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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, October 31, 2016
1:06 P.M.

1

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

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM (Not Present)

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 JAMES KENNEDY

21 DELIA DERIGGI-WHITTON

22 CARRIE SOLAGES

23 SIELA BYNOE

24 MICHAEL PULITZER,
25 Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: Dennis
3 Dunne, please lead us in the Pledge of
4 Allegiance.

5 (Whereupon, the Pledge of
6 Allegiance was recited.)

7 CHAIRWOMAN GONSALVES: I will ask
8 the clerk to please call the roll.

9 CLERK PULITZER: Thank you,
10 Presiding Officer. Deputy Presiding Officer
11 Richard Nicoletto?

12 LEGISLATOR NICOLELLO: Here.

13 CLERK PULITZER: Alternate Deputy
14 Presiding Officer Howard Kopel?

15 LEGISLATOR KOPEL: Here.

16 CLERK PULITZER: Legislator Siela
17 Bynoe?

18 LEGISLATOR BYNOE: Here.

19 CLERK PULITZER: Legislator
20 Carrie Solages?

21 LEGISLATOR SOLAGES: Here.

22 CLERK PULITZER: Legislator
23 Denise Ford?

24 LEGISLATOR FORD: Here.

25 CLERK PULITZER: Legislator Laura

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2 Curran?

3 LEGISLATOR CURRAN: Here.

4 CLERK PULITZER: Legislator C.

5 William Gaylor III?

6 LEGISLATOR GAYLOR: Here.

7 CLERK PULITZER: Legislator

8 Vincent Muscarella?

9 LEGISLATOR MUSCARELLA: Here.

10 CLERK PULITZER: Legislator Ellen

11 Birnbaum?

12 (No verbal response.)

13 CLERK PULITZER: Legislator Delia

14 DeRiggi-Whitton?

15 LEGISLATOR DERIGGI-WHITTON:

16 Here.

17 CLERK PULITZER: Legislator James

18 Kennedy?

19 LEGISLATOR KENNEDY: Here.

20 CLERK PULITZER: Legislator Laura

21 Schaefer?

22 LEGISLATOR SCHAEFER: Here.

23 CLERK PULITZER: Legislator

24 Dennis Dunne, Sr.?

25 LEGISLATOR DUNNE: Here.

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2 CLERK PULITZER: Legislator

3 Rosemarie Walker?

4 LEGISLATOR WALKER: Here.

5 CLERK PULITZER: Legislator

6 Donald MacKenzie?

7 LEGISLATOR MACKENZIE: Here.

8 CLERK PULITZER: Legislator

9 Steven Rhoads?

10 LEGISLATOR RHOADS: Present.

11 CLERK PULITZER: Minority Leader

12 Kevan Abrahams?

13 LEGISLATOR ABRAHAMS: Here.

14 CLERK PULITZER: Presiding Officer

15 Norma Gonsalves?

16 CHAIRWOMAN GONSALVES: Present.

17 CLERK PULITZER: We have a

18 quorum, ma'am.

19 CHAIRWOMAN GONSALVES: Thank you
20 very much, Mr. Pulitzer.

21 At this point I'm going to open
22 the hearing.

23 LEGISLATOR ABRAHAMS: I just
24 wanted to request a moment for Ms. Virginia
25 Leviner. She was the crossing guard in

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2 Hempstead. This is for the terrible
3 accident that happened in Hempstead.
4 Obviously our crossing guards are trying to
5 make sure our children have proper gateways
6 and pathways to cross the street.

7 I think she gave up the ultimate
8 sacrifice in giving her own life to make
9 sure children are protected along these
10 street ways. So I just wanted to ask for a
11 moment of silence.

12 (A moment of silence was
13 observed.)

14 LEGISLATOR ABRAHAMS: Thank you.

15 CHAIRWOMAN GONSALVES: You're
16 welcome. At this point in the meeting, I
17 need a motion to open the hearing on the
18 first item on the agenda, which is a hearing
19 on Ordinance Number 177.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR SCHAEFER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Schaefer. All those in favor of opening the

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2 hearing signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The hearing is now open and the
7 vote is unanimous. Before I call on public
8 comment, and I know there are a number of
9 people here because I have the slips before
10 me, it is proper that you will be given the
11 time to address all of your concerns
12 pertaining to the budget, regardless of the
13 30 minute time restriction.

14 In other words, if we go over the
15 30 minutes, guess what, and you still
16 haven't been heard and you have a slip in
17 here, I will be able to call each and every
18 one of you. I think you like to hear that.

19 Before I go on to public comment,
20 I need to make a statement. I want you to
21 listen very carefully.

22 The current budget before the
23 Legislature with amendments contains funding
24 from fees of various types.

25 While we in the majority have

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2 offered amendments to eliminate some of the
3 fees, the largest fee is the public safety
4 fee.

5 We, in the majority, have been
6 working tirelessly to find a way to address
7 this fee as well.

8 Several of my colleagues in the
9 majority have asked that no action be taken
10 on any of the proposed fee legislation until
11 we exhaust every avenue to find other means
12 to fund the budget.

13 I have said throughout the budget
14 process that we are doing just that, seeking
15 alternatives.

16 Once such alternative that's
17 being investigated is the acceleration of
18 revenue collections from the Income and
19 Expense Law that was enacted by the majority
20 in 2013.

21 Comptroller Maragos had made a
22 last minute claim that he can find a way to
23 achieve budgetary balance without any fee
24 increases.

25 In light of this very recent idea

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2 of the Comptroller the majority will hold
3 off on approving any fees at this time,
4 however, we would be remiss if we did not
5 give the Comptroller the next few days to
6 fully inform this body of this plan.

7 We ask the Comptroller to put
8 forth a detailed plan including an amended
9 budget ordinance which must include a means
10 by which each department can eliminate any
11 proposed increase for 2017 and expenses for
12 that department along with his proposed 2.5
13 percent cut from 2016 expense levels.

14 We remind him that any such plan
15 must account for contractual labor expenses
16 along with state mandated health insurance
17 and pension increases.

18 While the cuts to the
19 Comptroller's budgets are to historically
20 vacant oppositions, other departments do not
21 have such vacancies.

22 Therefore, we ask of the
23 Comptroller to provide details as to any
24 layoffs that will be required by his plan as
25 well as cuts to service provided by the

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2 respective departments

3 Since the budget is for 2017, we
4 have a short time before any fee would need
5 to be instituted to impact on this budget.

6 While we await the Comptroller's
7 detailed plan, we in the majority will
8 continue to take the few remaining days to
9 work on alternatives to allow us to address
10 this fee, meaning the Public Safety fee.

11 Today, however, we are required
12 to adopt a budget for 2017. We will do so
13 today with the knowledge that the revenue
14 anticipated from the proposed fees will need
15 to be addressed in the next several days.
16 The budget as amended contains revenue that
17 would be realized by the proposed fees.

18 The budget as amended contains
19 revenue that would be realized by the
20 proposed fees.

21 Working tirelessly we will
22 attempt to work within this budget to
23 address those fees or their alternatives.

24 My colleagues and I agree that a
25 balanced budget will be achieved but it is

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2 better to take a little extra time to get it
3 right.

4 Now, time for public comment.

5 Yes, Minority Leader.

6 LEGISLATOR ABRAHAMS: Madam
7 Presiding Officer, if I'm to understand your
8 statement correctly, it sounds like that
9 this Legislature is not going to be
10 considering today any of the fee increases.
11 But, if I'm understanding this correctly
12 from what you're saying, that we are going
13 to pass a budget that we know has a
14 shortfall of close to \$77 million if they
15 are not adopted today.

16 I want to make sure that you are
17 aware and as we have stated before we are
18 against all the fees. There is no longer
19 any ambiguity with that. I just want to
20 make sure you're aware of the budget Section
21 304 of the budget which clearly in the
22 Charter I'm sorry that identifies that the
23 county's budget has to be balanced as we
24 take action today.

25 Also, I mean, we respect the

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2 Comptroller's analysis and we respect his
3 report.

4 However, this Legislature has had
5 this document for well over 45 days. The
6 reason, the most important reason that we
7 have put in place that we pass a budget by
8 October 30th, which I understand falls on a
9 weekend, so naturally it falls to today, is
10 that we wanted to add a level of
11 transparency and openness to this process,
12 not Democrats and Republicans, but when this
13 Charter and this Legislature was created to
14 ensure that people knew exactly where Nassau
15 County elected officials stood prior to
16 Election Day.

17 To me, this just seems like a
18 play book that we saw a couple years ago
19 where there was a tax increase proposed by
20 the County Executive and that tax increase
21 basically was vetoed by all of us here.
22 That tax increase was pulled out by all of
23 us here, and then when the County Executive
24 vetoed that portion of the budget, we tried
25 to get the majority to join us in overriding

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2 the veto which was after Election Day, and
3 there was no help, no assistance.

4 To me, this just seems like we're
5 trying to push transparency to the wayside.
6 If we were truly trying to balance the
7 budget then we should have come up with
8 solutions to try to do that in the time
9 frame. However, that was not done.

10 I also know from your playbook
11 and I can see pretty well that it seems to
12 me you're going to blame Democrats, had no
13 solutions, no ideas.

14 However, we have proposed over
15 close to probably 50 to 75 budget amendments
16 since we have been in the Legislative
17 minority and I challenge you to find one
18 that you joined with us to support. They
19 all can't be bad but you were not able to
20 support one of them. So, from that
21 standpoint, it doesn't seem like you're
22 looking for a willing partner in this
23 endeavor to try to balance the budget.

24 But I want to make sure we focus
25 on two things. One of the most important

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2 things is that we are going to pass a budget
3 or the majority is going to pass a budget
4 that will be inherently flawed from day one,
5 which violates from what we can see Section
6 304 of the Charter.

7 Then, two, the other point is, if
8 they try to pull the safety public fee or
9 some other fee that you suddenly folks in
10 the public do not agree to, they're going to
11 try to pull that after Election Day. To me,
12 that's not the openness and transparency
13 that this place glaringly and greatly needs.

14 CHAIRWOMAN GONSALVES: Thank you
15 very much, Minority Leader, and we will
16 begin with public comment and the first
17 person I have is Dina DeGiorgio. That's the
18 first slip I received.

19 MS. DEGIORGIO: Good afternoon.
20 Thank you for letting me speak.

21 I'm Councilwoman Dina DeGiorgio.
22 My district is District 6 in the Town of
23 North Hempstead and my area covers all of
24 Port Washington and most of Manhasset.

25 I'm here today to follow-up on a

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2 letter that I sent to each of you on Friday
3 asking you to reconsider the \$105 public
4 safety fee which obviously you're doing and
5 I'm very, very happy to hear that, and I
6 encourage you to find another solution.

7 The reason I'm here and the
8 reason why the fee is so significant to me
9 is that my residents in Manhasset and Port
10 Washington, even though we are one-sixth of
11 the Town of North Hempstead, we are issued
12 and we pay over 40 percent of all of the
13 traffic parking tickets that are issued by
14 the town.

15 Right now, if you forget to put a
16 quarter in the meter, or you disregard some
17 of the timed parking restrictions that are
18 around the Port Washington and Manhasset
19 train stations, you will get a fee of about
20 \$85 to 105.

21 If you enact the Public Safety
22 fee, that fee will go up to \$190 to \$225. I
23 really think the effect of such a ticket fee
24 will be a deterrent to shopping local and
25 hurt our local merchants and their employees

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2 in Port Washington and Manhasset.

3 I know you have a difficult job.
4 I don't envy the position that you're in. I
5 come here today because my community needs
6 to -- cannot really deal with paying that
7 kind of a parking ticket for an expired
8 meter or timed parking restriction.

9 If you feel, after you have done
10 all your research, that you cannot come up
11 with an alternative, I would respectfully
12 suggest that you exempt expired meters and
13 timed parking violations from the \$105 fee
14 so that you carve out an exception for those
15 offenses. Thank you very much for your
16 time.

17 CHAIRWOMAN GONSALVES: You're
18 welcome. Minority Leader.

19 LEGISLATOR ABRAHAMS: I was going
20 to respond. I want to make sure you're
21 clear, Ms. DeGiorgio. A few days ago we
22 held a press conference, and, to your point
23 in regard to the \$105 fee, you may or may
24 not know it is our judgement and estimation
25 that this fee should not be considered on

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2 any level. We believe that this fee is
3 illegal.

4 What we are citing is the New
5 York State Comptroller's report, which my
6 counsel is providing to you, which indicates
7 going back to cases as far as at 1992, and I
8 won't get into the provisions, but obviously
9 the use of this fee being used to balance
10 the entire budget clearly indicates that
11 this fee is illegal. We believe that the
12 county is vulnerable to future lawsuits.

13 So I know you had mentioned
14 looking at different ways and maybe not
15 charging for the fee in different aspects of
16 parking so on and so forth.

17 We don't believe that any aspect
18 of it should be enforced because we feel the
19 county is subject to and vulnerable to
20 future lawsuits.

21 MS. DEGIORGIO: I'm very well
22 aware of what you are attempting to do,
23 Legislator Abrahams. Thank you.

24 CHAIRWOMAN GONSALVES: Mitch
25 Schwartz.

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2 LEGISLATOR ABRAHAMS: We can make
3 the letter that I referenced as part of the
4 record, we'll make sure counsel gives it to
5 you.

6 MR. SCHWARTZ: Hi. My name is
7 Mitch Schwartz. I'm on the board of the
8 Nassau Council of Chambers of Commerce. We
9 represent all the Chambers of Commerce in
10 Nassau County, over 6,000 small businesses.
11 None of them are happy about this.

12 As you well know, getting people
13 to shop locally is getting increasingly more
14 difficult and this will not help. One
15 person gets a \$205 or \$190 fine, they're
16 going to be shopping in Amazon who does not
17 have these fines.

18 The other thing is, this seems to
19 me to engender a slight conflict of interest
20 in terms of the police giving tickets that
21 will fund their operations. There's a
22 little bit of an incentive there to ticket
23 more aggressively than might otherwise be.

24 We agree wholeheartedly with
25 Councilman DeGiorgio that Main Street

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2 parking and parking lots that service small
3 businesses in Nassau County, if you do need
4 to have this kind of fee, be exempt. Thank
5 you.

6 CHAIRWOMAN GONSALVES: You're
7 welcome, Mr. Schwartz. I believe it's
8 Mariann Dalimonte.

9 MS. DALIMONTE: Good afternoon.
10 I'm Mariann Dalimonte. I'm the executive
11 director of the Greater Port Washington
12 Business Improvement District and a resident
13 in Port Washington New York.

14 I strongly urge you not to adopt
15 the \$105 surcharge proposed in the 2017
16 Nassau County budget. On Wednesday, August
17 31st, County Executive Ed Mangano came to
18 Port Washington and hosted a press
19 conference on shopping local at one of our
20 merchants on Main Street.

21 The County Executive stated,
22 "that it's very important to support our
23 hometown businesses all year round. Local
24 business is the heartbeat of your county."

25 If you impose this surcharge this

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2 will have a negative impact on Port
3 Washington and all communities in Nassau
4 County. Local merchants will not be the
5 heartbeat of our community anymore. When
6 one customer gets a \$190 meter violation
7 ticket for shopping in Port Washington, what
8 do you think is going to happen? They're
9 going to turn to the internet for all of
10 their shopping needs. It's going to deter
11 residents from shopping local.

12 So I ask you, does Nassau County
13 want to destroy local downtowns? If you
14 want to continue to show your support for
15 local businesses, then I urge you not to
16 adopt this excessive ticket surcharge.
17 Thank you.

18 CHAIRWOMAN GONSALVES: Thank you.
19 Ms. Debra Izzo.

20 MS. IZZO: Good afternoon guys.
21 Thank you for letting me speak.

22 I'm not here though to talk about
23 a \$105 fee. I would like to say to start, I
24 believe with Kevan Abrahams that these fees
25 are an unfair burden on small business.

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2 I disagree with Julie Marchello
3 of the NCC that this is not a by-product of
4 residents not shopping local but is a
5 by-product of poor spending habits and
6 salary raises.

7 I personally had to reduce my own
8 salary to offset my expenses. I believe
9 that the \$600 fee for dog groomers and
10 fitness coordinators is absurd. For a first
11 time license, it's crazy.

12 How does this fee ensure that
13 consumers do not sign contracts with hidden
14 clauses that may or may not hurt them? It's
15 up to them to read what they sign.

16 How does this fee make a groomer
17 follow healthy and safety standards? Guess
18 what? There are none. So I ask, what would
19 it really do? Who would enforce these
20 nonexisting standards?

21 By the way, how much would pay
22 this physician pay if they're following the
23 standards that don't exist? Because if
24 there's a new position to go and find out if
25 they're following standards, I would like to

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2 apply.

3 I want to ensure you -- if you
4 want to ensure that we follow standards,
5 then you need to start at the beginning and
6 create them, not at the end and charge a
7 license for a fee to uphold them.

8 In the past, I have spoken with
9 Ex-Legislator David Dennenberg and
10 Assemblyman David McDonough about some of
11 these ideas. The types of kennels that are
12 allowed to be used and the types of cleaning
13 products to be used, et cetera.

14 There are more hazards for the
15 groomers than the animals that we actually
16 handle.

17 Most groomers are independent
18 contractors that file for themselves making
19 each of them their own business. That means
20 each groomer will be paying \$600.

21 Comparing dog groomers to
22 cosmetologists is totally incorrect. Do you
23 know that they pay \$100 approximately for a
24 four year license in a state-regulated
25 business with state exams and state classes?

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2 Implementing these license fees
3 will drive more groomers underground working
4 out of their homes or out of Nassau
5 altogether. Any reputable grooming shop now
6 requires shot records and vet checkups.

7 The business community deals with
8 higher taxes, higher electric, wonderful
9 Obama care, higher gas, water and rent and
10 operating insurance every year, for
11 mortgages for people do not increase.

12 I have been in business for over
13 ten years and I have had zero disability and
14 worker's comp claims. Yet, I have to pay
15 more each year at a premium rate because we
16 work with animals.

17 I would like to say, in essence,
18 I am all for raising some taxes and fees but
19 going to groomers and fitness is totally
20 ludicrous.

21 I believe that the news coverage
22 of the \$105 fee was over the top in
23 shielding fees that will hurt small
24 businesses throughout the county.

25 If you want to go through a red

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2 light, you need to pay the price. If you
3 put someone in danger, you can pay a price.
4 You're trying to give us a fee for a license
5 for standards that don't exist.

6 CLERK PULITZER: Ma'am, your
7 three minutes have expired.

8 MS. IZZO: Can I just make one
9 closing statement?

10 CHAIRWOMAN GONSALVES: Wrap it
11 up, Debbie.

12 MS. IZZO: In closing, I would
13 like to say by implementing these fees you
14 will be forcing more businesses to either
15 move to Suffolk County, inside the city
16 limits, or go underground.

17 Again, I ask, how can a \$600 fee
18 force us to follow health and safety
19 regulations when they do not exist? Thank
20 you.

21 CHAIRWOMAN GONSALVES: Anne
22 Krauss.

23 MS. KRAUSS: Thank you for
24 letting me speak. I also represent the
25 groomers. This \$600 fee will cause many,

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2 many groomers to go out of business. We are
3 partners with veterinarians and with the
4 consumers. We see things that the consumers
5 do not see on their dog, health-wise, we
6 inform them, and they therefore can take
7 better care of their dogs.

8 I have a fairly large grooming
9 shop but I know there are many, many small
10 mom and pop grooming shops who will end up
11 going out of business.

12 We already pay MPA tax, workman's
13 comp, disability, sales tax. We don't sell
14 anything, but we still have to pay a sales
15 tax on service. We have to pay a huge
16 amount of employer tax on payroll. All of
17 these can put the little person out of
18 business anyway.

19 We struggle because many of our
20 consumers cannot afford dog grooming. It's
21 not just fluff and make Fido look cute.
22 It's health. Because a lot of people are
23 out of work, they can't afford to bring
24 their dogs in as often as they used to so we
25 have what's called stripping. You have to

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2 bring the dog's coat down to the skin.

3 People can't afford it. So they stall and
4 they stall until they have no choice to come
5 in.

6 Many of my clients owe me a lot
7 of money because they can't afford the
8 grooming. A lot of people are out of work
9 so I work with them.

10 We also do rescue work. Many,
11 many rescue groups and shelters. We do free
12 groomings to try to help animals, dogs get
13 homes.

14 It is imperative that you
15 reconsider this fee. This fee is absolutely
16 absurd. Absurd. It will accomplish
17 nothing.

18 If you want to get more money, I
19 know you don't want to raise taxes, but I
20 guarantee if you raise mortgage taxes or
21 homeowner's taxes across the board, it will
22 cost less in the long run than targeting
23 small businesses that will end up putting
24 more people out of work and more people
25 suffering. Thank you.

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2 CHAIRWOMAN GONSALVES: Thank you,
3 Ms. Krauss.

4 MR. SLATKY: Good afternoon
5 everyone. My name is Alec Slatky. I'm here
6 representing Triple A Northeast which serves
7 a membership of nearly 300,000 Nassau County
8 residents.

9 I'm pleased to be here today and
10 certainly gratified to hear that you're
11 reconsidering the \$105 Public Safety fee. I
12 think that represents, I hope an
13 acknowledgment that this is certainly bad
14 public policy.

15 In the past it's been hard to
16 stay on message with our opposition because
17 there's so many reasons why this is ill
18 conceived policy. You can make a Letterman
19 top ten list. I want to talk about one or
20 two that we haven't discussed as much.

21 I think what was discussed about
22 the legal concerns, I think that's certainly
23 a concern of ours as well.

24 When you call it a fee, a Public
25 Safety fee, that's a payment for a special

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2 service. But there's been plenty of court
3 cases and Comptroller's cases that have held
4 it doesn't matter what you call it, if it
5 goes to fund general government services,
6 which policing certainly is, then it's not a
7 fee, it's a tax. Or when the County
8 Attorney said in Newsday that, "Drivers
9 could avoid the fee completely by the simple
10 expediency of not breaking law," that
11 basically tells me this is a fine or a
12 penalty, and if you violate the Vehicle and
13 Traffic Law, the State Legislature sets
14 those penalties and I think with good
15 reason, we don't want to go back to the days
16 where every county had a different level of
17 traffic fines. The more predatory
18 municipalities could crack down on drivers
19 who are committing marginal infractions and
20 raise money for themselves.

21 So I really think if we were to
22 pass this, it would set a bad precedent and
23 bring us back to those days, before the
24 Uniform Vehicle Traffic Code, and every Tom,
25 Dick and Harry municipality, any little

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2 village in New York can do the same thing.

3 I think that would be bad precedent.

4 Especially with the parking fees

5 as has been mentioned, I think those

6 especially are the egregious ones.

7 I know that the Traffic and

8 Parking Violations Agency may not be part of

9 the judicial system, per se, but I think

10 it's part of the justice system broadly

11 construed.

12 I don't think anyone can sit here

13 and say that charging someone \$220 for being

14 five or six minutes late to a parking meter

15 represents justice. It's not justice. It's

16 outrageous.

17 I'd urge you, and I'm very glad

18 to hear that you are reconsidering the fee

19 and I'd urge you to commit to not bringing

20 it back because it's bad public policy, it's

21 potentially illegal, and I would love to

22 hear a firm commitment that this is not

23 going to be in the budget.

24 So I do appreciate your statement

25 today and I want to thank you all of the

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2 legislators for acknowledging the will of
3 the voters and their opposition to this fee.
4 I would like to thank you for having me here
5 today.

6 CHAIRWOMAN GONSALVES: You're
7 welcome, Mr. Slatky. David Lofton.

8 LEGISLATOR ABRAHAMS: If I can
9 respond to Mr. Slatky.

10 CHAIRWOMAN GONSALVES: Minority
11 Leader.

12 LEGISLATOR ABRAHAMS: I wanted to
13 respond to Mr. Slatky real quick. Obviously
14 we agree and concur with many of your
15 points.

16 However, look, I can tell you how
17 things have been over the last couple of
18 years. You would -- the public would need
19 that firm commitment today. The only way
20 that firm commitment can be exercised is to
21 call the public safety fee that's currently
22 on the calendar for today and to simply vote
23 it down. That will give everyone in this
24 room the assurance that it will not go
25 forward.

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2 Instead, I got a feeling that it
3 won't be called. That it will be postponed
4 to a November meeting or maybe in December
5 when the holidays start kicking around. And
6 it will be voted on in the shadows of the
7 dark.

8 To me, that is not openness or
9 good government to try to do it that way.
10 So I am encouraging, not just you, Mr.
11 Slatky, but anyone who is here to talk about
12 the \$105 fee, to encourage the majority, the
13 Presiding Officer is the only one who has
14 the authority, to call it today.

15 It sounds like to me there is
16 some concern from the other side to vote it
17 down. Join us. We would love to have your
18 support in voting this down today.

19 MR. SLATKY: I would certainly
20 appreciate knowing today that the fee is not
21 going to happen, of course. The sooner we
22 can get rid of the fee as an idea, the
23 better.

24 CHAIRWOMAN GONSALVES: David
25 Lofton.

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2 MR. LOFTON: Good afternoon
3 again. My name is David Lofton and I'm
4 representing New York Communities for Change
5 and also the Tenants Association for
6 Hempstead.

7 I'm here today because we have a
8 large concern with our seniors in Hempstead
9 with no backup generators in some of our
10 apartment buildings. We have one apartment
11 in Hempstead, one particular, 1400 Fulton
12 Avenue that has nothing but seniors there.
13 And in the apartment when the electric goes
14 out we don't have any generators.
15 Therefore, the elevators are not operative
16 and the people who have wheelchairs and
17 walkers cannot get in and out of the
18 building. Some of them have breathing
19 apparatus where they need to be plugged in.
20 So they are stuck in that building and I
21 really feel bad for them. I wish you guys
22 would really please consider to look at some
23 kind of way to help these seniors get some
24 kind of backup generators in that particular
25 building. I appreciate any help you guys

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2 can do for us.

3 LEGISLATOR NICOLELLO: Mr. Lofton,
4 have you been to the Village of Hempstead?

5 MR. LOFTON: I went to everybody
6 in the State of New York and everybody is
7 pushing us under the rug.

8 LEGISLATOR NICOLELLO: What was
9 the response from the village? Obviously
10 they have the building code. They can do
11 this if they want.

12 MR. LOFTON: They're telling us
13 it's not in their hands, come over here. I
14 have been over here. I've been out on your
15 front stoop. I had a news team out there.
16 Everybody is pushing us under the rug.
17 Meanwhile, our seniors are in there really
18 suffering.

19 LEGISLATOR NICOLELLO: Listen, I
20 understand that they may want us to do it
21 but the village of Hempstead does have the
22 power to do this if they want. So I think
23 you should actually speak to the mayor and
24 speak to the trustees and say go ahead and o
25 it. They saying, well, Nassau should do it.

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2 Regardless of whether Nassau does it or not,
3 the village has the power to do it, your
4 locality, your local government, you should
5 hold them accountable.

6 CHAIRWOMAN GONSALVES: Legislator
7 Ford.

8 LEGISLATOR FORD: Hi. I have to
9 say thank you for coming here and once again
10 addressing that. As you know, I have been
11 to a number of the tenant association
12 meetings, especially during the budget time,
13 when they are looking for the fee increase,
14 whether or not they are going to increase
15 the rent.

16 Please call my office and get in
17 touch with me. I will help you write a
18 letter. I didn't realize how bad the
19 problem was. It has been spoken at various
20 meetings, not only in the Hempstead but up
21 in Great Neck and one of the other buildings
22 up there as well. So whatever I can do, I
23 would be more than happy to help you because
24 I have always advocated for the tenants.
25 Thank you.

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2 MR. LOFTON: Thank you so much.
3 That made my day.

4 CHAIRWOMAN GONSALVES: Mr.
5 Lofton, while you're here, the only reason
6 why the county doesn't get involved is
7 primarily because we don't have a building
8 department, but the Town of Hempstead and
9 the rest of the towns do. So they're the
10 ones that should be addressing this.

11 But, again, if you need
12 assistance from any of us to move the dime
13 then we'll certainly be happy to assist you
14 in trying to get the town to do what it
15 should do.

16 Legislator Bynoe.

17 LEGISLATOR BYNOE: Thank you,
18 Presiding Officer. Good afternoon,
19 Mr. Lofton. I want to address your concerns
20 as I thought I did initially by meeting with
21 you, actually it was New York Community for
22 Change that actually really gave me the idea
23 to implement or to introduce legislation
24 that would speak to that very issue that
25 would require all towns and villages within

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2 the County of Nassau to have a law that
3 would be enacted that would require building
4 owners that housed frail and elderly
5 individuals to have backup generators to
6 make sure that the elevators operated during
7 electrical outages.

8 That law was introduced some time
9 ago, I wish somebody give me the date when I
10 introduced that legislation, but it has to
11 be over at least an eight month period.

12 So, Legislator Ford has vowed
13 today to assist you, could assist you very
14 easily by working with the majority there to
15 make sure this legislation actually meets
16 the floor and is vetted and we're able to
17 actually move forward with approving it.
18 This legislation has been introduced. It's
19 there. The remedy is that easy. We just
20 need to bring it to the floor and it needs
21 to be voted on.

22 The reason why the Village of
23 Hempstead -- it wouldn't just solve the
24 issue of the Village of Hempstead
25 implemented this legislation is because this

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2 issue doesn't just exist in the Village of
3 Hempstead, it exists in Long Beach,
4 Westbury, New Cassel, straight out to Great
5 Neck and through out Nassau County. This is
6 a county-wide issue, not a village of
7 Hempstead.

8 When the majority would
9 acknowledge that and look at the legislation
10 that was crafted and put on record and filed
11 with the County Clerk's Office, I think we
12 would all be a better off county for that.
13 Thank you.

14 MR. LOFTON: Thanks again
15 everyone. I appreciate all your help.

16 CHAIRWOMAN GONSALVES: Deborah
17 Lumer.

18 MS. LUMER: Hi. Thank you for
19 giving me the opportunity to speak about the
20 pet grooming license. I have been a dog
21 groomer for 42 years. I have owned my shop
22 for 23 years.

23 I have many clients that are
24 third generation dogs that I have been
25 grooming. I feel that this license will put

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2 a lot of small dog grooming shops out of
3 business and will focus on the large box
4 stores such as Petco and Pet Smart that
5 train their groomers for six weeks and then
6 they put them in the their shops and they
7 are inexperienced.

8 I get calls at least three times
9 a week from people that have had their dogs
10 groomed at these places and they're
11 unsatisfied.

12 On the other side of the coin,
13 the expenses that I myself, as a small
14 business have, I'm legal. I pay my taxes.
15 I pay my rent. I'm legal. I pay my taxes.
16 I have rent, I have utilities. I have all
17 types of insurance costs.

18 For me to have to pay \$600 every
19 year to have a license to groom when there
20 are no guidelines to tell me what I'm
21 supposed to do and how my shop is supposed
22 to be set up will just cause me to close my
23 doors and leave Nassau County. I'm a
24 Suffolk County resident. I do not live in
25 Nassau County. I travel 40 minutes every

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2 day to come to Nassau County to offer my
3 services to your residents.

4 I feel being in business for 23
5 years, my clients are very happy. I love my
6 clients. I love the dogs that I groom. I
7 feel that a lot of businesses like mine will
8 be forced to go out of business and it will
9 hurt the residents of Nassau County because
10 they will be forced to go to Pet Smart and
11 Petco to have their dogs groomed.

12 I don't think it would be a wise
13 decision on the Board's part and I hope that
14 it does not get passed.

15 I feel that cosmetologists pay a
16 fee of \$100 every four years for their
17 license. Tattoo parlors pay \$50 a year for
18 their license. \$600 for a dog groomer to
19 pay every year and it's proposed to go up
20 over the next few years would just be
21 outrageous and would be impossible for me to
22 pay. The groomers that work with me would
23 not be able to pay it.

24 So I hope that you reconsider and
25 think about your residents. Okay? Thank

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2 you.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Ms. Lumer. Pat Friedman.

5 MS. FRIEDMAN: Good afternoon and
6 thank you. I'm going to try and read my
7 notes rather quickly since I'm operating
8 with one eye so please bear with me because
9 my final paragraph is the one I really want
10 you to hear.

11 Madam Chair and members of the
12 Nassau County Board. Today is a very sad
13 day for you and for us in Nassau County
14 requesting an order to pass a law to add an
15 additional \$105 charge in addition to a red
16 light camera ticket.

17 The ink is not even dry on the
18 order of this board to repeal the illegal
19 school cameras, which this board repealed
20 and approved unanimously the day of the
21 hearing a very, very short time ago.

22 Your inability to manage should
23 be rated a D minus. Never do you propose
24 necessary cuts when needed to balance your
25 budget. All you know are plus, never minus,

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2 as we must do to balance our budgets.

3 The County Executive got a
4 \$17,000 cost of living increase. As I'm
5 aware, all county employees received as well
6 a cost of living increase. I don't think
7 you want me to ask the people in this room
8 if any of them got a cost of living increase
9 at this time.

10 We in private life never receive
11 a plus in cost of living. We get a minus.
12 \$105 increase on already a high cost traffic
13 ticket is a death without a gun.

14 After winning my battle with
15 Mr. Trump, Trump on the Ocean, Jones Beach,
16 I'm now in a position of seeking President
17 Trump's help in reorganizing Nassau County.
18 I'm a driver of over 60 years. I have never
19 caused an accident.

20 However, I've had two rear end
21 accidents as now classified as permanently
22 and totally disabled.

23 Driver's common sense is out the
24 window because of the yellow amber light,
25 which I brought to this Board's attention

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2 when we first started to fool around with
3 all of the red light, speed camera lights,
4 et cetera.

5 These cameras were installed,
6 which I warned, by Tom Suozzi, and at the
7 time the light was shortened to three
8 seconds instead of the approximate six or
9 seven seconds. A set up. You can't stop in
10 three seconds. That's why I've had two rear
11 end accidents.

12 I believe the main road on Nassau
13 Boulevard was restored after talking to our
14 County Executive privately, but all the
15 other roads are still three seconds and
16 people are getting tickets. They cannot
17 stop.

18 Again, I call on voters to vote
19 you out of office, any elected official,
20 voting today to approve this legislation
21 starting right now.

22 It is time we show that this
23 Board is supposed to be representing us. A
24 vote, vote no against any elected official
25 who is not representing us.

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2 My final paragraph which I'm now
3 going to probably put my name down in
4 history.

5 I hereby publicly inform you, the
6 Nassau County elected officials, that you
7 will be held personally responsible for all
8 accidents, injuries and connected
9 responsibilities from this moment forward
10 since you are formally informed the amber
11 light is deliberately too short, three
12 seconds, instead of the normal six or seven
13 seconds duration. It won't take long to
14 bankrupt Nassau County and we will have to
15 start over back to the very beginning of
16 county government. Thank you.

17 CHAIRWOMAN GONSALVES: Meta
18 Mereday.

19 MS. MEREDAY: Meta J. Mereday,
20 Baldwin. I'm always encouraged when more
21 residents come out but unfortunately it
22 always takes, in this county it either takes
23 an indictment, an arrest or a tragedy to get
24 more residents to come out to speak to the
25 issues that many of you who sit up there

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2 hear from me on at least a biweekly basis.

3 Again, I'm on the record in
4 opposition to the fee that is also being
5 opposed by the residents who are here. But
6 I'm also opposed to all the fees,
7 particularly those that are imposed upon our
8 veterans.

9 And, as you all know, my
10 consistent plea is in regard to the
11 underserved veterans who live in this county
12 and if you combine this county with Suffolk
13 County we have the largest population of
14 veterans in the state. Those of you are
15 smiling up there because you heard that
16 before. It's again for the record and for
17 the members of the public who took the time,
18 and probably at a loss, to come out here to
19 again plead with you about what is happening
20 to us in this county.

21 Once again, this is a bogus
22 opportunity to raise more money. You can
23 call it what you want. Couch it in whatever
24 form you want, but it is additional tax.

25 To say that you keep our property

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2 taxes flat is also ridiculous because we
3 also now have to pay for a land bank for the
4 zombie houses which can very effectively be
5 rehabbed and we can work with the residents
6 so they can stay in their homes.

7 So, before I go out of time, why
8 do we have to wait for a tragedy again or
9 for an arrest warrant for this county to act
10 on what the residents are pleading for you
11 to do? To give our safety.

12 If we cannot support our seniors
13 with generators, then why are we so quick to
14 pass laws that now close down more gasoline
15 stations because they were forced to put in
16 generators after Sandy? What is that all
17 about? Do we continue to put profits over
18 people? I don't understand.

19 Also, why are we not looking at
20 the fact that these contracts that at least
21 the minority side has been trying to get
22 some compliance and get some oversight when
23 you continue to omit the fact that
24 veteran-owned businesses are not given the
25 opportunities and the inclusion that they

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2 need so that they can hire some of our
3 veteran students that go to our educational
4 facilities but then can't afford to live
5 here.

6 Guess what? The oversight that
7 you currently have is also negligent because
8 you are not providing the requirements that
9 are both state and federally supported in
10 terms of the contracting percentages.
11 Because the inclusion is not there, the
12 oversight is not there. We are tired of
13 being tired.

14 As the previous speaker spoke, we
15 do have the rights to vote you all out of
16 office, that, again, if a Newsday scandal
17 doesn't catch you or the attorney general.

18 CHAIRWOMAN GONSALVES: Thank you,
19 Ms. Mereday.

20 MS. MEREDAY: I'm not finished
21 yet. I don't believe my time is up.

22 When is enough going to be
23 enough? We are going to either have to work
24 together or someone is going to have to be
25 removed.

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2 Somehow, I'm able to still keep
3 coming here to speak, but the landscape up
4 there continues to change and it will
5 continue to change because, again, this is
6 another budget that needs to be voted down
7 because it is built on the backs of the
8 long-suffering taxpayers. And, guess what?
9 Your numbers don't add up. And when is the
10 contracting going to be more inclusive of
11 minority women and veteran businesses?
12 Because, again, you're breaking state and
13 federal law and someone is going to have to
14 pay.

15 So, as my shirt says, and the
16 color is not just matching because it's
17 Halloween, it says property of Levenworth, a
18 gated community. Thank you. Now I'm done.

19 CHAIRWOMAN GONSALVES: Diane
20 Madden.

21 MS. MADDEN: Diane Madden. I'm
22 here mostly to talk about the \$105 fee. I
23 don't feel comforted at all whatsoever
24 because it sounds to me that it's just
25 getting tabled and that is not the solution.

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2 I think that you owe it to the
3 community, to the public, the tax paying
4 public to give us some reason to believe
5 that you will not be voting on that fee ever
6 by removing it from the agenda entirely.
7 Again, I feel no relief.

8 I'm all too familiar with how
9 government works, particularly corrupt
10 government. And I'd also -- one question I
11 do have, this fee that is illegal, how is it
12 that you can pass a fee in the first place
13 that's illegal and, yet, if the citizens
14 break that law in violation of that law, we
15 have to pay financially? How is that
16 possible? Can someone please answer me? No
17 comment?

18 CHAIRWOMAN GONSALVES: Minority
19 Leader.

20 LEGISLATOR ABRAHAMS: I was
21 trying to give the majority a chance to
22 respond. We made our intention that we do
23 not support the fee. Theirs sounds like
24 50-50. So I'm not too sure what they plan
25 to do but I can tell you that we have shared

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2 our opinion in our letter -- which I can
3 provide to you -- to the County Attorney.

4 From what I can understand, the
5 County Attorney believes that the fee is not
6 illegal. So, from his standpoint, I guess
7 that's why he's given us, not us, but some
8 of the other folks in the Legislature the
9 assurance that that will be the case.

10 We truly believe it is and it's
11 subject to possible litigation. We can't
12 support it on top of many other reasons.

13 As you well know, the fee
14 generates probably close to \$64 million. I
15 think it's been identified by Mr. Naughton
16 as well as other folks from the
17 administration that they want to use the fee
18 to pay for new police personnel, which, from
19 our estimation, from Mr. Naughton as well,
20 will be a cost to the county of \$8 million.

21 So, basically we are raising a
22 fee to generate \$64 million but the reason
23 we're generating the fee to deal with
24 terrorism and deal with additional police
25 officers is only going to cost us \$8

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2 million.

3 The question becomes, where is
4 the other 56 going? That's why this becomes
5 illegal because it's going towards balancing
6 general administration costs because of
7 mismanagement in this county is why we have
8 overtime that's exceeding, why we have
9 contracts that we can't pay for which parts
10 of my delegation did not support.

11 So I think from that standpoint
12 is the real crux of the issue. We truly
13 believe and the public as you did just now
14 should demand that this item come up for a
15 vote today.

16 MS. MADDEN: I would like that
17 answer. I'm not getting that answer.

18 LEGISLATOR ABRAHAMS: Good luck
19 trying to get that answer. But I will tell
20 you that without that today -- and
21 Ms. Mereday comes to all of our meetings,
22 without that today you will see a meeting
23 that comes up November 21st or sometime in
24 December where you will have maybe a reduced
25 fee, maybe \$55, \$75 dollars of \$90, but

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2 something that will go in its place that
3 will reduce maybe the fee and it will be
4 done in the dead of winter when nobody is
5 looking and we're hoping -- but it will done
6 in the dead of winter when nobody is looking
7 and they hope nobody remembers.

8 To me that evades the very
9 principle of why you ask for a budget to be
10 passed on October 30th prior to any November
11 election. That's the reason you do it. You
12 pass what you believe is the best document
13 you can pass. This is not that. We are
14 holding out hope. I have great respect for
15 the Comptroller but we are holding out hope
16 that the Comptroller will have the solutions
17 to be able to balance the budget and then
18 have agreement between the fourth floor, the
19 County Executive, and down here.

20 To me, that's not what we are
21 charged with doing.

22 MS. MADDEN: I agree and I can
23 only tell you that the public is awake and
24 they can hold these meetings at 1:00 a.m.
25 But we know what this board is capable of.

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2 I have seen it myself.

3 I was listening to some of these
4 groomers. I have no idea although I would
5 like the answer on how you once again chose
6 the animals as the most vulnerable.

7 Enough damage was done by this
8 board, the majority, through their Pet
9 Dealer Law, which, by the way, Suffolk
10 County has started with not only a better
11 law to stop the abuse of puppy mills but
12 recently amended their law weeks ago.

13 This board is an embarrassment.
14 It is an obstruction. Again, I don't feel
15 any better nor will the public that you put
16 off this \$105 fee, and I think it would be
17 an abomination if you do by the end of this
18 day pass a fee that hurts animals again.

19 Stop hurting the most vulnerable
20 of this society.

21 CLERK PULITZER: Your three
22 minutes have expired.

23 MS. MADDEN: Those are the people
24 in our society that you should be
25 considering the most.

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2 CHAIRWOMAN GONSALVES: Thank you.
3 Comptroller Maragos, he was the last speaker
4 for today, however, I see that people have
5 put in slips.

6 But, Mr. Maragos, you are free to
7 come up and discuss, as I stated my
8 statement, the plan that you may have in
9 order to help us resolve the problems in our
10 county. Go ahead, Mr. Maragos.

11 COMPTROLLER MARAGOS: Thank you.
12 First of all, I never thought that the
13 Comptroller's mission was to resolve the
14 problems and propose policy but I will give
15 you some suggestions.

16 CHAIRWOMAN GONSALVES: Well, you
17 said you had a plan.

18 COMPTROLLER MARAGOS: I will give
19 you suggestions today. The Comptroller's
20 Office has reviewed the technical and
21 legislative budget amendments that were sent
22 to us last Wednesday to the proposed 2017
23 budget.

24 Of the total \$25 million in
25 expense reductions, we project that

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2 approximately six point million, \$64
3 million, are addressed due to the
4 underestimates in salaries and police
5 termination pay.

6 The analysis assumes all new
7 fees, fee increases and all technical
8 amendments less the \$6.8 million were to be
9 enacted.

10 The resulting proposed 2017
11 budget would still ends with an 85 million
12 deficit on a GAAP basis and a NIFA
13 presentation deficit of \$145.6 million
14 primarily due to the continued risks of
15 approximately 81 million.

16 Therefore, the NIFA mandate of 60
17 million deficit would not be met but fall
18 short by \$85 million even with all fees
19 enacted.

20 Additionally, the budget is
21 asking our residents to pay much more in new
22 fees and increases in fees in order to raise
23 new revenues when it appears that only a
24 small effort has been made to reduce
25 expenses.

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2 The revised 2017 proposed budget
3 now increases spending by 2.3 percent and
4 payroll by 3.9 percent higher than the
5 current inflation rate.

6 What is especially inappropriate
7 is that many departments have been given
8 large budget increases which appear
9 unjustified and run contrary to industry
10 trends.

11 For example, information
12 technology budget has increased nearly by 20
13 percent. Civil service has increased by
14 over 16 percent. Office of Consumer Affairs
15 has increased over 12 percent. District
16 Attorney's Office has increased by nearly
17 eight percent. And I can go on and on.

18 Also, as far as some examples of
19 departmental salary increases in total,
20 shared services budgeting, salary budget
21 increase up nearly 30 percent. Civil
22 service salary budget up over 18 percent.
23 Office of Constituent Affairs salary budget
24 up over 15 percent. Office of Consumer
25 Affairs up over 11 percent. I can go on and

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2 on and these figures are in the letter that
3 I sent you last Friday.

4 The proposed 2017 county budget
5 needs to better align priorities and should
6 challenge every department to economize
7 before asking our residents to pay more.

8 All departments and elected
9 officers should be tasked to reduce their
10 budgets without reducing programs and
11 services.

12 In a letter I sent to the County
13 Executive, the Presiding Officer and
14 Minority Leader on Friday, I advised that
15 the Legislature and the administration that
16 if the 2017 budget is cut by 3.8 percent or
17 about \$82.6 million, it would avoid the need
18 to raise fees. This can be achieved by
19 ordering all county departments, agencies
20 and elected offices to revert to their 2016
21 adopted budgets and further cut them by
22 about 2.5 percent. Just 2.5 percent.

23 Alternatively, a five percent
24 reduction from the 2016 adopted budget would
25 negate the need to raise or impose the

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2 proposed fees plus meet the NIFA mandate of
3 less than \$60 million deficit.

4 I encourage the legislature to
5 further modify the proposed budget in order
6 to protect the residents, to meet the NIFA
7 mandate, and to put the county on stronger
8 financial footings. I'm happy to take any
9 questions you may have.

10 CHAIRWOMAN GONSALVES: Deputy
11 Presiding Officer Richard Nicoletto.

12 LEGISLATOR NICOLELLO: My first
13 question is, we had a budget presentation
14 over a month ago, and these proposals that
15 you were making were absent at the time. If
16 you are making these proposals and you're
17 suggesting that we can make these cuts and
18 you're doing it on the eve of us adopting a
19 budget. Why did it take you a month and a
20 half to come up with that proposal?

21 COMPTROLLER MARAGOS: We have
22 been making recommendations continuously and
23 I can give you a list of recommendations
24 that we have been making through the audits
25 and private conversations and opportunities

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2 to reduce costs. Obviously those have not
3 been heeded or taken.

4 I can give you many examples.
5 I'm happy to do that, just again, you know
6 the uncollected traffic violations fees,
7 \$120 million. No effort in the budget to
8 collect those.

9 ERP system that has been pursued
10 and is costing \$4 million annually. We've
11 been recommending that that be terminated.
12 It's already cost the county \$37 million.
13 It's going nowhere. It's not going to be
14 implemented. And, furthermore, even if it
15 is implemented, that technology is currently
16 obsolete. And I can go on and on.

17 LEGISLATOR NICOLELLO: Okay.
18 Here's the thing. You just diverted the
19 question.

20 You referred to your audits and
21 had proposals in the past, but you are
22 coming to us today with a very specific
23 proposal saying that you can make these cuts
24 across the board in the county and save X
25 amount of millions of dollars.

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2 Why did it take you a month and a
3 half, or until the eve of we're adopting a
4 budget for you to do that?

5 COMPTROLLER MARAGOS: I haven't.
6 I said I've been doing it all along, and
7 you're right, I didn't want to say that, but
8 it's really not my job to make those policy
9 decisions. It's the policy of the --

10 LEGISLATOR NICOLELLO: You don't
11 make the decisions but you do make these
12 proposals and it took you a month and a half
13 to make these proposals. Look at it from
14 our point of view. It took you a month and
15 a half to tell us.

16 COMPTROLLER MARAGOS: Hold on.
17 Not at all. As you are very well aware,
18 there is a process that is going on in terms
19 of technical amendments and technical
20 adjustments by both the Legislature and the
21 County Executive.

22 Nobody has reached out to the
23 Comptroller's Office during that period for
24 any suggestions or recommendations.

25 At the end, only last Friday, the

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2 County Comptroller's Office received the
3 proposed amendments and technical
4 adjustments by the Legislature and the
5 County Executive that we've had an
6 opportunity to opine on.

7 LEGISLATOR NICOLELLO: That is
8 also a diversion. You sat there.

9 COMPTROLLER MARAGOS: I did not
10 sit there.

11 LEGISLATOR NICOLELLO: You sat
12 there and brought a proposal to us, analyzed
13 our budget. You could have made those
14 suggestions and told us a month and a half
15 ago, or month ago, more accurately, that you
16 can save by cutting across the board 2.5
17 percent because, look, the position we are
18 in is this:

19 The administration is telling us
20 something completely different. They are
21 saying that this budget over the course of
22 the years has been cut to the bone and that
23 the number of employees is down to record
24 levels.

25 If we are going to make any cuts,

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2 in fact, we are going to be making layoffs.
3 And that leads me to my next question.
4 You're telling us, well, you can cut 2.5
5 percent and save all this money. Your
6 proposals, if we implement them, is it going
7 to result in layoffs?

8 COMPTROLLER MARAGOS: Absolutely
9 not. How can you justify a 20 percent
10 increase in salaries or budget increases in
11 the various departments that I gave you a
12 list of? Isn't that much higher than any
13 contractual payroll or salary obligation
14 that the county has? We listed those. It
15 is. You just can't justify them.

16 LEGISLATOR NICOLELLO: You're
17 telling us that in those areas that you
18 talked about, if we reduce that back down to
19 zero, we'd save how many millions?

20 COMPTROLLER MARAGOS: There are
21 many areas. I will be happy to send you a
22 list. All these happened in the various
23 audits that we've been issuing.

24 LEGISLATOR NICOLELLO: We
25 appreciate that. Believe me, we would love

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2 to have the list so we can analyze that.
3 But when I looked at your numbers, it wasn't
4 just, we're going to save a lot of money
5 here, here, and here, it was across the
6 board 2.5 percent cut in every department.

7 So let me focus on social
8 services for a second. Have you looked at
9 social services?

10 COMPTROLLER MARAGOS: Social
11 services has been cut, not in mine, in the
12 budget.

13 LEGISLATOR NICOLELLO: But in
14 your proposal, has a 2.5 percent decrease?

15 COMPTROLLER MARAGOS: Has been
16 cut.

17 LEGISLATOR NICOLELLO: Have you
18 looked at the police department and can you
19 tell us where in the police department can
20 we make these cuts?

21 COMPTROLLER MARAGOS: In
22 overtime, in better coordination with the
23 District Attorney's Office, on officers that
24 have to go and testify. Most of the them
25 most of the time are not called to testify.

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2 LEGISLATOR NICOLELLO: We agree
3 that we would like to see a reduction in
4 overtime. But if we cut the police
5 department 2.5 percent, we're not going to
6 be hire the officers, there's going to be
7 less officers, more overtime.

8 So you're suggestion to us is, we
9 can make all these cuts across the board,
10 \$80 million worth in the county, and not a
11 single person in Nassau County is going to
12 lose their job?

13 COMPTROLLER MARAGOS: It's
14 possible, yes.

15 LEGISLATOR NICOLELLO: I would
16 love to see that. If we could do that it
17 would be a home run. I would appreciate if
18 you give us that information to show us how
19 it can be done because the administration
20 has told us the exact opposite.

21 The administration has said, if
22 you are going to make these cuts, you are
23 going to be making cuts to people who are
24 providing social services, making cuts to
25 youth board, making cuts to the police

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2 department, you are going to be reducing
3 public safety and increasing overtime.

4 We have them on the one side
5 saying all this. We have you on the other
6 side saying, no, it's easy -- let me finish.
7 No, no. Wait. I know the budget is
8 supposed to be adopted in three days, but
9 all you have to do is cut 2.5 percent. All
10 your problems go away, no fee, no increases.
11 If you can do that, show us. That's all we
12 ask. Show us in detail.

13 COMPTROLLER MARAGOS: Let me
14 answer that. Has anybody here worked in
15 private industry?

16 LEGISLATOR NICOLELLO: Yes. We
17 all -- most of us.

18 COMPTROLLER MARAGOS: In managing
19 larger --

20 LEGISLATOR NICOLELLO: Most of us
21 worked in private industry.

22 COMPTROLLER MARAGOS: You know,
23 I've heard every commissioner come up to you
24 and justify why they need more and more
25 money, even higher than the mandated

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2 contractual salary increases, okay?

3 The attitude of management should
4 be, if you cannot save 2.5, a simple 2.5
5 percent or do better, we should get somebody
6 else that can do better.

7 LEGISLATOR NICOLELLO: That's a
8 fair point, Comptroller Maragos. We agree
9 that management should do that.

10 The administration's response is
11 that over the last seven years we've cut
12 employment, et cetera down to the lowest
13 level, reduce expenses, et cetera.

14 We have them over there saying
15 this. You saying there's a magic pill out
16 there, just make this cut and it all goes
17 away. But please give us the details. We
18 want that magic pill. Believe me.

19 COMPTROLLER MARAGOS: I'm happy
20 to give you those suggestions that I have
21 been giving you all along. I will start
22 with the top one. Collect \$120 million of
23 uncollected fines.

24 LEGISLATOR NICOLELLO: You are
25 diverting again. You gave us a very

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2 specific letter Friday saying you can
3 achieve \$80 million in savings if you made
4 these cuts. That's what we want the details
5 on.

6 COMPTROLLER MARAGOS: Right. But
7 please recognize, some of those -- I'm happy
8 to do that and I will give you those. But
9 please recognize that it's not only cuts.
10 It's also reorganization of the departments.
11 Maybe consolidations. Consolidation of
12 departments. Those would have to be policy
13 decisions that the County Executive and the
14 Legislature would have to make. It's not a
15 simple process.

16 LEGISLATOR NICOLELLO: Again, I
17 understand that. I agree, it's not a simple
18 process. But then again we are in the same
19 position as us having to adopt the budget.
20 The administration will tell you, we
21 consolidated departments. You're saying you
22 can consolidate more departments. So we
23 need the details. That's all I'm asking
24 for. So, if you have the details,
25 Comptroller --

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2 COMPTROLLER MARAGOS: I think
3 that given the situation where we are as a
4 county --

5 CHAIRWOMAN GONSALVES: I have a
6 very key question. We've spoken a number of
7 times during the course of the year. I have
8 not never heard of these so-called
9 amendments.

10 But I'm going to ask you, how
11 does your plan address the contractual labor
12 expenses and the state mandated health
13 increases and pension increases? How does
14 your plan take that into account?

15 COMPTROLLER MARAGOS: Well, if
16 you estimate those, there would be an
17 increase in salary of about four to five
18 percent, maximum five percent depending on
19 the department. As I enumerated, many of
20 the departments have gotten salary increases
21 of close to 20 percent. A big difference
22 between a five percent contractually
23 mandated versus 20 percent that is being
24 given to many departments. There is a
25 disconnect there. Somebody's pencil is not

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2 sharp enough.

3 CHAIRWOMAN GONSALVES: Legislator
4 Rhoads be recognized.

5 LEGISLATOR RHOADS: But the
6 difficulty that we're having, Comptroller
7 Maragos, is that you're coming to us
8 suggesting that if we eliminate all of the
9 increases, 2017 over 2016, and then cut the
10 2016 levels by 2.5 percent, you achieve a
11 balanced budget without the need for any fee
12 increases, without the need for any tax
13 increases of which none are proposed.

14 The problem is, we have
15 contractual costs, by your estimate, of four
16 to five percent that we also have to account
17 for.

18 Plus, we only control between
19 state mandates, police and other contractual
20 obligations, we only control about 30
21 percent of the budget from which we can make
22 cuts.

23 Also, out of that 30 percent that
24 we can make cuts, over the years, we have
25 made \$330 million in cuts to that section of

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2 the budget.

3 What we are looking for is
4 specifically how are we going to be able to
5 address, how are we going to be able to across
6 the board cut 2.5 percent from every county
7 department, taking into account the fact
8 that we have mandated contractual increases
9 in expenses of four to five percent which
10 you have estimated? How is that possible?

11 We would love to be able not to
12 have to increase any fees. That would be
13 fantastic. But the reality is, that it
14 looks as though we have to do something
15 because, at least, according to what the
16 administration is telling us, the part of
17 the budget that we control has been cut to
18 the bone. That's why we are looking for the
19 specifics.

20 COMPTROLLER MARAGOS: Just
21 consider what you're saying, that it's
22 inappropriate, the individual commissioners
23 cannot be tasked, challenged, to shave 2.5
24 percent from their budget, 2.5 percent. We
25 are not talking about ten percent, 20

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2 percent.

3 We're talking about 2.5 percent
4 of their budgets that they cannot be tasked
5 to find efficiencies, to making improvements
6 to their operations and save 2.5 percent?

7 But we readily jumping to raising
8 fees in order to give them higher budgets,
9 in order not to challenge them. As a
10 manager, as a big corporate -- I find that
11 unacceptable. I hope you do too and we put
12 the onus on the commissioners to find 2.5
13 percent in savings so that you do not have
14 to raise those fees.

15 CHAIRWOMAN GONSALVES: I'm going
16 to ask Legislator Curran to ask a question.

17 Then I'm going to call up Roseann
18 D'Alleva to address some of the concerns or
19 the issues that the comptroller has raised.
20 Legislator Curran.

21 LEGISLATOR CURRAN: Thank you.
22 So, I'm looking at the handout and I'm
23 seeing that you're starting, the 2.5 percent
24 reduction in each department is starting
25 with the 2016 numbers, and that's before all

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2 the contractual, legally mandated increases
3 clock in right on New Year's.

4 Don't you think it might have
5 made more sense to start with the two
6 percent with the 2017 numbers with all the
7 mandated increases over which the county has
8 no control?

9 COMPTROLLER MARAGOS: No. I
10 would still urge you to go back to 2016 as
11 the base year, almost a zero based
12 budgeting, which is the reference that --
13 that's what they lived by, and ask them to
14 do a little better. I think that's more
15 appropriate and logical.

16 LEGISLATOR CURRAN: I see what
17 you're saying. I actually disagree. I
18 think it would be more logical to start with
19 the mandated increase over which we have no
20 control and then start the paring down. We
21 can't control that.

22 COMPTROLLER MARAGOS: Look, each
23 commissioner has an obligation to operate
24 their department as efficiently as possible.
25 Some expenditures go up as you've indicated,

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2 some of the mandated costs. There's also
3 ongoing opportunities that they have to
4 explore and take advantage of.

5 So you start with the base year,
6 what they lived with and what they managed
7 and then you ask them to do a little better.
8 Considering some of the expense items that
9 you've mentioned, the contractual items.
10 But they also have an obligation to find
11 opportunities, and there's always
12 opportunities available to do better.

13 LEGISLATOR CURRAN: I would agree
14 with you that there are always opportunities
15 to do better. But I think your logic is
16 good, but for this one fundamental flaw.

17 COMPTROLLER MARAGOS: I don't
18 think it's a flaw. Is it easier to ask our
19 residents to pay more in fees, to pay \$88
20 million in new fees, triple them, those
21 fees, than to ask our commissioners to do a
22 little better? Less than five percent.

23 LEGISLATOR CURRAN: Yes. I'm not
24 arguing with that aspect.

25 The other thing, I'm looking at

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2 this now, I'm seeing that every department
3 you're suggesting to cut by 2.5 percent.
4 But I'm thinking that might be a little
5 clumsy in that there are some departments
6 such as Consumer Affairs or Taxi and
7 Limousine Commission which generate revenue.
8 If we cut them back, they may be hampered in
9 their ability to generate revenue.

10 COMPTROLLER MARAGOS: I don't
11 think so.

12 LEGISLATOR CURRAN: I'm thinking
13 one example that comes to mind is that we
14 recently, in the past year or so, separated
15 the Taxi and Limousine Commission out of
16 Consumer Affairs, staffed it properly and
17 now it is bringing in more money than we
18 expected it to. That's an example of how
19 proper staffing can actually generate more
20 revenue.

21 But, say, Constituent Affairs,
22 Civil Services, those kind of departments
23 can generate more cuts. Maybe even more
24 than 2.5 percent. So instead of an across
25 the board 2.5, maybe look individually at

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2 each department to assess, can they generate
3 revenue, or is it just a waste of money and
4 calibrate it in that way.

5 COMPTROLLER MARAGOS: That's a
6 case that each commissioner will have to
7 make. But the point here is they need to be
8 held accountable both on the revenue side
9 and on the expense side.

10 LEGISLATOR CURRAN: I agree with
11 you. I think accountability is what
12 everyone is thirsting for right now. I
13 agree with you 100 percent. But I think
14 there may be subtle things we can look at.

15 COMPTROLLER MARAGOS: You're
16 basically saying let's be more flexible,
17 let's have loopholes in the budget to allow
18 the commissioners to deviate from their
19 objectives.

20 LEGISLATOR CURRAN: That's not
21 what I'm saying at all.

22 COMPTROLLER MARAGOS: When you
23 sign up to a budget, you sign up to a
24 revenue projection and expenditures that you
25 need to meet those objectives. I think our

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2 commissioners should be challenged and held
3 accountable both at the same time.

4 LEGISLATOR CURRAN: On that we
5 agree. Thank you.

6 CHAIRWOMAN GONSALVES: Roseann
7 D'Alleva, please.

8 COMPTROLLER MARAGOS: Can I make,
9 since the ball has been, to some extent, one
10 final statement. That I believe that the
11 effort should not be solely the Comptroller
12 to come up with recommended budget savings.

13 I would recommend that we put a
14 task force together consisting of County
15 Executive, the Legislature, majority and
16 minority, with the Comptroller's Office to
17 brainstorm in the next 30 days and find the
18 savings that we need in order to avoid fee
19 increases and to meet the NIFA mandate.
20 Thank you.

21 CHAIRWOMAN GONSALVES: I'm going
22 to ask again because it really boggles my
23 mind. There were cuts to the Comptroller's
24 budget to historically vacant positions.
25 Other departments do not have such

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2 vacancies.

3 My concern is, if you want to
4 follow with your plan, that plan may include
5 layoffs and you're going to tell me that's
6 not true.

7 COMPTROLLER MARAGOS: I'm telling
8 you that won't need to happen and probably
9 won't help happen.

10 CHAIRWOMAN GONSALVES: If they
11 don't have vacant positions in their
12 budgets, as the Comptroller's budget did,
13 and it was cut, then how do they cut their
14 budget without layoffs? That's my concern.

15 COMPTROLLER MARAGOS: I have
16 about 15 items I jotted down from the past
17 audit.

18 CHAIRWOMAN GONSALVES: Jot it
19 down and get it to us as fast as you can.

20 COMPTROLLER MARAGOS: I would
21 like to suggest and please take into
22 consideration a task force so we can jointly
23 come up with those savings.

24 CHAIRWOMAN GONSALVES: Thank you
25 very much. The obligation is yours,

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2 Mr. Comptroller. Roseann.

3 MS. D'ALLEVA: Roseann D'Alleva,
4 and I just want to thank the Comptroller
5 Maragos and I hope he does come up with a
6 plan and I'm really interested to hear it.

7 The budget process starts in May.
8 We work diligently. As Legislator Curran
9 exactly pointed out, every single employee
10 in this county has grown. What does that
11 mean, that means that our CSEA members
12 actually by contract step every single year.
13 That step cost the county on average \$2,800.
14 That is before any COLA increases.

15 Now we want to talk PD. The PD
16 unions as well have their steps and their
17 COLAs. It's nice to say that the new class
18 will cost us only \$8 million but in reality
19 that's not what happens. There's transition
20 in the department.

21 As many people as we employ in
22 terms of new police staff, we have to
23 promote for the people that leave. So what
24 does that mean? That's an average \$30,000
25 increase for every promotion in the police

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2 department.

3 These are the things that we
4 consider. These are the things that weren't
5 considered, that the Comptroller just spoke
6 to.

7 So I take my job extremely
8 seriously and that is what we consider when
9 we put together a budget. The 2017 budget
10 did increase. It increased including all
11 the technical adjustments by \$66 million.
12 Most of that was due to the steps in the
13 COLAs of \$30 million.

14 26 million of it was fringe
15 benefits and worker's comp. These are the
16 costs that rise that we have no control
17 over. The debt service also increased
18 especially when we are borrowing for tax
19 certs and infrastructure.

20 Any questions you may have I will
21 be glad to answer.

22 CHAIRWOMAN GONSALVES: Legislator
23 Rhoads.

24 LEGISLATOR RHOADS: Just so I'm
25 correct in my understanding then, what you

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2 are saying basically is that in order for us
3 to provide the same exact services that we
4 provided in 2016 to the residents of Nassau
5 County in 2017, it's going to cost us an
6 additional \$67 million?

7 MS. D'ALLEVA: \$67 million. And
8 let's just take an example. A two and a
9 half percent cut in the Department of Social
10 Services, that's 11.9 million. What does
11 that mean? What are you going to cut? Are
12 you going to cut Child Protective Services?
13 What are you going to cut? Medicare?
14 Indigent care? What are you cutting? A two
15 and a half percent cut in health?

16 Okay. That's \$4 million. What
17 are we cutting in the Health Department?
18 The Health Department's budget is \$160
19 million. 135 of that, guess what? That's
20 Early Intervention. What are we are
21 discussing here? That's preschool and early
22 intervention, \$135 million. What are we
23 cutting \$4 million in the Health Department?
24 Tell me.

25 LEGISLATOR MACKENZIE: Norma?

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2 CHAIRWOMAN GONSALVES: Legislator
3 MacKenzie.

4 LEGISLATOR MACKENZIE: Roseann,
5 then, maybe you could address the concept
6 because many of us on this side of the
7 aisle, the first words out of our mouths
8 when we saw the budget was to look for cuts.

9 So maybe you can address the idea
10 that a two and a half percent cut can be
11 made and not result in layoffs. Because we
12 were given information to the effect that to
13 reach that level of cuts in departments
14 reaches personnel because the budgets of
15 these departments don't have much more
16 latitude above salary to make those type
17 cuts which, one, results in layoffs.

18 Two, results in arbitration.

19 And three, may not be successful.

20 So if you could please elaborate
21 on that concept of an across the board cut,
22 because it's much more difficult in practice
23 and a lot easier to just say here when you
24 have a crowd clapping for you.

25 So, can you please elaborate on

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2 that a little.

3 MS. D'ALLEVA: So an across the
4 board cut, basically, is a very limited view
5 from a very large perspective. It truly is.
6 We have to -- currently on payroll we have
7 about 7,450 employees. So we are assuming
8 that we are going to hire 230 more in the
9 police department basically between new
10 police officers and also CSEA members in
11 order to help certain areas of the police
12 department in terms of communication and
13 public safety.

14 So that right there now puts you
15 over the 7,625 people that we have funded in
16 this budget.

17 What do I consider? That means
18 right now, technically, my head count is
19 actually not totally funded. I'm already
20 making assumptions of \$4 million of people
21 leaving off payroll. Those are my
22 assumptions.

23 So, yes, a two and a half percent
24 cut directly goes to layoffs. There is no
25 way that you can produce a budget with a two

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2 and a half percent cut that does not include
3 layoffs. There is absolutely no way because
4 this budget already includes an attrition
5 factor.

6 CHAIRWOMAN GONSALVES: Minority
7 Leader.

8 LEGISLATOR ABRAHAMS: I have a
9 question but it's not related to the two and
10 a half percent. It's more related -- I
11 don't know if we are going to talk about
12 this, I don't know if Mr. Naughton is here.

13 MS. D'ALLEVA: No. Eric is not
14 here today.

15 LEGISLATOR ABRAHAMS: So I will
16 ask it to you, Ms. D'Alleva.

17 The question stems from, if I
18 understand this correctly, the public safety
19 fee the administration has deemed it is
20 going to be earmarked for the police
21 headquarters fund. Am I understanding that
22 correctly?

23 MS. D'ALLEVA: Yes.

24 LEGISLATOR ABRAHAMS: In revenue.
25 However, the other funds, such as the Police

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2 District Fund, is that fund balanced going
3 into 2017, or should this Legislature body
4 anticipate some board transfer like we
5 normally see at fiscal year end?

6 MS. D'ALLEVA: We are required by
7 budgetary constraints by Charter that every
8 single fund must balance, so the PD district
9 fund did balance, yes.

10 LEGISLATOR ABRAHAMS: So I guess
11 the question is for fiscal year 2017, is
12 there a projected deficit in the Police
13 District Fund?

14 MS. D'ALLEVA: No, there is no
15 projected deficit currently.

16 LEGISLATOR ABRAHAMS: So that
17 fund doesn't need any --

18 MS. D'ALLEVA: There are risks in
19 that fund, Legislator Abrahams, as both the
20 Comptroller and the Legislative Budget
21 Review said that overtime is a risk factor.
22 So there are potential risks in both PDH and
23 PDD.

24 LEGISLATOR ABRAHAMS: So is the
25 administration concerned that they are

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2 raising a fee that is designated for the
3 police headquarters fund which basically
4 whether you live in a police district, let's
5 explain for the public, if you live a
6 village, you live in, whether it be Great
7 Neck or Lynbrook, Freeport or Hempstead, you
8 have your own police.

9 The Police District Fund, if I
10 understand it correctly, funds all the other
11 areas like Merrick and Bellmore that do not
12 have incorporated villages.

13 So, is there a concern by the
14 administration that you are going to be
15 raising a fee that anyone who runs a red
16 light or has a parking infraction pays, but
17 the money is not filtering down to those
18 respective districts where certain people
19 live? What is the benefit?

20 MS. D'ALLEVA: I'm not going to
21 speak to legality. I think you're trying to
22 get to legality issues.

23 LEGISLATOR ABRAHAMS: There's a
24 lot of legality. That's only one point.

25 MS. D'ALLEVA: I wouldn't be able

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2 to speak to that. But I can tell you that
3 police headquarters obviously performs
4 functions for every single district
5 including private police forces. So our
6 police headquarters does facilitate and
7 perform services for every resident in
8 Nassau County.

9 LEGISLATOR ABRAHAMS: Roseann,
10 the issue is not the police headquarters
11 fund.

12 MS. D'ALLEVA: I thought you just
13 said that.

14 LEGISLATOR ABRAHAMS: You are
15 missing my point. The point is the Police
16 District Fund. We do agree there is a
17 difference.

18 So, from that standpoint, if
19 you're saying that there are risks that are
20 tied to overtime and other costs associated
21 with the Police District Fund --

22 MS. D'ALLEVA: As well as the
23 headquarters.

24 LEGISLATOR ABRAHAMS: As well as
25 the headquarters fund, and there is a

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2 transfer, an infusion of \$64 million that's
3 going to come from this public safety fee.
4 If there is an infusion of that money that
5 goes to the headquarters fund, in essence,
6 whether the money was going to the general
7 fund or it was going to the police
8 headquarters fund, at the end of the day, if
9 it gets shifted, if revenue gets shifted
10 from one of those funds that everybody pays
11 into and everybody sees the benefit, I think
12 we all agree that not all Nassau County
13 residents get the benefit of the Police
14 District Fund. Are we in agreement on that
15 at least? Police District Fund.

16 MS. D'ALLEVA: The Police
17 District Fund is pertaining to certain
18 districts within the county that have it.

19 LEGISLATOR ABRAHAMS: But it's
20 just the six precincts. It wouldn't be a
21 Hempstead or Lynbrook or a Glen Cove or Long
22 Beach or Port Washington or any of those
23 areas.

24 MS. D'ALLEVA: And that fund is
25 balanced.

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2 LEGISLATOR ABRAHAMS: The Police
3 District Fund is balanced?

4 MS. D'ALLEVA: Of course it is.

5 LEGISLATOR ABRAHAMS: But you
6 identified that there are inherent risks.

7 MS. D'ALLEVA: Well, as
8 identified by OLBR and the Comptroller's
9 Office, and I'm willing to manage those
10 risks.

11 LEGISLATOR ABRAHAMS: I'm glad to
12 hear that. What I'm driving at is, when
13 fiscal year 2017 occurs, we shouldn't see a
14 board transfer that will come before this
15 body transferring money from the Police
16 Headquarters Fund to the Police District
17 Fund; am I correct in that assumption?

18 MS. D'ALLEVA: You're saying
19 we're going to see a board transfer?

20 LEGISLATOR ABRAHAMS: No, no, Ms.
21 D'Alleva. Let me try speaking slower.

22 LEGISLATOR NICOLELLO: It's
23 D'Alleva, not Devella.

24 LEGISLATOR ABRAHAMS: I'm sure
25 she can correct me. Let's just be clear

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2 again.

3 When fiscal year 2017 comes next
4 year, not this year, you said there are
5 inherent risks that the Comptroller has
6 identified. I'm sure Legislative Budget
7 Review has identified.

8 MS. D'ALLEVA: Every single item
9 in the budget.

10 LEGISLATOR ABRAHAMS: If I may
11 finish.

12 When fiscal year 2017 occurs,
13 this legislative body, which we approve
14 board transfers, fund transfers between
15 different funds all the time, you're saying,
16 if I gather your testimony correctly, we
17 will not see a board transfer shifting money
18 from the Police Headquarters Fund to the
19 Police District Fund?

20 MS. D'ALLEVA: You're asking me?

21 LEGISLATOR ABRAHAMS: Yes. I'm
22 asking, will we see that board transfer?

23 MS. D'ALLEVA: Well, I don't have
24 a crystal ball. So if you do, please give
25 it to me because I would love that.

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2 LEGISLATOR ABRAHAMS: But,
3 Roseann, you're missing the point.

4 MS. D'ALLEVA: I'm not missing
5 the point.

6 LEGISLATOR ABRAHAMS: You are
7 because you don't want to answer the
8 question. The question is very simple.

9 MS. D'ALLEVA: I don't
10 anticipate. If everything goes according to
11 plan, there wouldn't be --

12 LEGISLATOR ABRAHAMS: It's not
13 anticipate. It's illegal. Do you realize
14 that people in the Police District Fund, and
15 people in the Police Headquarters Fund, if
16 you live in the District Fund and live in an
17 incorporated village, police district goes
18 towards patrol.

19 MS. D'ALLEVA: Historically,
20 Legislator Abrahams, we haven't shifted or
21 supplementally appropriated money from the
22 Headquarters Fund to the District Fund.

23 If anything, the District Fund
24 would use its District Fund balance if at
25 any point in time there was --

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2 LEGISLATOR ABRAHAMS: So this
3 Legislative body has not transferred money
4 between the headquarters or the general fund
5 to the District Fund since you have been in
6 this position?

7 MS. D'ALLEVA: There have been
8 transfers in terms of overtime, shortfalls
9 possibly.

10 LEGISLATOR ABRAHAMS: That's the
11 point that I'm making.

12 MS. D'ALLEVA: I don't recall at
13 this time. I could go back in the past, but
14 that's not anticipated for this year, and
15 this year's overtime --

16 LEGISLATOR ABRAHAMS: It's never
17 anticipated.

18 MS. D'ALLEVA: But let's discuss
19 this year. In 2016, we proposed a budget
20 and we adopted a budget of \$57 million for
21 an overtime budget. Well, guess what? It's
22 coming in 70, my last projection is \$69
23 million. That was not anticipated for me.
24 Right?

25 But we're managing with the

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2 department, with the police department to
3 manage within both funds, the Headquarters
4 Fund and the District Fund. We have been
5 meeting with them for the last six months to
6 manage to that budget without transferring.

7 LEGISLATOR ABRAHAMS: That's the
8 point. For fiscal year 2016 you haven't
9 made the transfer yet, but in the past you
10 have made the transfer plenty of times. So,
11 from our standpoint we anticipate seeing a
12 transfer.

13 But, again, I come back to the
14 point, maybe you can't answer and I respect
15 that, maybe Gerry needs to answer it. At
16 the end of the day, the \$105 public safety
17 fee is being infused into the Police
18 Headquarters Fund. It's not going to the
19 District Fund, not going to the General
20 Fund. It's going all towards the
21 Headquarters Fund. I get the reason why the
22 administration believes it's sound and needs
23 to do that. However, I disagree.

24 That said, I truly believe anyone
25 who has a parking or traffic infraction in

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2 this county, whether you live in Glen Cove
3 or Merrick, doesn't make a difference,
4 whether you have an infraction, you are
5 paying into the general fund and then, if it
6 gets shifted to the District Fund, you see
7 no benefit of that in your respective
8 incorporated village. That is very clear to
9 me today.

10 That being said, it sounds like
11 also, I don't have anything else, Roseann, I
12 don't know if anybody else does, but I do
13 have the question to the majority.

14 It sounds like to me you're not
15 really in support of exploring the
16 Comptroller's idea. It sounded like you
17 were giving him more of a hard time. I'm
18 not his defender.

19 I will say this. If you don't
20 like his ideas and you started out the
21 hearing by saying you wanted to wait to hear
22 his ideas before you make a decision on the
23 public safety fee, it doesn't sound like you
24 like his ideas. So we should take action on
25 the public safety fee now and vote against

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2 it now.

3 CHAIRWOMAN GONSALVES: You're
4 making an assumption.

5 LEGISLATOR ABRAHAMS: No, making
6 it very clear.

7 CHAIRWOMAN GONSALVES: No, it was
8 not.

9 LEGISLATOR ABRAHAMS: Between
10 Legislator Nicoletto, Legislator Rhoads, you
11 made it very clear that you do not support
12 his ideas.

13 CHAIRWOMAN GONSALVES: No, no,
14 no, no.

15 LEGISLATOR ABRAHAMS: Why else
16 would you not support us today in voting --

17 CHAIRWOMAN GONSALVES: As I said
18 in my opening statement, I said --

19 LEGISLATOR ABRAHAMS: That was
20 your opening statement, yes, that was your
21 opening statement. But the tune changed
22 when you started grilling the Comptroller.

23 CHAIRWOMAN GONSALVES: I said
24 produce the amendments as soon as possible.

25 LEGISLATOR ABRAHAMS: It was

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2 said, the two and a half percent, won't that
3 lead to layoffs, the two and a half percent,
4 it can't be -- you make all these arguments
5 to shoot it down, but now --

6 CHAIRWOMAN GONSALVES: Hold on.

7 Hold on.

8 LEGISLATOR NICOLELLO: Let me say
9 something.

10 LEGISLATOR ABRAHAMS: No more
11 questions. You got your chance to join us
12 and vote down the public safety fee. You're
13 just stalling until after the election.

14 CHAIRWOMAN GONSALVES: We have a
15 response.

16 LEGISLATOR ABRAHAMS: You're just
17 stalling.

18 LEGISLATOR NICOLELLO: Stop
19 yelling.

20 LEGISLATOR ABRAHAMS: I'm not
21 yelling. I'm talking.

22 LEGISLATOR NICOLELLO: All right.
23 You're not yelling. You weren't listening.
24 Yelling and interrupting.

25 LEGISLATOR ABRAHAMS: I think

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2 they heard me, that's why they were
3 clapping.

4 LEGISLATOR NICOLELLO: That means
5 you got a weak position if you don't want to
6 hear the other side.

7 LEGISLATOR ABRAHAMS: Your
8 position is weak.

9 LEGISLATOR NICOLELLO: Keep
10 interrupting.

11 CHAIRWOMAN GONSALVES: Don't
12 interrupt.

13 LEGISLATOR NICOLELLO: The point
14 of our comments is that we were told one
15 thing by the administration as to why we
16 can't make these cuts.

17 He's suggesting that we can. The
18 point of our comments was, please give us,
19 tell us, give us a road map as to how we can
20 do this without layoffs -- which will
21 require arbitration -- without losing
22 positions that generate revenue, without
23 losing positions in areas like Child
24 Protective Services, without losing
25 positions in the police department that lead

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2 to overtime? It wasn't we're giving you a
3 hard time. It was, all right, you have an
4 idea, but please give us the details.

5 We can't just say in a vacuum,
6 okay, let's do what told the Comptroller
7 wants to do when we've been told the exact
8 opposite by the administration. We just
9 need to see the details whether it's
10 legitimate or quite frankly it's a political
11 statement. Just the details.

12 CHAIRWOMAN GONSALVES: I will say
13 this. The Comptroller knows full well that
14 if he had amendments he should produce them
15 and produce them in writing.

16 He went down each department and
17 said he could do 2.5 percent cuts. Show us.
18 While we did say that we have time to review
19 alternatives, show us the alternatives.
20 That's why you're here.

21 Roseann, I have to say this,
22 Legislator DeRiggi-Whitton, I had five more
23 slips. I need to go back to the public.
24 One question.

25 LEGISLATOR DERIGGI-WHITTON: Can

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2 I just ask Roseann one clarification while
3 she's there?

4 CHAIRWOMAN GONSALVES: One
5 question.

6 LEGISLATOR DERIGGI-WHITTON:
7 Roseann, is it typical to depend on an
8 increase in fees for operational costs?

9 MS. D'ALLEVA: So, what happens
10 is, and we start the budget process again in
11 May. All the departments, we basically give
12 them what the accounting is for each
13 individual that is employed for the county.

14 We tell them what their costs are
15 going to be in 2017. Then they give us a
16 budget. We go through those line items one
17 by one and towards the end of the process we
18 come down to what the county is going to
19 need to fund.

20 So, what does that mean? What is
21 the revenue requirement needed to fund the
22 policy behind the administration? That's
23 when certain decisions are made and
24 discussed and talked about.

25 LEGISLATOR DERIGGI-WHITTON: Just

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2 to answer that question, is it typical
3 practice or legal actually to have revenue
4 that is dependent upon a fee be used for our
5 operational budget?

6 MS. D'ALLEVA: What is typical
7 and what is ordered by County Charter is
8 that we have to produce a balanced budget.
9 So, in order to produce a balanced budget,
10 that means my revenues have to match my
11 expenses.

12 LEGISLATOR DERIGGI-WHITTON: One
13 last time. Is it typical and legal -- I can
14 ask Gerry if you feel more comfortable.

15 MS. D'ALLEVA: No. I am
16 comfortable. I answered your question.

17 LEGISLATOR DERIGGI-WHITTON: No,
18 no, you didn't.

19 MS. D'ALLEVA: I did. I answered
20 your question. There's many avenues to
21 take. You could do fees. You can do fines.
22 You could do permits, department revenues,
23 you could do taxes.

24 LEGISLATOR DERIGGI-WHITTON: But
25 is it good practice and is it legal to

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2 depend on fees such as what might be passed
3 with this ticket fee to basically to budget
4 our operational? Salaries and operational
5 and all that, can that --

6 MS. D'ALLEVA: That has to be
7 funded by something.

8 LEGISLATOR DERIGGI-WHITTON:
9 Right. And fees, is that good practice?

10 MS. D'ALLEVA: No. I'm asking
11 you. What should we fund it with.

12 LEGISLATOR DERIGGI-WHITTON: I'm
13 asking you because this is what's proposed.

14 MS. D'ALLEVA: And I'm answering
15 you.

16 LEGISLATOR DERIGGI-WHITTON: And
17 you're saying you're comfortable and you
18 think it's good practice and legal to have
19 fees --

20 MS. D'ALLEVA: It's absolutely
21 legal to raise fees, fines, permits and
22 taxes. Absolutely legal. Those are my
23 revenues.

24 LEGISLATOR DERIGGI-WHITTON: To
25 budget for salary?

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2 MS. D'ALLEVA: Right. I can't
3 dictate what state and federal government
4 reimbursement is going to be.

5 LEGISLATOR DERIGGI-WHITTON: The
6 one point I'm trying to say is for salaries.
7 Is it legal and good practice to budget fees
8 for salaries and operational?

9 MS. D'ALLEVA: I don't budget
10 fees for salaries.

11 CHAIRWOMAN GONSALVES: What
12 happened to the one question?

13 MS. D'ALLEVA: I don't budget
14 fees for salaries.

15 LEGISLATOR DERIGGI-WHITTON:
16 Well, that's sort of what this is. With the
17 whole police district, that's what this
18 could go for. The fees could go for salary
19 technically.

20 CHAIRWOMAN GONSALVES: I'm going
21 to go with those who put in a slip, and I
22 can tell you we can go on, when we bring up
23 the county budget, which is Item 10, there
24 may be one or two that just came in who will
25 have an opportunity to speak.

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2 In the meantime I have Ms. Regis
3 Thompson-Laurence, are you here? I don't
4 want you to wait any longer.

5 MS. THOMPSON-LAURENCE: Good
6 afternoon. When I do come to these
7 hearings, I'm always shocked and amazed
8 about the human feelings of what happens
9 here.

10 I don't think that sometimes
11 everyone is on the same page. So my thought
12 today is to tell you how I feel as a senior
13 citizen.

14 My name is Regis
15 Thompson-Laurence. I live in the Village of
16 Hempstead and there are many red light
17 cameras all over the Village of Hempstead.
18 I think to penalize our community and other
19 communities that may be like us to raise the
20 taxes on parking, I think is a flagrant
21 disregard for all the people that live
22 there.

23 I'm a senior citizen. I'm an
24 African American with Indian heritage. I'm
25 also talking to people of colors, the

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2 Latinos in our community. What's going on
3 with all the taxes that are being taxed on
4 the people who have a very limited budget?
5 They are on fixed incomes. I just don't
6 think that everyone is on the same page.

7 If you are on the North Shore,
8 you have different viewpoints of what the
9 South Shore is like.

10 I just would like for you to
11 think about what you're doing today and
12 really look at it from a person who's on a
13 limited income, not those who are making
14 \$450,000 to do nothing.

15 That's all I have to say. That's
16 my concern, and I just would like to know
17 how you all feel about that.

18 CHAIRWOMAN GONSALVES: Thank you
19 very much. Malik Abid.

20 MR. ABID: Madam Presiding
21 Officer, ladies and gentlemen. I just want
22 to ask a quick question from all of you.
23 Have you ever missed a meal? Do you know
24 what is the pain of hunger? If you don't
25 know, please try to connect with your voters

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2 because right here in our own backyard in
3 Nassau County, which is paying one of the
4 highest taxes in the nation, there are
5 people who have to make a choice between
6 bringing the food on the table and paying
7 their taxes. Now you want to add this tax
8 on top of what we are paying already.

9 I'm a resident of Valley Stream.
10 We were just hit by 12 percent increase
11 recently without even consulting us, without
12 giving us notices of. There are people I
13 have seen in my own community in Valley
14 Stream who don't even have money to pay for
15 their taxes and they are still looking for
16 food to eat.

17 We are talking about the
18 Department of Social Services and
19 nutritional budget. I know people who have
20 never seen one single penny to cover up
21 their food expenses. Now you want to add
22 this fee to the existing miseries. I just
23 want to give you one single message, Ladies
24 and Gentlemen, this is our hard earned
25 money. Stop stealing our money anymore.

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2 Please stop stealing it.

3 I deal with the seniors day in
4 and day out. My friend here, let me tell
5 you. I have seen people sleeping hungry in
6 the night and I feel so sorry for them and
7 feel so sorry for my own community. Thank
8 you very much, Ladies and Gentlemen.

9 CHAIRWOMAN GONSALVES: Bert
10 Hirsch, and then we will move on to the rest
11 of the calendar.

12 MR. HIRSCH: My name is Bert
13 Hirsch. I live in Great Neck. If you're
14 serious, I said I was going to address the
15 TPVA fee, but something else came up here
16 first, if you're serious about engaging the
17 Comptroller, he made a proposal at the very
18 end of his presentation about establishing a
19 task force that would include the
20 Legislature and his office and the County
21 Executive's Office to examine what can be
22 done over the next 30 days to find other
23 ways to generate the cost savings. If
24 you're serious about engaging him I think
25 you should take that up.

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2 Instead, what I have heard
3 repeatedly is that you heard the opposite of
4 his presentation from the county executive's
5 office. Where is the examination of that?

6 You're digging into the
7 Comptroller and all of his proposals but
8 have you dug into the County Executive's
9 presentation, or are you just accepting it
10 at face value because the County Executive
11 says. That's what I heard repeatedly, the
12 County Executive says. Where is the
13 examination of that?

14 As far as the -- I'm also
15 gratified frankly that there is some honesty
16 here today about this \$105 fee having
17 nothing whatever to do with Public Safety.
18 That's just nonsense for the public
19 consumption outside of this room. But in
20 this room we've heard that it's purely for
21 the purpose of generating revenue in order
22 to fix a budgetary shortfall that might
23 otherwise occur.

24 I can tell you as a lawyer,
25 because I am one, that the TPVA, if you add

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2 the fee, should be renamed the Taxpayer
3 Penury and Victimization Agency which it
4 already is.

5 I'm not going to repeat what so
6 many other people have said, including
7 Triple A, and people in this room, as to the
8 reasons why this fee is such a terrible
9 idea.

10 I'm going to address something
11 else that a lawyer can address. The total
12 kangaroo court that the TPVA is a complete
13 and total sham. It's a make-believe court.
14 There is not a shred of due process in that
15 that court. It's an absolute cash register
16 and that's all that it is. Ca-ching,
17 ca-ching for the county.

18 CLERK PULITZER: Your three
19 minutes have expired.

20 MR. HIRSCH: That's what it is
21 right now. That's what it's always been.
22 That's all it is. It needs to be
23 investigated and reformed dramatically.

24 CHAIRWOMAN GONSALVES: Thank you
25 very much for opportunity. John Budnick.

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2 Then I have Mr. Brummel I believe.

3 MR. BUDNICK: Madam Chairman,
4 Honorable Members of the County Legislature.
5 I'm just handing up to you a copy -- a
6 number of copies of a New York Vehicle and
7 Traffic Law Section 1810. I believe at the
8 very least you need an opinion from counsel
9 with regards to this and the proposed
10 surcharge. Thank you.

11 CHAIRWOMAN GONSALVES: Submit it
12 to the ladies here in front. Thank you very
13 much and we will put it as part of the
14 record. Mr. Brummel.

15 MR. BRUMMEL: I'm Richard
16 Brummel. You've heard me before. I've
17 spoken to you about the environment. My
18 speeches have fallen on deaf ears. The
19 consequences have been dire.

20 I'm here to talk to you just
21 quickly today. You're nice people, all nice
22 people, but I think this Legislature, you're
23 in way over your heads. You're not doing
24 the job that needs to be done for the people
25 of Nassau County.

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2 The county is in receivership.
3 These are the type of circumstances where
4 NIFA should come in and take over and change
5 the budget, change the contract, et cetera.
6 This is just a travesty.

7 You need outside consultants from
8 major CPA firms and figure out what's going
9 on in Nassau County. People who live here
10 know that this county is just a mess. It's
11 a disaster. You call the county. See them
12 working on the streets. The police driving
13 by. And you come to the leg, and you know
14 this county is not working.

15 You compare what you do and the
16 kind of quality of thinking and quality of
17 analysis and quality of dialogue compared
18 here to New York City, which is right across
19 the line here. Same people. Same
20 environment. Same state. It's like apples
21 and oranges. It's night and day.

22 This county is not doing the job
23 of an intelligent enlightened government.
24 Things like Mangano and Venditto don't
25 happen in a vacuum. They are symptomatic of

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2 a system that's broken. It's been broken
3 for many years.

4 I would go back to someone like
5 Nickerson and see, how did the county
6 function under Nickerson and what has
7 happened since then.

8 We have a major crisis in
9 transportation in this county. Instead of
10 fixing transportation, thinking of having a
11 vision, a vision of light rail, a bus system
12 that's really effective. Some kind of
13 inter-linkages between the Long Island Rail
14 Road, getting the cars off the street,
15 instead of fixing transportation, you try to
16 milk transportation for money instead of
17 helping the people and making it more
18 effective, you take the disfunction and suck
19 money out of it. You exploit the
20 disfunction of a system that's under your
21 responsibility.

22 I absolutely agree, we need to
23 have a lot more tickets issued in Nassau
24 County. Our roads are out of control. Our
25 police are doing an extremely poor job in

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2 protecting the citizens. We have people
3 getting killed every day. I pick up dead
4 animals on the streets. Roslyn Road, which
5 you guys have dealt with, the speed limit
6 where there's flashing signs at 30 miles an
7 hour, I travel that road every day, even
8 today, 50 miles an hour. You have signs
9 that tell people how fast they're going, 40,
10 50. There's a tremendous amount of
11 enforcement.

12 If you actually had the police
13 doing their job issuing tickets, you would
14 have that revenue.

15 I will tell you something else, a
16 little dirty secret, where I live in East
17 Hills, every month they count the revenue
18 from the Nassau County Police Department
19 coming into the village coffers. \$40,000 a
20 month, \$20,000 a month. That's money that's
21 supposed to be going to Nassau County but in
22 order to keep the villages quiet --

23 CLERK PULITZER: Your three
24 minutes have expired.

25 MR. BRUMMEL: -- you are paying

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2 them off with ticket revenues from
3 thoroughfares going through the villages.

4 I would urge you to punt. You're
5 not going to solve these problems with
6 dialogue here. You need to invoke some
7 higher powers and the higher powers need to
8 invoke themselves and fix this county so we
9 wouldn't have these embarrassments like
10 Mangano Venditto and everything else that's
11 going on that we know hasn't yet been
12 revealed and indicted.

13 CHAIRWOMAN GONSALVES: Thank you,
14 Mr. Brummel. I have one more slip and then
15 we're going to move on. Richard Schurin.

16 MR. SCHURIN: I didn't come here
17 intending to speak but I feel compelled to
18 say something. I'm just a resident. I got
19 to tell you that the state of this county is
20 really bad. People have had it.

21 The truth is, you need to lay off
22 people. You can't continue to raise fees
23 which are really taxes and you need to lay
24 off people. It has to be done and it needs
25 to be done quickly.

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2 As this gentleman just spoke, who
3 seemed very very intelligent, smart to me,
4 you need to think more broadly instead of
5 fighting with each other and nitpicking back
6 and forth. You need to have a plan for this
7 county. You need to think forwardly. And
8 you need to restructure the county and, yes,
9 lay off people.

10 There's a lot of ways. We all
11 know, places like the Board of Elections are
12 populated with nothing but patronage hires,
13 et cetera, and there are a lot of places
14 where you can find money to save.

15 You need to do it, and if you
16 don't think you can do it because of the
17 politics, you have NIFA that can bail you
18 out, or you can go and get somebody else to
19 do it, but it needs to be done because the
20 people have had it. Thank you.

21 CHAIRWOMAN GONSALVES: There
22 being no other comments from the public, I'm
23 going to take a motion to close the hearing.
24 We all vote. It's not that -- voted to open
25 it, I couldn't have public comment unless I

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2 did.

3 LEGISLATOR ABRAHAMS: Madam
4 Presiding Officer, are you calling the
5 hearing -- the other hearing for today?

6 CHAIRWOMAN GONSALVES: We're
7 talking about budget today, the county
8 budget, the tax levy ordinance and the
9 multi-year plan.

10 LEGISLATOR ABRAHAMS: I'm talking
11 about the other hearings for the local laws.
12 Some of our questions are tied to those
13 hearings for the local laws.

14 CHAIRWOMAN GONSALVES: No, we are
15 not calling them.

16 LEGISLATOR ABRAHAMS: I believe
17 some of our members have questions in
18 regards to some of those revenues that are
19 in the budget document. We can start with
20 Legislator Bynoe.

21 CHAIRWOMAN GONSALVES: Go ahead,
22 Legislator Bynoe.

23 LEGISLATOR BYNOE: Somebody from
24 OMB here?

25 MS. D'ALLEVA: Roseann D'Alleva.

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2 LEGISLATOR BYNOE: I have a
3 question regarding specifically Item 393-16,
4 the local law regarding the fees.

5 MS. D'ALLEVA: Yes, I will try to
6 answer your question.

7 LEGISLATOR BYNOE: Can someone
8 explain to me the intent of that law?

9 MS. D'ALLEVA: 393, I think you
10 want to handle that. Gerry Podlesak from
11 the County Attorney's Office.

12 MR. PODLESAK: What is your
13 question, please?

14 LEGISLATOR BYNOE: I would like
15 to know the intent of that particular local
16 law.

17 MR. PODLESAK: The intent of the
18 local law was to remove the fee amendments
19 from the administrative code and from
20 miscellaneous code and put them into one
21 separate ordinance.

22 LEGISLATOR BYNOE: Can you
23 explain to me the financial impact of that
24 law?

25 MR. PODLESAK: It should have no

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2 impact in and of itself.

3 LEGISLATOR BYNOE: I actually
4 requested to look at this or have our
5 attorneys look at this closely and, it's my
6 understanding that if the fee is not adopted
7 that -- I'm sorry, if the actual ordinance
8 is not adopted it automatically defaults to
9 this local law and it would actually
10 escalate the fees in most cases in 100
11 percent of the actual fee in the ordinance.

12 So I believe that takes place if
13 there is no action by this body by January
14 2017. So if you could expound a little bit
15 on that.

16 MR. PODLESACK: I don't know what
17 to say on the subject. It's something of a
18 poison pill.

19 If the fees get stripped out of
20 the administrative code and they're not
21 otherwise adopted in the ordinance, then
22 there will be no fees for those items except
23 for the fact that they were included in
24 these additional sections and they were made
25 to be increases in order to encourage the

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2 passage of both documents.

3 There is no other legal way to
4 tie them together so that they could be
5 passed together at the same time.

6 LEGISLATOR BYNOE: So there was a
7 requirement to then, in the local law, as
8 opposed to the ordinance to raise some of
9 the fees from 600 to \$1,200?

10 MR. PODLESACK: That only will
11 happen if the ordinance is passed.

12 LEGISLATOR BYNOE: But if we
13 needed to have this local law to protect the
14 fees from the administrative process as you
15 explained, why couldn't we have just gone
16 from 600 to 600? Why did we need to go from
17 600 to 1200? Why did we need to do that in
18 certain cases?

19 MR. PODLESACK: It is the subject
20 of a poison pill. It's designed to make
21 sure that the two items pass together.

22 LEGISLATOR BYNOE: It's actually
23 designed to keep the gun at our head to make
24 sure that we actually move forward with the
25 ordinance?

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2 MR. PODLESAK: That's not the way
3 that I would put it. We fully expect both
4 the ordinance and local law to pass.

5 LEGISLATOR BYNOE: That's not how
6 you would put it, but that's the way I'm
7 actually digesting it.

8 What you're telling me is you put
9 an ordinance in place, and if we don't pass
10 the ordinance but didn't read through this
11 item well enough, we would have possibly
12 enacted a local law that would have then
13 doubled the fees?

14 MR. PODLESAK: The intent was
15 that both items would be passed together.
16 There is no intent to hold the gun to
17 anybody's head.

18 If you feel that way I apologize.
19 The idea was to make sure the two items
20 would run together in tandem.

21 LEGISLATOR BYNOE: I appreciate
22 your apology but I would say on behalf of
23 this caucus that that is distasteful,
24 distasteful for you to have created this
25 local law in that manner that if we didn't

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2 enact an ordinance would have doubled the
3 fees.

4 I think it's in bad taste. I
5 think it's really, honestly, dishonest and
6 further, to me, almost an act of extortion.
7 It's not good government.

8 MR. PODLESACK: Not at all. It's
9 totally transparent.

10 LEGISLATOR BYNOE: It's not good
11 government, I'm sorry. It's just not.

12 MR. PODLESACK: Totally
13 transparent and there for you to see. It
14 did not require a close reading of the local
15 law. It was there solely for the purpose to
16 make sure that that would not be a situation
17 where the fees were eliminated and no fees
18 were enacted.

19 LEGISLATOR BYNOE: So you thought
20 this body in some way would eliminate fees
21 in some way altogether in so much so that
22 you needed to create a law that would put
23 the gun to our head to require that we
24 approve some fees?

25 MR. PODLESACK: I'm not putting

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2 the gun to anybody's head. I'm just making
3 sure that there would not be the temptation
4 to eliminate fees.

5 LEGISLATOR BYNOE: You wanted to
6 make sure there was no temptation to
7 eliminate fees. That's in bad taste.

8 Presiding Officer, I would ask
9 that you look at this law closely. It's in
10 bad taste that it even made the agenda.

11 This is in bad taste that was
12 even created and, to me, it's a worse
13 situation that we would even put it on an
14 agenda.

15 LEGISLATOR DERIGGI-WHITTON:
16 Norma, can I ask a follow up question?

17 CHAIRWOMAN GONSALVES: Legislator
18 Bynoe, are you finished?

19 LEGISLATOR BYNOE: Go through all
20 my questions?

21 CHAIRWOMAN GONSALVES: Yes. This
22 way we can go to Legislator Deriggi-Whitton.

23 LEGISLATOR BYNOE: So, the next
24 question I have is regarding the tax
25 assessment reduction services.

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2 So I looked at that too because
3 that was also amended in the last minute.

4 So I asked that we would look at
5 that amendment as opposed to what was
6 initially presented to this body.

7 So in questioning that, I found
8 out that we actually, to me, stripped out
9 parts of the law that would actually protect
10 the residents. So it seemed a little water
11 down in the second presentation to us.

12 The amended law would no longer
13 require that the commissioner has a list of
14 businesses providing services. It also
15 would not require that the tax assessment
16 service the business owners provide legal
17 documentation regarding the corporate
18 existence, the names and IDs of the
19 principals.

20 It also wouldn't require that the
21 license applicant or principals to provide
22 any documentation to disclose that they have
23 not been convicted of a crime relative to
24 municipal ordinance within the last ten
25 years.

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2 In addition, the law also removed
3 the requirement that the principals not have
4 any judgments, liens, tax or warrants
5 against them for child support orders.

6 I have to tell you that all of
7 the things that were stripped out of the tax
8 assessment law was included in the pets, it
9 was included in the health club.

10 I'm just wondering why we felt
11 the need to strip that out of these entities
12 that are lobbying on behalf of our residents
13 for tax abatement? Why would we water down
14 the law?

15 MR. PODLESAK: I wouldn't say it
16 was watered down. There is still protection
17 for consumers. There's a requirement that
18 when any contract that's issued by one of
19 these firms must include language that says
20 that any address complaint can be addressed
21 to Consumer Affairs Office. It also imposes
22 penalties for certain acts like price
23 gouging and what have you.

24 The reason why this licensing
25 provision was removed was that it was felt

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2 that the logistics of putting together
3 regulations in order to bring it to
4 fulfillment was not something that can be
5 done immediately and would take time.

6 So that decision was not made to
7 impose the licensing and just to rely on the
8 ability to impose fines and otherwise
9 control the businesses.

10 LEGISLATOR BYNOE: So because we
11 felt we couldn't have the requirements in
12 place or the proper process in place for
13 those requirements to be adhered to to tie
14 together with the license to receive the
15 money, we decided to strip the requirements
16 out.

17 Why couldn't we then require that
18 the licensing not take place for six months
19 or give them the license and have it revoked
20 if they did not submit the supplemental
21 information within three to six months?

22 I think that allowing for a
23 license to be provided to these entities the
24 ones that we know, we know for a fact that
25 we're having a problem with those types of

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2 businesses, as opposed to not having any
3 complaints on the side of pet owners or to
4 the extent to which we're now requiring them
5 to have a license, I'm at a loss as to why
6 we would strip this out of that particular
7 license but include it in the others.

8 I don't know that having a
9 criminal background to the degree of not
10 paying child support is as important in tax
11 assessment as opposed to someone who is
12 caring for a pet. I just don't understand
13 that. I think that that's faulty thinking
14 as well.

15 I think that we need to go back
16 and look at what was initially presented to
17 this body and, in terms of a license --
18 because this is one area that I do believe
19 we most certainly should have a license. I
20 believe that we should most certainly should
21 have a license, we should have all these
22 things in place to protect consumers because
23 we know that this industry in itself has
24 been dealing in bad faith with our
25 residents. So I think the administration

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2 needs to look at this.

3 CHAIRWOMAN GONSALVES: Legislator
4 DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Going
6 back to 393 -- and I concur with Legislator
7 Bynoe. Do I understand correctly that you
8 had to put fees in to preserve the spot for
9 fees in the budget? Is that basically what
10 you said?

11 MR. PODLESACK: Not exactly, no.
12 What I said was, it was included in order
13 that if the fees are removed, that the fees
14 would be -- the ordinance assessing the fees
15 and fixing the fees would come into play.
16 It's a two step process.

17 LEGISLATOR DERIGGI-WHITTON: Why
18 didn't we leave the fees at the rate that
19 they are today? Why have such an increase?

20 MR. PODLESACK: The decision was
21 made that it would be more effective as a
22 poison pill in order to include the double
23 fees.

24 LEGISLATOR DERIGGI-WHITTON: That
25 really bothers me also. Just to piggyback

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2 on what Legislator Bynoe said, why not at
3 least just leave them as they were, to
4 double them in this legislation. This is
5 the whole trust issue that we are having
6 with the government.

7 You can't just come in and -- if
8 you want to say I want to keep them, we need
9 them, fine, but to come in and say we need
10 them but we're going to double them, and in
11 this one piece of legislation, is really
12 amazing.

13 I just have one other with
14 question. We are giving out licenses to
15 such things as groomers as Legislator Bynoe
16 just mentioned, all these other licenses
17 that might be more important in the sense,
18 but when someone is licensed by Nassau
19 County, I think it's the assumption that we
20 hold them to some criteria or some standard
21 as the pet groomers were saying.

22 There are no rules or regulations
23 that they have to abide by yet we are giving
24 them a license. I almost think we are
25 misleading the public by giving them a

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2 license without any kind of criteria as to
3 anything is handled.

4 All we're doing is giving a
5 license to take the fee. Do you see any
6 legal ramification as far as the county
7 being held responsible for the fact that now
8 we are going to be licensing this dog
9 groomer?

10 MR. PODLESAK: No, I don't see
11 any legal ramification.

12 LEGISLATOR DERIGGI-WHITTON: So
13 this license comes with no absolute
14 guarantee or anything else, it's just a fee?

15 MR. PODLESAK: I wouldn't say
16 that, no.

17 LEGISLATOR DERIGGI-WHITTON: So
18 what is the point of this license if there
19 is absolutely no criteria?

20 MR. PODLESAK: It is a form of
21 regulation that was deemed to be necessary.

22 LEGISLATOR DERIGGI-WHITTON: And
23 the criteria is for Nassau County to say you
24 are now a licensed dog groomer?

25 MR. PODLESAK: It does provide

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2 for regulations.

3 LEGISLATOR DERIGGI-WHITTON: I
4 don't know, from what I'm hearing, and from
5 what I've seen, we really don't have any
6 straightforward rules and regulations for
7 which they have to abide by, yet we are
8 giving them a license.

9 I just think that for us to give
10 a license it has to be clear as to what is
11 expected and what rules are mandated.
12 Otherwise it's just charging for nothing.

13 CHAIRWOMAN GONSALVES: I'm going
14 to ask, I know it may be out of line, but,
15 Mr. Podlesak, you say, would there be
16 restrictions or guidelines for these
17 grooming parlors?

18 MR. PODLESAK: The local law does
19 provide for regulations to be issued by the
20 Office of Consumer Affairs.

21 CHAIRWOMAN GONSALVES: You're
22 telling me that there are guidelines and
23 regulations that are --

24 MR. PODLESAK: I'm not telling
25 you that there are. I'm telling you that

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2 there is a provision for it and everything
3 is a work in progress.

4 CHAIRWOMAN GONSALVES: In other
5 words, the Office of Consumer Affairs will
6 be the ones to monitor that?

7 MR. PODLESAK: That's correct.

8 CHAIRWOMAN GONSALVES: I think
9 it's important that we see evidence of the
10 fact that the Office of Consumer Affairs is
11 going to provide the guidelines and the
12 regulations that these grooming parlors must
13 follow; am I correct to say that?

14 MR. PODLESAK: Yes, you are.

15 CHAIRWOMAN GONSALVES: All right.
16 That's what I want to hear. I'm going to
17 move on.

18 LEGISLATOR BYNOE: Just one more
19 point.

20 CHAIRWOMAN GONSALVES: Just one
21 more.

22 LEGISLATOR BYNOE: It's to your
23 point, Presiding Officer.

24 Section 2133.2, Section 2(b) says
25 that documentation demonstrating that the

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2 registrant has either received training in
3 the field of pet grooming for at least 150
4 hours, either as an apprentice or from a
5 school or institution.

6 It says if training was received
7 from a school or institution, that copies of
8 such certificates, permits, diplomas,
9 license or similar documentation must be
10 included.

11 It seems as though if there was
12 an apprenticeship, that there is no real
13 significant documentation that's required,
14 and it's not actually detailed if it needs
15 to be -- if the person who provided the
16 apprenticeship even has to provide their
17 license or provide any records that details
18 when the apprentice program took place, how
19 they qualify for the 150 hours. It seems a
20 little loose to me.

21 CHAIRWOMAN GONSALVES:

22 Mr. Podlesak, I think it's important that we
23 follow-up on this concern because I'm
24 thinking -- I don't know whether or not this
25 is something that we can do, but, for

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2 example, hair salons, beauty salons, they
3 need to display a certificate that they have
4 gotten a license or whatever.

5 Is this something that the Office
6 of Consumer Affairs would be doing? I
7 really would like to see a little bit more.

8 You can understand there are
9 questions on a number of these items and
10 that's why we did not call them today.
11 We're not just arbitrarily dismissing them.

12 Even the administration has asked
13 that we go back and have an opportunity to
14 review some of these.

15 But I really would like to know
16 what role the Office of Consumer Affairs has
17 in this. Okay?

18 MR. PODLESACK: Yes, ma'am.

19 CHAIRWOMAN GONSALVES: Thank you.
20 Motion to close the hearing.

21 LEGISLATOR KOPEL: So moved.

22 LEGISLATOR FORD: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Kopel, seconded by Legislator
25 Ford. All those in favor of closing the

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2 hearing signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The hearing is now closed.

7 I just would like to move on.

8 There's four items that we're going to be
9 calling today and we are going to begin
10 calling the first item.

11 Item 12, Ordinance 179, the
12 legislative budget, and, Mr. Pulitzer,
13 please read Item 12, Ordinance 179

14 MR. PULITZER: Thank you. An
15 ordinance to adopt the budget for the County
16 Legislature for the County of Nassau for the
17 12 month 2017 fiscal year beginning January
18 1, 2017 and ending December 31, 2017, and to
19 appropriate revenues for said budget
20 pursuant to the provisions of the County
21 Government Law of Nassau County, the Nassau
22 County Administrative Code, the Real
23 Property Tax Law, the County Law, the Local
24 Finance Law, the General Municipal Law of
25 the State of New York and Chapter 14 of the

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2 laws of 1995.

3 CHAIRWOMAN GONSALVES: Motion,
4 please.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Walker, seconded by Legislator
9 Nicolello. Any comments from the
10 legislators? Legislator Curran.

11 LEGISLATOR CURRAN: I have a
12 question for OMB, the legislative budget.

13 I'm wondering if anyone looked at
14 the potential financial impact -- and this
15 is a very global question, on the county
16 economy with the budget? Including loss of
17 sales tax, possible unemployment,
18 foreclosures, that sort of thing. If there
19 has been any kind of assessment as to the
20 global impact that this budget will have on
21 the county.

22 MS. D'ALLEVA: The global impact
23 of the budget as it relates to the fees? Or
24 the global impact -- when we put together --
25 maybe I should answer the question this way.

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2 When we put together the budget,
3 we looked at a lot of economic indicators to
4 determine what we should include for a sales
5 tax growth. Therefore we were trying to be
6 very conservative in terms of how we think
7 the economy is going to go within the
8 county, and how that would perpetuate sales
9 tax because sales tax is one of our
10 predominant revenue sources. So the answer
11 to that question is yes.

12 LEGISLATOR CURRAN: In terms of
13 the fees, has that been looked at as well in
14 terms of how that would affect the economy
15 of the county potentially turning shoppers
16 away from small businesses like we heard
17 about earlier, businesses not being able to
18 hire as many people, possibly closing down
19 and losing sales tax.

20 MS. D'ALLEVA: What we did
21 include is a decrease in the -- like
22 altering driver behavior. So that we did
23 impose, so we basically felt that in terms
24 of infractions, our infractions, paid
25 infractions would decrease by about 14

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2 percent.

3 LEGISLATOR CURRAN: Just to
4 follow-up on the -- I know this was in the
5 previous thing, but to follow up on the tax
6 assessment, I see that the -- how can I
7 articulate this? I see that -- let me get
8 my thoughts together and I will ask you in a
9 little bit.

10 MS. D'ALLEVA: By the way,
11 Legislator Curran, you are 100 percent.
12 There are revenue producers in this county
13 and, if we do cut one or two heads or
14 whatever head count in terms of employees
15 that produce revenue, it does have a
16 concomitant effect.

17 Just for Consumer Affairs,
18 basically they earn three times their
19 revenue that they cost us.

20 LEGISLATOR CURRAN: Thank you for
21 that. While you were speaking, I remember
22 what I wanted to ask you.

23 For the TARS, the tax assessment
24 matter, this law provides that the
25 assessment roll is the intellectual property

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2 of the county. How is that different from
3 any other information that the county has or
4 collects?

5 MR. PODLESACK: It always comes
6 down to FOIL. When a request is made for
7 documentation from the county, it is
8 normally the case where the asker is asked
9 if they are going to be using it for
10 commercial purposes.

11 If they are using it for
12 commercial purposes, it is not subject to
13 FOIL. If they're using it for primarily
14 personal services, it is subject to FOIL.

15 In this case, the rolls are
16 uniformly requested by the tax cert industry
17 and the tax cert bar has paying for it now
18 for a number of years without any kind of
19 actual law requiring it. This changes it.

20 It formalizes it and it makes
21 certain that the tax cert industry is
22 actually paying for something that they are
23 intending to use to make money.

24 It previously had been somewhere
25 around \$5,000. This is essentially doubling

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2 it.

3 LEGISLATOR CURRAN: So it
4 basically comes down to whether it's
5 FOILable or not?

6 MR. PODLESACK: Correct. It's
7 FOILable if you just want to look at it and
8 it doesn't change the fact that it will be
9 published and any taxpayer can come in and
10 look at the roll. It's just that the
11 businesses who are making money off of it
12 shall be paid for.

13 CHAIRWOMAN GONSALVES: Now, going
14 back to Item 12, which is Ordinance 179,
15 which is the legislative budget. It was
16 read into the record and it was moved by
17 Legislator Walker and seconded by Legislator
18 Nicolello. I don't know, Legislator Curran,
19 were your questions geared towards the
20 legislative budget?

21 LEGISLATOR CURRAN: No. That was
22 my mistake. And I didn't get a chance to
23 ask it before so I thought I would slip it
24 in now.

25 CHAIRWOMAN GONSALVES: That's

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2 okay. No problem. There being no other
3 comments regarding the legislative budget,
4 all those in favor signify by saying aye.

5 (Aye.)

6 Any opposed? It's Item 179.

7 That's it. You don't have a salary now. No
8 expenses. No raise. No nothing.

9 You want to go back? Ordinance
10 179, stay focused, Item 12. All those in
11 favor of Item 12, Ordinance 179 which is the
12 legislative budget say aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The legislative budget passes
17 unanimously, not the county budget.

18 We're going to the next item
19 which is the county budget which is
20 Ordinance 177, pay attention, Item 10.
21 Would you read it? It's Item 10.

22 Again, it's Item 10, Ordinance
23 177. It's an ordinance to adopt the Nassau
24 County budget for the 12 month 2017 fiscal
25 year beginning January 1st, 2017 and ending

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2 December 31st, 2017.

3 Motion, please.

4 LEGISLATOR KOPEL: So moved.

5 LEGISLATOR MACKENZIE: Second.

6 CHAIRWOMAN GONSALVES: Moved by

7 Legislator Kopel, seconded by Legislator

8 MacKenzie. Any questions or comments

9 regarding this?

10 Now I need to enter into the
11 record that the Legislature has proposed
12 several amendments.

13 Most of the amendments are
14 proposed by the administration and are known
15 as technical amendments to correct minor
16 errors in what was originally proposed.

17 In addition to the technical
18 amendments of the administration, the
19 majority delegation is proposing additional
20 amendments.

21 The first one is eliminate the
22 fee increase proposed on the per block fee
23 for recording real estate documents;
24 eliminate Board of Elections municipal
25 reimbursement fees; eliminate alarm fee

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2 increases; eliminate cremation clearance fee
3 in Medical Examiner's Office; reduce debt
4 service budget; reduce expenses to match
5 expected needs in the Social Services budget
6 and reduce salary line by elimination of the
7 vacant positions.

8 Motion, please.

9 LEGISLATOR KOPEL: So moved.

10 LEGISLATOR DUNNE: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Kopel, seconded by Legislator
13 Dunne. All those in favor of the several
14 amendments that were proposed and read into
15 the record signify by saying aye.

16 (Aye.)

17 Any opposed? These are the
18 amendments to eliminate certain fee
19 increases. All those in favor signify by
20 saying aye.

21 LEGISLATOR BYNOE: I'm sorry,
22 Presiding Officer, I have a question on the
23 amendment.

24 CHAIRWOMAN GONSALVES: You may go
25 ahead.

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2 LEGISLATOR BYNOE: I'm sorry. I
3 would like some clarity on the social
4 services reduction.

5 MS. D'ALLEVA: Approximately \$6.6
6 million was reduced in appropriation for
7 social service programs.

8 We basically feel that we've had
9 some communication from New York State in
10 terms of Medicaid and where we know the
11 weekly local share of payments would be.

12 Right now I think they are
13 proposing that it's going to stay stable, at
14 the 2016 rate, we had anticipated in the
15 proposed budget a higher amount.

16 So we now have, because of that
17 August communication, actually it was a
18 little later in September -- because of that
19 communication in September, we were able to
20 lower the appropriation level.

21 LEGISLATOR BYNOE: Is this also a
22 reduction based on the fact that we believe
23 that there was going to be less services
24 utilized under one program which was the
25 TANF I believe and the SNAP and there was an

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2 increase in childcare and will we experience
3 any shortfalls?

4 MS. D'ALLEVA: As far as
5 childcare, no, we fully funded daycare
6 anticipated at the higher levels.

7 The one portion of the decrease
8 is strictly for Medicaid and that's what I
9 was talking about in terms of the local
10 weekly share payment.

11 Another anticipation is a lower
12 appropriation for indigent care. Currently
13 we've experienced the last four quarters
14 lower payments for indigent care, therefore
15 we're just now carrying that forward to 2017
16 and that's based on experience, case loads
17 for safety net are also trending lower. So
18 we're bringing that down to the lower level
19 in 2017.

20 LEGISLATOR BYNOE: So there is no
21 anticipation that we will turn anyone away
22 from any services at Social Services based
23 on this reduction in the budget?

24 MS. D'ALLEVA: No.

25 LEGISLATOR BYNOE: Thank you.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Curran.

4 LEGISLATOR CURRAN: Regarding the
5 amendment for the Taxi and Limousine, I see
6 that previously the County Attorney was
7 going to find out about new fees, about .7
8 million in fees for the TLC and I see that's
9 gone now. Does that relate to Uber?

10 MS. D'ALLEVA: Yes.

11 LEGISLATOR CURRAN: And did the
12 County Attorney look at it and come up with
13 a decision about that?

14 MS. D'ALLEVA: No. It's
15 currently still under review and performing
16 further analysis on it. Gerry can speak to
17 it, perhaps, but we didn't feel comfortable
18 in including the fee because we didn't know
19 at this point in time, there is still a lot
20 of outstanding issues with licensing Uber.

21 LEGISLATOR CURRAN: It would be
22 great to get some clarity because I know
23 Legislator Solages, among others, has
24 brought this up as a possible revenue source
25 and I would love if the County Attorney can

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2 speak to us about this some time soon what
3 his findings are if we can use this as a
4 revenue source.

5 MS. D'ALLEVA: I agree. I pay
6 enough Uber bills through my kids, believe
7 me.

8 LEGISLATOR CURRAN: Thank you.

9 CHAIRWOMAN GONSALVES: Minority
10 Leader.

11 LEGISLATOR ABRAHAMS: Thank you,
12 Madam Presiding Officer. I don't have a
13 question for Roseann.

14 My concern is that we are glad
15 that the majority has proposed the reduction
16 in elimination of many fee increases. Many
17 we support. All of them we support. We're
18 glad to see it.

19 We are again, now we are going to
20 take the budget vote, we are going to
21 request that there be an amendment to remove
22 the \$105 fee to give the public and the
23 folks that are here the assurance that this
24 fee will not be in the budget and not come
25 up in the shadows of the dark at some later

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2 date in November.

3 So, we kindly ask that this fee
4 be removed and voted on today. Because it
5 sounds like to me we can get unanimous
6 support being that we've seen many of the
7 fees be shot down just now.

8 CHAIRWOMAN GONSALVES: As you
9 heard at the beginning of the hearing, that
10 we are working for alternatives to the
11 public safety fee.

12 Until we find those alternatives
13 we're not going to include them in the
14 elimination. I think we should do our due
15 diligence and find a way to eliminate the
16 public safety fee with coming up with
17 alternatives.

18 LEGISLATOR ABRAHAMS: So
19 basically there's no guarantee that your
20 side will vote against the public safety fee
21 when it comes up, that's what it sounds like
22 today?

23 CHAIRWOMAN GONSALVES: That's an
24 incorrect assumption.

25 LEGISLATOR ABRAHAMS: No, no. I

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2 said there is no guarantee that you will
3 vote against the public safety fee when it
4 comes up, that's true? There is a
5 possibility that you may vote for the public
6 safety fee.

7 CHAIRWOMAN GONSALVES: That's an
8 assumption.

9 LEGISLATOR ABRAHAMS: Our side I
10 can tell you folks we are guaranteed. That
11 also said, we are not -- we are passing a
12 budget according to Section 304 of the
13 Charter that basically indicates that we
14 need to pass a balanced budget. We are
15 not doing that today so we are violating
16 again, which seems to be the common theme
17 here, we are violating our Charter.

18 CHAIRWOMAN GONSALVES: And we
19 will do that before the end of the year,
20 provide a balanced budget.

21 LEGISLATOR ABRAHAMS: But the
22 budget is required to be passed today.

23 CHAIRWOMAN GONSALVES: Yes. But
24 that's okay but we still have the
25 opportunity -- there is still revenues that

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2 we need to look into.

3 LEGISLATOR ABRAHAMS: It's okay
4 folks, you are in good hands.

5 CHAIRWOMAN GONSALVES: Thank you
6 very much. Going back to the amendments
7 that were put on the record.

8 All those in favor of the budget
9 amendments signify by saying aye.

10 (Aye.)

11 Any opposed? It's on the
12 amendments, the elimination of fees. I will
13 do it again if you need to know but I don't
14 think so. Four fees that we are eliminating
15 and also making some reductions to the
16 budget.

17 All those in favor of the
18 proposed budget amendments signify by saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Fine. So the amendments pass
24 unanimously.

25 Now, let's go to Item 10 which is

1 Full Legislature/10-31-16
2 Ordinance 177 as amended. As amended all
3 right. All those in favor of the Ordinance
4 177, which is the county budget as amended,
5 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 We have 11 to 6. It's 11 to 6.
10 And we didn't get up and walk out. Birnbaum
11 not here. We have five on the minority side
12 here. I got the count right, 11 to 6. The
13 budget passes 11 to 6.

14 Let me remind everyone. It is a
15 work in progress and we intend to continue
16 to find alternatives, especially to those of
17 you who came here today regarding the public
18 safety fee.

19 Now, let's move on. We have
20 Calendar Number 11, Ordinance 178, I
21 believe.

22 LEGISLATOR SOLAGES: Madam
23 Presiding Officer.

24 CHAIRWOMAN GONSALVES: Hold on.
25 I know you have a statement, Legislator

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2 Solages.

3 We are now on 11, which is, I
4 think I said it was the tax levy ordinance,
5 and it's Ordinance 178.

6 I need a motion, please, to put
7 it on the floor.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR NICOLELLO: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Nicolello. It is now on the floor. I
14 believe that Legislator Solages would like
15 to read a statement into the record. I know
16 he gave it to me.

17 LEGISLATOR SOLAGES: Yes. Thank
18 you very much. Good afternoon to everyone.

19 As you may know, the Valley
20 Stream community was hit with a very
21 unreasonable tax whereby the IDA, Industrial
22 Development Agency of the Town of Hempstead,
23 approved a tax break for Green Acres Mall
24 run by Macerich Corporation.

25 As you may have seen on the news,

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2 this has caused a lot of anger amongst the
3 residents in Valley Stream. I understand
4 that Legislator Gaylor represents also
5 Valley Stream. I provided a copy of my
6 statement to all of my colleagues here today
7 before this statement.

8 The statement reads in part that
9 the tax rates in this item are based in part
10 on the aggregate assessed value of the
11 taxable property on the tax roll.

12 So this item is directly affected
13 by the decisions to grant tax exemptions
14 such as the highly questionable decision by
15 the Town of Hempstead IDA to grant an
16 exemption to the Green Acres Mall property.

17 I believe the tax rates in this
18 item are tainted by that decision and that
19 this body should refuse to vote on this item
20 until a further inquiry can be made by a new
21 town board IDA into the property of the
22 Green Acres PILOT agreement. Whether the
23 exemption was legal under the IDA law and
24 whether the PILOT was properly calculated.

25 Based on information and belief

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2 Fred Parol, the executive director of the
3 IDA, had a conversation with the assessor,
4 the county assessor, Mr. Davis, in which he
5 stated I incorrectly calculated the tax. I
6 forgot to add the school and general tax
7 alone.

8 We all have seen many PILOTS, but
9 this PILOT in particular has had such a
10 devastating affect on the Valley Stream
11 community that it begs the question, what
12 happened there?

13 Obviously the supervisor of the
14 Town of Hempstead Mr. Santito has made a
15 statement saying that at the next town board
16 meeting he plans to fire them. He would not
17 have fired them if they did everything
18 correctly.

19 In addition, I would like to
20 please note that on September 26th, this
21 body voted whether to approve the assessed
22 value for all property in this county.

23 I abstained from that vote
24 despite some individuals are saying that I
25 voted for that. I abstained from that vote.

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2 Therefore, this vote that I will
3 cast today -- I respectfully ask that this
4 body not call this item for those reasons I
5 mentioned.

6 If the exemption is granted then
7 the tax rate is incorrect here. I ask to
8 move to table this item.

9 I have reached out to my, again,
10 my colleague in Valley Stream, Mr. Gaylor,
11 and I implore Mr. Becker, his predecessor,
12 who cares greatly for Valley Stream to
13 please encourage this body to not call this
14 vote.

15 Again, I apologize for my
16 abrasive nature at time before with some of
17 my colleagues here on certain issues. But
18 I'm asking you respectfully. I fear that at
19 a future date, because this body is going to
20 miss the opportunity to undo something
21 that's very wrong, we will have this room
22 packed with Valley Stream residents who are
23 very upset.

24 MacKenzie, again, I apologize,
25 but I'm asking you respectfully, but I have

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2 to do this. Mr. Kopel, please, please, I
3 just want to finish because this is very
4 important to me. I personally will have to
5 pay over \$1,500 extra.

6 So, again, I ask you please
7 respectfully to not call the vote and I
8 thank you Madam Presiding Officer for this
9 opportunity to speak.

10 CHAIRWOMAN GONSALVES: Hold on.
11 I'm going have to do -- hold on the motion
12 to table because Legislator Gaylor has a
13 statement to make because I think he was at
14 a meeting with you today.

15 LEGISLATOR GAYLOR: Thank you,
16 Madam Presiding Officer. This impact, as
17 Legislator Solages says, affects the Valley
18 Stream community but that's kind of
19 incorrect. It affects larger than the
20 Valley Stream community. As the school
21 districts that are affected spill over into
22 Lynbrook, Malverne, North Valley Stream,
23 South Franklin Square. So it's a larger
24 issue.

25 So I share the concerns that

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2 Legislator Solages has. I'm tempered though
3 by the fact that if this piece of
4 legislation doesn't vote today and pass, the
5 effect that it may have on the other school
6 districts.

7 So I guess the question I have
8 for whomever is here that may be able to
9 answer it, if this were to pass today, can I
10 come back and have it amended as it relates
11 to the school districts in Valley Stream
12 that spill over into the rest of my
13 district?

14 But, can we come back and amend
15 it to have a carve out for them or claw back
16 provision?

17 MS. D'ALLEVA: Well, the tax
18 levies get actually repassed in December, at
19 the end of December, and that is due because
20 the towns haven't passed their budgets.

21 So once the towns pass their
22 budgets, then we actually recalculate
23 everything. As long as we know what their
24 revenue requirement is, then we have to fold
25 that into the ordinance. So this tax levy

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2 ordinance comes before you again in
3 December.

4 CHAIRWOMAN GONSALVES: Which
5 means it can be amended?

6 MR. PODLESACK: Yes, it can be
7 amended.

8 LEGISLATOR GAYLOR: Okay. Just
9 so I'm clear, should the town IDA, existing
10 board or new board once there is an
11 appointment of a new board, assuming there
12 is, or a court of law would determine that
13 the PILOT program for Green Acres didn't
14 afford the residents due process or for
15 whatever reason and they invalidate it, I
16 can come back with an amendment to this tax
17 roll to get the money back?

18 MS. D'ALLEVA: What happens is it
19 changes the rates, right? So if the
20 assessed value goes up the rates go down.
21 So, therefore, our revenue requirement is
22 fulfilled and the town's revenue requirement
23 is fulfilled. So that's what happens.

24 LEGISLATOR GAYLOR: But I'm
25 specifically asking, can we carve out

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2 something that would adjust the rate for the
3 school districts that are affected here or
4 is this a county wide rate?

5 MS. D'ALLEVA: These are county
6 wide -- assessed values are redone -- I
7 mean, the assessed value is redone for the
8 county rate in December again.

9 LEGISLATOR GAYLOR: Right, but,
10 again, I just want to know specifically, can
11 it be amended just for those three or four
12 school districts that are affected by the
13 Green Acres PILOT program?

14 MS. D'ALLEVA: No.

15 LEGISLATOR GAYLOR: That's the
16 question I'm trying to ask.

17 MS. D'ALLEVA: No. The rates are
18 redone globally when it comes to the end of
19 the year in December.

20 MR. PODLESACK: Just to clarify,
21 legislator. It's not a question of a carve
22 out. It would be for the entire county and
23 any school district that has been affected,
24 the villages and the Town of Hempstead.
25 Everybody would be affected by the change

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2 you're talking about so there would be no
3 need for a carve out as you put it.
4 Everybody would be affected.

5 CHAIRWOMAN GONSALVES: Legislator
6 MacKenzie.

7 LEGISLATOR MACKENZIE: Sorry. I
8 get ahead of myself sometimes. So just to
9 clarify, if we vote on this today, and
10 between now and December, when it comes back
11 again, the PILOT agreement is invalidated
12 and an adjustment is made to the rolls to
13 take that into consideration, that vote in
14 December would take into consideration the
15 changes made by the invalidation of the
16 PILOT program?

17 MS. D'ALLEVA: So, let me. I
18 don't really actually know about this PILOT
19 agreement. Let me specify that.

20 The question is, is this PILOT
21 agreement, this impacts both county and town
22 revenue and school?

23 CHAIRWOMAN GONSALVES: And
24 special districts, Roseann.

25 MS. D'ALLEVA: Yes, it's yes, and

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2 special districts. So the assessed values
3 are set and if the PILOT was given the
4 assessed value it was diminished at that
5 time. So the rates would have to be
6 adjusted.

7 I don't know if the assessment
8 department can increase the assessed values
9 that are currently on the roll. I'm not 100
10 percent sure about that.

11 LEGISLATOR SOLAGES: Obviously we
12 don't know too much about this. I'm asking
13 respectfully that we table this, Mr.
14 Muscarella, please.

15 In addition, can we please have
16 Mr. Jim Davis please come here. Because the
17 executive director of the IDA mentioned to
18 Mr. Davis that he messed up his calculation.
19 Why should we justify the tax rolls if we
20 know they're incorrect?

21 CHAIRWOMAN GONSALVES: Listen,
22 you made a motion to table. I need a
23 second.

24 LEGISLATOR ABRAHAMS: I'm proud
25 to second but I just have some questions,

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2 but they're not Roseann and not for counsel.
3 They would be for Mr. Davis and they're
4 regarding the DAF charge, and if I can just
5 get my questions on the record, so that the
6 next time they're here.

7 CHAIRWOMAN GONSALVES: Sure. Go
8 ahead.

9 LEGISLATOR ABRAHAMS: Like I said
10 before, they're related to the DAF charge.
11 It appears that the DAF charge was not
12 included in the Fall 2016 school tax bills;
13 is that correct, is my understanding
14 correct? I don't know if you can answer
15 this Roseann, but I was really going to
16 point them to Mr. Davis, but he's not here
17 today.

18 MS. D'ALLEVA: The DAF charge is
19 on the bill but the DAF charge will be on
20 the January general wide county bill.

21 LEGISLATOR ABRAHAMS: So that
22 answers my next question. The next question
23 that I have is, has anyone assessed the DAF
24 charge impact and the revenue that the
25 schools will receive in any way?

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2 MS. D'ALLEVA: No.

3 LEGISLATOR ABRAHAMS: No one has
4 done that. Is that planned to be done?

5 MS. D'ALLEVA: The DAF charge
6 will not interfere with what the revenue
7 requirement for the school districts is.

8 They have given us their revenue
9 requirement and it's already calculated.

10 LEGISLATOR MUSCARELLA: But it
11 does affect the rates?

12 MS. D'ALLEVA: Yes, it does
13 affect the rates.

14 LEGISLATOR MUSCARELLA: When
15 you're talking about the income that they
16 make, the income stays the same?

17 MS. D'ALLEVA: Right.

18 LEGISLATOR MUSCARELLA: But if
19 the assessed value of the property of the
20 Green Acres property then goes up, then the
21 tax rates go down for the school district,
22 the tax rates go down for the town, and the
23 tax rates go down for the county.

24 MS. D'ALLEVA: That's right.

25 LEGISLATOR MUSCARELLA: The

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2 county would be a very small portion that
3 the would go down, but it affects everyone.
4 The school district rates would affect those
5 within the school district. So they would
6 go down a greater percentage because the
7 school monies is only accumulated from the
8 school district itself.

9 LEGISLATOR SOLAGES: Mr.
10 Muscarella, you have been a lawyer longer
11 than I, so what does that mean?

12 LEGISLATOR MUSCARELLA: That
13 basically means that we are going to come
14 back here, and if it changes we have a
15 second opportunity to change the assessed
16 values and that will affect the school
17 district rates greatly, which would then
18 change the school taxes for residential
19 properties substantially.

20 CHAIRWOMAN GONSALVES: We have a
21 simple question here. Legislator Nicoletto.

22 LEGISLATOR NICOLELLO: I don't
23 know if you can answer this, what is the
24 affect if we don't pass this? What happens
25 if we don't pass the tax levy?

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2 MS. D'ALLEVA: You don't have a
3 balanced budget. The tax levy basically is
4 the main -- it's 27 percent of the revenue
5 that is associated --

6 LEGISLATOR NICOLELLO: It has to
7 be passed today?

8 MS. D'ALLEVA: Yes.

9 LEGISLATOR SOLAGES: I'm trying
10 to work with you. Says who?

11 CHAIRWOMAN GONSALVES: I wish the
12 woman back there stops shouting out please.

13 LEGISLATOR NICOLELLO: Where does
14 that come from, Roseann?

15 MS. D'ALLEVA: I believe it's a
16 Charter requirement.

17 LEGISLATOR SOLAGES: A Charter
18 requirement that we pass a balanced budget.
19 We said here today we're not going to do
20 that anyway.

21 CHAIRWOMAN GONSALVES: Hold on.
22 Today's vote is not the end of this item,
23 correct?

24 LEGISLATOR SOLAGES: Then, let's
25 table it.

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2 CHAIRWOMAN GONSALVES: Are we
3 coming back again?

4 MS. D'ALLEVA: Well, are coming
5 back again for the tax levies in December
6 once we get the town requirements for their
7 levies, but the assessed value is final.
8 The roll is final. The tax bills for the
9 schools have already gone out for the first
10 half.

11 LEGISLATOR SOLAGES: Once the
12 town figure out the situation, we have to
13 amend this item anyway, so what's the rush?
14 Let's just wait and table this.

15 MS. D'ALLEVA: The levy
16 requirement for the county has to pass
17 today. It's required by Charter. In terms
18 of the assessed value for the roll, the roll
19 is final already.

20 LEGISLATOR SOLAGES: The roll is
21 incorrect. Please bring the assessor here.
22 The roll is incorrect.

23 MS. D'ALLEVA: They would have
24 to -- who? It's presumed correct. They
25 would have to basically contest the rolls.

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2 LEGISLATOR SOLAGES: Presumptions
3 are assumptions.

4 MS. D'ALLEVA: But then they
5 would be in a tax refund status.

6 LEGISLATOR SOLAGES: With all due
7 respect, I don't know if your responses are
8 certain, and I just want to err on the side
9 of caution and I want to ask that this item
10 is respectfully tabled.

11 MR. BECKER: Legislator Solages,
12 I'm very familiar with this and it's
13 impacting us everywhere and I agree with you
14 100 percent.

15 Madam Chair, I'm sorry, at
16 present from what I read and understand,
17 Legislator Solages, currently the assessed
18 and the PILOTS have all been set and agreed
19 to as I understand -- and let me finish, I'm
20 fully on board with you on this, it's
21 devastating. And as I said, those Lynbrook
22 residents are dramatically impacted by this,
23 as my colleague, Legislator Gaylor has
24 suggested, and widespread and a real
25 problem.

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2 The only thing is, at the present
3 time we have to hope that the PILOT is put
4 aside and that has to come to some agreement
5 by an IDA or a new IDA. That's really in
6 doubt at this particular point, and once
7 again, I don't see how -- maybe there is
8 something -- let's say for example the PILOT
9 reevaluated, and the assessed valuation goes
10 back up for Green Acres, at that particular
11 point I'm wondering if you can have a tax
12 certiorari case against the county
13 unfortunately.

14 Right now it's in place unless
15 somehow the current Chairman Fred Parola can
16 get the Green Acres to go back on the PILOT.
17 That's only an if right now.

18 LEGISLATOR SOLAGES: I do not
19 want to entertain any questions as to
20 whether or not we have jurisdiction upon the
21 IDA. Obviously we do not. I am only
22 focusing on our jurisdiction and our powers.
23 Right now as a body we have the power to
24 approve or disapprove this tax roll and I'm
25 asking my colleagues to please not approve

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2 this tax roll.

3 CHAIRWOMAN GONSALVES: I need a
4 second to the motion to table.

5 LEGISLATOR GAYLOR: I second the
6 motion, Madam Presiding Officer.

7 LEGISLATOR SOLAGES: Thank you.
8 Bipartisan.

9 CHAIRWOMAN GONSALVES: There's no
10 discussion on a motion to table. You all
11 know that. So now all those in favor of
12 tabling item I believe 11, signify by saying
13 aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 I'm sorry.

18 LEGISLATOR SOLAGES: A motion to
19 reconsider respectfully. Mr. Dunne, I ask
20 you respectfully do not vote on this item.

21 CHAIRWOMAN GONSALVES: I know how
22 near and dear this is to you.

23 LEGISLATOR SOLAGES: Presiding
24 Officer, I will smile at you every day,
25 please.

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2 CHAIRWOMAN GONSALVES: You have
3 to continue smiling. Now the motion to
4 table failed. Now we are going to move on
5 to the item.

6 LEGISLATOR NICOLELLO: Can I say
7 one thing? Respectfully, Frannie, you are
8 doing a great job since you're doing this
9 and we appreciate all your service, but this
10 room should be filled with people from the
11 administration. That's not a reflection on
12 you, but it's our budget. The assessor
13 should be available.

14 Again, Fran, don't take this
15 personally because I think you've done an
16 outstanding job. So don't take it
17 personally.

18 MR. BECKER: I understand
19 completely.

20 MS. D'ALLEVA: The assessed
21 values are set. The tax bills for the
22 schools have gone out. The assessed value
23 can't be changed.

24 CHAIRWOMAN GONSALVES: I'm going
25 to move on.

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2 LEGISLATOR DUNNE: I already paid
3 my school tax.

4 LEGISLATOR SOLAGES: The assessed
5 value is incorrect. Mr. Davis knew that.
6 We should just ask him to come here.

7 CHAIRWOMAN GONSALVES: Let's go.
8 The motion to table has failed.

9 MS. D'ALLEVA: We can't change
10 the assessed value. The roll is final.

11 CHAIRWOMAN GONSALVES: Roseann,
12 Item 11, the tax levy item, there is an
13 amendment in the nature of a substitution.
14 That is the fact that we have passed
15 amendments to the budget and I believe that
16 they need to be incorporated into this item.
17 A motion for an amendment in the nature of a
18 substitution.

19 MR. BECKER: Madam Chair, can I
20 clarify one thing?

21 CHAIRWOMAN GONSALVES: No.

22 MR. BECKER: This is important
23 though.

24 CHAIRWOMAN GONSALVES: If it was
25 important it would have been five minutes

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2 ago. What took you so long?

3 MR. BECKER: This is important.

4 I just want to say to you, you can delay the
5 vote. It's a Charter requirement to have
6 the vote, but it's without penalty. Just
7 thought I would let you know, that's all.
8 There is no penalty I think that's important
9 to know.

10 LEGISLATOR SOLAGES: Thank you,
11 Mr. Becker. Valley Stream is very proud of
12 you. Thank you very much.

13 CHAIRWOMAN GONSALVES: I am going
14 to take five minutes to recess. We are
15 still in discussion on the item.

16 (Whereupon, the Full Legislative
17 Committee recessed at 4:03 p.m. and
18 reconvened at 4:44 p.m.)

19 CHAIRWOMAN GONSALVES: Listen, we
20 are still in discussion on the item, and I
21 know, by the way, the item was amended due
22 to the amendments that we passed.

23 I asked for a motion to amend the
24 item in the nature of a substitution. I
25 don't know if we did have it. I have no

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2 idea. I don't know if we did.

3 I'm asking now for an amendment
4 in the nature of a substitution that would
5 include all the amendments that we offered
6 today.

7 Motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KENNEDY: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Kennedy. A motion has been made to offer an
13 amendment in the nature of a substitution
14 and it was moved by Legislator Dunne,
15 seconded by Legislator Kennedy.

16 All those in favor of the
17 amendment in the nature of a substitution
18 signify by saying aye.

19 (Aye.)

20 All those opposed?

21 (Nay.)

22 Four nos and ten ayes.

23 By the way, do I have ten votes
24 here? A no for you. We have some questions
25 that we're asking. The amendment in the

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2 nature of a substitution passes 11 to 4.

3 Now, we have some questions that
4 we need to ask. I believe Legislator
5 Muscarella is going to ask the first one and
6 I'm going to ask the second one.

7 LEGISLATOR MUSCARELLA: You have
8 heard the concerns of Legislator Solages and
9 Legislator Gaylor with respect to an IDA
10 grant with respect to the Green Acres
11 Shopping Center which provided a PILOT or
12 exemption to Green Acres Shopping Center.

13 On this item, what affect does
14 this item have on the exemption? Or what
15 affect would the exemption have on our
16 passing this item with respect to school tax
17 bills which are out?

18 MR. PODLESACK: There would be no
19 effect. The bills are as you said out. The
20 levies have been set. Everything has gone
21 out so there would be no effect.

22 LEGISLATOR MUSCARELLA: If in
23 fact the IDA or the town sues the IDA and
24 the IDA rescinds the exemption, and some
25 time in the future those properties are

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2 found to be incorrectly assessed, how would
3 there be any remedy to the taxpayers of the
4 county and, more specifically, within the
5 school district if it turns out the ID was
6 wrong?

7 MR. PODLESACK: Well, if it is
8 deemed to be invalid, the property would go
9 back onto the tax roll, and the tax payers
10 would be seeing relief the following year
11 when the property is ultimately restored to
12 the roll again.

13 But that would also include
14 amounts for 2017. So in 2018 there would be
15 relief but it would also include amounts for
16 2017.

17 LEGISLATOR MUSCARELLA: Am I
18 correct to state that it wouldn't be in the
19 nature of a tax certiorari. It wouldn't be
20 a restoration in the nature of the county
21 paying back all of the incorrectly paid
22 monies?

23 Let me say it this way: The
24 school district will get their full amount
25 regardless of who it's from. The town gets

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2 their full amount, the county gets the full
3 amount.

4 If it turns out that the
5 proportions were incorrect in the future, am
6 I right to say that in the future tax bills,
7 the residents would see a relief for the
8 credit that they overpaid and Green Acres
9 Shopping Mall would pay an additional amount
10 for the monies that they didn't pay but
11 should have paid?

12 MR. PODLESACK: They would be part
13 of the tax base again at that point. There
14 would be relief through the mechanism of
15 omitted property and there would be benefits
16 for the taxpayers in 2018, for 2017 and
17 2018.

18 LEGISLATOR MUSCARELLA: So if we
19 pass this today or we don't pass this today,
20 it has no effect basically on the school tax
21 bill that's been paid by the residents of
22 the Valley Stream school districts?

23 MR. PODLESACK: That's correct.

24 LEGISLATOR MUSCARELLA: Okay. I
25 don't have any other questions right now.

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2 CHAIRWOMAN GONSALVES: I have two
3 or three more questions, Legislator Solages.

4 What is the effect of not passing
5 this levy today?

6 MR. PODLESACK: It doesn't have
7 any effect on the schools. As it's already
8 been mentioned, the bills and warrants have
9 already gone out.

10 But there is a Charter
11 requirement that requires the budget and the
12 tax levy to be passed by the 30th of
13 October. Today being the day after Sunday.

14 It does need to be passed today.
15 If it's not, then we would not have a tax
16 levy for 2017 and we would find ourselves in
17 an exigency situation where the levy would
18 be -- effectively the levy for 2016 would be
19 reissued.

20 However, that is something that
21 can be corrected going forward.

22 CHAIRWOMAN GONSALVES: Can it be
23 delayed at this point?

24 MR. PODLESACK: No. It should not
25 be delayed. The law requires it.

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2 CHAIRWOMAN GONSALVES: I want to
3 make you happy. Legislator Solages.

4 LEGISLATOR SOLAGES: Thank you
5 very much, Presiding Officer, and thank you
6 to Legislator Muscarella for those
7 questions.

8 So by passing this in essence
9 today, residents of Malverne, Oceanside,
10 Valley Stream, Franklin Square, for 2017 and
11 2018, would have to pay anywhere between
12 750, 1,000 or \$1,500 extra; is that correct?

13 MR. PODLESACK: It has absolutely
14 no effect on any of the school taxes at this
15 point. As far as 2018 is concerned, that's
16 just speculation at this point. We don't
17 know how anything is going to be playing
18 out.

19 LEGISLATOR SOLAGES: So even if
20 we have assessor here, and he confirmed the
21 statements that I made before in which we
22 know of an error, an error by which possibly
23 the supervisor of the Town of Hempstead is
24 choosing to eliminate that board, if there
25 is an error, in essence, today, we are

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2 pretty much justifying that error or voting
3 for this even knowing there is an error?

4 MR. PODLESAK: I wouldn't say
5 we're justifying it, it's more of a
6 situation where it's separate and apart from
7 what is going on in the school districts.

8 As much as we would like to help
9 the taxpayers in the school districts
10 affected, no vote today by this Legislature
11 will have any effect.

12 LEGISLATOR SOLAGES: But, again,
13 the intent of this motion is not, again,
14 based on the intended effect. The effect of
15 this is more so to make sure we are voting
16 on true and accurate information. I'm
17 hearing different advice here, different
18 statements being made here. I have no way
19 of knowing if these tax rolls are correct.

20 So, again, I was and so was
21 Legislator Gaylor, we were at many meetings
22 before and even members of the IDA showed
23 expressions on their face or said statements
24 that indicated they didn't really know how
25 this deal got done.

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2 A major national corporation in
3 essence getting a tax grievance, \$2 million
4 off of the value of their property.

5 What the town IDA in essence did
6 here was they provided a tax grievance to
7 the mall.

8 Again, I truly believe and that's
9 why I abstained from the vote on September
10 26th, I truly believe that, again, the
11 assessed values that we're looking at on the
12 tax roll are not correct.

13 If we had diligent investigators,
14 we should not vote for this. I respect and
15 appreciate the time and consideration the
16 majority gave upon this issue, it shows that
17 you are taking it seriously.

18 Now I know why Legislator Ford
19 stood against that IDA development in Long
20 Beach, and going forward I'm cautioning all
21 IDA programs even further. I know I'm
22 putting myself on the spot by saying that.

23 But, again, this IDA program was
24 incorrectly done which is why the supervisor
25 of the Town of Hempstead has taken necessary

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2 steps, not all the necessary steps, and, in
3 essence by us, passing this tax roll, and us
4 saying there is no issue with this mall
5 being classified as a home. Have you seen
6 how big that mall is? It's on the tax roll
7 at the same level as a home.

8 By voting, my colleagues in
9 government, please, by voting for this,
10 you're saying that you see nothing wrong
11 with that. I see everything wrong with
12 that.

13 So, I encourage you, I implore
14 you respectfully to please do the right
15 thing. It's never too late to do the right
16 thing. I don't care that the tax bills have
17 been printed. So what. We'll spend more
18 money on paper. We do that all the time
19 here. So what. It is never too late to do
20 the right thing. Please.

21 All I'm asking is that we err on
22 the side of caution. The assessor of this
23 county, Mr. Davis, maybe because he's not
24 elected, he doesn't feel the need to show
25 up, but, please, we are begging for the

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2 assessor here to ask him a question.

3 If I ask him that question and he
4 gives me a fair answer, then I will go along
5 with voting for this. But I cannot vote for
6 this knowing that there are significant and
7 material issues of fact within this PILOT
8 program. Thank you.

9 I move to table the amended item
10 until we get a written County Attorney
11 opinion. I need a written opinion.

12 As fellow attorneys, please, I
13 know you can understand and appreciate that.
14 A written opinion. I hear you say one
15 thing, say another thing, I see you get in a
16 fight with Fran Becker. I don't know what's
17 going on here.

18 LEGISLATOR GAYLOR: I'm going to
19 second that motion.

20 CHAIRWOMAN GONSALVES: We already
21 voted to table. There is a motion to table
22 the item as amended. I have to use that
23 term because we didn't use it before. All
24 those in favor of tabling the ordinance as
25 amended please signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (Nay.)

5 LEGISLATOR SOLAGES: Can we have
6 a roll call vote?

7 CHAIRWOMAN GONSALVES: You want a
8 roll call. Go right ahead.

9 LEGISLATOR SOLAGES: Because I
10 want the residents of Malverne, Lynbrook,
11 Oceanside, Valley Stream, and Franklin
12 Square to know who voted against doing the
13 right thing. Roll call vote please.

14 CHAIRWOMAN GONSALVES: Presiding
15 officer said okay. Goes through the chair.

16 LEGISLATOR SOLAGES: We're going
17 to pack this room, the same way I did with
18 the casino. We're going to pack this room.

19 CHAIRWOMAN GONSALVES: He asked
20 for a roll call on the tabling of this item
21 which failed. Let's go.

22 CLERK PULITZER: Deputy Presiding
23 Officer Richard Nicoletto?

24 LEGISLATOR NICOLELLO: No.

25 CLERK PULITZER: Alternate Deputy

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2 Presiding Officer Howard Kopel?
3 LEGISLATOR SOLAGES: His
4 district. He's not here.
5 CLERK PULITZER: Legislator Siela
6 Bynoe?
7 LEGISLATOR BYNOE: Yes.
8 CLERK PULITZER: Legislator
9 Carrie Solages?
10 LEGISLATOR SOLAGES: Yes.
11 CLERK PULITZER: Legislator
12 Denise Ford?
13 LEGISLATOR FORD: No.
14 CLERK PULITZER: Legislator Laura
15 Curran?
16 LEGISLATOR CURRAN: Yes.
17 CLERK PULITZER: Legislator C.
18 William Gaylor III?
19 LEGISLATOR GAYLOR: Yes.
20 CLERK PULITZER: Legislator
21 Vincent Muscarella?
22 LEGISLATOR MUSCARELLA: No.
23 CLERK PULITZER: Legislator Ellen
24 Birnbaum?
25 (No verbal response.)

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2 CLERK PULITZER: Legislator Delia
3 DeRiggi-Whitton?
4 LEGISLATOR DERIGGI-WHITTON: Yes.
5 CLERK PULITZER: Legislator James
6 Kennedy?
7 LEGISLATOR KENNEDY: No.
8 CLERK PULITZER: Legislator Laura
9 Schaefer?
10 LEGISLATOR SCHAEFER: No.
11 CLERK PULITZER: Legislator
12 Dennis Dunne, Sr.?
13 LEGISLATOR DUNNE: No.
14 CLERK PULITZER: Legislator
15 Rosemarie Walker?
16 LEGISLATOR WALKER: No.
17 CLERK PULITZER: Legislator
18 Donald MacKenzie?
19 LEGISLATOR MACKENZIE: No.
20 CLERK PULITZER: Legislator
21 Steven Rhoads?
22 LEGISLATOR RHOADS: No.
23 CLERK PULITZER: Minority Leader
24 Kevan Abrahams? Absent.
25 (No verbal response.)

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2 CLERK PULITZER: Presiding Officer
3 Norma Gonsalves?

4 CHAIRWOMAN GONSALVES: No.

5 CLERK PULITZER: We have a
6 motion.

7 CHAIRWOMAN GONSALVES: The motion
8 to table has been defeated by ten to five.

9 Now for the item as amended which
10 is Item 11, the tax levy ordinance,
11 Ordinance 178.

12 All those in favor of the item as
13 amended signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (Nay.)

17 The item passes --

18 LEGISLATOR SOLAGES: Presiding
19 Officer, I understand that this will not be
20 formally on the record if you don't do a
21 final roll call vote of the vote.

22 CHAIRWOMAN GONSALVES: It's on
23 the record.

24 LEGISLATOR SOLAGES: Can we do a
25 roll call vote?

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2 CHAIRWOMAN GONSALVES: If it
3 makes you happy.

4 LEGISLATOR SOLAGES: Yes, please,
5 thank you.

6 CHAIRWOMAN GONSALVES:
7 Mr. Pulitzer, he could do his job.

8 CLERK PULITZER: Deputy Presiding
9 Officer Richard Nicoletto?

10 LEGISLATOR NICOLELLO: Yes.

11 CLERK PULITZER: Mr. Kopel is
12 absent.

13 (No verbal response.)

14 CLERK PULITZER: Legislator Siela
15 Bynoe?

16 LEGISLATOR BYNOE: No.

17 CLERK PULITZER: Legislator
18 Carrie Solages?

19 LEGISLATOR SOLAGES: No.

20 CLERK PULITZER: Legislator
21 Denise Ford?

22 LEGISLATOR FORD: Yes.

23 CLERK PULITZER: Legislator Laura
24 Curran?

25 LEGISLATOR CURRAN: No.

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2 CLERK PULITZER: Legislator C.
3 William Gaylor III?
4 LEGISLATOR GAYLOR: No.
5 CLERK PULITZER: Legislator
6 Vincent Muscarella?
7 LEGISLATOR MUSCARELLA: Yes.
8 CLERK PULITZER: Legislator Ellen
9 Birnbaum is absent.
10 (No verbal response.)
11 CLERK PULITZER: Legislator Delia
12 DeRiggi-Whitton?
13 LEGISLATOR DERIGGI-WHITTON: No.
14 CLERK PULITZER: Legislator James
15 Kennedy?
16 LEGISLATOR KENNEDY: Yes.
17 CLERK PULITZER: Legislator Laura
18 Schaefer?
19 LEGISLATOR SCHAEFER: Yes.
20 CLERK PULITZER: Legislator
21 Dennis Dunne, Sr.?
22 LEGISLATOR DUNNE: Yes.
23 CLERK PULITZER: Legislator
24 Rosemarie Walker?
25 LEGISLATOR WALKER: Yes.

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2 CLERK PULITZER: Legislator

3 Donald MacKenzie?

4 LEGISLATOR MACKENZIE: Yes.

5 CLERK PULITZER: Legislator

6 Steven Rhoads?

7 LEGISLATOR RHOADS: Yes.

8 CLERK PULITZER: Minority Leader

9 Kevan Abrahams? Absent.

10 (No verbal response.)

11 CLERK PULITZER: Presiding Officer

12 Norma Gonsalves?

13 CHAIRWOMAN GONSALVES: Yes. The
14 item passes I believe ten to five.

15 We have one more item which is
16 Item 14, Resolution 179, which is to adopt
17 the multiyear financial plan for fiscal
18 years 2017 to 2020 which as required by
19 Section 310 of the County Government Law of
20 Nassau County and all financial policies
21 included therein.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Walker. Any questions or comments regarding
4 this resolution?

5 (No verbal response.)

6 Guess what? I'm going to ask for
7 a motion to amend in the nature of a
8 substitution for clerk item and to include
9 an Appendix A to modify the multiyear plan
10 for fiscal years 2017 to 2020.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR SCHAEFER: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Schaefer. All those in favor of the
16 amendment in the nature of a substitution
17 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (Nay.)

21 We have 11 to 4. Hold on. The
22 Resolution 179 as amended passes 10 to 5.

23 Now we have to vote on the
24 amendment, the item as amended. All those
25 in favor of Resolution 179 as amended

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2 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (Nay.)

6 Again, it's 10 to 5. The
7 amendment in the nature of a substitution
8 passed 10 to 5. The resolution as amended
9 also passes 10 to 5.

10 Anyone who is interested and
11 concerned, put it this way, I'm going to
12 recess this meeting. This meeting is now
13 recessed and we will move forward.

14 (Whereupon, the Full Legislative
15 Committee recessed at 5:07 p.m.)

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C E R T I F I C A T E

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

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 10th day of November, 2016.

FRANK GRAY