

NASSAU COUNTY LEGISLATURE
COMMITTEES MEETING

HOWARD KOPEL
PRESIDING OFFICER

FINANCE COMMITTEE

THOMAS MCKEVITT

CHAIRMAN

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

Monday, March 11, 2024

3:01 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

A P P E A R A N C E S

CHAIRMAN THOMAS MCKEVITT

VICE CHAIRMAN JOHN FERRETTI

LEGISLATOR KENNEDY

LEGISLATOR ROSE MARIE WALKER

LEGISLATOR CARRIE SOLAGES RANKING MEM.

LEGISLATOR SCOTT DAVIS

LEGISLATOR SETH KOSLOW

MICHAEL PULITZER Clerk of the Legislature

CHAIRMAN MCKEVITT: Okay. Clerk,
please call the roll.

CLERK PULITZER: Thank you,
Chairman.

Legislator Seth Koslow?

LEGISLATOR KOSLOW: Here.

CLERK PULITZER: Legislator Scott
Davis?

LEGISLATOR DAVIS: Present.

CLERK PULITZER: Ranking Member
Carrie A. Solages?

LEGISLATOR SOLAGES: Present.

CLERK PULITZER: Legislator Rose
Marie Walker?

LEGISLATOR WALKER: Here.

CLERK PULITZER: Legislator James
Kennedy?

LEGISLATOR KENNEDY: Here.

CLERK PULITZER: Vice Chairman John
Ferretti.

LEGISLATOR FERRETTI: Here.

Chairman Thomas McKevitt?

CHAIRMAN MCKEVITT: Here.

CLERK PULITZER: We have a quorum,

1
2 sir.

3 CHAIRMAN MCKEVITT: Thank you, Mr.
4 Clerk.

5 We actually have an Addendum. So
6 first thing I'm going to do is make a
7 motion to suspend the Rules.

8 Made by Legislator Ferretti, second
9 by Legislator Solages.

10 All in favor please say, "Aye".

11 (Whereupon, all members of
12 the Finance Committee respond
13 in favor with, "Aye".)

14 CHAIRMAN MCKEVITT: Opposed?

15 (Whereupon, no verbal
16 response.)

17 CHAIRMAN MCKEVITT: Motion is passed.

18 We're now first going to begin with
19 those items which had already been
20 discussed in other committees. And we
21 will take this on consent. So they are
22 Items 45, 46, 47, 48, 50, 56 and 59.

23 Motion by Legislator Kennedy and
24 second by Legislator Davis.

25 Any discussion on those items?

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: All in favor,
please, by saying, "Aye".

(Whereupon, all members of
the Finance Committee respond
in favor with, "Aye".)

CHAIRMAN MCKEVITT: Opposed?

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: Those are passed
unanimously.

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3 CHAIRMAN MCKEVITT: Now we are going
4 to go on to items on the Addendum. There
5 is one item not on the addendum which
6 we're going to discuss which will be Item
7 49 which is a resolution to authorize a
8 transfer budget appropriations for 2024.

9 So moved by Legislator Walker,
10 second by Legislator Koslow.

11 MS. ZOHRABIAN: Good afternoon.
12 Alyssa Zohrabian, Health Department.

13 Item 49-24 contains three board
14 transfers to maximize grant funding. The
15 first one is in the amount of \$36,569,
16 and that is for the Immunization Action
17 Grant. Savings and fringe and general
18 expense will be utilized to cover salary.

19 The second one is in the amount of
20 \$78,142, and that is for the ELC
21 Reopening Schools Grant. Funds saved in
22 salary will be used to cover additional
23 indirect costs.

24 The third is in the amount of \$601.
25 And that is for the Child Fatality Grant.

Funds saved in travel will cover pension and fringe. All three programs are 100% grant funded.

CHAIRMAN MCKEVITT: Any discussion among the legislators?

(Whereupon, no verbal response.)

CHAIRMAN MCKEVITT: Any public comment?

(Whereupon, no verbal response.)

CHAIRMAN MCKEVITT: That being said, all in favor signify by saying, "Aye."

(Whereupon, all members of the Finance Committee respond in favor with, "Aye".)

CHAIRMAN MCKEVITT: Opposed?

(Whereupon, no verbal response.)

CHAIRMAN MCKEVITT: Passed unanimously, 7-0.

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3 CHAIRMAN MCKEVITT: We'll now go on
4 to Item 60-24, amending Ordinance 543 of
5 1995 with respect to salaries and
6 benefits for non-contract employees of
7 the County.

8 Motion, please. Moved by Legislator
9 Ferretti, seconded by Legislator Solages.

10 This is Item 60-24. And now we'll
11 have Mr. Persich.

12 MR. PERSICH: Good afternoon. Andy
13 Persich, Office of Management and Budget.

14 This item is amending the ordinance,
15 for lack of a better thing, for ordinance
16 employees to allow them to participate in
17 the 401a, which we've established for all
18 the collective bargaining units. It
19 provides a, for lack of a better thing, a
20 tax savings to both the employee and the
21 employer in this matter. We've amended
22 the rules so that you have to be 55 and
23 older to participate. And we're going
24 from a three payout to a single payout
25 for ordinance employees.

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2 CHAIRMAN MCKEVITT: Mr. Persich,
3 just a couple of questions. So this is
4 going to be a mandatory requirement, not
5 an option on behalf of the employee,
6 correct?

7 MR. PERSICH: That is correct. If
8 you're 55 and older, you have to be
9 participating in the plan. If you're 55
10 and younger than that, you do not.

11 CHAIRMAN MCKEVITT: I'm just curious
12 as to the reason behind. Because we have
13 some employees would like to have that
14 instant payout at that point. Just
15 wondering the reasoning you say there's
16 tax savings. Will you explain to us as
17 the basis behind this?

18 MR. PERSICH: We had to set
19 boundaries because we had to set the
20 rules as what was defined by the vendor,
21 and these were the rules that we came up
22 that we thought was beneficial not only
23 to the employee and to the employer.
24 It's not a thought process. There's
25 certain restrictions that do apply as far

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2 as withdrawals and everything else. They
3 can have access to the money, but what
4 they will have is a tax benefit because
5 it immediately benefits them from paying
6 FICA taxes on that money. So you dump it
7 in there, you take it out. If you
8 withdraw it already, depending upon your
9 taxable situation, you'll pay the 10%
10 penalty to withdraw it. But there is a
11 benefit to the employee as a result of
12 this.

13 CHAIRMAN MCKEVITT: You're saying
14 it's savings on the FICA. If we didn't
15 do that, they'd have to pay the FICA on
16 this.

17 MR. PERSICH: They would have to pay
18 the FICA. You can cover up to I want to
19 say it's 130,000 somewhere in that range
20 of deferring that FICA amount. So there
21 is a big benefit to some of these payouts
22 as it gets larger. But for ordinance
23 employees, there's not too many that are
24 going to reach those boundaries.

25 CHAIRMAN MCKEVITT: Any further

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2 discussion among the legislators?

3 Legislator Ferretti, please.

4 LEGISLATOR FERRETTI: Hi, Mr.
5 Persich.

6 MR. PERSICH: Good afternoon.

7 LEGISLATOR FERRETTI: Can you just
8 go a little further? What is the benefit
9 to the employer, tax purposes?

10 MR. PERSICH: We don't have to pay
11 the FICA portion of it. The employee and
12 the employer do not have to pay the
13 7.625% of that of the FICA taxes. With
14 the other unions, we will see a benefit
15 of it. The sworn services were the ones
16 who actually actively asked us to do
17 this. So we implemented it as a result of
18 that. But there is some savings to the
19 County as a result of that. So we will
20 save FICA taxes on our side.

21 LEGISLATOR FERRETTI: And if you
22 terminate your employment prior to
23 reaching the age 55, then nothing
24 changes.

25 MR. PERSICH: Nothing changes.

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2 You'll get one payout as opposed to the
3 three payouts that we used to have the
4 standard, which was \$5,000, which I think
5 considering the County's fiscal position,
6 it's a logistical nightmare to do those
7 three pays for certain people. So this
8 provides us a little bit more easier
9 bookkeeping for that too.

10 LEGISLATOR FERRETTI: And for an
11 employee who terminates and this money
12 does go into this account, what age must
13 they reach before they can remove the
14 money without penalty?

15 MR. PERSICH: They can remove it
16 whenever they want to.

17 LEGISLATOR FERRETTI: Without
18 penalty.

19 MR. PERSICH: Depending upon the
20 taxable situation.

21 LEGISLATOR FERRETTI: So there's no
22 set date. It depends on the
23 circumstances.

24 MR. PERSICH: For lack of a better
25 thing, it's a branch off of the 457 Plan

1
2 is really what this is. And then the same
3 rules and requirements will be under the
4 IRS regulations will be in place for
5 those people.

6 LEGISLATOR FERRETTI: Okay. Thank
7 you.

8 CHAIRMAN MCKEVITT: Any further
9 discussion from the legislators?

10 (Whereupon, no verbal
11 response.)

12 CHAIRMAN MCKEVITT: Seeing none. All
13 in favor, please signify by saying,
14 "Aye".

15 (Whereupon, all members of
16 the Finance Committee respond
17 in favor with, "Aye".)

18 CHAIRMAN MCKEVITT: Opposed?

19 (Whereupon, no verbal
20 response.)

21 CHAIRMAN MCKEVITT: 7 to 0. Thank
22 you.

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2 CHAIRMAN MCKEVITT: I'm going to
3 call the next two items together, which
4 be items number 61-24 and 62-24. One is
5 in agreement with the Village of
6 Farmingdale for money under the American
7 Rescue Plan. And the other is with the
8 Nassau County Police Activity League,
9 with money funded by the American Rescue
10 Plan.

11 So moved by Legislator Ferretti,
12 second by Legislator Kennedy.

13 MR. LEIMONE: Chris Leimone from the
14 Administration.

15 You kind of already hit it. Item
16 61-24 is a subrecipient agreement with
17 the Village of Farmingdale, and the
18 amount of \$1 million using ARPA funds to
19 assist in their water improvement systems
20 to help treat the 1,4-Dioxane. The \$1
21 million comes from the \$15 million
22 allocation from ARPA that was passed back
23 in January.

24 CHAIRMAN MCKEVITT: And the other
25 one.

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2 LEGISLATOR DAVIS: Before we move
3 on, I do have a question about that
4 issue. I was wondering if we could go
5 into executive session on this issue,
6 please.

7 CHAIRMAN MCKEVITT: There is a move
8 for executive session made by Legislator
9 Davis. Is their second by Legislator
10 Solages?

11 MR. LEIMONE: Can I ask, what's the
12 basis for the executive session? Sorry,
13 Legislator, respectfully.

14 MR. LEIMONE: I prefer not to say
15 that on the record. Thank you.

16 MR. LEIMONE: Fair enough. Thank
17 you.

18 (Whereupon, off the record
19 discussion.)

20 CHAIRMAN MCKEVITT: All in favor of
21 going to Executive Session on these
22 items, please signify by saying, "Aye".

23 (Whereupon, all members of
24 the Finance Committee respond
25 in favor with, "Aye".)

CHAIRMAN MCKEVITT: All against?

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: Yes. Just
Finance.

MR. LEIMONE: So just to clarify,
it's 61-24 and 62-24 for Executive
Session.

CHAIRMAN MCKEVITT: Correct.

MR. LEIMONE: Thank you.

(Whereupon, Executive
Session, 3:14-3:51 p.m.)

CHAIRMAN MCKEVITT: So we have
returned from Executive Session, and we
are back on Items 61-24 and 62-24. I'll
now go see if there's any further
discussion on these matters.

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: There is no
further discussion.

Any public discussion on the matter?

(Whereupon, no verbal
response.)

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CHAIRMAN MCKEVITT: Hearing none.
We will have a vote on both 61-24 and
62-24. All in favor, please signify by
saying, "Aye".

(Whereupon, all members of
the Finance Committee respond
in favor with, "Aye".)

CHAIRMAN MCKEVITT: All against,
"Nay".

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: Passed 7 to 0.

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2 CHAIRMAN MCKEVITT: We are now going
3 to call two items. I'm actually going to
4 call Items 51 and 52, one is to settle a
5 tax certiorari claim on Board of Managers
6 of Acorn Ponds. And the second one on
7 52-24 is regarding Home Depot USA. And
8 just those two items I'm going to say so
9 moved by Legislator Solages, second by
10 Legislator Ferretti.

11 All in favor of moving those items,
12 please signify by saying, "Aye".

13 (Whereupon, all members of
14 the Finance Committee respond
15 in favor with, "Aye".)

16 CHAIRMAN MCKEVITT: All against,
17 please say, "Nay".

18 (Whereupon, no verbal
19 response.)

20 CHAIRMAN MCKEVITT: Usually on these
21 items, we take them up in Executive
22 Session. So based upon a motion by
23 Legislator Davis, second by Legislator
24 Kennedy, all favor going to Executive
25 Session on those two items. All in

1
2 favor, please signify by saying, "Aye".

3 (Whereupon, all members of
4 the Finance Committee respond
5 in favor with, "Aye".)

6 CHAIRMAN MCKEVITT: Against, please
7 say, "Nay".

8 (Whereupon, no verbal
9 response.)

10 CHAIRMAN MCKEVITT: Now, I'm turning
11 the meeting over to Vice Chair Ferretti
12 on Item 52-24.

13 (Whereupon, Legislator
14 McKevitt leaves Chambers.)

15 LEGISLATOR FERRETTI: Just note for
16 the record, that Legislator McKevitt has
17 recused himself and has left the dais and
18 will not be participating in any debate
19 and discussion on this item.

20 Item 54-24 is a resolution
21 authorizing the County Attorney to
22 compromise and settle the claims of
23 plaintiff as set forth in the action
24 entitled North Shore Long Island Jewish
25 Health System, Inc., 600 Community, LLC,

1
2 and United Business Media, Inc., aka
3 United Business Media, Inc. V. County of
4 Nassau, et al; Index number 402643/11,
5 pursuant to the County law, the County
6 Government law of Nassau County and the
7 Nassau County Administrative Code.

8 Do I have a motion to go into
9 Executive Session?

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR FERRETTI: Moved by
12 Legislator Walker, seconded by Legislator
13 Koslow. All in favor, signify by saying,
14 "Aye".

15 (Whereupon, all members of
16 the Finance Committee respond
17 in favor with, "Aye".)

18 LEGISLATOR FERRETTI: Opposed?

19 (Whereupon, no verbal
20 response.)

21 CHAIRMAN MCKEVITT: We're in
22 Executive Session.

23 (Whereupon, Executive
24 Session 3:56-4:08 p.m.)

25 CHAIRMAN MCKEVITT: We have come

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2 back to order now, and the first thing we
3 were going to do is we've had our
4 Executive Session and we're going to
5 first discuss Items 51-24 and 52-24.

6 All in favor, please signify by
7 saying, "Aye".

8 (Whereupon, all members of
9 the Finance Committee respond
10 in favor with, "Aye".)

11 CHAIRMAN MCKEVITT: Opposed?

12 (Whereupon, no verbal
13 response.)

14 CHAIRMAN MCKEVITT: Those two items
15 are passed, 7 to 0.

16 I am now turning the Committee over
17 to Vice Chairman John Ferretti.

18 (Whereupon, Legislator
19 McKevitt leaves the Chambers.)

20 LEGISLATOR FERRETTI: Legislator
21 McKevitt has recused himself, has left
22 the chamber and is not participating in
23 any debate or discussion on 54-24 a
24 resolution authorizing the County
25 Attorney to compromise and settle the

1
2 claims of plaintiff as set forth in the
3 action entitled North Shore Long Island
4 Jewish Health System, Inc., 600
5 community, LLC and United Business Media,
6 Inc., aka United Business Media, Inc. V.
7 County of Nassau Index 402643/11,
8 pursuant to the County Law, the County
9 Government Law of Nassau County, and the
10 Nassau County Administrative Code.

11 Motion made by Legislator Kennedy,
12 second by Legislator Davis.

13 All in favor, please signify by
14 saying, "Aye".

15 (Whereupon, all members of
16 the Finance Committee respond
17 in favor with, "Aye".)

18 LEGISLATOR FERRETTI: Those opposed?

19 (Whereupon, no verbal
20 response.)

21 LEGISLATOR FERRETTI: The item has
22 passed.

23 Now inviting Legislator McKevitt
24 back to the chamber.
25

(Whereupon, Legislator
McKevitt returns to the
Chambers.)

CHAIRMAN MCKEVITT: Motion to
adjourn by Legislator Ferretti, seconded
by Legislator Walker.

All in favor, signify by saying,
"Aye".

(Whereupon, all members of
the Finance Committee respond
in favor with, "Aye".)

CHAIRMAN MCKEVITT: All against,
"Nay".

(Whereupon, no verbal
response.)

CHAIRMAN MCKEVITT: 7-0. Finance is
now adjourned. We now have the Rules
Committee.

(Whereupon, the Finance
Committee meeting is adjourned,
4:08 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public
for and within the State of New York, do
hereby certify:

That the above is a correct
transcription of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto
set my hand this 11th day of March, 2024

Karen Lorenzo

Karen Lorenzo

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