

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, June 5, 2017
3:28 P.M

1

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

3

4 RICHARD NICOLELLO,
Chairman5 VINCENT MUSCARELLA,
Vice Chairman

6

ROSE MARIE WALKER

7

DONALD MACKENZIE

8

9 SIELA A. BYNOE,
Ranking

10 LAURA CURRAN

11 ELLEN BIRNBAUM

12 MICHAEL PULITZER,
Clerk of the Legislature

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

JOHN BUDNICK.....10
ROSEANN D'ALLEVA.....21
GERALD PODLESAK.....26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INSERTS

Incorporated by reference
Public Safety Minutes
Dated 6-5-17 pertaining to
Clerk Item 111-17 (pages 5-6)7

1 Finance Committee/6-5-17

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

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

7 Legislator Ellen Birnbaum?

8 LEGISLATOR BIRNBAUM: Here.

9 CLERK PULITZER: Legislator Laura
10 Curran?

11 LEGISLATOR CURRAN: Here.

12 CLERK PULITZER: Ranking Member
13 Siela Bynoe?

14 LEGISLATOR BYNOE: Here.

15 CLERK PULITZER: Legislator
16 Donald MacKenzie?

17 LEGISLATOR MACKENZIE: Here.

18 CLERK PULITZER: Legislator Rose
19 Marie Walker?

20 LEGISLATOR WALKER: Here.

21 CLERK PULITZER: Vice Chairman
22 Vincent Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: And Chairman
25 Richard Nicoletto?

1 Finance Committee/6-5-17

2 CHAIRMAN NICOLELLO: Here.

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

5 CHAIRMAN NICOLELLO: Thank you.

6 Items 88 of 2017 is a resolution
7 to authorize the transfer of appropriations
8 heretofore made within the budget for the
9 year 2017.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Muscarella, seconded by
14 Legislator Walker. Do we have anyone to
15 speak on this item? This is a budget
16 transfer.

17 MR. BECKER: Mr. Chairman, would
18 you table this just for the moment?

19 CHAIRMAN NICOLELLO: Yes.

20 MR. BECKER: Mr. Chairman, as
21 well as 177-17.

22 CHAIRMAN NICOLELLO: I didn't
23 call that yet. So I will hold that for
24 later. Motion to table.

25 LEGISLATOR MUSCARELLA: So moved.

1 Finance Committee/6-5-17

2 LEGISLATOR MACKENZIE: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Muscarella, seconded by
5 Legislator MacKenzie. All those in favor of
6 tabling signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 88 is tabled.

11 111 of 2017 is an ordinance
12 supplemental to the annual appropriations
13 ordinance in connection with the Police
14 Department.

15 LEGISLATOR MACKENZIE: So moved.

16 LEGISLATOR WALKER: Second.

17 CHAIRMAN DUNNE: Motion by Donald
18 MacKenzie, seconded by Legislator Walker.
19 This went through committees, the Public
20 Safety Committee, I request that the
21 committee minutes be incorporated by
22 reference.

23 (Whereupon, please refer to the
24 minutes of the Public Safety Committee dated
25 6-5-17 pertaining to Clerk Item 111 at pages

1 Finance Committee/6-5-17

2 5-6.)

3 CHAIRMAN NICOLELLO: Any
4 questions on this? I don't know if we need
5 a speaker on this, it just went through
6 committees.

7 (No verbal response.)

8 Hearing none, any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Carries unanimously.

16 Item 138 of 2017 is a Resolution
17 making certain determinations pursuant to
18 SEQRA and authorizing the County Executive
19 on behalf of the county to execute a lease
20 agreement between Nassau County, as tenant,
21 at 114 OCR TT, LLC.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR MACKENZIE: Second.

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

1 Finance Committee/6-5-17

2 MacKenzie. The item is before the
3 committee. This also went through
4 committees earlier. Do we have any
5 discussion on this item?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Carries unanimously.

15 I'm going to skip over the next
16 one at the request Mr. Becker.

17 Item 209 of 2017 is the Nassau
18 County community college budget ordinance.
19 An ordinance to adopt the Nassau County
20 budget for Nassau Community College for the
21 fiscal year commencing September 1st, 2017
22 and ending August 31st, 2018.

23 LEGISLATOR MUSCARELLA: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/6-5-17

2 Legislator Muscarella, seconded by
3 Legislator Walker. We usually use the
4 committee opportunity simply to tee this
5 budget item up for a full discussion before
6 the Full Legislature. Is that your
7 understanding as well?

8 MS. MURRAY: Yes. And just for
9 the record, Kate Murray, and vice president
10 of finance Ena Resnick present.

11 CHAIRMAN NICOLELLO: Thank you
12 for joining us. On the 22nd we'll have a
13 full discussion. Thank you.

14 Is there any public comment?

15 Mr. Budnick, do you have a
16 comment?

17 MR. BUDNICK: Good afternoon
18 honorable members of the County Legislature.

19 I have read the proposal to in
20 effect increase the amount that students are
21 paying at Nassau Community College.

22 This is being done because the
23 state is picking up a smaller and smaller
24 percentage of the cost there.

25 We wonder why there are beginning

1 Finance Committee/6-5-17

2 to be fewer students going there and fewer
3 students graduating there when we make it
4 impossible for them to go and graduate. We
5 increasing the student fees.

6 They were set up and this goes
7 back a long time to the days of when Nassau
8 Community College was created in 1959 that
9 it was going to be a one third, one third,
10 one third split. It's being continually
11 violated.

12 I believe that both the state and
13 the county's portion of the funds to run the
14 school are now down in the 20 something
15 percent each.

16 We're asking students to carry
17 closer and closer and closer to a 50 percent
18 cost of that college.

19 Based upon how, why and when the
20 college was crated that's unconscionable.
21 It's also unconscionable for students to be
22 forced to carry that burden when they don't
23 have funds to do that.

24 Many of the people going to
25 Nassau Community College have virtually no

1 Finance Committee/6-5-17

2 funds and they're dependent wholly on
3 financial aid to get there. I may be a
4 little hard spoken upon this, but, please
5 recall, I was born at that location when it
6 was Mitchell field, United States Air Force
7 base at first US Air force headquarters
8 hospital. I went there when that building
9 became the nursing department of Nassau
10 Community College.

11 And I have been elected as an
12 honorary lifetime alumni of the college. I
13 don't see anybody else getting up here and
14 talking about these issues.

15 So I felt that it was incumbent
16 upon me to convey these questions and these
17 issues. As you may recall a couple of years
18 ago, Comptroller Maragos was trying to
19 investigate why fewer and fewer of the
20 college students are become and getting
21 their degrees, in large part because of the
22 finances.

23 We have to force the state to do
24 the right thing and forgive me, we have to
25 try, and it's going to be painful, for the

1 Finance Committee/6-5-17

2 college to try to do the right thing.

3 Thank you very much for your time
4 and trouble. God bless you.

5 CHAIRMAN NICOLELLO: Thank you,
6 Mr. Budnick. Is there any other public
7 comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 The item carries unanimously.

15 Item 210 of 2017, a bond
16 ordinance providing for a capital
17 expenditure to finance the capital projects
18 identified herein within the County of
19 Nassau and authorizing \$250,000 of bonds of
20 the county to finance such expenditure.

21 LEGISLATOR MACKENZIE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator MacKenzie, seconded by Legislator
25 Walker. I see Mr. Arnold.

1 Finance Committee/6-5-17

2 MR. ARNOLD: Ken Arnold, Public
3 Works. I'm here with Lieutenant Stephanoff
4 from the police department.

5 This bond ordinance is to match a
6 grant the police received related to Harbor
7 Safety. The proceeds from the bond
8 ordinance will be a 25 percent of the cost
9 of a new patrol boat. Any questions?

10 CHAIRMAN NICOLELLO: So I guess
11 obviously the total cost is a million
12 dollars for this patrol boat?

13 LIEUTENANT STEPHANOFF: Yes, it's
14 going to be the boat -- there's going to be
15 equipment also, detection equipment in the
16 boat. This is our port security grant.
17 This grant is a partnership with New York
18 City, Jersey, and it's to patrol the
19 waterways to keep the harbor safe.

20 CHAIRMAN NICOLELLO: Where will
21 the boat be based, South Shore or North
22 Shore?

23 LIEUTENANT STEPHANOFF: I
24 believe the South Shore, but I can ask.

25 CHAIRMAN NICOLELLO: Any other

1 Finance Committee/6-5-17
2 questions? Legislator Bynoe and then
3 Legislator Curran.

4 LEGISLATOR BYNOE: Hello
5 Lieutenant Stephanoff. What did we use last
6 year?

7 LIEUTENANT STEPHANOFF: Last
8 year we bought two 27 foot boats. Those
9 boats are good for patrol along the shores
10 because the boats are small enough to get
11 into areas.

12 This is going to be a 38 foot
13 boat that the grant is going to pay for with
14 our match and it's good for open waterways.
15 It can go into deeper waters.

16 LEGISLATOR BYNOE: So if previous
17 years, we didn't have the proper type of
18 craft to go into deeper --

19 LIEUTENANT STEPHANOFF: This boat
20 will replace an older boat. It will be a
21 brand new boat that we will put into service
22 and we'll be able to take a boat out that
23 has I guess water miles, whatever you want
24 to refer to it as. It will replace an older
25 boat that it probably should be out of

1 Finance Committee/6-5-17

2 service.

3 LEGISLATOR BYNOE: It will come
4 out of service?

5 LIEUTENANT STEPHANOFF: Yes. It
6 will have detection equipment on it like the
7 other two boats last year, it will have
8 detection equipment so that the boat's
9 radiation detection equipment and so forth.

10 LEGISLATOR BYNOE: So this boat
11 won't go into service until next year then?

12 LIEUTENANT STEPHANOFF:
13 Probably, yes, it will probably be done by
14 the winter, the fall, and then it will
15 probably be in service next year. They can
16 probably use it. If they patrol in the
17 winter, if they're able to put boats out, we
18 should have this in the fall. I think the
19 build out is about six to seven months for
20 the boat.

21 LEGISLATOR BYNOE: Why did we
22 decide to do it now as opposed to maybe last
23 year?

24 LIEUTENANT STEPHANOFF: This is
25 off the next grant. That was off a

1 Finance Committee/6-5-17

2 different grant. This has been a recurring
3 grant and this is the next grant.

4 LEGISLATOR BYNOE: All right.
5 Thank you. I have one other question. Is
6 this going to be purchased off the OGS? How
7 are we going to procure this?

8 LIEUTENANT STEPHANOFF: When I
9 submit this, I can take a look at how we're
10 going to do it. I need this first in place
11 to be able to submit the purchase request.
12 But I can take a look. Once I take a look,
13 I will look at where we can procure it from.

14 LEGISLATOR BYNOE: If you could
15 tell me --

16 LIEUTENANT STEPHANOFF: And that
17 probably will come before the Leg the actual
18 purchase as well.

19 LEGISLATOR BYNOE: Right. And if
20 we approve this now, and then it comes back
21 for Full Leg, will you then be able to give
22 us a better idea of how you procure it or
23 no?

24 LIEUTENANT STEPHANOFF: Sure. I
25 can take a look at what our options are.

1 Finance Committee/6-5-17

2 LEGISLATOR BYNOE: And if you can
3 provide some specificity on the age and
4 current mileage on the boat that's in use
5 now?

6 LIEUTENANT STEPHANOFF: Sure.

7 CHAIRMAN NICOLELLO: Legislator
8 Curran.

9 LEGISLATOR CURRAN: Thank you.
10 So if I understand it correctly, we are
11 bonding for a quarter of the price of the
12 boat, right?

13 LIEUTENANT STEPHANOFF: Yes.

14 LEGISLATOR CURRAN: And the rest
15 comes from where?

16 LIEUTENANT STEPHANOFF: It's a
17 port security grant.

18 LEGISLATOR CURRAN: Is that
19 federal or state, you mentioned the city and
20 New Jersey?

21 LIEUTENANT STEPHANOFF: I
22 believe the grant itself is federal.

23 LEGISLATOR CURRAN: Any money
24 from the city or New Jersey on this? How
25 does that work?

1 Finance Committee/6-5-17

2 LIEUTENANT STEPHANOFF: No. They
3 get the grant as well. We are all partners
4 in this. They share in the grant proceeds
5 as well and they buy their equipment and we
6 buy ours. We kind of patrol all parts of
7 the water way.

8 CHAIRMAN NICOLELLO: Legislator
9 Birnbaum.

10 LEGISLATOR BIRNBAUM: Could you
11 just give us a brief overview of our fleet?
12 How many boats do we have?

13 LIEUTENANT STEPHANOFF: I don't
14 know how many we have total. I can get back
15 to you.

16 LEGISLATOR BIRNBAUM: Yes, I'm
17 just curious, the larger one, the two
18 smaller ones, what they makes up of the
19 overall.

20 LIEUTENANT STEPHANOFF: I can get
21 you a list of our fleets.

22 LEGISLATOR BIRNBAUM: And do you
23 have any idea of the life expectancy of a
24 new boat like this?

25 LIEUTENANT STEPHANOFF: No, I can

1 Finance Committee/6-5-17

2 ask but, no, I'm not sure. I think they
3 last, I think probably the engines are the
4 first to go but I think the boats last. You
5 know, barring anything happening like, you
6 know, anything I guess like a collision or
7 something like that, I guess.

8 LEGISLATOR BIRNBAUM: Now I know
9 this sounds like state of the art compared
10 to the one we had, but I just wonder how
11 many years in service that other boat had
12 been.

13 LIEUTENANT STEPHANOFF: Okay.

14 CHAIRMAN NICOLELLO: Any other
15 questions?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 All in favor signify by saying
20 Aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 The item carries unanimously.

25 We are going to go back now to

1 Finance Committee/6-5-17
2 the budget transfers. Let's start with 88
3 of 2017. I think I need a motion to
4 untable.

5 LEGISLATOR MACKENZIE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator MacKenzie, seconded by Legislator
9 Walker. All those in favor of untabling
10 signify by saying aye.

11 (Aye.)

12 Those opposed?

13 The item is back on the table.

14 MS. D'ALLEVA: Hi. Roseann
15 D'Alleva from the budget office. This is
16 the item that is funding the restoration OF
17 the bus from certain areas of the budget.

18 CHAIRMAN NICOLELLO: So the
19 transfer is to accomplish that?

20 LEGISLATOR D'ALLEVA: Yes it's
21 \$1.5 million from projected opportunities in
22 the budget that we can fund the extension of
23 \$2.8 million of the bus. Obviously, \$1.3
24 million is coming from additional state
25 funding.

1 Finance Committee/6-5-17

2 CHAIRMAN NICOLELLO: Okay. Any
3 questions? Legislator Curran.

4 LEGISLATOR CURRAN: I know this
5 has been in the press, but can you tell us
6 what the routes are that are affected by
7 this?

8 LEGISLATOR D'ALLEVA: The
9 reinstatements that I am aware of, in terms
10 of the routes, are N-1 for Hewlett, Elmont
11 400 passengers per day approximately, the
12 N-19 in Freeport, the N-57, and the N-78/79.

13 LEGISLATOR CURRAN: Thanks.

14 CHAIRMAN NICOLELLO: Any other
15 questions?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 All those in favor of 88 signify
20 by saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 The item carries unanimously.

25 We're going to call 177 now.

1 Finance Committee/6-5-17

2 177 is an ordinance supplemental
3 to the annual appropriation in connection
4 with the Department of Public Works.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR MACKENZIE: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Muscarella, seconded by
9 Legislator MacKenzie. It's back before the
10 committee, this looks like a companion item.

11 LEGISLATOR D'ALLEVA: Yes. This
12 is a companion item to item 88-17. As I
13 said before, \$1.3 million of supplemental
14 appropriation is from the additional state
15 funding of the STOWA grant to fund the \$2.8
16 million of service that was cut at the
17 beginning of the year.

18 CHAIRMAN NICOLELLO: And the bus
19 route restorations that you've just referred
20 to that's also included within this?

21 LEGISLATOR D'ALLEVA: Yes, the
22 1.3 and the 1.5 from the operating budget
23 are restoring the 2.8.

24 CHAIRMAN NICOLELLO: Any
25 questions?

1 Finance Committee/6-5-17

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor signify by
6 saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 The item carries unanimously.

11 Thank you, Ms. D'Alleva.

12 Item 212 of 2017 is a Resolution
13 for the issuance of a warrant directing the
14 treasurer of the County of Nassau to pay to
15 the supervisors of the several towns and to
16 the treasurers of the several villages and
17 cities within the County the sums as
18 apportioned by the Nassau County Legislature
19 with reference to the mortgage taxes.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR MUSCARELLA: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Walker, seconded by Legislator
24 Muscarella. This item is before the
25 committee. Do we have any questions or

1 Finance Committee/6-5-17

2 discussion?

3 (No verbal response.)

4 Hearing none, is there any public
5 comment?

6 (No verbal response.)

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 That item carries unanimously.

13 The next two are 213 and 214 of
14 2017, ordinances supplemental to the annual
15 appropriation ordinance in connection with
16 the Department of Health.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR MACKENZIE: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Walker, seconded by Legislator
21 MacKenzie. These two items just went
22 through the Health Committee. Do we have
23 any questions or discussion?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/6-5-17

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously.

9 Item 221 of 2017 is a Resolution
10 requesting the Legislature of the State of
11 New York to enact and the governor to
12 approve an act extending the authority of
13 the County of Nassau to impose additional
14 sales and compensated use taxes and extend
15 local government assistance programs in
16 Nassau County.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Walker, seconded by Legislator
21 Muscarella. Fran, you just want to comment
22 on what this is? This is sales tax
23 extender. It's 221.

24 MR. PODLESACK: This is one of
25 several Home Rule Messages that are before

1 Finance Committee/6-5-17
2 the committee today. This one in particular
3 deals with the sales tax. Every two years
4 the Legislature is called upon to pass a
5 Home Rule and to petition the state to
6 extend the sales tax that's specific to
7 Nassau County.

8 That may be changing. There's a
9 variety of bills to change the set up. A
10 new senate bill that would make it a
11 permanent matter where there would no longer
12 be a Home Rule but as it now stands it's
13 necessary for the Legislature to act on the
14 Home Rule Message. We have two for taxes
15 and two for Hotel Motel.

16 CHAIRMAN NICOLELLO: Any
17 questions for Mr. Podlesak? Legislator
18 Bynoe.

19 LEGISLATOR BYNOE: Hello, how are
20 you today?

21 MR. PODLESAK: Good. How about
22 yourself?

23 LEGISLATOR BYNOE: Good, thank
24 you. So we only have the senate bill on
25 this. When would we expect to receive the

1 Finance Committee/6-5-17
2 assembly bill? This is the assembly. The
3 other way around.

4 MR. PODLESACK: Right. The
5 problem with them is they are different
6 bills. The assembly bill is a much broader
7 one and encompasses the entire state.

8 There's actually some discussion
9 about whether or not the Home Rule Message
10 is necessary but we're taking the view that
11 we should do so anyway at this point.

12 As far as the senate version, the
13 senate version only embraces Nassau County
14 and not the whole state. The thinking is
15 that we need to go forward with these at
16 this time because the Legislature is set to
17 adjourn the last week and the thinking is
18 that if there is a showing by the
19 Legislature, of a desire to go forward, even
20 if there is only one house item that that
21 would be our lobbyist would be able to use
22 that as leverage in order to get either a
23 new bill in the other house or else to
24 somehow reach some kind of conclusion with
25 them. It is for the purpose of leverage at

1 Finance Committee/6-5-17

2 this point.

3 LEGISLATOR BYNOE: Okay. So,
4 today is June 5th and so the clock is
5 ticking. We have until the 20th I believe
6 if I'm not mistaken?

7 MR. PODLESAS: I think it's around
8 the 20th. Could actually be the 22nd.
9 Don't hold me to it.

10 LEGISLATOR BYNOE: Okay. By Full
11 Leg we are hoping that this issue is
12 resolved?

13 MR. PODLESAS: I believe they're
14 working diligently in Albany to resolve the
15 issue. Because it's not just Nassau, it's
16 most the state has this issue.

17 LEGISLATOR BYNOE: Okay. All
18 right. Thank you very much.

19 CHAIRMAN NICOLELLO: I believe
20 the state's Legislative session is ending
21 later in the month?

22 MR. PODLESAS: That's correct.

23 CHAIRMAN NICOLELLO: And if
24 necessary, if something changes or a
25 different bill has to be substituted we can

1 Finance Committee/6-5-17

2 do an amendment in the nature of a
3 substitution?

4 MR. PODLESAK: Not if it's been
5 enacted by the Full Legislature. It would
6 have to be an entirely new enactment at that
7 point but we can handle that.

8 CHAIRMAN NICOLELLO: Okay. Any
9 other questions?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All in favor signify by saying
14 aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 Carries unanimously.

19 Item 222 of 2017 is a Resolution
20 requesting the Legislature of the State of
21 New York to enact and the governor to
22 approve an act extending the authority of
23 the County of Nassau to impose Hotel and
24 Motel taxes.

25 LEGISLATOR WALKER: So moved.

1 Finance Committee/6-5-17

2 LEGISLATOR MUSCARELLA: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Walker, seconded by Legislator
5 Muscarella.

6 MR. PODLESACK: Everything I said
7 it also effects the Hotel Motel tax. That's
8 included actually in the assembly bill but
9 there is also a separate Senate bill that
10 this is embracing.

11 The sales tax item that you just
12 voted on also has Hotel Motel in it. This
13 particular one, this second one is the
14 Senatorial version, and it has Hotel Motel
15 plus it also has the surcharge for
16 entertainment in it.

17 CHAIRMAN NICOLELLO: Any
18 questions? Legislator Bynoe.

19 LEGISLATOR BYNOE: So the concern
20 here is that this bill has been kind of
21 lumped together with some other items. And
22 the TPVA fees and also the police accident
23 report fees and --

24 MR. PODLESACK: That is correct.
25 That's the way it's been done for the past,

1 Finance Committee/6-5-17

2 I want to say for, two year cycles. There's
3 nothing new. It's been done this way
4 before. It's just change in the date.

5 LEGISLATOR BYNOE: I believe
6 there were some concerns earlier on about
7 this issue being lumped together and this
8 caucus would feel more comfortable if it was
9 broken out separately.

10 MR. PODLESACK: My only response
11 to that is it's not the way it's been done
12 in the past. This is the way it's been done
13 and that's before you at this point. I
14 understand your concern.

15 LEGISLATOR BYNOE: So whenever we
16 answer a question that that's not how it's
17 been done before it rubs me the wrong way.

18 We have to understand things
19 evolve and as you said that was before
20 me and I would argue then it was probably
21 before a few of us, all three of us on this
22 side of the caucus.

23 And so I would say as new people
24 come on and their concerns are bubbling up
25 to the surface, sometimes we have to evolve.

1 Finance Committee/6-5-17

2 The concern is that this is
3 lumped together. It's my position that I
4 can't support it in that form.

5 So I would like there to be some
6 consideration to breaking this out, so we
7 can support the portion of the bill that we
8 are comfortable with.

9 MR. PODLESACK: I also don't like
10 the answer it's the way it's always been
11 done but that is the only answer at this
12 point.

13 LEGISLATOR BYNOE: We should have
14 our lobbyists in Albany try to break that
15 out so this is an appetite for folks to --
16 there is an opportunity for the things that
17 we have an appetite to support unanimously
18 that we can do so.

19 This, in essence, sets us up to
20 vote in the negative on all three items when
21 we would want to vote in the affirmative on
22 one. That's my point today. Let's see if
23 there is anything we can do between now and
24 the Full Leg.

25 MR. PODLESACK: I will discuss it

1 Finance Committee/6-5-17
2 with the appropriate parties but I'm
3 pessimistic that we would be able to do
4 something at this late date. Perhaps with
5 the next two year cycle it would be more
6 appropriate.

7 LEGISLATOR BYNOE: Thank you.

8 CHAIRMAN NICOLELLO: All right.
9 Any other questions?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Those opposed?

17 (Nay.)

18 The item passes by a vote of four
19 to three.

20 Item 223 of 2017 is a bond
21 ordinance providing for a capital
22 expenditure to finance the capital projects
23 identified herein within the County of
24 Nassau and for authorizing \$2.5 million of
25 bonds of the County to finance such

1 Finance Committee/6-5-17

2 expenditure.

3 LEGISLATOR MUSCARELLA: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRMAN NICOLELLO: Moved by

6 Legislator Muscarella, seconded by

7 Legislator Walker. Mr. Arnold?

8 MR. ARNOLD: Ken Arnold, Public
9 Works. 223 is a bond ordinance associated
10 with park improvements for the Inwood Park
11 located in Inwood.

12 It's an administration building
13 that suffered a fire a year or so ago and
14 also other various improvements throughout
15 the park to bring it up to our standards.

16 CHAIRMAN NICOLELLO: Do you have
17 a list of those improvements? Are we
18 talking fields?

19 MR. ARNOLD: Fields, courts,
20 lighting, it's a general, the whole park
21 needs to be looked at and refurbished.

22 CHAIRMAN NICOLELLO: Okay. Any
23 questions for Mr. Arnold?

24 (No verbal response.)

25 Any public comment? I'm sorry,

1 Finance Committee/6-5-17

2 let's back up. Legislator Curran has a
3 question.

4 LEGISLATOR CURRAN: Is this in
5 the capital plan?

6 MR. ARNOLD: Item 224 is an
7 amendment to the capital plan to include it
8 in the capital plan.

9 LEGISLATOR CURRAN: I see. Okay.
10 Thanks.

11 CHAIRMAN NICOLELLO: Okay. Any
12 other questions?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 The item passes by a vote of four
22 to three.

23 Item 224 of 2017 is the amendment
24 to the capital plan, an Ordinance to amend
25 Ordinance Number 213 of 2016 adopting the

1 Finance Committee/6-5-17
2 capital budget for the year 2016 for the
3 County of Nassau corresponding to the first
4 year of the four year capital plan pursuant
5 to Section 310 of the County Government Law.

6 LEGISLATOR MACKENZIE: So moved.

7 LEGISLATOR WALKER: Second.

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

11 MR. ARNOLD: Ken Arnold, Public
12 Works. 224, as discussed is the budget
13 amendment to include the Inwood capital
14 project into the capital plan.

15 CHAIRMAN NICOLELLO: Do we have
16 any questions on this item?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 That item carries unanimously.

1 Finance Committee/6-5-17

2 Item 225 of 2017 is a bond
3 ordinance providing for a capital
4 expenditure to finance the capital projects
5 identified herein within the County of
6 Nassau and authorizing \$2.5 million in bonds
7 to finance such expenditure.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Muscarella, seconded by
12 Legislator Walker. Mr. Arnold.

13 MR. ARNOLD: Ken Arnold,
14 Department of Public Works. 225 is a
15 capital bond ordinance for various park
16 improvements throughout the county's park
17 system. This bond ordinance will be focused
18 on various courts, whether it's basketball,
19 racquetball, tennis courts throughout the
20 county that need to be refurbished.

21 In addition, the playgrounds will
22 also be a focus of this capital project both
23 for the equipment and safety services that
24 protect the children.

25 CHAIRMAN NICOLELLO: Do you have

1 Finance Committee/6-5-17
2 an indication of which parts would be
3 improved by this or can you get us that
4 before this goes before the Full
5 Legislature?

6 MR. ARNOLD: At our last look at
7 this, we are looking at parks at Eisenhower,
8 courts at Eisenhower, Wantagh, Cedar Creek,
9 North Woodmere, Centennial has four
10 basketball courts, and also two tennis
11 courts that need to be looked at.

12 Inwood, but that would be
13 utilized under separate capital projects.
14 Nickerson has courts that have facets that
15 need to be addressed as does Wantagh.

16 Tennis, all the tennis courts at
17 Eisenhower need to be addressed. They are
18 all in poor condition. It's a gamut of most
19 of the facilities.

20 CHAIRMAN NICOLELLO: Is
21 Christopher Morley on that list?

22 MR. ARNOLD: Christopher Morley
23 is not -- I will double-check, Morley for
24 paddle ball is on the list.

25 Tennis was recently just redone

1 Finance Committee/6-5-17
2 as part of that entity that came in, I think
3 the tennis courts might be addressed there.
4 But I can also check the basketball courts
5 up there again.

6 CHAIRMAN NICOLELLO: Any
7 questions? Legislator Bynoe.

8 LEGISLATOR BYNOE: Mr. Arnold,
9 could you tell me when this work is
10 scheduled to start?

11 MR. ARNOLD: It was not scheduled
12 at this time. We would need the bond
13 ordinance to be approved.

14 We did submit to this body a
15 contract with Barbado, that would be our
16 vehicle to do the work through our
17 requirements contractor. So the vehicles
18 that do the work exists.

19 Once we have the funding, we
20 would encumber the money into that contract
21 and prioritize the work.

22 Then, again, some work could be
23 done by in-house county forces. We measure
24 that out depending on what the work is.

25 LEGISLATOR BYNOE: So we would do

1 Finance Committee/6-5-17

2 this work at the height of the park usage
3 season?

4 MR. ARNOLD: Probably not. I
5 would think we would look to do this work
6 starting in the fall, but I would caution
7 that we need to look at when resurfacing can
8 be done on the courts. Some of the work
9 might have to be done at the tail end U
10 season because you can't do certain types of
11 work on the safety surface and these tennis
12 courts require certain temperature areas to
13 do the actual resurfacing, so that all will
14 be looked at.

15 LEGISLATOR BYNOE: So this work
16 is not for the immediate. Thank you very
17 much, Mr. Arnold.

18 CHAIRMAN NICOLELLO: Any other
19 questions? Legislator Walker.

20 LEGISLATOR WALKER: If it was
21 possible and this was approved and any of
22 the surfaces needed immediate attention,
23 would it be possible for them to be able to
24 be done expeditiously so they would be set
25 for like the summer season?

1 Finance Committee/6-5-17

2 MR. ARNOLD: Yes. I should
3 couch that the Parks Department will set
4 what they will allow us to close and not
5 allow us to close.

6 So really, to take a step back,
7 we would look to the parks department once
8 the funding is approved and the money is
9 encumbered, what they would want done and
10 when and if they're willing to close certain
11 parks and have them addressed because of the
12 condition, we would do that.

13 CHAIRMAN NICOLELLO: Any other
14 questions?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (Nay.)

23 Item carries by a vote of four to
24 three.

25 Item 226 is a resolution

1 Finance Committee/6-5-17
2 declaring a capital budget emergency
3 pursuant to Section 310D of the County
4 Government Law.

5 LEGISLATOR MACKENZIE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator MacKenzie, seconded by Legislator
9 Walker. This corresponds with the previous
10 item. Correct?

11 MR. PODLESAK: Yes, it does.

12 CHAIRMAN NICOLELLO: Because
13 we're adding something to the capital plan?

14 MR. PODLESAK: That is correct.

15 CHAIRMAN NICOLELLO: Do we have
16 any questions about this? Legislator
17 MacKenzie.

18 LEGISLATOR MACKENZIE: A quick
19 question and this may be obvious. Voting
20 for the capital budget emergency without
21 voting for the bonding to actually fund the
22 project does nothing to advance the project
23 or to get it done; is that fair to say?

24 MR. PODLESAK: The capital budget
25 emergency is just so that the capital budget

1 Finance Committee/6-5-17

2 can be changed. That is the sole purpose of
3 it.

4 LEGISLATOR MACKENZIE: And that's
5 just a paper change within the budget
6 itself?

7 MR. PODLESAK: Yes.

8 LEGISLATOR MACKENZIE: The actual
9 bonding is what pays for the work and gets
10 it done, correct?

11 MR. PODLESAK: That's
12 Mr. Arnold's field. I'm just talking about
13 the emergency. Could you repeat the
14 question?

15 LEGISLATOR MACKENZIE: Sure.
16 Voting, for example, Items 225 and 226 of
17 '17, what is the bonding to actually pay for
18 the projects to be done, and the other is
19 just a paper change to the capital budget.

20 So voting for the change to the
21 capital budget does nothing to actually
22 advance the project or get it done, it's
23 just political coverage whereas voting for
24 the bonding is what actually gets the
25 project funded and completed; is that fair

1 Finance Committee/6-5-17

2 to say?

3 MR. ARNOLD: That is correct and
4 I will just couch it, there is one condition
5 when if there's outside funding as part of
6 the capital plan, the county could use
7 utilize the outside funding, if we were
8 getting a grant or something. You would
9 only see that come up in the capital budget
10 amendment. There would be no separate vote,
11 authorization of those funds.

12 LEGISLATOR MACKENZIE: Thank you.

13 CHAIRMAN NICOLELLO: Any other
14 questions? Legislator Bynoe.

15 LEGISLATOR BYNOE: Just for
16 clarity, making the amendment to the plan
17 then allows at least the plan to be modified
18 and updated so that when funds are available
19 then it's ready to go; am I correct?

20 MR. ARNOLD: Modifying the budget
21 allows us to present bond ordinances to do
22 the work.

23 LEGISLATOR BYNOE: Right. So the
24 plan has to be modified first in order for
25 there to even be a request for the issuance

1 Finance Committee/6-5-17

2 of a bond?

3 MR. ARNOLD: That's correct.

4 The budget the plan has -- it has to
5 correspond with the ordinance that we
6 request.

7 LEGISLATOR BYNOE: So the first
8 step is the amendment, the second step is
9 the bond ordinance?

10 MR. ARNOLD: Correct.

11 LEGISLATOR BYNOE: So there is an
12 advancement. Thank you.

13 LEGISLATOR MACKENZIE: You don't
14 ask for bonds for fun, right, you ask for
15 bonds because you need that money to do the
16 project, correct?

17 MR. ARNOLD: That's correct but
18 it has to correspond with the capital plan.

19 LEGISLATOR MACKENZIE:

20 Understood. Thank you.

21 CHAIRMAN NICOLELLO: Any other
22 questions?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Finance Committee/6-5-17

2 All those in favor signify by
3 saying aye.

4 (Aye.)

5 Those opposed?

6 (No verbal response.)

7 The item carries unanimously.

8 Items 230, 231, 232, 233, 234,
9 235 of 2017, these are ordinances
10 supplemental to the annual appropriation
11 ordinance in connection with the Department
12 of Human Services, Health, Public Works and
13 the Probation Department.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MACKENZIE: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 MacKenzie. These items all went through
19 committees a few moments ago. Do we have
20 any questions on these items?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/6-5-17

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Those items carry unanimously.

6 We have an addendum; three items.

7 Need a motion to suspend.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRMAN NICOLELLO: By

11 Legislator Walker, seconded by Legislator

12 MacKenzie. All those in favor of suspending

13 the rules signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Rules are suspended.

18 Item 238 of 2017 is an ordinance

19 to implement a local government assistance

20 program in Nassau County.

21 LEGISLATOR MUSCARELLA: So moved.

22 LEGISLATOR MACKENZIE: Second.

23 CHAIRMAN NICOLELLO: Moved by

24 Legislator Muscarella, seconded by

25 Legislator MacKenzie. Gerry, this is the

1 Finance Committee/6-5-17

2 local government assistance program?

3 MR. PODLESAK: This is an annual
4 resolution that is necessary under the law
5 involving sales tax in order that it be
6 distributed to the towns and cities of the
7 county. Normally you get it in January;
8 this year you getting it in June.

9 CHAIRMAN NICOLELLO: Any
10 questions?

11 LEGISLATOR BIRNBAUM: Part of the
12 Local Government Assistance Act as I read it
13 is for towns, cities and villages. In 2017,
14 what happened to the distribution for the
15 villages?

16 MR. PODLESAK: The decision was
17 made not to distribute to the villages.

18 LEGISLATOR BIRNBAUM: Who made
19 this decision, I don't recall voting on it.

20 LEGISLATOR MACKENZIE: My
21 recollection is that the Legislature voted
22 to put it back in the budget and NIFA and
23 the administration agreed to remove it; is
24 that correct?

25 MR. BECKER: That is correct,

1 Finance Committee/6-5-17

2 Legislator MacKenzie. It was voted for in
3 favor to distribute to the villages but NIFA
4 pulled it out, that is correct.

5 LEGISLATOR BIRNBAUM: But in 2018
6 we are saying that the Local Government
7 Assistance Program will be for towns, cities
8 and villages?

9 MR. BECKER: I don't believe it's
10 going to manifest itself because NIFA is
11 disallowing it.

12 LEGISLATOR BIRNBAUM: For this
13 year, but for 2018, we don't know yet?

14 MR. BECKER: We don't know yet,
15 that's true.

16 LEGISLATOR BIRNBAUM: Because
17 Nassau County has discretion not to give it
18 to just the villages, but they have to give
19 it to the cities, towns?

20 MR. BECKER: I believe that's
21 the case, yes. I would say almost, when I
22 was in the Legislature, maybe ten years ago,
23 we incorporated the villages into sharing
24 these funds, and that's been the case for a
25 while. But in the last budget NIFA pulled

1 Finance Committee/6-5-17

2 it, so --

3 LEGISLATOR BIRNBAUM: Well, NIFA
4 agreed after the administration came up with
5 that as a suggested way to find funding,
6 correct?

7 MR. BECKER: I can't speak to
8 that but I know that this is what OMB told
9 me.

10 LEGISLATOR BIRNBAUM: So it was
11 part of the cuts in December?

12 MR. BECKER: Yes, correct.

13 LEGISLATOR BIRNBAUM: Were the
14 villages notified? Because they had already
15 done their budgeting for 2017 and they were
16 relying on these funds from the county.

17 MR. BECKER: I don't know,
18 legislator, I can't tell you that.

19 LEGISLATOR BIRNBAUM: Because I
20 think it was \$1.25 million in revenue that
21 was cut from distribution to the villages
22 and several of the villages that made a big
23 difference, and they would already completed
24 their budgets for 2017.

25 I don't believe they found out

1 Finance Committee/6-5-17

2 they weren't receiving it until the first
3 payment was due to them which was April of
4 this year.

5 MR. BECKER: You may be correct,
6 but I don't know.

7 LEGISLATOR BIRNBAUM: And as a
8 legislator, I feel sort of bad that's what
9 the county did to villages, I alone in my
10 district have ten villages.

11 MR. BECKER: And I live in a
12 village.

13 CHAIRMAN NICOLELLO: Any other
14 discussion?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Carries unanimously.

24 Item 239 of 2017 is a resolution
25 requesting the Legislature of the State of

1 Finance Committee/6-5-17

2 New York to enact and the governor to
3 approve an act extending the authority of
4 the County of Nassau to impose additional
5 sales and compensating use taxes and extend
6 the local government assistance programs in
7 Nassau County.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Muscarella, seconded by
12 Legislator Walker.

13 MR. PODLESACK: This is the
14 senatorial version of the sales tax bill.

15 CHAIRMAN NICOLELLO: So we're to
16 cover our bases so to speak, we're sending
17 Home Rule Messages up with respect to bulk
18 versions that are currently viable?

19 MR. PODLESACK: That is correct,
20 sir.

21 CHAIRMAN NICOLELLO: That makes
22 sense. Do we have any further questions on
23 this item?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/6-5-17

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 That carries unanimously.

9 Item 243 of 2017 is an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the Department
12 of Social Services.

13 LEGISLATOR MACKENZIE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator MacKenzie, seconded by Legislator
17 Walker. This item is before the committee.
18 Just went through the Health Committee. Any
19 questions?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 Finance Committee/6-5-17

2 Those opposed?

3 (No verbal response.)

4 Carries unanimously. Take a
5 motion to adjourn.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR MACKENZIE: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Walker, seconded by Legislator
10 MacKenzie. All those in favor of adjourning
11 signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The committee stands in
16 adjournment.

17 (Whereupon, the Finance Committee
18 adjourned at 4:09 p.m.)

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 5th day of June, 2017.

FRANK GRAY