Legislative Calendar
Nassau County Legislature
MINEOLA, NEW YORK
COMMITTEE MEETINGS
January 6, 2014 2:00 P.M.

1. Calendar

   Documents:

   11-13-18 SPECIAL BUDGET.PDF

2. Meeting Minutes

   Documents:

   LEGISLATIVE SESSION 11-13-18.PDF

3. Calendar

   Documents:

   11-13-19 SPECIAL MEETING.PDF

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE **NASSAU COUNTY LEGISLATURE** WILL HOLD **A SPECIAL MEETING FOR THE ORGANIZATION OF THE NASSAU COUNTY LEGISLATURE** ON **MONDAY, JANUARY 6, 2014** STARTING **AT 2:00 PM AND COMMITTEE MEETINGS WILL IMMEDIATELY FOLLOW** IN THE LEGISLATIVE CHAMBER, 1st FLOOR, THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

THE SESSION WILL INCLUDE THE FULL LEGISLATIVE ORGANIZATIONAL MEETING AND COMMITEE ORGANIZATIONAL MEETINGS.

LEGISLATIVE SESSION.....2:00 PM

COMMITTEE	TIME
RULES	2:00PM
PUBLIC SAFETY	2:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	2:00PM
TOWNS, VILLAGES AND CITIES	2:00PM
ECONOMIC & COMMUNITY DEVELOPMENT & LABOR	2:00PM
PUBLIC WORKS AND PARKS	2:00PM
HEALTH AND SOCIAL SERVICES	2:00PM
GOVERNMENT SERVICES AND OPERATIONS	2:00PM
MINORITY AFFAIRS	2:00PM
VETERANS AND SENIOR AFFAIRS	2:00PM
FINANCE	2:00PM

William J. Muller III
Clerk of the Legislature

Clerk of the Legislature
Nassau County, New York

DATED: December 30, 2013
Mineola, NY

As per the Nassau County Fire Marshall's Office, the Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed.

L E G I S L A T I V E C A L E N D A R

NASSAU COUNTY LEGISLATURE — MINEOLA, NEW YORK
SPECIAL MEETING — NOVEMBER 13, 2018 11:00 A.M.
FIFTEENTH MEETING OF 2018

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

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

1. **RESOLUTION NO. 201-2018**

A RESOLUTION PURSUANT TO SECTION 305 OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO RECONSIDER AND APPROVE ITEMS VETOED BY THE COUNTY EXECUTIVE IN RELATION TO THE 2019 NASSAU COUNTY BUDGET. 604-18(LE)

NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO

PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

Tuesday, November 13, 2018

11:38 A.M.

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

LEGISLATOR RICHARD J. NICOLELLO
Presiding Officer
9th Legislative District

LEGISLATOR HOWARD KOPEL
Deputy Presiding Officer
7th Legislative District

LEGISLATOR DENISE FORD
Alternate Presiding Officer
4th Legislative District

LEGISLATOR KEVAN ABRAHAMS
Minority Leader
1st Legislative District

LEGISLATOR SIELA BYNOE
2nd Legislative District

LEGISLATOR CARRIE SOLAGES
3rd Legislative District

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LEGISLATOR DEBRA MULE
5th Legislative District

LEGISLATOR C. WILLIAM GAYLOR III
6th Legislative District

LEGISLATOR VINCENT T. MUSCARELLA
8th Legislative District

LEGISLATOR DELIA DERIGGI-WHITTON
11th Legislative District

LEGISLATOR JAMES KENNEDY
12th Legislative District

LEGISLATOR THOMAS MCKEVITT
13th Legislative District

LEGISLATOR LAURA SCHAEFER
14th Legislative District

LEGISLATOR JOHN FERRETTI, JR.
15th Legislative District

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LEGISLATOR ROSE WALKER
17th Legislative District

LEGISLATOR JOSHUA LAFAZAN
18th Legislative District

LEGISLATOR STEVEN RHOADS
19th Legislative District

MICHAEL PULITZER
Clerk of the Legislature

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LEGISLATOR NICOLELLO: I'm going to call this meeting to order and ask Legislator Bill Gaylor to lead us in the Pledge of Allegiance.

(Pledge was recited.)

LEGISLATOR NICOLELLO: Thank you Legislator Gaylor. This is the ledge meeting for November 13. Mr. Clerk could you please call the roll.

MR. PULITZER: Thank you. Deputy Presiding Officer Howard Kopel.

LEGISLATOR KOPEL: Here.

MR. PULITZER: Alternate Deputy Presiding Officer Denise Ford.

LEGISLATOR FORD: Here.

MR. PULITZER: Thank you. Legislator Siela Bynoe.

LEGISLATOR BYNOE: Here.

MR. PULITZER: Legislator Carrie Solages.

LEGISLATOR SOLAGES: Here.

MR. PULITZER: Legislator Debra Mule.

LEGISLATOR MULE: Here.

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Full Leg - 11-3-18

MR. PULITZER: Legislator William C. Gaylor III.

LEGISLATOR GAYLOR: Present.

MR. PULITZER: Legislator Vincent Muscarella.

LEGISLATOR MUSCARELLA: Here.

MR. PULITZER: Legislator Ellen Birnbaum. Legislator Delia DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON: Here.

MR. PULITZER: Legislator James Kennedy.

LEGISLATOR KENNEDY: Here.

MR. PULITZER: Legislator Thomas McKevitt.

LEGISLATOR MCKEVITT: Here.

MR. PULITZER: Legislator Laura Schaefer.

LEGISLATOR SCHAEFER: Here.

MR. PULITZER: Legislator John Ferretti, Jr.

LEGISLATOR FERRETTI: Here.

MR. PULITZER: Legislator Arnold Drucker. Legislator Rose Marie Walker.

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Full Leg - 11-3-18

LEGISLATOR WALKER: Here.

MR. PULITZER: Legislator Joshua Lafazan.

LEGISLATOR LAFAZAN: Here.

MR. PULITZER: Legislator Steven Rhoads.

LEGISLATOR RHOADS: Present.

MR. PULITZER: Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Here.

MR. PULITZER: Presiding Officer Richard Nicolello.

LEGISLATOR NICOLELLO: Here.

MR. PULITZER: We have a quorum sir.

LEGISLATOR NICOLELLO: Thank you. I have several slips for public comment, which we will take first. First Mr. Brian Sullivan, president of Nassau COBA.

MR. SULLIVAN: Good morning. I will be short and sweet. I know there are -- not a lot of things but one main thing on the agenda today, and I wanted to make sure that I wave and make sure everybody still sees me on

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my end of the county.

I'm very happy that we are reopening the precincts apparently. That's the way this is going to work out. I'm in law enforcement. I think it's a great idea to open the precincts. I'm 100 percent for it. I just want to remind everybody here that we have new precincts in Nassau County. I've said it before. I'm on the record many times. We have new precincts in Nassau County. We money to open new precincts. Hopefully we will be getting a new police academy. I'm all for it. I want to have our department as part of that police academy.

But once again it's pouring rain today and every building in Nassau County jail is pouring rain. The officers and the inmates are walking through puddles in the jail. Our officers are driving inmates back and forth to court and to upstate in Flintstone mobiles. There's little to no surveillance equipment in the jail to supervise the inmates. Motion detection equipment isn't there. Body alarms that we talked about before. Our training is

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abysmal. There's shoddy equipment. No CERT team. Pulling teeth to hire people. I'm hearing hopefully we'll have a class at the end of this year after pulling teeth.

And I might as well start here going forward that from our last budget hearing and a lot of things that have been going on, our new administration does not appear to be pushing too hard to fix a lot of these things. We're pushing to hire but a lot of the infrastructure and everything else we don't seem to have our new department administration doing a lot of pushing for these other issues. I only hear my voice. I don't hear anybody else's voice. I've said my peace. I will speak on to other people. I will be back. Very happy police precincts are opening but we're still here and there's nothing going on. Thank you.

LEGISLATOR NICOLELLO: Thank you Brian. Kevin Black, president of the Superior Officers Association.

MR. BLACK: Good afternoon. I'd like to take this moment to thank you for your

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time. I'd also like to thank John Ferretti who was out in front of the press conference yesterday. Although I know he pushed hard to open the eighth as Legislator Birnbaum did to open the sixth. I would like to once again say thank you for opening the precincts.

However, the reason I'm here today is to talk about the vetoes that the county executive made. Two weeks ago it was a 19 to nothing vote in this legislative chamber to pass those amendments into the budget. Now I'm being told that today there are not enough votes to override those vetoes because the minority has made a deal and chosen to let the veto stand. They won't vote against them.

I have one question to start with. What happened? I'll tell you how I see what happened. What happened was that you got every amendment that you wanted for your special districts or whatever and you basically told labor too bad. I would say I'm disappointed but this happens a lot in this county as far as labor is concerned. I have no problem funding CASA, mental health,

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disabled veterans programs, NICE bus routes or public safety officers. They all deserve funding. I keep hearing there is only one pie and it's got to be divided one way. I know this is blasphemy, but maybe we ought to think about making the pie a little bigger.

For 18 or 19 years now there's been an oversight, slash, control board. What's changed? My membership took a three year pay cut. Every unionized county worker rather took a three year pay freeze. What's better now than before that? From where we stand nothing. Nothing at all.

There are members in the minority who at different times have made what I will call political missteps and when those missteps were made labor never backed away from you. Labor endorsed you. Labor supported you. You weren't allowed in your own caucus and labor supported you. This is when you find out who your friends are and who your friends aren't. And we're finding that out. No hard feelings, just a statement of fact from where I stand.

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What I really don't understand is, this was a contingency fund. The county executive she has had one meeting with us over contract negotiations and hasn't answered multiple letters asking for dates and times that we've offered. The contracts expired last year. There's no money obviously in this year's budget. Now there's no money in next year's budget. If you had put the contingency fund and we didn't settle you would have a $12 million surplus. A real surplus. Thank you for your time.

LEGISLATOR NICOLELLO: Thank you Kevin. Jerry Laricchuita, president of CSEA Local 830.

MR. LARICCHUITA: Good morning legislators. Thank you for giving us the time to come up and address you. I guess my main question will be, we spoke a few weeks ago here and we did put forth some real severe, serious issues that Nassau County faces. Including most importantly the workforce. The workforce in general. Doesn't matter what union you're in, what department you're in, we

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are all working in severe, near crisis and even in some areas crisis shape. It's a daily problem that we cannot, as a workforce, any longer sustain the services that we need to get out to our residents that are paying some of the highest taxes.

I will say this, we are paying some of the highest taxes in the country and you may all be a little shocked at this but I don't blame Nassau County for that. You look at your tax bill and you will easily see that 65 percent to 70 percent of our taxes go to our schools. Maybe they should start separating those tax bills.

The big problem, however, I will say that the Nassau guarantee this is what has angered me as a union leader. I've seen my members get laid off in the past years, 2011 and '12, while school districts and special districts not only collected overtaxed and mistakes but refused to even cooperate and hand back what the overcollected. Called the Nassau guarantee. It's going to kill us if we don't get that fixed.

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I know as a union up here people are going to say what are you doing? You're going to have a lot of unions coming. I don't care anymore. I don't care if other unions and other bargaining units have a problem with what I'm saying because the Nassau County resident is being completely fooled by this. They think they're doing right by the children, which they're not, because public safety is now taking a tremendous hit between the three law enforcement unions the CSEA and COBA, we're all dying here. There is no money left in this budget and they're paying their taxes that they're paying. We are losing $100 million a year because of the guarantee. Imagine if we had that for the last ten years. There would be no control board. We would all be celebrating right now. This would be a great little meeting, wouldn't it?

What we brought up last time was that there's 28 funded vacant positions in this budget, and we really need you to work with us in 2019 to start getting them filled. We cannot continue to operate at this low

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level of enrollment of workers. I can tell you right now 911, the sheriff's department, I told you last time, I wasn't kidding around, we are down to really one locksmith in the jail for Nassau County. That's insane. I mean, we are the largest county in the state budget-wise and we don't have a locksmith.

And the sheriff says she's going to co-train us. That's impossible. You have to go to a special school. It takes weeks to learn that. There seems to be no forward thinking in this county anymore. That's the problem. We wait until it's a crisis and then we meet here and try to fix it going backwards.

So we are very happy about the precincts opening. We love the fact that we're going to have better public safety. We stand together with our brothers and sisters in the law enforcement union. But we also say County Executive Curran, get to the table, get some work done and let's start replenishing the workforce before it's too late and we have a serious crisis here. The residents of this,

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the employees of this county and even the legislators of this county do not deserve that kind of treatment because we all have to answer for what we do wrong. Thank you so much. I appreciate that.

LEGISLATOR NICOLELLO: Jerry, she can come to the table all she wants but there's no money in the budget for contractual pay increases for 2019.

MR. LARICCHUITA: As we have been told and that's unbelievable actually. Because this January 1 we will be entering year two of an expired contract. Quite frankly, I didn't want to rain on the parade of the fact that you guys, the legislators up there, were able to at least get a victory, half a victory, with the precincts, and I think that goes a long way. We didn't want to rain on that with the contract issue. You know me. I tell it like it is. I'm being right from my heart.

However, some day we will be addressing that and without money she better find it in 2019. We're not going to go

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another year like this I can tell you that much. We are going to have big problems.

For today let's wait for the amendments to go through that you put forth. Majority Leader, Minority Leader and all legislators I thing you did a great job on that at least and let's look forward to getting a better 2019.

LEGISLATOR NICOLELLO: Thank you Jerry. Last speaker is John Budnick.

MR. BUDNICK: Good morning Honorable Majority Leader, Honorable Minority Leader, honorable members of the legislature. I'm speaking for myself. I am the former past president of the Hicksville Community Counsel. I am a former park ranger who relied on the existence of the Sixth Precinct for my safety when I was working at various Nassau County parks in the northern part of Nassau County.

I would say, speaking again personally, that the people in the Sixth Precinct and Eighth Precinct, unless this budget goes through reopening those precincts,

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are being the victims of unequal protection of the law. The people in the jails are in serious need for the county to address the issues there. There is a severe potential liability set of issues that need to somehow be addressed.

I strongly applaud the legislature for the funds for CASA, the funds for the mental health people. Especially the mental health people that will help reduce so many problems for the police and the surrounding community. I also I have to highly commend you about restoring the buses. That way I won't have to provide transportation to people who can't get to places like Sagamore Hill on weekends because there's is no buses. But they have to work.

To do other than to support these budget amendments I feel is unconscionable. I wish you all the very best.

And I hope everybody had a wonderful Veterans Day. And let me take a moment to commend Colonel Gaylor who was just honored Friday night at the Hofstra basketball

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game where Hofstra won fortunately after a long, hard battle. Thank you very much. I commend you one and all.

LEGISLATOR NICOLELLO: Congratulations Bill. First item is an emergency. Ask the clerk to read the emergency.

MR. PULITZER: Thank you Presiding Officer. Emergency Resolution 18-2018. An emergency resolution declaring an emergency for immediate action upon a resolution pursuant to Section 305 of the county government law of Nassau County, to reconsider and approve items vetoed by the county executive in relation to the 2019 Nassau County budget.

LEGISLATOR NICOLELLO: That's it. So we need a motion on the emergency. Moved by Legislator Rhoads. Seconded by Legislator Ford. Any discussion or public comment? Hearing none, all in favor of the emergency signify by saying aye. Those opposed? The emergency passes.

So now we can consider the item

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which is a resolution pursuant to Section 305 of the county government law of Nassau County to reconsider and approve items vetoed by the county executive in relation to the 2019 Nassau County budget.

Moved again by Legislator Rhoads. Seconded again by Legislator Ford. That item is now before the legislature.

Is there anyone from the administration who is here and authorized to speak? Mr. Budnick?

MR. BUDNICK: I do want to take a second to say it has been since 1996, actually 1995, when the new form of government of Nassau County was proposed. It is my humble and very strenuous belief that the county executive of Nassau County should be a sitting, nonvoting member of this body. Because the county worked well, perhaps much better than it currently does, when that provision was part of our county charter I would most respectfully submit to you all. Thank you very much.

LEGISLATOR NICOLELLO: Thank you

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Mr. Budnick. I was kidding by the way.

Since there is no one here from the administration I have some comments that I want to make just to start things off.

First, the county executive has apparently made a deal with the minority to provide funding for some of the initiatives in the amendments passed by a vote of 19 nothing in this legislature. These apparently include funds for partial restoration of the sixth and eighth precincts, funds for restoration of some of the bus routes, funds for mental health training, public safety officers, as well as funds for salaries for staff for CASA and for Minority Affairs. These are all very worthwhile endeavors.

I say apparently made a commitment to us because no one from the administration has spoken to us about it. I've spoken to Kevan and seen the Newsday story. But again, no communication from the administration and they didn't see fit to come here today.

When considering the apparent commitment that the county executive has made

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it's important to review her statements as recorded in the media about the amendments. The county executive said that our actions in providing for the funds for these purposes by amendment was, quote, reckless, close quotes. The county executive said that it was, quote, irresponsible for lawmakers to start opening the precincts, closed quote.

The county executive said it would cost $5 million to open the precincts. The county executive said we could risk losing a $3 million state grant. The county executive not only made these statements, and they seemed pretty clear to me, but she also sued us to stop from making these amendments. While suing us the county executive said they, the legislature, are spending taxpayer money without transparency and without required notice.

Now, apparently, the county executive has decided to ahead and spend the money with no notice as part of this deal. In terms of the county executive's commitment, we remind you that earlier this year the county

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executive committed to this body that she would abide by the New York State cap on assessment increases. And even put that into the form of an executive order. Then later in the year the county executive changed her mind and rescinded that order.

So are we today supposed to rely on these commitments that the county executive has made? Are we to rely on these commitments that she is actually going to spend these monies that should be spent? I think not. The only way to ensure that the partial restoration of the precincts and the rest of these changes actually happen is to override.

Now what was not in the deal with the minority was the contingency fund for the contractual pay increase. Let's briefly go over those facts.

There's no money in the budget for contractual pay increases. County administration has represented that on multiple occasions. 2019 will be the second year in which all of our collective bargaining units are without a contract. We have no

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representation from the county executive as to how she intends to pay for a contract if it happens or with the police unions if there's an arbitrator's award. No one can argue that it is good budgeting to make believe that a major, foreseeable unfunded liability does not exist.

Lastly, to my friends on the left, by reaching this agreement with the county executive you have unfortunately ceded all the powers that you have over the county budget. The only leverage that you have, whether we have for that matter, is the threat of a veto override. Going forward that threat will no longer exist.

For a county executive who reacted violently to changes in her budget, make up .06 percent of her budget, and who for the first time in the history of this body sued the legislature to stop amendments, we will be interested to see how open the administration is in the future to changes to her budget that she may propose.

That's my statement. Does anyone

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else have -- Minority Leader Abrahams.

LEGISLATOR ABRAHAMS: Thank you Presiding Officer Nicolello. I have a brief response. One to talk about our thought process in what has transpired in the last couple of days and then to respond to a few of the points that the presiding officer made.

First and foremost, we truly believe that working with the county executive on our amendments is the most prudent way to proceed. Why do we believe that? Well, I have been in the legislature for quite some time and I've seen amendments be proposed to a budget. I've seen county executives veto amendments. I have even seen override meetings not even called even though we had agreement on amendments.

From that standpoint, the county executive does not have to proceed with any of the amendments. We can make amendments to include bus routes. We can make amendments for contingencies. We can make amendments for including precincts. She does not have to spend one nickel, not one. The legislature

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can only authorize the money going there but we cannot authorize force nor force her to spend one nickel.

By structuring an agreement like we did yesterday, what that gets basically is we are able to move forward with the initiatives. But at the same time we are able to move forward with the county executive's ability to authorize to move forward. And we anticipate when the precincts are reopened taxpayers receive the benefits. We anticipate that when the bus routes are implemented taxpayers reap the benefits. We anticipate all of our initiatives, whether it's the public safety officer, they're being hired, is the best way to go when you have the ability to work with the county executive that's able to proceed to implementing what you are trying to authorize. We feel it's more prudent to be able to proceed that way.

To respond to the issue of the lawsuit, that was contingent based off of the fact that we had an agreement yesterday. We would only entertain the agreement if it meant

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that the lawsuit would be dropped. Which we believe and received word yesterday that it would be dropped. That is a complete waste of taxpayer money to be able to go forward with the lawsuit if there is an agreement on the actual budget.

Then last but not least, as I said before, it kind of applies not just to all of our initiatives but to be specific on the contingency, it is very ideal and hopeful that we put money into the budget that is tied to addressing the salary increases for next year. I think everyone in this room, if they were planning their 2019, they would plan out to insure that they were budgeting enough money to cover their expenses. By no stretch of the imagination, if the unions and the county executive all come to fair like-minded structured deals this legislative body would support them. By no stretch of the imagination are we saying because the contingency was not a part of the agreement yesterday are we against labor or against unions not going forward. To me, I don't see

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how that agreement erases, in my case, 16 years of supporting labor. If we are drawing new lines in the sand so be it.

That being said, we cannot force nor do anything to encourage the county executive to negotiate in good faith. We hope that she does that. We will hold her accountable that she does to that. But the bottom line is she has to engage in that process. A contingency doesn't do that. Contingency applies and ensures that the money is there. Which, quite frankly, I have to question whether or not the money would still be there even if the contingency went forward. Where it's coming from I mean.

That being said, the contingency does not force negotiations. What forces negotiations is by making sure all sides are willing to agree and we continue to push the county executive because it's in the county's best interests to be able to pursue so. Not a contingency fund. I've never seen a contingency fund -- NIFA has required for years that we budget for a reserve fund and

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not once have I seen that meant we had strong fiscal practices. I mean, it doesn't make any sense.

So, I think from our standpoint it's become very clear that if folks want to draw lines in the sand that's their prerogative. That being said, I don't believe it erases years and years of working for the betterment of our working class unions in this county.

I just once again want to stress the fact that I thought it would be better and more prudent to be able to accomplish more for the taxpayers by working with the county executive, and that is why we felt it was necessary to structure an agreement with her yesterday to ensure that our ideas and our goals actually get implemented. Which we believe that would not have been the case if we went forward with an actual override veto vote today. Thank you.

LEGISLATOR NICOLELLO: I'm going to turn this over to the legislators. I just had a question posed to the administration

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because they are not here. In terms of the bus restorations what did that encompass? Do you know? Anyone? Kevan? What routes are we restoring?

LEGISLATOR ABRAHAMS: Yes. Hold on a second. Sorry Presiding Officer. It's our understanding, based on our agreement, that it's $300,000 for the Port Washington shuttle and $100,000 for the Saturday-Sunday weekend service for Plainview.

LEGISLATOR NICOLELLO: The original amendment had lump sum actually for both sides so routes in all areas of the county could be restored. It's unfortunate that the county executive has agreed to two routes, as some of my colleagues can tell you, I'm sure not just the majority but there were many bus routes that were taken away and those are very active bus routes that are very much needed. Apparently she didn't consider it important enough to include it in her agreement.

Alternate Deputy Presiding Officer Ford.

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LEGISLATOR FORD: I do appreciate the comments made by our presiding officer and minority leader. I just want to say though for me and I'm going to be very brief, that I think that while the agreement I can understand why they made it but I firmly believe that the override would have achieved the same results. When we indicate that she really doesn't have to spend the money. If she wants to open the precinct she can. She'll have the money, the ability to do it.

But I really believe that if we had all stayed together, because we did work on a bipartisan effort to show the residents that we are willing to work together, join together for the benefit of everybody who lives in Nassau County, little saddened by it. But grown up enough to understand.

I firmly believe by not having this contingency plan does hurt labor. It's indicating to them that, quite clearly, that the door is closed to any type of negotiations. They're putting labor at a disadvantage at this point because we do not

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know if the funding will be there, if it will be accessible in 2019. I think that by having a contingency, and I agree by having that, it at least opens up the door to say let's start the discussion whether or not they come to any agreement in 2019. But to me, clearly as a labor person, it really is an indication that the county executive is not willing to really even meet them half way.

I also believe that the contingency, the lack of it, by not having this and to move labor negotiations forward does hurt the hiring process because we don't know how many people can be hired, people don't know the salaries, what their future will be. Will they then be faced with steps that are being frozen in the future? There are so many different issues I think that we are sending a clear message to those that work in this county and those that would like to work in this county that, you know what, we are not necessarily on your side. I believe that we've left the workforce behind and we've made our residents vulnerable.

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I just want to cite to specifically then in this case issues of public safety, Brian Sullivan did correctly talk about the issues at the correctional facility. There are many, many problems there. What are we doing about it? We need sheriffs. We need guards there. We have been very, very slow in trying to pick up in hiring more.

Just take a look at over this weekend. As I understand it, there was a problem within the 911 bureau. Calls were being delayed. We have put our residents at risk. To them to say to residents instead of dialing 911 for any type of emergency perhaps you should started calling your precinct. To me that is unacceptable and unfair.

When we look even our school crossing guards. We don't have enough of them. We have taken away the ability to make a good living here. Those people, basically women, that watch out for our children that cross roads that are like by dangerous intersections exposed to traffic. We do not have enough school crossing guards. But

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instead of hiring more and, here it is, we don't even know if we can hire more. We then take police officers off their routes. We take the cops. They can't leave it. To me that doesn't make any sense.

We will look at our ambulances. They're down. We don't have enough ambulance operators. From what I understand they're partnering with Northwell. We need to send a clear message. For me, my message is that I'm going to stand with labor. While I do appreciate the efforts on the part of the county executive to try to keep this county going, I do take exception to the message that has been sent to labor and I think it's time that we all stand together. We did once before. Let's do it again. Let's all say we are here for the working men and women in this county. They are suffering from moral problems. There's not enough workers. I think now is the time to say you know what, let's go with the override. Let's give the contingency plan so that we can say to labor we are listening to you. We are here for

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you. Thank you.

LEGISLATOR NICOLELLO: Legislator Muscarella.

LEGISLATOR MUSCARELLA: Thank you. It's nice to hear from my good friend, the minority leader, that an agreement was entered into by the minority caucus as to certain expenditures that the county executive would be making next year. How much nicer would it have been if the county executive reached out to the majority caucus also and entered into an agreement or understanding or information concerning those changes rather than through the media, through Newsday. It would have been much nicer. This administration that is so concerned with transparency would have been nice to enter into an agreement with us.

That being said, in the interest of transparency we haven't even seen that agreement. It would be nice if someone turned over that agreement to us or briefed us from the county executive's office. But there's no one here to do that.

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The majority leader spoke about the assurance in the reassessment going forward that the county executive, by executive order, would abide by the 6-20 rule. That assurance was revoked by the county executive. County executive, months ago, also implored us to borrow $23 million because of the necessity to borrow money to fund the $23 million Restivo judgement. We provided that. But the county executive then did not use that money.

Years ago I can recall Ronald Reagan in negotiating with the I guess Soviet Union that entered into agreements and Reagan said trust but verify. All we're asking in this veto from the county executive is we want to believe but we want to require her. And apparently by the minority not overriding this veto we are not going to get that requirement by the county executive.

You know, in the event going forward I would just say this. That if the county executive doesn't live up to that so-called agreement that she has with the minority, do not come to the majority and

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complained that the county executive has not opened the precincts. Do not come to the majority and say that you are disappointed that the bus routes have not been restored. Do not come to the majority that she has not funded the positions in CASA or the Minority Affairs. You members of the minority would have to go to your residents, to your constituents, and say that it is because of the inaction of the minority today that the county executive has reneged on those assurances that she apparently made you. Thank you.

LEGISLATOR NICOLELLO: Any other legislators at this time have anything to add? We are going to have a roll call vote and you can explain your vote at that point. Hearing none, any public comment? Hearing none, I would ask the clerk to call the roll please.

MR. PULITZER: Thank you Presiding Officer. Roll call vote. Deputy Presiding Officer Howard Kopel.

LEGISLATOR KOPEL: I just want to

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say I'm going to vote for this bill because I think it's the responsible thing to do. I think what it does is that it recognizes reality. In fact, we will have certain obligations. In fact, there probably is some money that's available for the budget to provide for those anticipated actions that we will have to take. We do need to deal with the labor contracts. It's not realistic to assume that nothing is going to happen there indefinitely. I think that the vote against this is to close your eyes to what is actually happening and what is actually going to happen in the real world. Because of that I vote yes.

MR. PULITZER: Thank you. Alternate Deputy Presiding Officer Denise Ford.

LEGISLATOR FORD: Yes.

MR. PULITZER: Thank you. Legislator Siela Bynoe.

LEGISLATOR BYNOE: No.

MR. PULITZER: Legislator Carrie Solages.

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LEGISLATOR SOLAGES: No.

MR. PULITZER: Thank you. Legislator Debra Mule.

LEGISLATOR MULE: No.

MR. PULITZER: Legislator C. William Gaylor the Third.

LEGISLATOR GAYLOR: The lines in the sand have been drawn apparently. The minority has entered into a back room deal. Hasn't been shared with us. For their own selfish purposes it appears. Rather than to guarantee the restoration of funding for such important things as precincts, labor, CASA, Minority Affairs, many more bus routes than the two that the Democrats worked out, is solely for selfish purposes.

So I believe the minority has entered into an era which consists of many more future back room deals lacking any transparency. Although they talk about transparency. The county executive and the minority clearly aren't transparent in their action.

A vote to override the veto ensures

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that those programs that minority says are so important to them are guaranteed. As well as providing the additional funding for labor. Which we have to address. By having a labor contingency fund it forces the administration to come to the table to negotiate a lot sooner than letting this drag on indefinitely. The lines have been drawn in the sand. It's clear as the minority said. So I'm voting yes to override the veto.

MR. PULITZER: Thank you. Legislator Vincent Muscarella.

LEGISLATOR MUSCARELLA: Yes.

MR. PULITZER: Legislator Ellen Birnbaum is absent. Legislator Delia DeRiggi-Whitton.

LEGISLATOR DERIGGI-WHITTON: No.

MR. PULITZER: Legislator James Kennedy.

LEGISLATOR KENNEDY: I'm voting yes. I believe we have been taken completely out of this. I feel like we are left in the dark. I'm worried that the promise of transparency is nowhere to be seen. I feel

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this is very necessary right now. I wish we could all come together and work for what is so important and that is the county residents and those who work for the county and make the county run. So I'm voting yes.

MR. PULITZER: Thank you. Legislator Thomas McKevitt.

LEGISLATOR MCKEVITT: You know, except for five of the members up on this dais, I have been through more budgets than anyone else here can say. I have been through good budgets, bad budgets. I went through four governors. And so I came from a place that is well known that when agreements were made it happened with three men in a room. It was done in a back room deal where no one knew what was occurring. But at least at the very end that deal had to come to the legislature floor and you got to debate the good parts of it, the bad parts of it. The details. You got to see everything that was in it.

Today we come to a new depth in this county. When I came down here, mostly so I can be with my family full time, I was

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encouraged that there would be some transparency, some openness for the people to be a participant in their government and see what would occur. And apparently that's not what's happening here whatsoever. I've now seen behavior that I thought I left behind in Albany and now it's come right back down to Mineola. This to me is a day that the people of this county deserve better. I vote yes for the override.

MR. PULITZER: Thank you. Legislator Laura Schaefer.

LEGISLATOR SCHAEFER: Thank you. I also will be voting yes for the override. I do want to say that with regard to what was said by Legislator Muscarella and Minority Leader Abrahams, I also agree that speaking to the administration while we are making negotiations, while we are dealing with the budget is the right way to go. Unfortunately, we were not approached or given that opportunity to have that discussion. And that to me speaks volumes. And I think that it's clear that while we can see that the

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administration does not respect the majority enough to have those conversations to even reach out, I question how much respect they have for the minority when they're not even here. They left you hanging to be the only ones to support whatever the deal is that we were privy too. It's just a shame to see that.

So I would just be careful because I don't know that all those promises will be fulfilled. I vote yes.

MR. PULITZER: Thank you ma'am. Next John Ferretti, Jr.

LEGISLATOR FERRETTI: Thank you Mr. Clerk. I've learned quite a bit in the almost one year since taking office and hearing from the minority, hearing them criticize the very contingency fund that they just voted for, having a county executive break a campaign promise advocate against precincts, sue the legislature to stop the precincts, call reopening the precincts wreckless, irresponsible only to reverse herself on a dime it's something certainly new

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to me.

We hear the minority say in the event she does not fulfill these promises we would hold her accountable. The time to hold the county executive accountable is today. She has already broken promises made to every one of us going back to assessment. I don't know about any of you but I field calls every single day from residents in my district scared that they are going to be taxed out of this county. It's because of that misrepresentation that was made to us about six months ago. I implore the two remaining legislators on the other side of the aisle who have an opportunity here to end this madness take that opportunity.

Now, I am happy that county executive seems to have come to her senses regarding the Eighth Precinct and Sixth Precinct. But shame on any of us if we don't make sure today that she keeps this promise. For that reason I vote for the override.

MR. PULITZER: Thank you sir. Next would be Legislator Arnold Drucker who is

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absent. Legislator Rose Marie Walker.

LEGISLATOR WALKER: When we voted last week, 19 of us, what a proud day that we worked together to put our amendments together and vote unanimously to pass those amendments. And I really thought to myself, you know, we really are working together. Working together for the benefit of labor, for the benefits of our departments, for the benefit in particular of all our residents.

And it saddens me today to think that deals could be made with part of us knowing nothing about it. Not being included at all. Promises that you believe are going to be kept I really tend to wonder because it feels like a lot of promises that have already been out there for all of us haven't been kept. And because of those reasons I'm voting yes for the override.

MR. PULITZER: Thank you. Next Legislator Joshua Lafazan.

LEGISLATOR LAFAZAN: No.

MR. PULITZER: Thank you. Legislator Steven Rhoads.

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LEGISLATOR RHOADS: Thank you Mr. Clerk. I could not agree with Legislator Walker more. Two weeks, by a 19 to nothing vote, we worked in a partisan fashion to stand up for what was right on behalf of the taxpayers and residents of Nassau County. I contrast that today, which I think is probably now that the votes have been cast and the override apparently will not occur, is perhaps one of the most disappointing. There is an old saying that says fool me once shame on you, fool me twice shame on me.

With that, the minority has made the decision that once again believe the promises that are made by the county executive. The reality is that we have a county executive who is governing by fiat. One who promised to be open and transparent. One who agreed that she was going to work in a bipartisan fashion with the legislature to ensure that we had a government that would was going to represent all of the people. What's occurred is the exact opposite.

How many promises are going to be

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broken? How many times is she going to attempt to bypass the legislature and do whatever it is that she wants? It started back in March with her deal to apparently bypass the county legislature and seek a five percent margin of error in assessment. Not even consult with us and seek that directly from the state legislature. She promised she was going to abide by our bill for Little League fees. Yet we find out that PALs are still being charged those fees by the same administration that promised to abide by it.

She promised to us back in March with respect to assessment that she was going to abide by the state assessment increase cap. The 6-20 Rule that you've heard about. Six months later when it's convenient and when the legislature can do nothing to change it she reverses her decision and has thrust the assessment system in chaos causing fear that Legislator Ferretti correctly alluded to. Causing a great amount of fear among homeowners as to what is going to happen with their property taxes.

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Legislator Muscarella mentioned another representation made by the administration with respect to the Restivo judgement. Implored us, begged us to provide her $23 million in borrowing so she can pay that judgement. $23 million that still sits unused today.

She's promised the taxpayers a five year phase-in with respect to her assessment changes. In fact, from what we're hearing, that five year phase-in, that transitional is going to be included on the notices that we are forcing her to send out to explain to taxpayers the impact of her assessment changes. Yet that transitional has never even been filed in Albany. They don't need our approval. They need approval from the state legislature. Yet she's making the representation to taxpayers that somehow this is a done deal when it's anything but.

In fact, when we actually stood together and passed budget amendments together to fight for and defend things that we as a legislature felt were important, she actually

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took the unprecedented, perhaps unprecedented, but the bizarre step of not simply issuing a veto and allowing this to play out in public, a forum where every Nassau County resident would have the opportunity to see it, but instead took to the courts and wasted taxpayer dollars in suing us.

So now we have the legislative minority who has decided that after that track record that they're going to put their faith in the county executive's promises again. I do not have that faith. And it pains me to say it.

So now we have a promise that the Sixth and Eighth Precincts are going to reopen. A promise that has no timetable other than generally saying that it's going to happen some time next year. We have no defined way as to how the county executive is actually going to pay for it.

We have a promise that there will be additional mental health training offered by the police department. With again, no mechanism to pay for it.

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We have a promise that some, coincidentally, the routes in the minority districts, bus routes, are going to be restored leaving individuals who rely upon public transportation in the majority districts out in the cold. But again, a promise that that's going to occur. Again with no mechanism to pay for it.

A promise for additional security in parks and county facilities with no mechanism to pay for it. A promise to fund CASA. A promise to fully staff Minority Affairs. With no mechanism to pay for it.

Then to cap it off, the one opportunity that we have in this budget to restore some fiscal responsibility to the county by creating a contingency fund to allow for contract collective bargaining negotiations that are supposed to be ongoing but are not yet ongoing, so that we're not facing a fiscal crisis if and when those contracts are resolved, that's left out of the agreement by the minority. What's going to happen when there is a contract resolution and

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we don't have $12 million or whatever the figure is to pay for it? What is going to be cut then?

We talk about fiscal responsibility. We talk about planning. We talk about responsible budgeting. Yet when you have the single opportunity to actually back up that talk with action it falls by the wayside, along with every other promise that the administration has made.

And the sad thing is instead of standing together, we're allowing it to happen. You are allowing it to happen my colleagues in the minority.

So today is an extraordinarily disappointing day. I'm disappointed for the legislature. I'm disappointed for the residents of Nassau County. And I think we have seen two weeks after seeing the best of governance we are seeing the worst of governance. In a back room deal without any light of transparency, we still have no idea of what the actual details of these agreements are. And it's interesting, as one of the

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legislators pointed out, I think Presiding Officer Nicolello, it's interesting that after you have the county executive challenging the legislature's actions based upon a lack of transparency that we have a back room deal that i s made with the county executive and minority in the legislature and we have absolutely no idea what's in it. I'm not entirely certain that the minority knows what's in it.

We have managed today to clutch defeat from the jaws of victory. It is indeed a sad day for the residents of Nassau County. And I will, even though it's moot at this point, cast my vote in favor of overriding the county executive's veto.

MR. PULITZER: Thank you Legislator. Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: First and foremost, I want to stand by what I said earlier. But then I think in light of the majority's comments prior to their vote I would like to respond.

I will say that it's kind of

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bewildering the rhetoric regarding transparency and back room deals. The agreement that we reached with the county executive, our amendments that were clocked in on October 22nd, specify everything that's in that agreement. Talks about the mental health aids, talks about the bus routes, talks about reopening of the precincts, talks about public safety officers. Everything that was publicly noticed on October 22nd is on that agreement. The fact that folks are throwing out the words transparency is a little astonishing.

Then to call the deal a back room deal, back door deal, whatever you want to call it. When I reached out to the presiding officer to ensure that our amendments could be one joint amendment that conversation wasn't done in the public. It was done in the office where I met with the presiding officer. Is that anymore of a back room deal than what was done with the county executive? No. Because the presiding officer and I agreed that we were working for the betterment of taxpayers in this county and that's why we agreed to

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it. But that's no more than a back room deal.

If you are going to criticize what the county executive and the minority have come to agreement to then you better criticize your presiding officer because he came to the same agreement with me two weeks ago in that back room. It's totally different. I understand Laura. I didn't speak when you spoke. You weren't there. I know. And neither was the county executive as a part of those amendments agreements either. She wasn't there either. The bottom line is you can't have it both ways.

It's funny. History has a way of reminding us. I keep hearing the same rhetoric about contingency. That the contingency is not there. This is not a knock on all of you, but when we approved the agreement that was done before this agreement we looked it up, there was no contingency that was proposed by the county executive. Where were your voices then? I would have loved to have heard you then say where's the contingency Mr. Executive? It's not part of

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this plan. But you know what? The county executive then found the money. He found the money to pay for it just like we believe the county executive now will find the money.

But I hear a lot about contingency, contingency, contingency, contingency. Okay. Where were your voices when the agreement that just expired had no contingency before the agreement was approved? Had none. But here you are, we're talking tough, we want contingency.

Then, it's funny, we talk about the bus. Well, the majority felt it was so important to have the bus in their agreements that it was absent from their original amendment that was submitted on October 22nd. It wasn't included until we had a joint amendment where we had our $400,000 and they then proposed theirs. But they thought it was so important to have the bus and they're fighting for it today but they didn't even have it in their original amendment.

The bottom line is very simple. We may have a philosophical difference on how we

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get things done in this county. We believe that it's better and more prudent to be able to get things done with the county executive's assurances. They believe that you're better off and you talk tough and you show tough that when you basically override a veto not getting any assurances from the county executive that she's going to implement anything that you've overridden that adds money to the budget, they think that's the way to go. We may disagree.

I think I can say this to my good friends Vinnie Muscarella and to Rich Nicolello, who I've served with, the latter never works. I've never seen a budget be implemented after an override veto and the county executive implement everything that has to happen. The was things get done in this county is by you rolling up your sleeves and working with the county executive and working out your differences. That's what we tried to accomplish to do.

And could we fall short? Could she fall short on some of the things that are possible? Yes, it's absolutely possible. But

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we are going to fight to ensure that at least we have an argument at the table to ensure that we are able to get those things done.

But I stand by what I said earlier. I just found it amazing to me and astonishing that we are throwing out references of transparency when the majority knows we filed all of our amendments and everything in the agreement is part of our amendments. And then to throw out back room deals is absurd. It's no more than a back room deal when I reached out to the presiding officer. The county executive wasn't there.

The bottom line is I vote no to the override for everything that I have stated before. Thank you.

MR. PULITZER: Thank you. Presiding Officer Richard Nicolello.

LEGISLATOR NICOLELLO: Thank you. Just three quick points. The County Executive Mangano actually did have a contingency in his labor agreements. Unfortunately it was red light cameras, which was a disaster. Speed cameras you're

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correct. Speed cameras was tied directly to the negotiated increases and it was disastrous. And that is exactly what we are trying to avoid by putting a contingency in the budget because those types of gimmicks don't work.

Secondly, in terms of how you want to characterize our agreement, it's clearly distinguishable after having discussions and reaching agreement the minority, majority put our agreements in writing, filed amendments, which were on file for a week, then we voted for it. It was all done in public. It wasn't an agreement apparently that doesn't exist in writing. It was an agreement that we reached, filed, voted on.

Lastly, what is most offensive about what has taken place is the exclusion of monies for restoration of bus routes in majority districts. I can understand the minority fighting for their districts. We all do that. I can understand them wanting restoration of funds for their district. Again, we all do that. We all fight for our

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districts. But the county executive doesn't represent a particular party. She doesn't represent a particular district. She represents the entire county. The fact that she has reached this agreement that specifically removes the funding from majority districts it's petty, it's directed, it's political. And I'm going to remind her and we will remind her to the residents who live in those majority districts that she's supposed to speak for them as well.

Having said that, I vote yes for the override.

MR. PULITZER: Thank you. We have a total vote out of 17 we have yes 11 no six.

LEGISLATOR NICOLELLO: The item fails. That is the conclusion of our business today. I need a motion to adjourn. Moved by Legislator Muscarella. Seconded by Legislator Bynoe. All in favor of adjourning signify by saying aye. Those opposed? Carries unanimously. We are adjourned.

(TIME NOTED: 12:43 P.M.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of October 2018

FRANK GRAY

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L E G I S L A T I V E C A L E N D A R

NASSAU COUNTY LEGISLATURE — MINEOLA, NEW YORK
SPECIAL MEETING — NOVEMBER 13, 2019 1:00P.M.

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

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

1. **RESOLUTION NO. 206-2019**

A RESOLUTION PURSUANT TO SECTION 305 OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO RECONSIDER AND APPROVE ITEMS VETOED BY THE COUNTY EXECUTIVE IN RELATION TO THE 2020 NASSAU COUNTY BUDGET.
438-19 (LE)