed and are  
5 self-isolating. Our health care workers are  
6 going through an incredible stressful time  
7 with incredible courage. Same with our first  
8 responders. And the general population is  
9 going through incredible anxiety about their  
10 health, their future of their jobs, the stock  
11 market, et cetera.

12 So as with other levels of  
13 government, it's important to give people  
14 additional time to do things to protect their  
15 rights. Most importantly, the federal  
16 government has extended the time to file your  
17 income taxes from April 15th to June 15th.  
18 July 15th. So this is not the first time  
19 we've sought to extend the assessment  
20 challenge deadline. Last year we did it after  
21 the assessment roll out. We did it after  
22 Sandy. It is the right thing to do.

23 We have residents again who are  
24 troubled and are not concentrating whether to  
25 file a challenge to their assessment. We have



1 Full - 3-23-20

2 residents who use firms every year. Those  
3 firms are closed because they are not  
4 essential services. So those residents,  
5 because of that, could lose the opportunity to  
6 challenge their assessment. That's the basis  
7 for it.

8 Does anyone want to weigh in on any  
9 of these emergencies? Katy Horst from the  
10 administration wanted to say a few words.

11 MS. HORST: I just want to say  
12 this morning the county executive asked ARC to  
13 extend the deadline to April 30th as well.

14 LEGISLATOR NICOLELLO: All  
15 right. It's the right thing to do. It will  
16 give people until April 30th to file their  
17 assessment challenge either remotely, and I  
18 certainly encourage them to do it remotely  
19 because the hours with respect to when it's  
20 being accepted in person can change. Those  
21 who need assistance to file it remotely they  
22 can call our offices. We can try to do  
23 everything that we can if they're not familiar  
24 with the technology to try to make sure that  
25 their rights are protected.

1 Full - 3-23-20

2 Legislator DeRiggi-Whitton.

3 LEGISLATOR DERIGGI-WHITTON: I

4 also want to mention as of this morning's  
5 press conference the particulars involving the  
6 drop off of emergency supplies are going to be  
7 worked out. I'm sure once the county  
8 executive has a list or there's some protocol  
9 it will be distributed to all of the  
10 legislators. As I really think this is one  
11 way we can help each other during this time as  
12 long as we respect the social distancing. And  
13 if everyone takes a look and sees what they  
14 have. If they have extra of this or other  
15 things it's a good time to try to help our  
16 neighbors as well.

17 LEGISLATOR NICOLELLO: We  
18 certainly echo that. Any other debate or  
19 discussion? Comments from anyone who is  
20 remote? All right. Hearing none, all in  
21 favor of these items signify by saying aye.  
22 Those opposed? They carry unanimously.

23 We have taken care of the  
24 emergencies. We have passed the consent  
25 items. The only item that's left to go is the

1 Full - 3-23-20

2 hearing and vote on the proposed local law  
3 with respect to the phase-in. So I'm going to  
4 call the hearing at this time.

5 It's item one, a hearing on a  
6 proposed local law to amend Title A of Chapter  
7 6 of the Nassau County Administrative Code in  
8 relation to New York State Real Property Tax  
9 Law Section 485.

10 Moved by Legislator Ferretti.  
11 Seconded by Legislator Kopel. So the hearing  
12 is now open. We need a vote to open the  
13 hearing. All in favor of opening the hearing  
14 signify by saying aye? The hearing is now  
15 open.

16 What I think we will do is perhaps  
17 have the public comment read and then we can  
18 go the legislative comments and/or questions.

19 MR. BOYLE: Chris Boyle with the  
20 Majority again. These are comments submitted  
21 to the clerk for the record of this public  
22 hearing. This is from Rex Margolis, 97  
23 Northern Parkway West, Plainview, New York  
24 11803.

25 Argument for public comment on

1                   Full - 3-23-20  
2   proposed local law clerk item 21-20  
3   amendment.

4                   Dear Legislature, my name is Rex  
5   Margolis. I am eight years old. For the  
6   first five years of my life I lived at 16  
7   Peter Lane in Plainview. For the last three  
8   years I lived at 97 Northern Parkway in West  
9   Plainview. I'm a second grade student at  
10   Stratford Elementary School. I love my  
11   friends and my home. While this message is  
12   for the legislature, I am going to speak to my  
13   own legislator, Drucker.

14                  Mr. Drucker, I know who you are and  
15   I have been around you several times. I know  
16   the pain and stress you have caused my family  
17   over the last year and a half. Additionally,  
18   all of my friends are aware of what you have  
19   done to my family and that we might be forced  
20   to leave our home. How could you allow this  
21   to happen? Do you not have a heart? What  
22   steps have you taken over the last year and a  
23   half to help us?

24                  Although I am only eight years old,  
25   I know the difference between right and

1 Full - 3-23-20

2 wrong. I watch my parents leave early in the  
3 morning and sometimes return home even after I  
4 am already in bed for the night to be able to  
5 provide for my brother and I.

6 Additionally, I have learned about  
7 teamwork through sports and education. Even  
8 if I was the best player in my soccer league  
9 it doesn't mean my team would win as there is  
10 to I in team. No person on a team is truly  
11 better than the other as the team wins and  
12 loses together. I even now know what taxes  
13 are and what it means if you don't pay them.

14 I have seen you at the JCC and at  
15 my school reading books to children. If you  
16 think that is going to make up for hurting my  
17 family and my friend's family or any family it  
18 is not. I know my father has done everything  
19 to make you aware of the problem so many will  
20 face with the taxes, yet you have done nothing  
21 to fix it. Stop saying you're here to help if  
22 you don't help. Our community choose you to  
23 lead the team but you are not leading because  
24 too many players are being left out.

25 Every second grader knows one plus

1 Full - 3-23-20

2 one equals two. How is it that you can't do  
3 simple math? If you are able to vote that a  
4 family has to pay more than their fair share  
5 out of necessity, which you so claim, then you  
6 must understand that even a second grader  
7 knows that your vote promotes stealing. When  
8 my family runs out of money because we can no  
9 longer afford to pay our neighbor's share of  
10 the taxes, does that mean I can just go into  
11 the Shoprite and start eating food? Can I  
12 walk into Harmons and walk out with my  
13 vitamins without paying? Aren't these  
14 necessities? Would you vote to when people  
15 run out of money they can steal?

16 It is clear to me at eight years  
17 old that you are penalizing some families and  
18 rewarding others. My father tells me that  
19 yourself currently pay no property taxes or if  
20 anything a very small amount.

21 Further, my father tells me that  
22 you sold a property in Plainview for just  
23 short of \$900,000 that was valued on the old  
24 tax roll at or around \$300,000. And that  
25 after the reassessment the taxes on your old

1 Full - 3-23-20

2 home would be increasing \$5,000. Again, even  
3 an eight year old can realize you have taken  
4 advantage and continue to take advantage of  
5 your own people.

6 While I will not sit here and tell  
7 you I am a perfect angel and do not get in  
8 trouble, I will tell you that you my parents  
9 have taught me to try to learn from my  
10 mistakes and for the most part I do.

11 I am begging you to help my family  
12 and all the other families who will be hurt by  
13 the Taxpayer Protection Plan. Please vote no  
14 even if it is against what your political  
15 party wants. There has to be a better plan  
16 where all of the residents contribute equally  
17 to the problem we face. You could have spent  
18 the last year and a half working on this plan  
19 but you didn't because it was not what your  
20 political party wanted. I am eight years old  
21 and I don't care nor should I have to care  
22 about politics. I care that my friends and I  
23 live in our homes.

24 Please help my family and all other  
25 families that will be hurt. Isn't that what

1 Full - 3-23-20

2 you're job is?

3 That was from Rex Margolis.

4 There's another one from Michael Margolis, 97  
5 Northern Parkway West Plainview, New York  
6 11803.

7 Dear Legislature, all of you by now  
8 know who I am and the problem I and at least  
9 seven other Nassau County homeowners are faced  
10 regarding the Taxpayer Protection Plan.

11 For a year and a half I have  
12 advised you of the major problem with the  
13 Taxpayer Protection Plan and how at least  
14 7,000 newly constructed homes end up  
15 subsidizing Laura Curran's plan to fix the tax  
16 freeze left by the Mangano administration.

17 Unfortunately, for a year and a  
18 half I have watched you grill the assessor on  
19 stupidity, basically where the new market  
20 values on homes were coming from, even though  
21 every resident could challenge that number  
22 through the grievance process. Instead of  
23 wasting crucial time on something that meant  
24 nothing, you should have been focusing on the  
25 issue of the proposed Taxpayer Protection



1 Full - 3-23-20

2 Plan's fairness and implementation to all  
3 homeowners. Instead, you chose to not to deal  
4 with Laura Curran's proposed Taxpayer  
5 Protection Plan and the problem you caused to  
6 the 7,000 homes with new construction in  
7 Nassau County. You ignored my pleas and the  
8 pleas of many other homeowners because we are  
9 only 7,000 homeowners and not the majority.

10 However, if you actually got the  
11 real numbers like you said were waiting on,  
12 then you would realize that these 7,000 homes  
13 are paying for the majority of the Taxpayer  
14 Protection Plan. Or as I call it the taxpayer  
15 theft plan.

16 Presiding Officer Nicoletto, you  
17 were recently quoted in Newsday as saying that  
18 you are now changing the name from the  
19 Taxpayer Protection Plan to the Reassessment  
20 Phase-In Act of 2020 because you said it  
21 wasn't fair to call it a taxpayer protection  
22 plan when so many taxpayers would be hurt by  
23 the plan.

24 You also stated that you intended  
25 to vote for the plan and had enough votes for

1 Full - 3-23-20

2 it to pass. I thought I was dreaming when I  
3 read your quote. After 18 months you think  
4 changing the name makes it okay? You can put  
5 a piece of feces in a box and stamp air  
6 fresher on it, that doesn't mean when you open  
7 the box it isn't going to smell like you know  
8 what. Simply changing the name is not  
9 protecting homeowners of Nassau County being  
10 hurt.

11 How can you vote for something that  
12 will hurt anybody in Nassau County? This is  
13 not a decision to go to war. You took an oath  
14 to protect everybody. If you vote yes to  
15 this, then when you run for reelection the  
16 next time tell the truth. Make sure your  
17 slogan reads Nicolello, I vote to hurt you.

18 Moving on, it makes me wonder if  
19 any of you have even read this local law and  
20 thought about the consequences. Do you  
21 realize the language reads exemption? Usually  
22 exemption means you don't have to pay. But in  
23 this case it could mean you have to pay a lot  
24 more than what you are supposed to. Why  
25 wasn't that language changed to make it clear

1 Full - 3-23-20

2 to the public? Do you care that it uses a  
3 tentative assessment roll as part of the key  
4 calculation, meaning that every homeowner was  
5 denied due process of law to challenge that  
6 number?

7 Do you realize there is no  
8 requirement in this local law that you even be  
9 a resident of the county or even the state?  
10 That the property is not rented or used for  
11 commercial purposes? That you are not  
12 delinquent on past property taxes? How can  
13 you vote that your constituents have to  
14 subsidize residents of other states? Or  
15 people using their properties for economic  
16 gains instead of residential purposes?

17 By voting yes to this Taxpayer  
18 Protection Plan all you are doing is telling  
19 people not to move to new construction in  
20 Nassau County or not to improve their existing  
21 homes. The message you send is, welcome to  
22 Nassau County or thank you for improving your  
23 home. Now you have to pay 70 to 90 percent  
24 more of your fair share of taxes. But don't  
25 worry, that will decrease over the next five

1 Full - 3-23-20

2 years. By the way, even if we charge you the  
3 fair rate of property taxes, we still have  
4 some of the highest property tax rates in the  
5 county. And as you know, you can't even write  
6 off more than \$10,000 on your taxes. So.

7 Basically Nassau County is not a  
8 place to move unless you make over a million  
9 dollars a year. And if you did then why would  
10 you move here?

11 You all chose not to put political  
12 party aside and come up with a solution that  
13 would work equally for all property owners of  
14 Nassau County. From day one I have been told  
15 that the reason for the phase-in is because  
16 the homeowners going up to their fair share  
17 will be forced to sell their homes if the fair  
18 share is implemented all at once. To this  
19 date, not one economist or any proven data or  
20 study has been provided to show as much. Why  
21 haven't these types of studies been done by  
22 the county?

23 Which brings me to Legislator  
24 Abrahams. Legislator Abrahams has been a very  
25 strong proponent of Laura Curran's Taxpayer

1 Full - 3-23-20

2 Protection Plan demanding that the Republicans  
3 vote for it. I have heard Legislator Abrahams  
4 say, and it is no secret, that his district is  
5 home to some of the least affluent homeowners  
6 in Nassau County. These are the residents  
7 that didn't know how to file a tax grievance,  
8 didn't think they could afford an attorney to  
9 file a tax grievance or just trusted the  
10 system and as such is the district with the  
11 highest percentage who will see their property  
12 tax values decrease because of the  
13 reassessment.

14 Yet knowing that these residents  
15 are less affluent and are paying more than  
16 they are supposed to be paying, Legislator  
17 Abrahams believes that this is a good plan.  
18 Continue to overcharge the poorest people.

19 Legislator Abrahams, you didn't  
20 even ask one question to Assessor Moog to try  
21 to protect your overpaying constituents at the  
22 meeting on the update of the reassessment  
23 several weeks ago. Don't you all have to ask  
24 why? Clearly this is not about the people.  
25 It is about politics. It is about making sure

1 Full - 3-23-20

2 Laura Curran gets another four more years. We  
3 all know that the only reason the Republicans  
4 have all of a sudden come around on this is  
5 because Laura Curran spent \$100,000 of  
6 taxpayer money to send out political mailings  
7 demanding the Republicans vote for this plan.  
8 The mailings even gave the number to directly  
9 call Presiding Officer Nicoletto's office.  
10 This was a clear political mailing paid for by  
11 the taxpayers that boxed in the Republicans.

12 Again, most of you up here are  
13 attorneys or maybe all of you. Did any of you  
14 report County Executive Curran to the district  
15 attorney for spending \$100,000 in taxpayer  
16 money on clear political mailings? Who  
17 exactly are all representing? How can you  
18 allow the county executive to use taxpayers'  
19 money for the county executive's own political  
20 gain?

21 Now here we are today in the middle  
22 of a war known as the coronavirus. Even  
23 assuming that we had the data to support the  
24 Taxpayer Protection Plan being implemented,  
25 that data would be garbage today. The world,

1 Full - 3-23-20

2 which includes Nassau County, has been turned  
3 upside down in the last two weeks. My job has  
4 seized and my occupation has shut down for at  
5 least 90 days. Probably more. Unlike all of  
6 you, a lot of us will not see any income for  
7 months through no fault of our own. Any  
8 savings we had for our children's college, for  
9 a rainy day was most likely in the stock  
10 market, which has been decimated. The  
11 majority of your constituents are middle  
12 class, so the federal government will do  
13 nothing for us. They do not take into account  
14 that a family making \$200,000 in Nassau County  
15 is not the same as a family in Idaho making  
16 \$200,000.

17 In a time of crisis you have all  
18 been on social media saying we need to work  
19 together as a community and practice social  
20 distancing. Although you are ready to vote to  
21 hurt 7,000 families because the 19 of you, who  
22 are all very intelligent people, couldn't come  
23 up with a solution to the problem over the  
24 last 18 months. What if the 7,000 families  
25 you are prepared to hurt ignored the messages

1 Full - 3-23-20

2 of our government and just walked around  
3 spreading coronavirus. It would be a major  
4 problem and all of a sudden you would remember  
5 we exist also.

6 Supposedly you all took this job to  
7 help to create fairness, to keep communities  
8 working together. Not to vote for a plan that  
9 the presiding officer openly admits will hurt  
10 families of the community.

11 I am prepared to sit down with all  
12 of you and create a constitutional plan to  
13 protect all homeowners --

14 LEGISLATOR KOPEL: Chris, I think  
15 your time is up.

16 LEGISLATOR NICOLELLO: I think  
17 you have gone well beyond the five minutes.  
18 Three minutes actually.

19 MR. BOYLE: That's all I have.

20 LEGISLATOR NICOLELLO: I think  
21 there is one from Mr. Orosz. That is a much  
22 shorter statement.

23 MR. BOYLE: This is from Bob  
24 Orosz, resident of Garden City, former member  
25 of the Residential Assessment Reform Team.



1 Full - 3-23-20

2 To Michael C. Pulitzer, clerk of  
3 the legislature. My question is for the  
4 county legislature on how the county is going  
5 to address the potential problems to the base  
6 portions of the four classes of properties  
7 that determine tax rates for each district  
8 during these troubling times? Residential  
9 property taxes are based solely on adjusted  
10 assessed values while commercial properties  
11 also include potential income generated from  
12 those properties. Now, if these commercial  
13 properties lose their income and sales tax  
14 decline, then where will the revenues come  
15 from to pay for county services?

16 History has taught us that when  
17 commercial properties receive reductions that  
18 these reductions are usually passed on as  
19 increases to the residential property owners'  
20 tax bills. Has this possible scenario been  
21 contemplated by anyone in this administration  
22 before the legislature votes on sweeping  
23 changes to the tax assessment process? The  
24 outcome could be devastating to property  
25 owners. Especially the elderly and those

1                   Full - 3-23-20  
2   living on fixed incomes while negatively  
3   affecting the residential housing market. How  
4   can homeowners be protected from these  
5   sweeping changes?

6                   Again, Bob Orosz, Garden City,  
7   former member of the Residential Assessment  
8   Reform Team.

9                   LEGISLATOR NICOLELLO:     Is  
10   Mr. Moog and/or his counsel available at the  
11   moment? I thought they were going to be on  
12   the call. Did you want to respond to that at  
13   all? Mr. Miles I see you.

14                  MR. MILES:     I will answer  
15   briefly. Section 1803 of the Real Property  
16   Tax Law limits increases in the adjusted base  
17   proportion. So, if this were to occur wherein  
18   the commercial values decrease extensively the  
19   increase to other classes will be limited by  
20   one percent for the adjusted base proportions.

21                  LEGISLATOR NICOLELLO:     So it  
22   sounds like there's a circuit breaker of some  
23   kind to lessen the impacts to other classes  
24   when one class drops precipitously?

25                  MR. MILES:     Correct.

1 Full - 3-23-20

2 LEGISLATOR NICOLELLO: Thank you  
3 very much. Legislator Ford.

4 LEGISLATOR FORD: So Mr. Miles,  
5 as a result of this coronavirus, if we see a  
6 number of small businesses go under and not  
7 reopen the taxes that would have to be made up  
8 by the commercial property taxes will have to  
9 be absorbed by the other businesses?

10 MR. MILES: Right now we're  
11 working with the '22-'23 assessment roll based  
12 on Glen's loss of the tax status date for  
13 '22-'23 is this January. Right now the  
14 assessments for '20-'21 are stable and cannot  
15 be adjusted by the Department of Assessment  
16 legally.

17 In terms of what would happen  
18 regarding decreases in commercial value that  
19 would be reflected in the '22-'23. I know  
20 that David and the evaluation team is  
21 monitoring the situation and we are waiting  
22 for the values to come in over the next few  
23 months. If there is a decrease -- I'm  
24 assuming -- if there is a recession there will  
25 be an adjustment made on the '22-'23 because

1 Full - 3-23-20

2 it's not final yet. We will take that into  
3 consideration. It would probably affect both  
4 commercial and residential properties.

5 LEGISLATOR FORD: So that then in  
6 future years you then may change the base  
7 proportion so that maybe in the '22-'23 years  
8 that the residents may end up.

9 MR. MILES: Yes. We have to by  
10 law.

11 LEGISLATOR FORD: But what  
12 happens if we enter into a recession? I mean  
13 it. Like for '21 we're going to be collecting  
14 taxes in either October or April of next year,  
15 correct? School taxes or whatever. County  
16 taxes. And business just don't come back. So  
17 they're not paying anything. There's like  
18 nothing. Where does that money get made up  
19 from?

20 MR. MILES: You're talking about  
21 the '20-'21 and the '21-'22 roll?

22 LEGISLATOR FORD: Correct.

23 MR. MILES: Yeah. Because of the  
24 legal restrictions the Department of  
25 Assessment is not able to change the values

1 Full - 3-23-20

2 because the tax status date was January 2,  
3 2019. I'm sorry 2018. No, I was right,  
4 2019. I apologize. So many different rolls.  
5 But that would require state legislation. We  
6 know in the past that the state has come up  
7 with legislation to help in times of need and  
8 emergency like the Sandy Emergency Bill which  
9 is part of Section 1803 of the law. So I  
10 would make an assumption that if there is a  
11 recession that the state would try to help and  
12 they would probably put something under  
13 Section 1803.

14 LEGISLATOR FORD: So are you  
15 actually looking at that to have a plan in  
16 place so that we can actually try to get that  
17 relief from New York State as we did with  
18 Sandy?

19 MR. MILES: We have to review  
20 those options. This has kind of come up  
21 pretty quickly. We were hoping I guess a few  
22 weeks ago I would like to assume that we are  
23 all hoping that we can limit the spread and  
24 exposure and after a few weeks businesses may  
25 be shut down but would start coming back. We

1 Full - 3-23-20

2 have to wait to see what the federal  
3 government is going to do in terms of sending  
4 money to local businesses and government.

5 MR. MOOG: A lot of what's going  
6 on with the valuation will depend on the  
7 federal bailout plan. If tenants are made  
8 whole on the loans that are being proposed and  
9 those loans will be forgiven if they're paying  
10 payroll and leases, a lot of the landlords  
11 should be made whole during that period of  
12 time.

13 I know the federal reserve bank and  
14 the treasury and federal government is doing  
15 its best to try to limit the economic fallout  
16 from this. One of the options they're using  
17 is interest-free loans that can be forgiven if  
18 they are being used for payment of leases and  
19 payment of payroll. We'd have to really  
20 examine this loan bid and we have until  
21 December for the next roll. Current roll is  
22 locked in place by state law. So it also  
23 depends if the state wants to try to relieve  
24 any distress from commercial property owners  
25 during this period of time.

1 Full - 3-23-20

2 LEGISLATOR FORD: Thank you  
3 Mr. Moog. I just want to go back when you  
4 said the so loans that you're talking about  
5 the federal government is considering so that  
6 it would be interest free and possibly  
7 forgiven. That is not through the small  
8 business association? Is that through another  
9 agency?

10 MR. MOOG: The bailout package is  
11 called phase one, phase two, phase three being  
12 debated right now in the Senate and in the  
13 House. One of the parts, I don't know if it's  
14 phase one or phase two of the bailout, is to  
15 try to extend loans. Give low interest or  
16 free loans to businesses, and if they use part  
17 of that loan to pay for their lease or pay for  
18 payroll those parts of the loans will be  
19 forgiven. In a sense, be able to keep  
20 businesses in place, keep landlords whole and  
21 keep the workforce paying while this  
22 coronavirus quarantine is going about.

23 Then hopefully once a vaccine or  
24 some remedy comes about for the coronavirus  
25 and things come back to normal, businesses can

1 Full - 3-23-20

2 start quickly rather than businesses going out  
3 of business because they can't pay leases and  
4 landlord go bankrupt because there's no  
5 tenants.

6 So this is all being debated right  
7 now and we are trying to see what the package  
8 will be from Washington. Very hopeful, I'm  
9 hopeful and hopeful that both the Republicans  
10 and Democrats can work out their differences  
11 and get that type of package to small  
12 businesses and to people simply furloughed or  
13 laid off because of the coronavirus. It's  
14 very important economically to have people  
15 feel secure financially so that when this  
16 terrible virus is eradicated or cured we can  
17 start resuming going back to normalcy and get  
18 back up. That's one of the goals they're  
19 doing. I've read a lot of line and I have  
20 seen a lot of statements made by the federal  
21 reserve bank that that's what they really  
22 desire to do.

23 MR. MILES: Presiding Officer  
24 Nicoletto, I forgot to announce ourselves on  
25 the record. Robert Miles, deputy assessor.



1 Full - 3-23-20

2 Dave, I think you should announce yourself.

3 MR. MOOG: David Moog, county  
4 assessor.

5 LEGISLATOR FORD: Thank you very  
6 much for your response. I agree with you. I  
7 hope that we do get this so that our small  
8 businesses will get the relief they need.

9 MR. MOOG: Thank you. We all  
10 hope for the best on that.

11 LEGISLATOR NICOLELLO: Thank you  
12 very much for responding to the public  
13 comment. I think we will have debate,  
14 discussion now during the hearing and after  
15 that's done we will go back to the vote.

16 The question came up why we would  
17 consider a phase-in now. Mr. Moog was with us  
18 on I think March 3rd or March 4th to testify  
19 that it needed to be done as early as  
20 possible. In March in fact. That the time  
21 needed the staff to make the calculations  
22 using an antiquated system, that the time for  
23 communication with receiver of taxes in other  
24 municipalities, that the time was needed to  
25 incorporate existing exemptions Mr. Moog made

1 Full - 3-23-20

2 the case at the time that you really couldn't  
3 wait until later in the year to pass this  
4 phase-in. And his testimony actually was  
5 before governments started to be reduced to  
6 essential staff. We know that for example the  
7 Assessment Department will be operating at 25  
8 percent staff for the time being. It may  
9 eventually move up when the rest of our  
10 society starts to move up to greater  
11 staffing. The case has certainly been made  
12 that this is something that cannot wait.

13 As I said, the CDC is recommending  
14 that there be no gathering over 50 people for  
15 at least eight weeks. This is the situation  
16 that we have and based on those facts I  
17 believe it's incumbent upon us to act on this  
18 today. Otherwise to delay further would  
19 effectively kill it in my opinion.

20 I'm just going to make a statement  
21 and we will open this up for questions.

22 We all who were out amongst the  
23 public last year and this year to discuss  
24 this, to host town halls, know that the  
25 reassessment was flawed. That there are

1 Full - 3-23-20

2 errors and problems that continue to this day  
3 and that are compounded I believe by the use  
4 of trending for the current year as opposed to  
5 modeling. These errors and problems are  
6 cemented in.

7 I also believe that the phase-in  
8 has flaws. We have spent months looking for  
9 solutions, looking for assistance from our  
10 state government with respect to those people  
11 who are decreasing. With respect to the new  
12 construction. But we are left with what the  
13 state passed in terms of the phase-in last  
14 year. We cannot adjust it.

15 Again, we have supported a bill  
16 submitted by Assemblyman Ra. We have  
17 advocated, we have urged the state to change  
18 this to recognize the realities of those who  
19 are decreasing as well as the new  
20 construction. But they have not. So we are  
21 left with this.

22 Quite simply, as this reassessment  
23 goes into effect and people will be paying  
24 taxes on it beginning in October, there are  
25 tens of thousands who would see massive,

1 Full - 3-23-20

2 sizeable, whatever word you want to use  
3 increases in their taxes. We simply cannot  
4 allow that to happen. It was a deep concern  
5 of ours before with the stability of the real  
6 estate market, with hardships to individuals,  
7 with the SALT cap, but now even more so.  
8 Destabilizing Nassau's communities, especially  
9 after this coronavirus, is something that  
10 would affect every resident in this county.  
11 We cannot allow these economic disruptions.  
12 We cannot allow the damage to our  
13 communities. And we cannot allow the damage  
14 to our county.

15 Having said that, we, after today,  
16 if this passes, we must continue to find a way  
17 to assist the people whose assessments and  
18 taxes should be decreased. We must continue  
19 to find a way for the state and the state must  
20 pass legislation on both these fronts. We  
21 can't do it ourselves. We must continue to  
22 find a way to assist those with new  
23 construction that are bearing the brunt of  
24 this.

25 In short, in my opinion, the

1 Full - 3-23-20

2 assessment is a bad situation. This bill,  
3 this phase-in makes it a little less bad for  
4 our residents. Again, this is a matter of  
5 protecting our residents and communities.

6 Now I'll open it up to comments. I  
7 know Ellen Birnbaum had a question. Why don't  
8 we go to you first.

9 LEGISLATOR BIRNBAUM: I just want  
10 to back step. I am in favor of the phase-in  
11 and I understand what you just said Rich. But  
12 I want to ask the assessor, the annual  
13 statements of increment expenses, the ASIE,  
14 that are usually due March 31st, I understand  
15 that businesses which are closed are having  
16 problems doing this right now. Will that be  
17 extended as well that deadline?

18 MR. MOOG: We are instructing the  
19 assessors in charge of that program to grant  
20 extensions on that. So people having trouble  
21 filing, I believe would be filing extensions  
22 on that, as the income taxes have been  
23 extended to July 15th, I see no reason why we  
24 should not extend it. We will extend it on a  
25 30 day basis and we'll probably extend it

1 Full - 3-23-20

2 again from April 30th to May 30th because of  
3 the situation and then reevaluate again on May  
4 30th. We will be extending those deadlines.

5 MR. MILES: There are options in  
6 the law that provide that the assessor can  
7 extend the filing deadline. A lot of business  
8 owners have already filed. The few remaining,  
9 who still have time, if they are struggling  
10 the assessor may grant it on a case-by-case  
11 basis.

12 MR. MOOG: Since the ASIE is  
13 usually done in conjunction with people during  
14 their payroll taxes and those deadlines have  
15 been extended I see no reason --

16 LEGISLATOR BIRNBAUM: Do they  
17 actually have to put in a request or is it  
18 just being extended?

19 MR. MOOG: They can do it by  
20 computer. They put a request by computer and  
21 say we request an extension and we extend.  
22 During this period of time I don't see us  
23 enforcing any of the fines or penalties for  
24 ones that are filing late because of the  
25 circumstances.

1 Full - 3-23-20

2 LEGISLATOR BIRNBAUM: Thank you.

3 LEGISLATOR NICOLELLO: We have  
4 several legislators who would like to join  
5 in. Legislator Rhoads then Legislator Drucker  
6 and Legislator Ferretti and whoever else.

7 LEGISLATOR RHOADS: I just had a  
8 quick question for Deputy Assessor Miles. You  
9 had indicated that the reason that you  
10 wouldn't see a shift necessarily or major  
11 shift was because of 1803 of the RPTL between  
12 the commercial and residential side because  
13 it's capped at a one percent increase. Am I  
14 correct in your understanding?

15 MR. MILES: Correct Legislator.

16 LEGISLATOR RHOADS: The concern I  
17 have is the reason we are considering this  
18 phase-in proposal at all today is because the  
19 RPTL was -- trying to find the right word --  
20 sort of bypassed by the drop in the level of  
21 assessment. And that the phase-in plan is a  
22 replacement for the protections that the RPTL  
23 would have had in place. The curves that  
24 Presiding Officer Nicolello was talking about  
25 that would have applied to this situation had

1 Full - 3-23-20

2 the level of assessment not been dropped.

3 How does the Department of  
4 Assessment or the Curran administration make a  
5 determination as to whether it will follow the  
6 RPTL or enact a way to be able to I guess  
7 skirt around the restrictions of 1803?

8 MR. MILES: You're talking about  
9 '22-'23 roll?

10 MR. MOOG: You mean for the share  
11 of the pie? How many shares --

12 LEGISLATOR RHOADS: I had trouble  
13 hearing you, I'm sorry.

14 MR. MOOG: Are you saying that  
15 this concerns the -- the RPTL concerns the  
16 share of the pie for each tax class, am I  
17 correct?

18 LEGISLATOR RHOADS: Correct.

19 MR. MOOG: You can't skirt that.  
20 There's nothing in there that -- we sent the  
21 bills out and the wiggle room is on one  
22 percent. We do an adjustment on it every year  
23 and we are limited by law to one percent.  
24 That's what we do. We do follow the law on  
25 that.



1 Full - 3-23-20

2 LEGISLATOR RHOADS: Just so I'm  
3 correct in my understanding, the only way you  
4 are able to accomplish getting around the 6-20  
5 rule was by changing the level of assessment  
6 in this particular case. That tool would not  
7 be available to you for the difference between  
8 classes for the '22-'23 roll for example.

9 MR. MOOG: We changed the level  
10 of assessment to bring equity into the  
11 assessment roll and not because -- the 6 and  
12 20 was restricting the ability to get equity  
13 for the tax roll. It would take 20, 30, 40  
14 years to get equity on the new reassessment.  
15 It's perfectly legal for the assessor to lower  
16 the level of assessment and has done so in  
17 Nassau County and in New York City several  
18 times. So one thing has nothing to do with  
19 the other.

20 Share of the pie under 1803 is the  
21 one percent wiggle room set by the state and  
22 we obey that and we follow that to the letter  
23 of the law. I see no sort of completing one  
24 with the other. One has nothing to do with  
25 the other. The share of the pie will be

1 Full - 3-23-20

2 upheld and the wiggle room is one percent as  
3 set by the state.

4 MR. MILES: We continue to comply  
5 with all sections of the Real Property Tax Law  
6 including the 6 and 20 rule, 1805 and 1803.

7 LEGISLATOR RHOADS: I appreciate  
8 your opinion. Thank you.

9 LEGISLATOR NICOLELLO: Legislator  
10 Drucker.

11 LEGISLATOR DRUCKER: Thank you  
12 Presiding Officer. Although it has been my  
13 practice over the past year or so not to  
14 engage Mr. Margolis because of his abusive,  
15 nasty, vitriolic attacks on the totally  
16 inappropriate whether it's on social media or  
17 I see him in person, his attacks on me today  
18 warrant at least a response.

19 Not to get into specifics so much  
20 but to simply say that my district has the  
21 largest or the highest percentage of  
22 homeowners who will receive a tax increase.  
23 57 percent. I believe my colleague and friend  
24 Legislator Walker also shares in that number.  
25 42 percent will receive a reduction in their

1 Full - 3-23-20

2 taxes. Mr. Margolis and his son Rex, who by  
3 the way I intend to contact the superintendent  
4 of schools because that young man at eight  
5 years old should go directly to Harvard  
6 because I've never encountered an eight year  
7 who could write a letter like that.

8 Be that as it may, Mr. Margolis in  
9 his comments states that he and seven others  
10 are in a similar position. My mandate, my  
11 mission, as all of the other 18 other  
12 legislators on this dais, is to do the most  
13 good for the most number of people. The  
14 bottom line that's what it is and the  
15 presiding officer indicated that.

16 There's flaws, there's comments,  
17 there's criticism. But the bottom line is we  
18 are elected to do the most good for the most  
19 number of people. And people may say well,  
20 then for you this is an easy decision. 57  
21 percent of the people in your district are  
22 going to receive a tax increase. This law,  
23 this bill blunts that impact. And especially  
24 with who knew we were going to be facing this  
25 crisis, the coronavirus crisis now, the last

1 Full - 3-23-20

2 thing people need is to not only have to pay  
3 an increase in taxes but to have to pay it now  
4 in a lump sum when they might have no job or  
5 reduction in income or their business might be  
6 closing up is a terribly harsh result.

7 I have to consider, as all of us  
8 do, to consider to do what's best for the most  
9 number of people. That does not mean that I  
10 am not cognizant and sympathetic of people who  
11 are experiencing unfair or inaccurate  
12 assessments because of new construction or  
13 substantial physical change to their houses.

14 Mr. Margolis doesn't mention the  
15 fact that he bought a house for 900 and some  
16 odd thousand dollars as well, a new  
17 construction house. And the first couple of  
18 years that he was in that house he paid less  
19 than full value in terms of tax assessment.  
20 He also doesn't mention the fact that he  
21 forgot to grieve his taxes one year. He  
22 assumed that Maidenbaum was going to do it for  
23 him automatically. So he missed an entire  
24 year of grievance which certainly hurt him.  
25 So he was responsible for some of his problems

1 Full - 3-23-20

2 as well. The one year that he did grieve he  
3 didn't take it to ARC -- didn't take it to  
4 SCAR, which might have resulted in some  
5 further reduction.

6 Be that as it may, my point is is  
7 that he doesn't represent a very significant  
8 portion of the population but I am no less  
9 sympathetic to that population because it is  
10 unfair. I happen to live in a new  
11 construction community. Brand new  
12 construction. The property has not been  
13 assessed yet. At least the portion that I'm  
14 living in. It's been taxed because it's been  
15 vacant land. It was just built. Eventually  
16 I'm going to be paying a sizeable amount of  
17 taxes. And this Taxpayer Protection Plan will  
18 impact this community a great deal. But  
19 again, I have to be mindful of what I'm doing,  
20 what my mandate is to do for the most number  
21 of people in my district. But I am not  
22 unsympathetic to the new construction,  
23 substantial physical change homeowners who  
24 really should not be punished.

25 And I have taken great effort, made

1 Full - 3-23-20

2 great efforts with some of my state colleagues  
3 and fellow legislators, counsel, to discuss a  
4 real viable pathway to amending the state law  
5 to add an exemption to get these homeowners  
6 who have substantial physical changes and new  
7 construction homeowners so they get the  
8 benefit of that. There is no reason to  
9 discourage people to improve their homes or to  
10 buy new construction homes. There is no  
11 incentive. In fact, that is the opposite of  
12 what this county wants. This county wants  
13 people to move here, to make improvements to  
14 their houses, to increase the fair market  
15 value of their properties. But if they're  
16 going to be taxed unfairly that is something  
17 that has to be addressed.

18 I intend to do whatever I can and  
19 I'm emboldened and heartened by the fact that  
20 the majority and the presiding officer  
21 indicated they are also in agreement on that.  
22 And I really believe that there is a pathway  
23 that we can get this change done.

24 I have spoken to the county  
25 attorney. I have spoken to counsel on both

1 Full - 3-23-20

2 sides. We have a way to get this done. There  
3 is legislation that can be done and this will  
4 be able to help that small segment of the  
5 population. According the assessor's office  
6 it's about 1700 homes countywide.

7 I happen again, unfortunately,  
8 Legislative District 16 has 20 percent of that  
9 number. It is a disproportionate sum but it  
10 makes my decision that much more difficult.  
11 But again, the bottom line at the end of the  
12 day I take comfort and solace in the fact that  
13 I was elected to do the best I can for the  
14 most number of people. That's all I want to  
15 say right now. Thank you.

16 LEGISLATOR NICOLELLO: Thank you  
17 Legislator Drucker. Any other legislators? I  
18 think now is the time to discuss this in the  
19 open hearing as opposed to comments later on  
20 during the vote. Legislator Ferretti.

21 LEGISLATOR FERRETTI: Thank you  
22 Presiding Officer. I do have a statement I  
23 want to put on the record prior to the vote.  
24 This vote is before us today for one reason.  
25 County Executive Laura Curran broke her

1 Full - 3-23-20

2 promise to this body and every Nassau resident  
3 that should would abide by the spirit of the  
4 state law in implementing her reassessment.  
5 Had she followed the intent of state law, 95  
6 percent of Nassau residents would have been  
7 insulated from large tax increases and there  
8 would be no need for a phase-in.

9 That said, we are where we are  
10 today in the absence of the 6-20 protections  
11 contained in the state law I believe residents  
12 deserve a phase-in that is fair and  
13 constitutional. I am not convinced that this  
14 phase-in checks either of those boxes.

15 First, the phase-in relies on a  
16 reassessment that has been plagued by a lack  
17 of transparency and errors. The underlying  
18 reassessment is currently in litigation and to  
19 this point, the administration has failed to  
20 provide the court with justification as to how  
21 the neighborhood factors were determined.

22 The lack of transparency, multitude  
23 of errors and unanswered questions pollute the  
24 integrity of the underlying reassessment which  
25 necessitates a phase-in.



1 Full - 3-23-20

2 When looking at the actual phase-in  
3 bill it is shocking to the conscious that the  
4 county executive had the audacity to call this  
5 a taxpayer protection plan. Who exactly is  
6 this plan protecting? The 54 percent of  
7 properties who will see an increase in greater  
8 proportion then had the county executive  
9 followed the 6-20 rule? Or the 46 percent of  
10 residents entitled to a reduction that will  
11 not recognize that reduction for half a  
12 decade. The reality is this doesn't protect  
13 anyone.

14 One may ask what alternative is  
15 there? The majority has worked with assembly  
16 members to create one. Assemblyman Ed Ra  
17 drafted and filed a bill which would send aid  
18 to mitigate the disastrous effects on those  
19 entitled to a reduction who will not recognize  
20 it for five years under the phase-in.

21 Amazingly, the county executive and  
22 the assessor have refused to engage in  
23 meaningful discussions with the state to  
24 pursue this vital bill.

25 Just as concerning is the effects

1 Full - 3-23-20

2 of this reassessment and phase-in are the  
3 unanswered constitutional concerns. This  
4 phase-in uses an exemption base which is  
5 calculated by taking the 2019 tentative  
6 assessment and subtracting the 1920 final  
7 assessment. The problem here is that the 2019  
8 tentative assessment did not change if there  
9 was a successful grievance. So this phase-in  
10 will often be based on an erroneous  
11 exemption.

12 This will lead to similarly  
13 situated property owners receiving different  
14 exemptions based upon the magnitude of the  
15 Department of Assessment's mistakes. This is  
16 definitely not fair and possibly  
17 unconstitutional.

18 These legal questions have not been  
19 addressed by the administration. Instead, the  
20 county executive is aware of these questions  
21 and she's rolling the dice that this will hold  
22 up. Even if it does, the problems in  
23 unfairness are real and the county executive  
24 should work harder with New York State to  
25 solve these shortcomings before people pay

1 Full - 3-23-20

2 unfair amounts of taxes.

3 I'm not critical of any of my  
4 colleagues on either side of the aisle that  
5 chooses to support this phase-in. The county  
6 executive has put us in a near impossible  
7 situation, forcing a vote on a flawed phase-in  
8 that makes her bad reassessment somewhat  
9 easier to swallow. We are between a rock and  
10 a hard place.

11 I want a phase-in. I always have.  
12 However, the county executive has not put in  
13 sufficient effort to put a proposal forward  
14 which is fair to all residents and she has  
15 failed to provide sufficient assurances that  
16 the phase-in will hold up to a constitutional  
17 challenge.

18 Especially in light of the  
19 coronavirus pandemic we are currently facing,  
20 all residents deserve a fair phase-in. When  
21 one is put before me I will vote on it. Until  
22 then presiding officer I will be abstaining.  
23 Thank you.

24 LEGISLATOR KOPEL: Thank you. I  
25 will make a short statement as well. I

1 Full - 3-23-20

2 believe that this bill is flawed. It is  
3 clearly unfair that people who have been  
4 overpaying for years should now have to  
5 continue to overpay for another few years.

6 On the other hand, if we allow the  
7 full phase-in to happen all at once I believe  
8 that there are many people who could literally  
9 lose their homes. Some of the increases will  
10 be shocking to some of the people. Some are  
11 small but some are huge and cannot be absorbed  
12 at one time. Some people, as I say, will not  
13 be able to pay their taxes. And especially in  
14 this environment now when we are faced with  
15 economic devastation we certainly can't afford  
16 to have people absorbing another such shock.

17 So, I think we should continue to  
18 work to improve it. I believe that the state  
19 legislature it's in their hands. They've got  
20 to help out those people who are being hurt  
21 over here.

22 But in balancing and deciding what  
23 to do, I will say that people who are due to  
24 pay less will pay a little bit less each year  
25 and will get to that full reduction a little

1 Full - 3-23-20

2 bit too slowly. It's not right. It's not  
3 fair. But on the other hand, we do have to  
4 protect the others. As I say, that would be a  
5 devastating act to impose the full increase  
6 all at once. With that I'm going to recognize  
7 Legislator Mule.

8 LEGISLATOR MULE: Thank you.  
9 We've been talking a lot of about fairness.  
10 Let's start with how things were a number of  
11 years ago. We all agree that the previous  
12 system was not fair. It was not fair that  
13 people who didn't grieve their taxes had to  
14 pay more than their fair share of taxes.  
15 Everyone agreed with that. I don't think  
16 there's anyone in this room that would  
17 disagree with what I'm saying. So a change  
18 had to be made. This change was not going to  
19 come without pain. So, now we're here  
20 facing -- we're facing that pain right now.  
21 No one should have to file in order  
22 to make sure that they pay their fair share of  
23 taxes. Quite frankly, that's the government's  
24 job to make sure there is an accurate roll.  
25 Here's what we do know for sure. The

1 Full - 3-23-20

2 reassessment that was done has been vetted by  
3 a number of different organizational  
4 standards. By Newsday. We know about that  
5 report. And by everyone's reckoning this  
6 reassessment met and exceeded the standards.  
7 So, it is a very fair role.

8 That being said, we know that some  
9 people are not being assessed fairly. But  
10 those are two separate things. You do a  
11 complete reassessment, there are still going  
12 to be people that are not assessed fairly.  
13 That's why people can still grieve.

14 There's been some take about the 6  
15 and 20. We know because it was testified that  
16 had the 6 and 20 gone forward that would have  
17 resulted in unfair assessments for 20 years  
18 and we would have thrown away the millions of  
19 dollars that we paid to get a new assessment  
20 roll. We couldn't go with that.

21 I absolutely support this  
22 legislation. It's not perfect. There is no  
23 question. Everything that has been brought up  
24 is absolutely true. The people who were  
25 overpaying all of these years are still going

1 Full - 3-23-20

2 to be overpaying a little bit. Or  
3 incrementally. It's not perfect. But as has  
4 been stated by many of my colleagues, it's  
5 something that we need to do so that we will  
6 not be essentially throwing people out of  
7 their homes. So with that, I heartily support  
8 this legislation. Thank you.

9 LEGISLATOR NICOLELLO: Legislator  
10 Ford.

11 LEGISLATOR FORD: Thank you. I  
12 agree with many of the statements that my  
13 fellow legislators have made in regard to this  
14 phase-in. I'm glad that we did change the  
15 name of it because I do not believe that it is  
16 a Taxpayer Protection Plan. And I do want to  
17 acknowledge the work on behalf of our assessor  
18 David Moog. You took on a challenge and I  
19 appreciate the hard work that you put into  
20 it.

21 But all during all of this we all,  
22 all 19 of us, did agree that assessment needed  
23 to be done and that was why this side of the  
24 aisle joined with that side of the aisle and  
25 the county executive to provide the necessary

1 Full - 3-23-20

2 funding for those firms to update the  
3 information and to try to make it so that we  
4 can get as fair of an assessment for each  
5 property for each resident throughout Nassau  
6 County.

7 Unfortunately, behind closed doors  
8 it appeared, that the level of assessment was  
9 changed and we were not made aware of it.  
10 Then all of a sudden all these other changes  
11 happened. We were trying to get information  
12 and unfortunately we weren't always getting  
13 the information in a timely manner that we  
14 needed to so that we could be able to bring it  
15 out to our residents so they have a better  
16 understanding of what is happening.

17 I appreciate Legislator Mule but we  
18 are the government and it's our responsibility  
19 that we listen to what our residents have to  
20 say and bring their concerns and their  
21 questions to the administration,  
22 administrative branch of the government. It  
23 is expected that when we ask questions and we  
24 have concerns that we get answers in a timely  
25 fashion. Unfortunately at times, for whatever



1 Full - 3-23-20

2 reason, those answers have not come and to  
3 some of us are still basically waiting. Why  
4 certain systems are still not used.

5 You know, now more than ever, we  
6 look at the people that we are concerned.  
7 Those that are going to face undue increases  
8 in their taxes. Yes, it is good to be able to  
9 allow them to phase-in those increases because  
10 many of them maybe some of their taxes may go  
11 up \$2,000. Some of the people are going to  
12 find their taxes going up maybe \$8,000. It  
13 makes it easier for them and more palatable  
14 for them to handle those increases.

15 But now when we talk about  
16 coronavirus and the impact that it's going to  
17 have on many of our residents, those that are  
18 going to find themselves difficult, you know,  
19 they may have lost their jobs. Many of them  
20 probably could use the fact that if they have  
21 been overpaying their taxes by 4,000 or 5,000  
22 and they know if we didn't pass this plan they  
23 would get that money immediately. Okay? And  
24 that's one less bill that they would have to  
25 pay.

1 Full - 3-23-20

2 Then I find that for us I think  
3 that a vehicle, and I had advocated for this  
4 in the past, that we take a look at those that  
5 are most needy. The people that found  
6 themselves, even prior to this whole situation  
7 that we have, that those, especially those  
8 that are seniors that are Enhanced Stars,  
9 those others that can demonstrate a hardship  
10 that why they need this money right away to be  
11 able to stay in their homes and to be able to  
12 continue living here, I think this is  
13 something that we should have looked at all  
14 along.

15 Now, more than ever, I think that  
16 we need to, after we pass this, that we better  
17 all work together and find out what kind of  
18 funding -- I know money is going to be tight.  
19 But some of these people truly, truly need  
20 help and now is the time for all of us to step  
21 up to the plate. We all want to be fair to  
22 everybody. I think that the only way that we  
23 can do it is to listen to what everybody has  
24 to say and to try to come out with the best  
25 plan. Especially for those that are most

1 Full - 3-23-20

2 vulnerable. Thank you.

3 LEGISLATOR NICOLELLO: Does  
4 anyone who is listening remotely want to  
5 contribute or give a comment right now? Just  
6 want to give you an opportunity. Anyone else  
7 that's here in person? Legislator Rhoads.

8 LEGISLATOR RHOADS: Thank you Mr.  
9 Presiding Officer. I too have a prepared  
10 statement that I might deviate from at times.  
11 I give fair warning.

12 The Curran administration began  
13 with the stated goal of fixing Nassau County's  
14 assessment system and to make it more fair and  
15 transparent for Nassau County residents. That  
16 goal received unanimous support, bipartisan  
17 support as Republicans and Democrats on the  
18 legislature worked with the county executive  
19 to provide the funds, the tools and the  
20 personnel needed to make that goal a reality.

21 That bipartisan support ended  
22 however when Laura Curran broke her word and  
23 bypassed the protections afforded to all  
24 Nassau County property owners under New York  
25 State law. The five year phase-in proposal

1 Full - 3-23-20

2 that we are considering today was made  
3 necessarily solely by the county executive's  
4 actions and is nothing more than an imperfect  
5 and inadequate attempt to soften the blow of  
6 property tax cap increases she has imposed on  
7 over 205,000 Nassau County homeowners.

8 More troubling is that the county  
9 executive does so at the expense of over  
10 180,000 other Nassau County homeowners, which  
11 the county freely concedes have been  
12 overpaying their taxes and are due a  
13 decrease.

14 Sadly, we have no idea, despite  
15 Newsday's reports, whether any of those  
16 numbers are even accurate. Nassau County's  
17 assessor admitted to posting the wrong  
18 assessment roll in January of 2019, which  
19 included 18,400 errors in property tax  
20 assessments.

21 85,000 property tax assessments had  
22 to be reduced in January of 2019 due to  
23 errors. 60,000 property tax impact notices  
24 had to be corrected in November of 2018  
25 because the assessor mistakenly used

1 Full - 3-23-20

2 preliminary home values instead of final  
3 values to calculate reassessment's impact on  
4 taxes.

5 20,000 assessment disclosure  
6 notices had to be recalculated because the  
7 property tax assessment increases exceeded the  
8 state's cap on maximum allowable assessment  
9 increases.

10 It was discovered in February of  
11 2019 that the incorrect tax grievance deadline  
12 appeared in over a dozen locations on the  
13 Assessment Department and the Assessment  
14 Review Commission's websites.

15 A December 2018 robocall  
16 erroneously alarmed 400,000 Nassau County  
17 residents that they were in danger of losing  
18 their property tax exemptions.

19 The assessment Department's January  
20 2019 general tax roll was defective, resulting  
21 in veterans and senior citizens being  
22 overcharged on their tax bills.

23 20,000 impact notices intended for  
24 homeowners were returned to the Assessment  
25 Department as undeliverable in late 2018.

1 Full - 3-23-20

2 Newsday reported in December of  
3 2018 that thousands upon thousands of  
4 homeowners did not receive their tax impact  
5 statements in a timely fashion.

6 Newsday also reported that more  
7 than 400 Nassau homes that we know of, were  
8 grossly undervalued in a rush to complete the  
9 tax reassessment in time for publication of  
10 the roll.

11 Tens of thousands of revisions were  
12 made after tax impact notices were mailed to  
13 homeowners with no notification that revised  
14 notices had been posted online. So those  
15 homeowners had no idea that the values had  
16 actually changed unless they stumbled upon the  
17 posting on the county's website.

18 As for transparency, the county  
19 executive and the Department of Assessment she  
20 controls have been nothing short of secretive  
21 and evasive not only to this legislature, but  
22 more importantly, to the public as to how it  
23 analyzed properties, arrived at stated values  
24 and even as to the formula used to calculate  
25 them.

1 Full - 3-23-20

2 The Curran administration utilized  
3 unsupported and unsupportable neighborhood  
4 factors for which the county is currently  
5 being sued, with the court having preliminary  
6 concluding that no justification has been  
7 provided for how these factors were even  
8 determined.

9 The Curran administration utilized  
10 unsupported school district factors with no  
11 effort to demonstrate to the public how these  
12 factors were determined and in what way the  
13 factors mirror actual sales experiences in  
14 those districts.

15 The county assessor flatly refused  
16 to abide by his own department's public  
17 outreach plan, cancelling every one of over 30  
18 public information sessions in the summer of  
19 2019 designed to educate the public as to how  
20 the reassessment was conducted -- I'm sorry  
21 this is 2018 -- to educate the public as to  
22 how the reassessment was to be conducted and  
23 how his department would calculate their home  
24 values.

25 The Curran administration denied

1 Full - 3-23-20

2 Freedom of Information Law requests, forcing  
3 homeowners to sue Nassau County in order to  
4 get disclosure of the formula it used in its  
5 reassessment. This was a clear attempt to  
6 deny homeowners their right to challenge not  
7 just their assessment but the methodology used  
8 by the county in determining it. And when it  
9 was finally disclosed, key information  
10 enabling it to be used was missing.

11 These errors and the utter lack of  
12 transparency shown by the administration have  
13 polluted the integrity of this assessment.  
14 Because of the lack of transparency, the  
15 actual effects of this phase-in cannot be  
16 known but will be very apparent as tax bills  
17 are received, as escrow statements are  
18 adjusted to pay those taxes and as the  
19 exemptions become calculated and known to the  
20 public. As taxes are reallocated to account  
21 for those exemptions these effects will be  
22 felt by every taxpayer.

23 Inexplicably, this phase-in is  
24 based upon the tentative roll as of January 2,  
25 2019 and does not reflect any of the tens of



1 Full - 3-23-20

2 thousands of adjustments made by the  
3 Department of Assessment to property values  
4 and does not take into account the results of  
5 any of the 255,000 property tax challenges to  
6 the tentative roll that have yet to be  
7 finalized.

8 Therefore, if any of those 255,000  
9 challenges, whether by stipulation, ARC action  
10 or by Small Claims Assessment Review decision  
11 are successful, the reductions those  
12 homeowners are entitled to will not be  
13 reflected at all in the phase-in. How is that  
14 fair to anyone? Will wealthy homeowners  
15 receive oversized phase-in exemptions that  
16 they are not entitled to because their  
17 assessment will have been reduced due to the  
18 county executive's erroneous assessment  
19 level? Everyone else is subsidizing that  
20 taxpayer. How is that fair?

21 Equally situated homeowners may  
22 receive different exemptions based upon the  
23 magnitude of the Department of Assessment's  
24 mistakes. Does that sound like taxpayer  
25 protection?

1 Full - 3-23-20

2 Now, new construction and  
3 substantial reconstruction as a result of  
4 Superstorm Sandy recovery is also not included  
5 in this phase-in. Why not?

6 Does this proposal, as raised by  
7 Legislator Ferretti, violate equal  
8 protection? Is it legal? Who knows?

9 Even with all these challenges we,  
10 as legislators, are in an impossible position  
11 where we must choose between supporting a  
12 phase-in we don't understand based upon tens,  
13 if not hundreds of thousands of assessments  
14 which are demonstrably wrong that will  
15 effectively force Nassau County to overcharge  
16 homeowners whose taxes should be coming down,  
17 or to allow the county executive's massive tax  
18 increase to take immediate effect for over  
19 205,000 homeowners at a time when their health  
20 and our economy are already in jeopardy thanks  
21 to the spread of coronavirus.

22 What is most unfortunate is that  
23 this did not have to be the case. The  
24 legislative majority has been criticized by  
25 the county executive for delaying her rushed

1 Full - 3-23-20

2 calls for a vote on this matter and we did so  
3 believing that a better deal from Albany was  
4 possible for Nassau County taxpayers and we  
5 thought we should take the time to explore  
6 it.

7 Since October, I, along with every  
8 Republican majority legislator, has been  
9 urging the county executive to support  
10 Assembly Bill 8585, an alternative phase-in  
11 plan introduced by Assemblyman Edwin Ra and  
12 supported by Nassau County's Republican  
13 assembly delegation which would provide Nassau  
14 County residents with \$100 million in tax  
15 relief.

16 That tax relief would allow Nassau  
17 County property owners who will be subject to  
18 a tax increase under County Executive Curran's  
19 reassessment to have that increase phased in  
20 over five years, but would provide residents  
21 entitled to a property tax decrease to realize  
22 a larger portion of that decrease  
23 immediately. This would only help Nassau  
24 County taxpayers who routinely send hundreds  
25 of millions of dollars in tax payments to

1 Full - 3-23-20

2 Albany and receive only a fraction in return  
3 in services.

4 Despite this clear fact, County  
5 Executive Laura Curran has not only refused to  
6 support this common sense legislation that  
7 would help her constituents, but she has  
8 actively spoken against it. Nassau County's  
9 Democratic senate delegation, the same ones  
10 who supported cashless bail reform, have also  
11 refused to support it.

12 It is inexplicable why County  
13 Executive Curran will not fight for all of  
14 Nassau County's residents by pursuing a  
15 phase-in plan that helps some Nassau County  
16 taxpayers without hurting tens of thousands  
17 more. That failure in leadership is the real  
18 story.

19 Thanks to the county executive's  
20 actions, some version of a phase-in must be  
21 passed in order to avoid further pain to  
22 Nassau County families. But Nassau County  
23 families deserve an up or down vote in Albany  
24 on a better plan before this legislature is  
25 forced into an impossible vote on a flawed

1 Full - 3-23-20

2 phase-in which will effectively lock in the  
3 county executive's even more secretive and  
4 flawed reassessment that has been neither fair  
5 nor transparent.

6 Since the state legislature is  
7 still in session and they are at least in  
8 session to pass a budget up until April 1st,  
9 which was the stated date incidently from  
10 Assessor Moog when he needed to have a  
11 decision, I urge County Executive Curran to  
12 take that time to fight for our residents and  
13 seek the up or down vote that our residents  
14 deserve.

15 If an alternative proposal was to  
16 fail up in Albany I would support this  
17 phase-in, as flawed as it is, because there is  
18 no alternative to blunt the dramatic impact of  
19 the tax increases of the Curran reassessment.  
20 But until it is clear that a demonstrably  
21 better deal for Nassau taxpayers is no longer  
22 possible, I must respectfully abstain. Thank  
23 you Mr. Presiding Officer.

24 LEGISLATOR NICOLELLO: All  
25 right. Legislator Schaefer.

1 Full - 3-23-20

2 LEGISLATOR SCHAEFER: I will be  
3 relatively quick compared to that. I'm  
4 sorry. It was very informative.

5 Just generally speaking I want to  
6 say this is not a vote that any of us like  
7 taking. I think we can all agree with that.  
8 But we are your elected leaders and we must  
9 act so that government continues to move  
10 forward, especially under the circumstances we  
11 are currently in. Votes like this I've  
12 learned are the reason that most people don't  
13 want our jobs. But we are here to do our jobs  
14 and I myself will continue to urge for the  
15 passage of that bill in the Assembly, in  
16 Albany, bill number 8585 that will help to  
17 address the issues of the residents who have  
18 been overpaying will be facing.

19 I'm disappointed that the  
20 administration has not fought for that bill or  
21 anything even remotely close to it. To date,  
22 they haven't done anything like that. But it  
23 isn't too late. They can. They really  
24 should. I don't know how you can say you're  
25 protecting everyone if you're really not if

1 Full - 3-23-20

2 half the people are not being protected.

3 But it's something that I certainly  
4 will continue to fight for and I know many of  
5 my colleagues certainly in the majority will  
6 fight for, and hopefully some or all of the  
7 legislators in the minority will as well. I  
8 will be voting for this bill under the  
9 circumstances as much as I find it a vote I  
10 don't want to take I have to do my job and  
11 that's what I'm going to do today.

12 LEGISLATOR NICOLELLO: Thank  
13 you. Anyone else who would like to speak on  
14 this matter? Hearing none, I need a motion to  
15 close the hearing which will be made by  
16 Legislator McKeivitt. Seconded by Legislator  
17 Rhoads. All in favor of closing the hearing  
18 signify by saying aye. Those opposed? The  
19 hearing is closed.

20 Item two is a vote on a proposed  
21 local law to amend Title A of Chapter 6 of the  
22 Nassau County Administrative Code in relation  
23 to New York State Real Property Tax Law. It  
24 is moved by Legislator Ford. Seconded by  
25 Legislator Lafazan. Because there are going

1 Full - 3-23-20

2 to be abstentions at a minimum on this, we  
3 will have to do this via roll call. Those of  
4 you listening at home please be ready to  
5 vote. Deputy Presiding Officer Kopel.

6 LEGISLATOR KOPEL: Yes.

7 LEGISLATOR NICOLELLO: Alternate  
8 Deputy Presiding Officer Ford.

9 LEGISLATOR FORD: Yes.

10 LEGISLATOR NICOLELLO: Minority  
11 Leader Abrahams.

12 LEGISLATOR ABRAHAMS: Yes.

13 LEGISLATOR NICOLELLO: Legislator  
14 Bynoe.

15 LEGISLATOR BYNOE: Yes.

16 LEGISLATOR NICOLELLO: Legislator  
17 Solages. I'll go back to him. Legislator  
18 Mule.

19 LEGISLATOR MULE: Yes.

20 LEGISLATOR NICOLELLO: Legislator  
21 Gaylor.

22 LEGISLATOR GAYLOR: Yes.

23 LEGISLATOR NICOLELLO: Legislator  
24 Muscarella.

25 LEGISLATOR MUSCARELLA: Yes.



1 Full - 3-23-20

2 LEGISLATOR NICOLELLO: Legislator

3 Birnbaum.

4 LEGISLATOR BIRNBAUM: Yes.

5 LEGISLATOR NICOLELLO: Legislator

6 DeRiggi-Whitton.

7 LEGISLATOR DERIGGI-WHITTON: Yes.

8 LEGISLATOR NICOLELLO: Legislator

9 Kennedy.

10 LEGISLATOR KENNEDY: Yes.

11 LEGISLATOR NICOLELLO: Legislator

12 McKevitt.

13 LEGISLATOR MCKEVITT: Yes.

14 LEGISLATOR NICOLELLO: Legislator

15 Schaefer.

16 LEGISLATOR SCHAEFER: Yes.

17 LEGISLATOR NICOLELLO: Legislator

18 Ferretti.

19 LEGISLATOR FERRETTI: Abstain.

20 LEGISLATOR NICOLELLO: Legislator

21 Drucker.

22 LEGISLATOR DRUCKER: Yes.

23 LEGISLATOR NICOLELLO: Legislator

24 Walker.

25 LEGISLATOR WALKER: Yes.

1 Full - 3-23-20

2 LEGISLATOR NICOLELLO: Legislator  
3 Lafazan.

4 LEGISLATOR LAFAZAN: Yes.

5 LEGISLATOR NICOLELLO: Legislator  
6 Rhoads.

7 LEGISLATOR RHOADS: Abstain.

8 LEGISLATOR NICOLELLO: I vote  
9 yes. Legislator Solages? He may have stepped  
10 away. At this point we have a vote of 16 in  
11 the affirmative with two abstentions. So the  
12 legislation passes.

13 We need a motion to close or  
14 adjourn the legislative meeting. We have a  
15 couple of other public comments which are  
16 going to be read into the record now. First  
17 let's close the meeting. Moved by Legislator  
18 Mule. Seconded by Legislator Lafazan. All in  
19 favor of closing the hearing signify by saying  
20 aye. Those opposed? The hearing is closed.  
21 The meeting is closed. Mr. Boyle.

22 (Meeting was adjourned at 3:02  
23 p.m.)

24 MR. BOYLE: Chris Boyle with the  
25 Majority again reading in comments submitted

1 Full - 3-23-20

2 to the clerk of the legislature. This is from  
3 Brian Sullivan, president of the Nassau County  
4 Correction Officers Benevolent Association.

5 Sir, I would like it read into the  
6 record and hopefully stated verbally that  
7 currently no Nassau County jail staff, either  
8 uniformed correction officers or civilian  
9 medical staff are being screened for symptoms  
10 of COVID-19. It is my understanding that new  
11 inmates will be swabbed tested for COVID, but  
12 as of today, staff entering the facility are  
13 not being either tested or screened prior to  
14 entry. I have urged the county to do this  
15 with no response. This needs to be addressed  
16 immediately to stop the spread of this  
17 pandemic into our facility by any and all  
18 staff entering our facility.

19 Thank you.

20 And again, that is Brian Sullivan,  
21 president of the Nassau County Correction  
22 Officers Benevolent Association.

23 LEGISLATOR NICOLELLO: I know you  
24 have one more to read but just to respond. We  
25 will and part of the legislature will be

1 Full - 3-23-20

2 following up on that. Those are precautions  
3 that should be in place now. I would note for  
4 the record that early on we approved the  
5 appointment of a new sheriff. Usually he  
6 would have been here but under the  
7 circumstances we limited the number of people  
8 in the room. Certainly we will be in touch  
9 with him and the administration about getting  
10 those precautions in place.

11 MR. BOYLE: This next comment is  
12 from Susan Lopatkin, mayor of the Village of  
13 Kensington writing on behalf of the following  
14 villages. Michael Kalnick, mayor, Village of  
15 Kings Point. Dan Levy, mayor, Village of  
16 Saddle Rock. David Miller, mayor, Village of  
17 Russell Gardens. Steven Weinberg, mayor,  
18 Village of Thomaston.

19 To the Nassau County Legislature,  
20 representative Presiding Officer Nicoletto, I  
21 write you to make sure you're aware of a  
22 significant overassessment condition in the  
23 Great Neck peninsula. County assessor David  
24 Moog, our legislator Ellen Birnbaum and the  
25 Nassau County executive are all aware of this

1 Full - 3-23-20

2 matter.

3 In summary, analysis of the  
4 villages of Kensington, Thomaston, Russell  
5 Gardens, Saddle Rock and Kings Point sales as  
6 compared to Nassau County assessed values in  
7 2020 and 2021 and '21 and '22 tax rolls  
8 reveals a systemic overassessment. Sales data  
9 from 2017, 2018 and 2019 for these villages  
10 were compared to the Nassau County assessed  
11 values for 2020 and 2021 and 2021 and 2022.  
12 The results of the analysis found that  
13 anywhere between 75 percent to 90 percent of  
14 the new assessed values were higher than the  
15 actual sales price. In some instances the  
16 difference was over 25 percent.

17 After several meetings and phone  
18 calls between these village mayors and  
19 Mr. Moog and his staff beginning in January in  
20 2019 and culminating in November 2019, it was  
21 clear to all of us that the county was not  
22 going to address the crux of our concerns,  
23 that the assessed values in our communities,  
24 by virtue of the opaque neighborhood factor  
25 that was applied, resulted in a gross

1 Full - 3-23-20

2 overassessment of many homes and therefore  
3 higher taxes as a result.

4 We have instructed our residents to  
5 grieve their taxes as needed, since we were  
6 unable as community leaders, to effect any  
7 change from the assessor's office. Therefore,  
8 over the next five years we hope that the  
9 assessed values will be modified such that our  
10 residents won't continue to be overtaxed.

11 Therefore, it is vital that the  
12 five year phase-in of the new taxes be put in  
13 place so that the overassessment of our  
14 village residents not proceed without  
15 sufficient opportunity for them to challenge  
16 the Nassau County values.

17 Should you be interested in  
18 obtaining the analyses of the home sales  
19 versus assessed values, I'm certain that the  
20 county assessor can provide them. If his  
21 office cannot, any of us will be happy to  
22 oblige.

23 LEGISLATOR NICOLELLO: Thank you  
24 Mr. Boyle. That's the end of the public  
25 comment that we have. The legislature meeting

1 Full - 3-23-20

2 is adjourned. We are going to move in the  
3 Rules Committee. We have one item on Rules  
4 the Rules Committee. All those who are  
5 participating by remote hookup who are not on  
6 the Rules Committee we'll see you next time.

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CERTIFICATION

I, FRANK GRAY, a Notary  
Public in and for the State of New  
York, do hereby certify:

THAT the foregoing is a true and  
accurate transcript of my stenographic  
notes.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 26th day of  
March 2020

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FRANK GRAY



# LEGISLATIVE CALENDAR

NASSAU COUNTY LEGISLATURE  
THIRD MEETING  
THIRD MEETING OF 2020

MINEOLA, NEW YORK  
MARCH 23, 2020  
LEGISLATIVE CALENDAR 1:00PM

**Please be advised that due to health and safety concerns associated with the COVID-19 virus and New York State requirements restricting public gatherings, this meeting will be closed to the public and will be available for viewing online at <http://www.nassaucountyny.gov/agencies/Legis/index.html>**

**Public comment on any item may be emailed to the Clerk of the Legislature at [mpulitzer@nassaucountyny.gov](mailto:mpulitzer@nassaucountyny.gov) and will be made part of the formal record of this Legislative meeting.**

THE NASSAU COUNTY LEGISLATURE IS COMMITTED TO MAKING ITS PUBLIC MEETING ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. IF, DUE TO A DISABILITY, YOU NEED AN ACCOMMODATION OR ASSISTANCE TO PARTICIPATE IN THE PUBLIC MEETING OR TO OBTAIN A COPY OF THE TRANSCRIPT OF THE PUBLIC HEARING IN AN ALTERNATIVE FORMAT IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, PLEASE CONTACT THE OFFICE OF THE CLERK OF THE LEGISLATURE AT 571-4252, OR THE NASSAU COUNTY OFFICE FOR THE PHYSICALLY CHALLENGED AT 227-7101 OR TDD TELEPHONE NO. 227-8989. AS PER THE NASSAU COUNTY FIRE MARSHAL'S OFFICE, THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER HAS A MAXIMUM OCCUPANCY OF 251 PEOPLE AND THE OUTER CHAMBER WHICH WILL STREAM THE MEETING LIVE, HAS A MAXIMUM OCCUPANCY OF 72. PASSES WILL BE DISTRIBUTED ON A FIRST COME FIRST SERVED BASIS BEGINNING ONE HALF HOUR BEFORE MEETING TIME.

EVERY LEGISLATIVE MEETING IS STREAMED LIVE ON  
<http://www.nassaucountyny.gov/agencies/Legis/index.html>

## 1. HEARING ON PROPOSED LOCAL LAW NO. -2020

A LOCAL LAW TO AMEND TITLE A OF CHAPTER VI OF THE NASSAU COUNTY ADMINISTRATIVE CODE, IN RELATION TO NEW YORK STATE REAL PROPERTY TAX LAW§485-U. 21-20(LE)

2. **VOTE ON PROPOSED LOCAL LAW NO. - 2020**

A LOCAL LAW TO AMEND TITLE A OF CHAPTER VI OF THE NASSAU COUNTY ADMINISTRATIVE CODE, IN RELATION TO NEW YORK STATE REAL PROPERTY TAX LAW§485-U. 21-20(LE)

3. **ORDINANCE NO. 20-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT. 55-20(OMB)

4. **ORDINANCE NO. 21-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 58-20(OMB)

5. **ORDINANCE NO. 22-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 59-20(OMB)

6. **ORDINANCE NO. 23-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 60-20(OMB)

7. **ORDINANCE NO. 24-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT. 68-20(OMB)

8. **ORDINANCE NO. 25-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HUMAN SERVICES. 70-20(OMB)

9. **ORDINANCE NO. 26-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 71-20(OMB)

10. **ORDINANCE NO. 27-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE TRAFFIC SAFETY BOARD. 72-20(OMB)

11. **ORDINANCE NO. 28-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE TRAFFIC SAFETY BOARD. 73-20(OMB)

12. **ORDINANCE NO. 29-2020**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE TRAFFIC SAFETY BOARD. 74-20(OMB)

13. **RESOLUTION NO. 26-2020**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF PLAINTIFF, AS SET FORTH IN THE ACTION ENTITLED WILLIAM T. JOIE V. THE COUNTY OF NASSAU, ET AL., DOCKET NO. 17-CV-1411, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 61-20(AT)

14. **RESOLUTION NO. 27-2020**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF PLAINTIFF, AS SET FORTH IN THE ACTION ENTITLED ADELMARIE DEDIEGO V. THE COUNTY OF NASSAU, NASSAU COUNTY POLICE DEPARTMENT, P.O. CHRISTINA HARRIGAN, INDEX NO. 605768/2017, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 62-20(AT)

15. **RESOLUTION NO. 28-2020**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE ART GUILD OF PORT WASHINGTON, INC. 40-20(PK)

16. **RESOLUTION NO. 29-2020**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE OYSTER BAY HISTORICAL SOCIETY. 41-20(PK)

17. **RESOLUTION NO. 30-2020**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF JEANINE DIEHL TO THE POSITION OF EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME VICTIM ADVOCATE. 63-20(CE)

18. **RESOLUTION NO. 31-2020**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF JAMES E. DZURENDA TO THE POSITION OF SHERIFF OF NASSAU COUNTY. 64-20(CE)

19. **RESOLUTION NO. 32-2020**

A RESOLUTION AUTHORIZING THE TREASURER TO FURNISH THE CLERK OF THE LEGISLATURE WITH A PETTY CASH FUND IN THE AMOUNT OF FIVE HUNDRED DOLLARS. 65-20(LE)

20. **RESOLUTION NO. 33-2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020. 56-20(OMB)

21. **RESOLUTION NO. 34-2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020. 75-20(OMB)

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**ITEMS TO BE HEARD BY EMERGENCY**

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22. **PROPOSED LOCAL LAW NO. -2020**

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO EXTEND THE DEADLINE TO FILE AN APPLICATION FOR THE CORRECTION OF AN ASSESSMENT FOR THE TENTATIVE ASSESSMENT ROLL FILED ON JANUARY 2, 2020. 79-20(LE)

23. **RESOLUTION NO. 35-2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020. 78-20(OMB)

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**NOTICE IS HEREBY GIVEN that the Nassau County Executive has executed the following personal service contracts, copies of which are on file with the Office of the Clerk of the Nassau County Legislature. These contracts are listed for informational purposes only.**

County of Nassau acting on behalf of Housing and Intergovernmental and Village of Valley Stream. \$325,000.00. RE: CDBG. ID# CQHI19000055.

County of Nassau acting on behalf of Housing and Intergovernmental and Cedarmore Corporation. \$25,000.00. RE: CDBG. ID# CQHI19000046.

County of Nassau acting on behalf of Housing and Intergovernmental and Town of North Hempstead. \$740,000.00. RE: CDBG. ID# CQHI19000049.

County of Nassau acting on behalf of Housing and Intergovernmental and Village of Stewart Manor. \$30,000.00. RE: CDBG. ID# CQHI19000045.

County of Nassau acting on behalf of Housing and Intergovernmental and Nassau Boces. \$30,000.00. RE: CDBG. ID# CQHI19000053.

County of Nassau acting on behalf of Human Services and Hicksville Teenage Council, Inc. \$160,000.00. RE: Youth Development. ID# CQHS20000051.

County of Nassau acting on behalf of Human Services and Bellmore UFSD. \$47,424.00. RE: YDA - Education. ID# CQHS19000152.

County of Nassau acting on behalf of Human Services and Bellmore-Merrick UFSD. \$85,321.00. RE: YDA - Education. ID# CQHS19000153.

County of Nassau acting on behalf of Human Services and Oceanside UFSD. \$39,129.00. RE: YDA - Education. ID# CQHS19000171.

County of Nassau acting on behalf of Human Services and Great Neck UFSD. \$75,586.00. RE: YDA - Education. ID# CQHS19000159.

County of Nassau acting on behalf of Human Services and Elmont UFSD. \$87,588.00. RE: YDA - Education. ID# CQHS19000157.

County of Nassau acting on behalf of Human Services and Valley Stream CHSD. \$47,965.00. RE: YDA - Education. ID# CQHS19000177.

County of Nassau acting on behalf of Human Services and Port Washington UFSD. \$40,862.00. RE: YDA - Education. ID# CQHS19000173.

County of Nassau acting on behalf of Human Services and Anthony V. Santoro Psy. D. \$.01. RE: OMH-Forensics. ID# CLHS19000021.

County of Nassau acting on behalf of Human Services and Fiona Radcliffe. \$.01. RE: OMH-Community Based-Forensic. ID# CLHS19000020.

County of Nassau acting on behalf of Human Services and Family and Children's Association. \$.01. RE: OMH-Health Home. ID# CQHS19000191.

County of Nassau acting on behalf of Human Services and Central Nassau Guidance and Counseling Services, Inc. \$.01. RE: OMH-Local Assistance. ID# CQHS19000198.

County of Nassau acting on behalf of Human Services and Central Nassau Guidance and Consulting Services, Inc... \$199,446.00. RE: OMH-Jail Diversion. ID# CQHS19000203.

County of Nassau acting on behalf of Housing and Intergovernmental and North Shore Child Family Guidance Center. \$25,000.00. RE: CDBG. ID# CQHI19000042.

County of Nassau acting on behalf of Housing and Intergovernmental and Village of Westbury. \$250,000.00. RE: CDBG. ID# CQHI19000059.

County of Nassau acting on behalf of Human Services and Herricks UFSD. \$98,745.00. RE: YDA - Education. ID# CQHS19000161.

County of Nassau acting on behalf of Human Services and Hempstead Hispanic Civic Association, Inc. \$100,000.00. RE: Youth Development. ID# CQHS20000050.

County of Nassau acting on behalf of Human Services and S.T.R.O.N.G. Youth, Inc. \$220,000.00. RE: Youth Development. ID# CQHS20000056.

County of Nassau acting on behalf of Human Services and Tempo Youth Services, Inc. \$35,000.00. RE: Youth Development. ID# CQHS20000057.

County of Nassau acting on behalf of Housing and Intergovernmental and Village of Freeport. \$575,000.00. RE: CDBG. ID# CQHI19000025.

**THE NASSAU COUNTY LEGISLATURE**  
**WILL CONVENE THE NEXT**  
**COMMITTEE MEETINGS ON**  
**MONDAY, APRIL 6, 2020 at 1:00PM**  
**AND**  
**FULL LEGISLATURE MEETING ON**  
**MONDAY, APRIL 20, 2020 AT 1:00PM**





**PROPOSED ORDINANCE NO.      20 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with  
the Police Department.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated January 30, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u><b>TOTAL AMOUNT</b></u> (in dollars)	<u><b>SOURCE OF FUNDS</b></u>	<u><b>APPROPRIATED TO:</b></u>			
		<u><b>FUND</b></u>	<u><b>DEPT. CODE/Index</b></u>	<u><b>OBJ. CODE</b></u>	<u><b>AMOUNT</b></u> (in dollars)
637,500	U.S. Dept. of Homeland Security	GRT	PD	BB	637,500

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section

617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO.            21 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with  
the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 19, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
418,578	NYS Department of Health	GRT	HE	AA	310,335
		GRT	HE	AB	107,443
		GRT	HE	DD	800

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO.**

**22 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 19, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
20,360	NYS Department of Health	GRT	HE	AA	11,301
		GRT	HE	AB	5,559
		GRT	HE	DD	3,500

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.





**PROPOSED ORDINANCE NO. 23 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 19, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u><b>TOTAL AMOUNT</b></u> (in dollars)	<u><b>SOURCE OF FUNDS</b></u>	<u><b>APPROPRIATED TO:</b></u>			
		<u><b>FUND</b></u>	<u><b>DEPT. CODE/Index</b></u>	<u><b>OBJ. CODE</b></u>	<u><b>AMOUNT</b></u> (in dollars)
294,343	NYS Department of Health	GRT	HE	AA	228,647
		GRT	HE	AB	64,696
		GRT	HE	DD	1,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO.        24    –2020**

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Office of Housing and Community Development

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated January 8, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
1,929,100	NYS Division of Housing & Community Renewal and US Dept. of Housing & Urban Development	GRT	HI	AA	1,260,000
		GRT	HI	AB	569,000
		GRT	HI	BB	500
		GRT	HI	DD	99,600

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO. 25 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Department of Human Services.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
348,395	NYS Office For the Aging	GEN	HS	AA	32,920
		GEN	HS	AB	7,325
		GEN	HS	DD	24,500
		GEN	HS	DE	283,650

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this



supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO.            26 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
155,000	Health Research, Inc.	GRT	HE	AA	98,574
		GRT	HE	AB	50,764
		GRT	HE	DD	4,280
		GRT	HE	HH	1,382

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO. 27 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Traffic Safety Board.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
1,220,000	STOP-DWI Grant Program	GRT	TS	HH	797,550
		GRT	TS	BB	16,000
		GRT	TS	DD	44,450
		GRT	TS	DE	362,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6

N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.





**PROPOSED ORDINANCE NO. 28 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Traffic Safety Board.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
40,000	Handicapped Parking Surcharge Grant Program	GRT	TS	DD	7,200
		GRT	TS	DE	32,800

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section

617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



**PROPOSED ORDINANCE NO.            29 – 2020**

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Traffic Safety Board.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<b><u>TOTAL AMOUNT</u></b> (in dollars)	<b><u>SOURCE OF FUNDS</u></b>	<b><u>APPROPRIATED TO:</u></b>			
		<b><u>FUND</u></b>	<b><u>DEPT. CODE/Index</u></b>	<b><u>OBJ. CODE</u></b>	<b><u>AMOUNT</u></b> (in dollars)
56,000	NYS Governor's Traffic Safety Committee	GRT	TS	DE	25,000
		GRT	TS	HH	31,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a "Type II" Action within the meaning of Section

617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.



21-20  
Amendment

**Amendment in the Nature of a Substitution – Clerk Item Number 21-20**

Submitted by the County Executive and Introduced by:

PROPOSED LOCAL LAW NO. \_\_-2020

A LOCAL LAW TO AMEND TITLE A OF CHAPTER VI OF THE NASSAU COUNTY ADMINISTRATIVE CODE, IN RELATION TO NEW YORK STATE REAL PROPERTY TAX LAW §485-U

APPROVED AS TO FORM

Deputy Majority Counsel

2020 MAR - 6 P 1:40

NASSAU COUNTY  
CLERK OF COUNTY

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Short Title: This act shall be known and may be cited as the “Reassessment Phase-In Act of 2020.”

§2. Title A of chapter VI of the Nassau County Administrative Code is amended by adding a new section 6-34.0 to read as follows:

§6-34.0 Class One Reassessment Exemption.

1. Eligibility. The Assessor shall, for the 2020-2021 final assessment roll and for the subsequent four years, apply an exemption as provided in this section to each property classified in class one pursuant to Article 18 of the Real Property Tax Law.
2. Exemption calculation.

(a) (i) The Assessor shall calculate the exemption as a percentage of the exemption base. The exemption base shall be the amount by which the assessment of a property on the 2020-2021 tentative assessment roll issued on or about January 2, 2019 exceeds the equalized assessment on the 2019-2020 final assessment roll. The Assessor shall determine the equalized assessment on the 2019-2020 final assessment roll by multiplying a property's effective full value on the 2019-2020 final assessment roll by the class one level of assessment on the 2020-2021 final assessment roll. The Assessor shall determine a property's effective full value on the 2019-2020 final assessment roll by dividing the assessment on the 2019-2020 final assessment roll by the class one level of assessment on the 2019-2020 final assessment roll. Such exemption base shall not include assessment increases due to a physical improvement or a removal or reduction of an exemption on property.

(ii) Any increase in the assessment of a property due to an increase in a property's full value or physical changes subsequent to the 2020-2021 final assessment roll shall not be eligible for the exemption. If any portion of a property is fully or partially removed from the assessment roll subsequent to the 2020-2021 final assessment roll by reason of fire, demolition, destruction or new exemption, the Assessor shall reduce the exemption for any remaining portion in the same proportion the assessment is reduced for such fire, demolition, destruction or new exemption.

(b) The exemption shall be eighty per centum (80%) of the exemption base on the 2020-2021 final assessment roll, sixty per centum (60%) of the exemption base on the 2021-2022 final assessment roll, forty per centum (40%) of the exemption base on the 2022-2023 final assessment roll, twenty per centum (20%) of the exemption base on the 2023-2024 final assessment roll and zero per centum (0%) of the exemption base on the 2024-2025 final assessment roll.

3. Entering the exemption on assessment roll.

The Assessor shall enter in a separate column on the assessment roll the value of any exemption provided by this section.

§3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§4. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), 8 N.Y.E.C.L. Section 0101 et seq. and its



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implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly is of a class of actions which do not have a significant effect on the environment, and no further review is required.

§ 5. Effective Date. This local law shall take effect immediately.

**Amendment in the Nature of a Substitution – Clerk Item Number 21-20**

Submitted by the County Executive and Introduced by:

PROPOSED LOCAL LAW NO. \_\_-2020

A LOCAL LAW TO AMEND TITLE A OF CHAPTER VI OF THE NASSAU COUNTY ADMINISTRATIVE CODE, IN RELATION TO NEW YORK STATE REAL PROPERTY TAX LAW §485-U

APPROVED AS TO FORM

Deputy Majority Counsel

2020 MAR - 6 PM 11:40  
NASSAU COUNTY  
CLERK OF THE BOARD OF SUPERVISORS

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Short Title: This act shall be known and may be cited as the “Reassessment Phase-In Act of 2020”.

§2. Title A of chapter VI of the Nassau County Administrative Code is amended by adding a new section 6-34.0 to read as follows:

§6-34.0 Class One Reassessment Exemption.

1. Eligibility. The Assessor shall, for the 2020-2021 final assessment roll and for the subsequent four years, apply an exemption as provided in this section to each property classified in class one pursuant to Article 18 of the Real Property Tax Law.

2. Exemption calculation.

- (a) (i) The Assessor shall calculate the exemption as a percentage of the exemption base. The exemption base shall be the amount by which the assessment of a property on the 2020-2021 tentative assessment roll issued on or about January 2, 2019 exceeds the equalized assessment on the 2019-2020 final assessment roll. The Assessor shall determine the equalized assessment on the 2019-2020 final assessment roll by multiplying a property's effective full value on the 2019-2020 final assessment roll by the class one level of assessment on the 2020-2021 final assessment roll. The Assessor shall determine a property's effective full value on the 2019-2020 final assessment roll by dividing the assessment on the 2019-2020 final assessment roll by the class one level of assessment on the 2019-2020 final assessment roll. Such exemption base shall not include assessment increases due to a physical improvement or a removal or reduction of an exemption on property.
- (ii) Any increase in the assessment of a property due to an increase in a property's full value or physical changes subsequent to the 2020-2021 final assessment roll shall not be eligible for the exemption. If any portion of a property is fully or partially removed from the assessment roll subsequent to the 2020-2021 final assessment roll by reason of fire, demolition, destruction or new exemption, the Assessor shall reduce the exemption for any remaining portion in the same proportion the assessment is reduced for such fire, demolition, destruction or new exemption.
- (b) The exemption shall be eighty per centum (80%) of the exemption base on the 2020-2021 final assessment roll, sixty per centum (60%) of the exemption base on the 2021-2022 final assessment roll, forty per centum (40%) of the exemption base on the 2022-2023 final assessment roll, twenty per centum (20%) of the exemption base on the 2023-2024 final assessment roll and zero per centum (0%) of the exemption base on the 2024-2025 final assessment roll.

3. Entering the exemption on assessment roll.

The Assessor shall enter in a separate column on the assessment roll the value of any exemption provided by this section.

§3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§4. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), 8 N.Y.E.C.L. Section 0101 et seq. and its

implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly is of a class of actions which do not have a significant effect on the environment, and no further review is required.

§ 5. Effective Date. This local law shall take effect immediately.

79-20  
(LE)

Introduced by: Presiding Officer Richard Nicoletto, Deputy Presiding Officer Howard Kopel, Alternate Deputy Presiding Officer Denise Ford, and Legislators Gaylor, Muscarella, Kennedy, McKeivitt, Schaefer, Ferretti, Walker, and Rhoads

LOCAL LAW -2020

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO EXTEND THE DEADLINE TO FILE AN APPLICATION FOR THE CORRECTION OF AN ASSESSMENT FOR THE TENTATIVE ASSESSMENT ROLL FILED ON JANUARY 2, 2020

APPROVED AS TO FORM

Deputy Majority Counsel

2020 MAR 13 P 2:24

CLERK OF NASSAU COUNTY

WHEREAS, Nassau County property owners currently have until April 2, 2020 to file a grievance with the Assessment Review Commission for their tentative 21/22 fair market values as determined by the Nassau County Department of Assessment, and

WHEREAS, the Governor of New York State Andrew Cuomo declared a state of emergency on March 7, 2020 because of the Coronavirus and its impact on every New York resident; and

WHEREAS, County Executive Laura Curran declared a State of Emergency for the County of Nassau on March 13, 2020; and

WHEREAS, there is continuing uncertainty on the full force and effect of the Coronavirus on the public and government; and

WHEREAS, due to this public health emergency, Nassau County residents may require more time to file a grievance with regard to their property assessment; and

WHEREAS, the Nassau County Legislature believes that the deadline to file a grievance to the 2020 Tentative Assessment Roll published on January 2, 2020 should be extended from April 2, 2020 to April 30, 2020; NOW THEREFORE

BE IT ENACTED by the County Legislature of Nassau County as follows:

Section 1. §6-40.3 **Application for the correction of assessment for taxation** of the Nassau County Administrative Code is amended to include the following section subdivision:

(f) Notwithstanding the foregoing, for any grievance for the correction of an assessment contained in the tentative assessment roll filed by the Department of Assessment on January 2, 2020, the deadline to file an application for the correction of an assessment shall be April 30, 2020.

§2. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§3. S.E.Q.R.A. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Effective date. This local law shall take effect immediately.

Introduced by: Presiding Officer Richard Nicoletto, Deputy Presiding Officer Howard Kopel, Alternate Deputy Presiding Officer Denise Ford, and Legislators Gaylor, Muscarella, Kennedy, McKevitt, Schaefer, Ferretti, Walker, and Rhoads

LOCAL LAW -2020

A LOCAL LAW TO AMEND THE NASSAU COUNTY ADMINISTRATIVE CODE TO EXTEND THE DEADLINE TO FILE AN APPLICATION FOR THE CORRECTION OF AN ASSESSMENT FOR THE TENTATIVE ASSESSMENT ROLL FILED ON JANUARY 2, 2020

APPROVED AS TO FORM

Deputy Majority Counsel

WHEREAS, Nassau County property owners currently have until April 2, 2020 to file a grievance with the Assessment Review Commission for their tentative 21/22 fair market values as determined by the Nassau County Department of Assessment, and

WHEREAS, the Governor of New York State Andrew Cuomo declared a state of emergency on March 7, 2020 because of the Coronavirus and its impact on every New York resident; and

WHEREAS, County Executive Laura Curran declared a State of Emergency for the County of Nassau on March 13, 2020; and

WHEREAS, there is continuing uncertainty on the full force and effect of the Coronavirus on the public and government; and

WHEREAS, due to this public health emergency, Nassau County residents may require more time to file a grievance with regard to their property assessment; and

WHEREAS, the Nassau County Legislature believes that the deadline to file a grievance to the 2020 Tentative Assessment Roll published on January 2, 2020 should be extended from April 2, 2020 to April 30, 2020; NOW THEREFORE

BE IT ENACTED by the County Legislature of Nassau County as follows:

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Section 1. **§6-40.3 Application for the correction of assessment for taxation** of the Nassau County Administrative Code is amended to include the following section subdivision:

(f) Notwithstanding the foregoing, for any grievance for the correction of an assessment contained in the tentative assessment roll filed by the Department of Assessment on January 2, 2020, the deadline to file an application for the correction of an assessment shall be April 30, 2020.

§2. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§3. S.E.Q.R.A. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Effective date. This local law shall take effect immediately.



**PROPOSED RESOLUTION NO.**

**31 - 2020**

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S  
APPOINTMENT OF JAMES E. DZURENDA TO THE POSITION OF  
SHERIFF OF NASSAU COUNTY.**

WHEREAS, the Honorable Laura Curran, County Executive, has transmitted to this Legislature written notification of the appointment of James E. Dzurenda to the position of Sheriff of Nassau County, pursuant to Sections 203 and 2001 of the County Government Law of Nassau County; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now, therefore, be it

RESOLVED, that the appointment by the County Executive of James E. Dzurenda to the position of Sheriff of Nassau County is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.



**PROPOSED RESOLUTION NO. 32 - 2020**

A RESOLUTION AUTHORIZING THE TREASURER TO FURNISH THE CLERK OF THE LEGISLATURE WITH A PETTY CASH FUND IN THE AMOUNT OF FIVE HUNDRED DOLLARS.

WHEREAS, the County Legislature, pursuant to Section 1-4.2 of the Nassau County Administrative Code, may authorize the Treasurer to furnish any officer or department of the County with a petty cash fund; and

WHEREAS, the petty cash fund for the Clerk of the Legislature has not been increased since 1965 despite significant increases in prices over the past 55 years; and

WHEREAS, the Clerk of the Legislature has requested that the petty cash fund for the Clerk of the Legislature be increased from two hundred dollars (\$200) to five hundred dollars (\$500) to provide the Clerk of the Legislature the wherewithal to appropriately reimburse employees for work-related expenditures; now, therefore be it

RESOLVED, that the Treasurer of the County of Nassau be, and hereby is, authorized to furnish the Clerk of the Legislature with a petty cash fund in the amount of five hundred dollars.

**PROPOSED RESOLUTION NO. 33 – 2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS  
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020

WHEREAS, the County Executive, by communication dated January 30, 2020, addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2020; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW20000005 as follows:

BOARD TRANSFER NO. 05

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<b><u>FROM</u></b>	HI-GRT-8300FED-HH	Housing Choice Veoucher Program-Grant Fund-Interfund Charges	\$21,430.00
	<b>TOTAL</b>		<b>\$21,430.00</b>
<b><u>TO</u></b>	HI-GRT-8300FED-DD	Housing Choice Voucher Program-Grant Fund-General Expenses	\$21,430.00
	<b>TOTAL</b>		<b>\$21,430.00</b>

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of

appropriations heretofore made within the budget for the year 2020, as hereinabove set forth; and  
be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is a class of actions which does not have a significant effect on the environment; and no further review is required.



**PROPOSED RESOLUTION NO. 34 – 2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS  
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020

WHEREAS, the County Executive, by communication dated February 24, 2020, addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2020; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW20000006 as follows:

BOARD TRANSFER NO. 06

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<b><u>FROM</u></b>	ME-GRT-T3Y4NYS-BB	Medical Examiner – Grant Fund – Equipment	\$10,000.00
	ME-GRT-T3Y4NYS-DD	Medical Examiner – Grant Fund – General Expense	\$3,000.00
	<b>TOTAL</b>		<b>\$13,000.00</b>
<b><u>TO</u></b>	ME-GRT-T3Y4NYS-AA	Medical Examiner – Grant Fund – Salaries & Wages	\$13,000.00
	<b>TOTAL</b>		<b>\$13,000.00</b>

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of appropriations heretofore made within the budget for the year 2020, as hereinabove set forth; and be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is a class of actions which does not have a significant effect on the environment; and no further review is required.





**PROPOSED RESOLUTION NO. 35– 2020**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS  
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2020

WHEREAS, the County Executive, by communication dated March 10, 2020, addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2020; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW20000009 as follows:

BOARD TRANSFER NO. 09

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<b><u>FROM</u></b>	FB-GEN-3800-AB10F	Fringe Benefits – General Fund – Fringe Benefits	\$502,544
	<b>TOTAL</b>		<b>\$502,544</b>
<b><u>TO</u></b>	EM – GEN – 1100 – DD497	Emergency Management – General Fund – General Expenses	\$457,544
	EM – GEN – 1100 – BB197	Emergency Management – General Fund - Equipment	\$ 45,000
	<b>TOTAL</b>		<b>\$502,544</b>

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of

appropriations heretofore made within the budget for the year 2020, as hereinabove set forth; and  
be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is a class of actions which does not have a significant effect on the environment; and no further review is required.



**PROPOSED RESOLUTION NO. 26 - 2020**

A RESOLUTION authorizing the County Attorney to compromise and settle the claim of Plaintiff, as set forth in the action entitled *William T. Joie v. Nassau County*, Docket No. 17-CV-1411, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code

WHEREAS, *William T. Joie* (the “Plaintiff”) commenced an action against the Nassau County (the “County”), entitled *William T. Joie v. Nassau County* Docket No. 17-CV-1411, alleging damages arising out of personal injuries from an incident, and the County has agreed to make payment to Plaintiff in the amount of \$400,000 inclusive of attorneys’ fees in full settlement of all possible claims Plaintiffs may have against the County in the above titled action; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said action and as a result thereof recommends that it be settled in the amount set forth above; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in the amount as indicated above, provided that, if any payment arising from said action is to be made from the proceeds of a borrowing, that a bond ordinance to finance such settlement is adopted by this Legislature and any borrowing pursuant to such bond ordinance is approved by the Nassau County Interim Finance Authority, if such approval is required; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized to pay a maximum of \$400,000 by check or checks payable as directed by the County Attorney, said check or checks to be delivered to the County Attorney and thereupon delivered to the attorneys for Plaintiff, William T. Joie, upon receipt of a Settlement Agreement and Limited Release; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this settlement is a “Type II” Action within the meaning of Section 617.5(c)(29) of 6 N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.





**PROPOSED RESOLUTION NO.**

**27 - 2020**

A RESOLUTION authorizing the County Attorney to compromise and settle the claim of Plaintiff, as set forth in the action entitled *Adelamarie DeDiego v. County of Nassau, Nassau County Police Department, P.O. Christina Harrigan*, Index No. 605768/2017, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code

WHEREAS, *Adelamarie DeDiego* (the “Plaintiff”) commenced an action against the County of Nassau (the “County”), Nassau County Police Department, and Police Officer Christina Harrigan, entitled *Adelamarie DeDiego v. County of Nassau, Nassau County Police Department, P.O. Christina Harrigan.*, Index No. 605768/2017, alleging damages arising out of personal injuries from a motor vehicle accident, and the County has agreed to make payment to Plaintiff in the amount of \$750,000 inclusive of attorneys’ fees in full settlement of all possible claims Plaintiffs may have against the County in the above titled action; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said action and as a result thereof recommends that it be settled in the amount set forth above; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in the amount as indicated above, provided that, if any payment arising from said action is to be made from the proceeds of a borrowing, that a bond ordinance to finance such settlement is adopted by this Legislature and any borrowing pursuant to such bond ordinance is approved by the Nassau County Interim Finance Authority, if such approval is required; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized to pay a maximum of \$750,000 by check or checks payable as directed by the County Attorney, said check or checks to be delivered to the County Attorney and thereupon delivered to the attorneys for Plaintiff, *Adelamarie DeDiego*, upon receipt of a Settlement Agreement and Limited Release; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this settlement is a “Type II” Action within the meaning of Section 617.5(c)(29) of 6



N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.



A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND THE ART GUILD OF PORT WASHINGTON, INC.

WHEREAS, Nassau County (“County”) has received funding from the State of New York pursuant to State Tax Law section 1202-q, and appropriated said funds to the Department of Parks, Recreation and Museums (“Department”) in accordance with said law in order to support programs and activities relevant to the enhancement of cultural in the County; and

WHEREAS, the Department has determined that funding shall be awarded to The Art Guild of Port Washington, Inc., an existing not-for-profit organization located within the County for the continuation and enhancement of cultural growth in the County; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with The Art Guild of Port Washington, Inc..

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO  
EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU,  
ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND  
MUSEUMS AND THE OYSTER BAY HISTORICAL SOCIETY

WHEREAS, Nassau County (“County”) has received funding from the State of New York pursuant to State Tax Law section 1202-q, and appropriated said funds to the Department of Parks, Recreation and Museums (“Department”) in accordance with said law in order to support programs and activities relevant to the enhancement of cultural in the County; and

WHEREAS, the Department has determined that funding shall be awarded to the Oyster Bay Historical Society, an existing not-for-profit organization located within the County for the continuation and enhancement of cultural growth in the County; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the Oyster Bay Historical Society.

**PROPOSED RESOLUTION NO.**

**30 - 2020**

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S  
APPOINTMENT OF JEANINE DIEHL TO THE POSITION OF  
EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME VICTIM  
ADVOCATE.**

WHEREAS, the Honorable Laura Curran, County Executive, has transmitted to this Legislature written notification of the appointment of Jeanine Diehl to the position of Executive Director of the Office of Crime Victim Advocate, pursuant to Sections 203 and 2115 of the County Government Law of Nassau County; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now, therefore, be it

RESOLVED, that the appointment by the County Executive of Jeanine Diehl to the position of Executive Director of the Office of Crime Victim Advocate is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

