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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Wednesday, October 3, 2018
7:15 P.M.

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

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4 LEGISLATOR RICHARD J. NICOLELLO

5 Presiding Officer

6 9th Legislative District

7

8 LEGISLATOR HOWARD KOPEL

9 Deputy Presiding Officer

10 7th Legislative District

11

12 LEGISLATOR DENISE FORD

13 Alternate Presiding Officer

14 4th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

22

23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

25

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2 LEGISLATOR DEBRA MULE

3 5th Legislative District

4

5 LEGISLATOR C. WILLIAM GAYLOR III

6 6th Legislative District

7

8 LEGISLATOR VINCENT T. MUSCARELLA

9 8th Legislative District

10

11 LEGISLATOR ELLEN BIRNBAUM

12 10th Legislative District

13

14 LEGISLATOR DELIA DERIGGI-WHITTON

15 11th Legislative District

16

17 LEGISLATOR JAMES KENNEDY

18 12th Legislative District

19

20 LEGISLATOR THOMAS MCKEVITT

21 13th Legislative District

22

23 LEGISLATOR LAURA SCHAEFER

24 14th Legislative District

25

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2 LEGISLATOR JOHN FERRETTI, JR.

3 15th Legislative District

4

5 LEGISLATOR ANDREW DRUCKER

6 16th Legislative District

7

8 LEGISLATOR ROSE WALKER

9 17th Legislative District

10

11 LEGISLATOR JOSHUA LAFAZAN

12 18th Legislative District

13

14 LEGISLATOR STEVEN RHOADS

15 19th Legislative District

16

17 MICHAEL PULITZER

18 Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: Ladies and
3 gentlemen, we are going to start the hearing.
4 Get things started. We did the Pledge of
5 Allegiance with the committees but let's do it
6 for the full legislature. Ask Minority Leader
7 to lead us in the pledge.

8 (Pledge of Allegiance was recited.)

9 LEGISLATOR NICOLELLO: Thank you
10 very much for joining us tonight for our first
11 budget hearing. I have a brief statement
12 which I will make later. I have four slips
13 for public comment. Public comment is
14 scheduled to go at the end but since we have
15 four slips and people may want to be on their
16 way we will have public comment called first.
17 First speaker is Richard Clolery.

18 MR. CLOLERY: Hi. My name is
19 Richard Clolery. I know you are going to go
20 through a very difficult process. I want you
21 to take this into your hearts as you think
22 about what's -- through this budget process
23 tonight. I know that you're trying to keep
24 the taxes down but I want you to think about
25 other people as well. Those that can't or

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2 won't drive. I know I have said these lines
3 before a bunch of times but it is important.
4 People depend on the buses. A well run and
5 well funded bus system to get people to and
6 from places.

7 Ever since NICE came along they
8 have been cutting lines, cutting service. I
9 know about the new NICE link service but it's
10 still in the prototype stages. I know they
11 say it's been something of a success. I'm
12 hoping that they expand it because unless we
13 restore the cut bus lines I'm isolated in the
14 community I serve if it rains or snows. This
15 is very unfair for me because I want to
16 contribute my part to the county. You may not
17 think about it much but people like me also
18 contribute. Whether it's to go to movies, go
19 to stores both local and whatever and go to
20 barber shops. Things like that.

21 But without a way to get to and
22 from places they have no way to contribute to
23 the county. Which demeans how much the county
24 gets through tax revenue and all that.

25 Here's my suggestions. I made some

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2 suggestions before some of you may know. I'm
3 suggesting that you find ways to increase bus
4 funding. Whether it be through fines from
5 tickets collected from violations and all that
6 among other things. Litter. And for seasonal
7 purposes, no shoveling violations.

8 Look, I'm going to say this and be
9 blunt. We matter too. Whether we be drivers
10 or not we matter. We contribute. We help.
11 Thank you.

12 LEGISLATOR NICOLELLO: Thank you
13 Rich. Next speaker is Dorothy Bheddah.

14 MS. BHEDDAH: Ladies and
15 gentlemen of the legislature, fellow
16 citizens. My name is Dorothy Bheddah. I'm
17 from Port Washington. I'm a resident of the
18 Amsterdam at Harbor Side, which is a
19 continuing care retirement community. I would
20 like you to meet my fellow residents. We are
21 here to bring your attention to the critical
22 importance of bus service in Nassau County.
23 Please consider this as you go through the
24 budgeting process.

25 The Amsterdam, where we live, is a

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2 senior facility of 270 persons in independent
3 living. A few of them as old as 100. Most of
4 them in their 80s and 90s. Additionally,
5 there are 100 other persons in assisted
6 living, memory and skilled nursing units. We
7 have around 160, 170 employees but we have
8 continual staffing difficulties due to the
9 lack of public transportation. This is a
10 serious problem for the managers who are
11 trying to take care of us.

12 And the other problem is that since
13 we are more than three quarters of a mile from
14 a fixed bus route we're not eligible for Able
15 Ride. So think of that. Nearly 400 seniors
16 not eligible for Able Ride.

17 We are grateful to Legislator Delia
18 DeRiggi-Whitton for the planned shuttle PILOT
19 program connecting the Roslyn Long Island
20 railroad station with the Port Washington Long
21 Island railroad station. This will enable
22 workers from all directions to access the
23 Amsterdam and its available jobs.

24 The cost for the shuttle for one
25 year will be \$300,000. State Assemblyman Tony

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2 Durso is applying for a \$100,000 grant from
3 the Assembly. And we will ask our State
4 Senator Elaine Phillips for additional funds.
5 However, I'm sure there's going to be a
6 balance and we are asking the legislature for
7 whatever balance remains. Perhaps as much as
8 \$200,000.

9 Again, I request that you consider
10 the critical importance of bus service not
11 only for us with our PILOT shuttle but
12 throughout Nassau County. Thank you very
13 much.

14 LEGISLATOR NICOLELLO: Thank you
15 Dorothy. Lou Levitt.

16 MR. LEVITT: Members of the
17 legislature, I'm here to second the motion
18 that Dotty presented. I'm also a resident at
19 the Amsterdam. We've had the good fortune of
20 having our county legislator, Delia
21 DeRiggi-Whitton, work with us for three years
22 to develop this proposal.

23 Where we are now. We have a PILOT
24 plan from NICE. We have a pledge of support
25 from the New York State Assembly. We need

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2 your help. Because the fee for bus for one
3 year is \$300,000. So we have we think
4 \$100,000 and we're meeting with our state
5 senator next week to appeal to her for support
6 from the state senate. And we're here to
7 appeal for support from you. Don't think of
8 this just as a bus route. Think of it as an
9 employment program that would, through the
10 network of bus routes, bring job opportunities
11 together to many communities in Nassau
12 County.

13 I want to appeal to the Republicans
14 here. Your party has made a big deal about
15 people living on government dependency. This
16 is an opportunity to provide jobs for people
17 without computer skills. Without college.
18 Because there are 80 businesses in the
19 industrial area. There is a Hilton Garden
20 Hotel that needs the same kind of people we
21 do. There are golf courses and there are
22 restaurants. There are jobs here. What we
23 need is a bus to make it possible for people
24 to have these jobs.

25 I want to appeal to the Democrats.

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2 We have a new county executive whose
3 priorities include public transit. Here's an
4 opportunity to make that pledge come alive.
5 We're not talking about huge sums of money.
6 We are talking about three years of labor that
7 has brought us to this point. How about
8 making it happen? Thank you.

9 LEGISLATOR NICOLELLO: Thank
10 you. Jerry Laricchiuta.

11 MR. LARICCHIUTA: Good evening.
12 Thank you Majority Leader Nicolello, Minority
13 Leader Abrahams, legislators. Appreciate the
14 opportunity. We are just going to do a
15 blanket request, not even a request, an
16 acknowledgment of what we see going on in this
17 year's budget.

18 As you know, we were here a couple
19 of weeks ago and asked the legislators to keep
20 a keen eye out for the staffing here in Nassau
21 County, which is at an all time record low.
22 We wanted to see what and how the budget
23 addressed staffing. I think every legislator
24 here would agree, and you don't have to, I'm
25 not saying publicly but I have spoken to many

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2 of you, that the staffing is extremely low in
3 many departments. And in some areas we can
4 barely get the job done. And in some areas,
5 quite frankly, we're just not. We're not
6 living up to the standards that our residents
7 have asked for and deserve. It's because of
8 the staffing levels.

9 Obviously the first thing we would
10 want you to know, I'm sure you know about it
11 by now, there are some errors in this budget
12 that are glaring. The head count numbers are
13 way off. On some departments crossing guards
14 are down 100. PSA, police service aids, are
15 down 80. That would mean there's layoffs
16 coming. There are no layoffs coming. We
17 talked to the county executive. Obviously we
18 could never allow for layoffs right now. We
19 are at the lowest of all time.

20 That being said, there are some
21 clerical errors in this budget. It's a big
22 document. You need to know about that.

23 Here's what was most upsetting for
24 us. Everyone talked about the prior
25 administration and the contracts that went out

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2 and the fact that it's time that we bring
3 these things in-house, right, because the
4 residents want to see a better bang for their
5 dollar. Well, I got to tell you, in this
6 particular budget year, following the trend of
7 the last three budgets, so there's 459 funded
8 vacant positions of CSEA. Funded vacant
9 positions. Which comes to \$28 million. I
10 wants you to know that. \$28 million hidden in
11 this budget. You have to look at all the
12 different various positions. I'm not pulling
13 any punches here. It's not time for that.
14 The Curran administration wants to show
15 transparency. They want to show they're
16 different than the prior administration. Well
17 then, show it in real figures. Numbers do lie
18 and these numbers are lying. There is no way,
19 if you follow year by year, the actual is way
20 less than what was proposed. That's hiding
21 money. We know how that works. We understand
22 that. But what's happening here?

23 We are unable to get food out of
24 the jail. We are unable to get police medics
25 on scene at some accidents. We are still

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2 fighting with them over the 911 deal that was
3 created four years ago. The numbers are
4 drastically low and it's alarming. It's
5 scary. It really is. And this is the only
6 time. We've tried everything else. We need
7 to come to you now and make this -- to bring
8 this to your attention. You're going to pass
9 a budget. So scrutinize these numbers.

10 I'll give you one quick example.
11 It's a minor example but it is an example
12 nonetheless. The Nassau County Comptroller's
13 Office did an audit this year of one
14 department that I believe is going to be
15 presenting a budget tonight, Consumer
16 Affairs. I believe Consumer Affairs was
17 scheduled tonight. That's why I chose them.
18 However, the audit said Consumers Affairs
19 needs to hire more people because they are
20 generating way too little revenue. They have
21 the potential to generate much more revenue.

22 So what do they do? They're in
23 here with Consumer Affairs showing a much
24 lower number. I just had it. Showing like 17
25 less employees than already was proposed last

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2 year. So, instead of taking the comptroller's
3 advice and going forward, and that's one
4 department and a very small department,
5 believe me, we've got bigger departments that
6 are drowning here.

7 We get it. We know. We've been
8 listening to how we have no money. It's
9 funny. We have no money but let me show you a
10 little graph that we're going to make it nice
11 and big the next time we come. It's going to
12 be as big as me. I want to show this to
13 everybody.

14 This graph shows the last five
15 years how much contract services have gone
16 up. They have gone up \$70 million. 70
17 million in private contracts out there, while
18 our workforce has gone down almost 2,000.
19 We're ripping off the residents of this county
20 by allowing this. I'm not saying you're doing
21 it. I think each county executive and their
22 administration has a different way of handling
23 the financial distress. But this is not the
24 way to do it. Kicking the can down the road
25 and calling an emergency contractor at the

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2 last minute has proven to be not very cost
3 savings. It cost us more money.

4 I just ask you to be careful. Look
5 at it. I thank you for your time. Have a
6 great meeting and we will be back when we have
7 more numbers for you. We ask you to keep
8 attention to that. Thank you so much for the
9 time.

10 LEGISLATOR NICOLELLO: Thank you
11 Jerry. We appreciate your comments. That is
12 the last slip that I have, and I would like to
13 welcome all of you to our hearing tonight.
14 This will be the first of three hearings that
15 will be held on the proposed budget for fiscal
16 year 2019. Our process for review of the
17 budget will begin with the presentation by the
18 budget director. In an effort to accommodate
19 the county comptroller, we will hear from him
20 at our second hearing which is scheduled for
21 October 12th at 1 p.m.

22 This hearing will concentrate on
23 the overall budget and then we also
24 concentrate on social services and human
25 services. Any member of the legislature has

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2 questions or areas of concern with respect to
3 traffic and parking and the Department of
4 Consumer Affairs, those departments are also
5 here to address those concerns.

6 Now I ask Mr. Persich to begin his
7 presentation.

8 MR. PERSICH: Good evening
9 Presiding Officer, Minority Leader, all
10 legislators. My name is Andy Persich. I'm
11 the budget director for Nassau County. I'm
12 here with one of my deputies, Irfan Qureshi.
13 I'm here to present the county executive's
14 first budget, the 2019 budget.

15 With that, I would like to thank my
16 staff and my team for putting this budget
17 together. It was a challenge this year.
18 First time doing it for me but I've been
19 around doing a few of them. But I want to
20 thank them. They worked hard. They put good
21 product together. It's one of those items
22 when you put together you get happy when it's
23 done and then you got to defend it. So, it's
24 one of those processes that I've been doing it
25 for a lot of years. As soon as we bring it

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2 down to the clerk and get it clerked in you
3 feel great about it and then we start all over
4 again.

5 But on behalf of my team they put a
6 good hard effort into this budget. I think
7 it's a pretty solid budget. Of course with
8 every budget it's very dynamic and will change
9 as everything else changes in the world. I'm
10 going to get started and I will answer your
11 questions when I'm done with my presentation.

12 So the 2019 budget has a no tax
13 increase budget for general operations. It
14 includes funding for the county-wide
15 reassessment. It pays for debt service for
16 prior administrations.

17 LEGISLATOR NICOLELLO:

18 Mr. Persich, quick question. I know the power
19 point is up on the display. Did you bring
20 paper copies or no?

21 MR. PERSICH: I have a couple of
22 copies. If you want them I can give you them
23 at the end if you want.

24 LEGISLATOR NICOLELLO: Go ahead.

25 MR. PERSICH: I know it's hard to

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2 read and I know every time I do this I should
3 know better.

4 We have an investment in the crime
5 lab. We are doing some better business
6 processing. We've funded 758 positions. It's
7 up 108 from last year. As you're aware, the
8 new capital budget will be coming around
9 again, but we do put a lot of emphasis into
10 the new capital budget. Which the tax cert
11 issue has eaten away some of the debt service
12 but I think we are heading into a path that's
13 going to make the infrastructure of the county
14 better. So.

15 The major revenue sources of the
16 county, which is an interesting slide when you
17 look at this, we don't get a lot of help from
18 state and federal aid when we do this. If you
19 look at the slide here it shows 88 percent of
20 the county revenue is derived from four major
21 categories. Which is sales tax, property tax,
22 departmental revenue and other revenues. But
23 that's where most of the money comes from to
24 pay for most of the stuff we have here. And
25 expenses continue to rise as time goes on.

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2 We are limited in the amount of
3 resources we can use to raise money but these
4 are the major pieces that we have as far as
5 components of revenue.

6 The breakdown of the \$3.5 billion
7 number one is sales tax. Which is the largest
8 component of this budget. We have it growing
9 at about 2.5 percent over the projected
10 amount. The economy is strong. We hope it
11 continues. It's always a risk. The economy
12 seems to be trending upward. We hope it stays
13 that way.

14 The second component is property
15 taxes. We do get some fees and there's some
16 interdepartmental revenues that we charge back
17 and forth. Other, federal aid and state aid
18 make another portion of the \$3.5 billion. As
19 you can see, the two largest components are
20 sales tax and property tax.

21 The major increases. This year the
22 state aid increased mostly because of the new
23 initiative that's being done by New York State
24 as far as Diversion and the Raise the Age
25 initiative. That accounts for about \$5.4

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2 million in new state aid. There's some STOWA
3 money coming in for buses and a few other
4 areas that are making the state aid number
5 go.

6 Federal aid too. The Medicaid
7 reimbursement number is going up. Fines are
8 increasing. Not a fee increase. I want to be
9 clear. We see fines going up just based on
10 volume.

11 And a couple of initiatives. Boot
12 and tow and increased red light camera
13 volume.

14 In addition, we see some recoveries
15 going up. But the two biggest ones I wanted
16 to mention are correctional Medicaid
17 reimbursement. We are working on an
18 initiative with the hospital to try and manage
19 some of the patient care when they go over to
20 the hospital and get reimbursement of some of
21 the Medicaid dollars that are available when a
22 prisoner is taken over there. So, working
23 closely with the hospital to help shed some of
24 the cost of the contract that goes along with
25 it.

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2 The county attorney's office is
3 going to be actively pursuing subrogation
4 recoveries mostly in the motor vehicle arena
5 but there are some other areas they can do
6 that through some affirmative litigation
7 actions and everything else. So, we are
8 hoping to get another \$2 million out of that.

9 Our expenses. This slide is pretty
10 self-explanatory. 50 percent of our expenses
11 are due to employees. It's the largest
12 component of most governmental agencies. We
13 are in the service business. We have to
14 deliver services and it's not cheap to do
15 that. Our fringes keep going up. It's not
16 easy to manage when these costs keep going
17 up.

18 If you look at the other component
19 it's debt service, which is almost 13 percent
20 of the budget. That's the other largest
21 component. And the direct assistance, which
22 is mostly the social service and health and
23 human services arena.

24 We try to manage as best we can all
25 these expenses and we look for ways to say

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2 money. And I will tell you this, sitting in
3 this position, every day something new comes
4 up that can save money with. Whether it be
5 from \$100 to 1,000 I'll tell you you'd be
6 surprised. But we try and manage with the
7 departments as best we can with expenses, head
8 count and everything else.

9 This slide I'm sure you're aware
10 shows the variances in most of every
11 department in the budget year over year from
12 the projection. My department went down \$24
13 million I want to make that point right now.
14 But that's because of a judgement and claim
15 that went through us. But total expenses rose
16 by about \$115 million.

17 That's just an across the board for
18 many different items. A lot of it was for
19 Raise the Age, the reassessment issue. So,
20 control of expenses as we term them, which is
21 the nonmandated piece, went up by almost 1.8
22 percent of \$64 million. That's largely due to
23 the reassessment effort, to Raise the Age.
24 Some electronic monitoring of probationers.

25 The other large component was in

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2 the police department. It was \$31 million for
3 steps, retiree benefits, civilian positions,
4 two new police classes, some promotions and
5 worker's comp is going up a little bit in the
6 area.

7 This one is the mandated expenses
8 that we really have no control over.

9 Our debt service is going up by \$20
10 million. This includes funding of the tax
11 cert backlog of about two million next year
12 and 100 million this year.

13 Fringe benefits. Health insurance
14 and pension costs keep rising. I wish there
15 was something we could do about that. But the
16 uncertainty with the new changes in the health
17 care law we really don't know the affect of
18 that. So, we are hoping it's going to have
19 limited impact in '19. But in the future
20 years it could have significant impact.

21 We have budgeted \$30 million in tax
22 cert for next year. \$30 million in judgements
23 and claims. We have two police classes. Two
24 correction classes. They are half year funded
25 because of the timing of them. We plan on

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2 funding two classes for each of them.

3 We have restored what we took out
4 in '18, which mostly was the buses. That did
5 increase a little bit due to contractual
6 obligations we had with NICE. So that went up
7 about 2.5 percent. But there was a
8 corresponding STOWA adjustment that went along
9 with it. We have funded the youth agencies
10 and anything that was taken out as a result of
11 the modifications of last year.

12 Other initiatives. The Hub, as you
13 are well aware, it's a big project that will
14 be coming around. That will help the economy
15 in many ways. Somewhere or another it will
16 flip it down to sales tax. When we get people
17 doing a lot of construction work it generates
18 a lot of activity in the local businesses.
19 The places to buy food. The food service
20 business. The gasoline. You got more people
21 coming into the county. It helps raise the
22 sales tax number. It helps the economy in
23 general.

24 We are funding the crime lab,
25 substance abuse, shared services and back to

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2 the business improvement profit. Getting
3 vendors in here wanting to do business with us
4 again.

5 That's the 2019 budget in a
6 nutshell. Having done it for a lot of years
7 it's not an exciting budget. It funds what we
8 need. It takes care of a lot of positions
9 that need to be funded. It takes care of a
10 lot of needs that departments needed. It's
11 primarily funded through new revenue streams
12 that just because of economic conditions that
13 are making the revenues go up. So we are
14 paying for it. Of course we will look for
15 ways to save money. Of course we're going to
16 continue to look for new revenue streams.
17 Maybe we'll get some more state and federal
18 aid at some point. But on a budgetary
19 budget-to-budget basis and year over year it's
20 a pretty solid but not very exciting with a
21 lot of movement in there is what I would say.
22 I'm open to your questions now.

23 LEGISLATOR NICOLELLO: Thank you
24 Andy. I want to focus a little bit on the
25 sales tax estimates in the budget. I see that

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2 you have a projection of 2.5 percent increase
3 in 2018, and I think the number that we're
4 looking at to date is 4.9 percent growth in
5 sales tax.

6 MR. PERSICH: Correct, where
7 we're at right now is 4.9. But conservatively
8 I would say that 2.5 is achievable. I
9 wouldn't go much higher than that at this
10 point. I think it gets too risky. We can't
11 stay at five percent. You talk to economists
12 and they'll tell you the doom is coming. When
13 it is I don't know. If that number decreases
14 or we go too high and we fund other things we
15 will be cutting the budget a lot.

16 LEGISLATOR NICOLELLO: What is
17 the baseline that you're using? Is it the
18 increase that was projected in the 2018
19 budget? Is it a NIFA number? What is the
20 base.

21 MR. PERSICH: We using the base
22 on what we projected in the June projection.
23 It's going off of that number. Year over year
24 it looks like it's up almost three point
25 something, 3.7 percent budget to budget. But

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2 we are basing it off the projected numbers
3 that are coming out now. Suffolk's number was
4 a little bit more aggressive. I think it was
5 three five or three nine. But we are falling
6 within range. It's not an aggressive number
7 in my eyes at this point. But that's the
8 number we live and die by. If it drops, some
9 of you have been here enough to know, once it
10 goes down we have to make an adjustment very
11 quickly to that.

12 LEGISLATOR NICOLELLO: Just
13 another area to cover is this. What Mr.
14 Laricchuita brought up in terms of the vacant
15 but funded positions. I think with 2018
16 budget 288 positions and with the 171 you
17 added in this budget you're looking at a total
18 of 459 with a dollar value of \$28 million. Is
19 there a plan to fill those positions?

20 MR. PERSICH: Like everything
21 else, we fund positions and then we evaluate
22 what our needs are at every different point.
23 I mean, they're budgeted. When you budget
24 them you are participating on filling them.
25 Otherwise I wouldn't be putting these revenues

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2 in the way I am.

3 Our workforce is down
4 significantly. We funded areas that -- every
5 county executive has different initiatives
6 here and we put 108 new positions in the
7 Assessment Department that are predominantly
8 CSEA. Are there some areas for adjustment?
9 Sure. With every budget, like I said, it's
10 dynamic. It changes every time. I think the
11 primary focus of this budget was to get the
12 reassessment project up and running and we
13 funded it amply to get it done. Also, I think
14 there are other areas that we focused on. But
15 it changes all the time legislators is what I
16 can tell you.

17 LEGISLATOR NICOLELLO: Is it
18 realistic to believe that you can fill those
19 positions or the vast majority considering the
20 time it takes to hire employees, the civil
21 service requirements et cetera, et cetera?

22 MR. PERSICH: Hiring somebody
23 especially in a governmental agency takes a
24 long period of time. Look, if the button was
25 pushed and could happen instantaneously it

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2 would be great but there's a lot of civil
3 service regulations, there's a lot of
4 background checks that need to be done. It
5 does takes time to hire people. From the time
6 the approval of what I would say is the
7 request for personnel hire happens it does
8 take a long time for somebody to get
9 physically on board.

10 We funded these positions
11 anticipating that they would be filled. But
12 when they would be filled -- departments need
13 change as the world changes. Look, we're
14 doing an initiative that diverts youths from
15 the jail into the juvenile detention center.
16 It means that we have to have less people in
17 different areas that we have to adjust to.
18 That could change too with new state mandates.

19 LEGISLATOR NICOLELLO: I'm going
20 to turn things over to Legislator Ford.

21 LEGISLATOR FORD: Thank you very
22 much. Let's continue with this 459 funded
23 vacant positions for \$28 million. And you
24 said that you just recently hired 108 people
25 in assessment?

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2 MR. PERSICH: No. We budgeted
3 108. We didn't hire them yet.

4 LEGISLATOR FORD: Are they are
5 included in the 459 funded vacant?

6 MR. PERSICH: Yes.

7 LEGISLATOR FORD: For the
8 assessment we budgeted for them. How many
9 people do you know that we've hired so far?

10 MR. PERSICH: To date, we are in
11 the process of hiring up. He's got a list of
12 people. I want to say that he's looking at
13 like 33 to come on board soon, which is a part
14 of it. As far as what we've hired up so far
15 it's slow moving. But they are funded to be
16 in the budget.

17 LEGISLATOR FORD: I understand
18 with CSEA and civil service requirements, but
19 a lot of these jobs the requirements really
20 haven't changed that much over the years. So
21 we already know what is required. A lot of
22 times you can go and look to see what tests
23 are being given and what the requirements are
24 and whether or not Nassau County or Suffolk or
25 New York City a lot of times the job

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2 requirements basically are the same.

3 So, my concern would be, are we
4 doing enough to really take a look at these
5 titles and to like advertise and make sure
6 that we're getting the message out? I know
7 for a fact, like I see that you are increasing
8 the police and correction officers. So you
9 currently have a class in for corrections?

10 MR. PERSICH: One just graduated
11 the other day and I think they're recruiting
12 for the next one. With that topic too, the
13 process with civil service is different. We
14 canvass a list, you know what I mean? Because
15 the pay scale is a little different. Some of
16 the special districts pay higher. So we may
17 think we have the ideal candidate and our pay
18 scale is low because they can get at a school
19 district more money at a school district.
20 That prohibits us from filling positions at
21 some point.

22 The structured civil service is a
23 little unique in the sense that if you have a
24 clerk maybe you need to upgrade the position
25 to administrative assistant that can do more

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2 duties with a higher pay scale. Using that as
3 an example. That's one of the things we look
4 like to change as far as the budget. You know
5 what I mean? As far as what positions are
6 right fit for different job descriptions.

7 LEGISLATOR FORD: I would
8 recommend doing that because then we would be
9 able to bring more people in.

10 What about the AMTs? When we look
11 at this we know that we are down. From what I
12 understand, we had been promised that we were
13 going to get eight new ones, that I think four
14 went for their agility test two weeks ago.
15 Are they funded and are they coming on board?

16 MR. PERSICH: I literally just
17 released ten the other day to come on board.
18 I know they were anxious to try to get them on
19 board. We're not withholding people. During
20 the budget process is a slow process I can't
21 have a moving target.

22 LEGISLATOR FORD: But then the
23 funding is there for ten AMTs, correct? So
24 that if they go out and find ten people that
25 want this job they will be able to hire them,

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2 put them through the rigors and get them on
3 board as soon as possible, right? I guess are
4 you going to be here for public safety?

5 MR. PERSICH: I'm sure I will be.

6 LEGISLATOR FORD: I hope you will
7 because I am concerned that if it is a typo
8 but the fact to hear that we're going to be
9 down 100 school crossing guards and 80 public
10 safety officers. Administrators is a big
11 concern of mine.

12 Also then we talk about Consumer
13 Affairs. They do an excellent job. They've
14 been very responsive. Greg has put his heart
15 and soul into helping a lot of people that
16 have been impacted by Sandy. I just don't
17 understand. We all know that we need more
18 people in Consumer Affairs. The jobs that
19 they do can bring in revenue. A lot of times
20 whatever they get paid they bring in more than
21 what their salary and their benefits are. So
22 I don't know anyone can justify going from 31
23 full-time CSEA people down to 26.

24 MR. PERSICH: I would defer to
25 Mr. May on that one. Because there was a

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2 merger of the two departments into TLC. I
3 don't have the numbers that you are referring
4 to so I don't want to comment on that. You
5 have to keep in mind that we merged TLC with
6 Consumer Affairs.

7 LEGISLATOR FORD: Then you would
8 think you would need more people.

9 MR. PERSICH: The dynamic of the
10 world has changed too with Uber and the taxi
11 and limousine service. I don't want to talk
12 for him.

13 LEGISLATOR FORD: Even with that,
14 we still have cabs that do operate in Nassau
15 County. We still need more people and we are
16 down. That is my biggest complaint. And
17 probably if you wanted to be -- if you're
18 really bored one night and you can't fall
19 asleep and you want to, just go back to all
20 the budget hearings we had and you're going to
21 hear me say the same thing since the day I
22 have been in office. That we do not have
23 enough people.

24 My last I guess would be in regard
25 to the Board of Elections. And I guess you

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2 went through their budget with them. And I'm
3 a little confused as to why they are looking
4 for an increase of a million dollars.

5 MR. PERSICH: I think their
6 budget in 2018 was rather low.

7 LEGISLATOR FORD: I thought we
8 gave them extra money in 2018.

9 MR. PERSICH: No. With the NIFA
10 cuts that came in at the end they went down a
11 little bit. The other thing too, the cost of
12 doing business in the Board of Elections is
13 getting a little bit more expensive. We went
14 through this budget with a very, very deep
15 microscope, looked at this, and this is what
16 they need to function. It looks large on
17 paper, but in order for them to operate
18 there's transportation costs, all these
19 special elections that they have. The school
20 districts. All these special district
21 elections that they have to administer.

22 LEGISLATOR FORD: They help in
23 them, they don't always administer, right?

24 MR. PERSICH: They have to use
25 the machines now. By state law they have to

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2 use the new machines. It becomes a cost for
3 them.

4 LEGISLATOR FORD: I see ordinance
5 people went up by three. But you took CSEA
6 people down. Then we're looking at, I don't
7 understand, like you have on the on board head
8 count of 2018 but you don't have them in the
9 2019 proposed budget. The seasonal people.

10 MR. PERSICH: Those are the
11 election inspectors.

12 LEGISLATOR FORD: Right. So you
13 don't include them in the budget?

14 MR. PERSICH: This is based on
15 the needs they have. Seasonal budgets they
16 vary all the time. The dollars are there to
17 fund them. They may not have the correct
18 amount of bodies. That's the best way I can
19 describe it.

20 Look, this budget is open to
21 changes and everything else, but this is what
22 they came in and asked me for. When I
23 reviewed it we did put the scissors to the
24 budget. I hate to say that. We cut it down
25 significantly.

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2 LEGISLATOR FORD: But sometimes
3 when you put the scissors to the budget the
4 people you cut out are the people we need
5 most. That's like the workers. To hear about
6 the school crossing guards. Not enough
7 people. Probably need more fire marshals. We
8 need more people everywhere and we're just not
9 realizing this.

10 We're going to take away 108. So
11 let's say 350 are vacant funded positions,
12 that means there's money there to hire
13 people. I'm perplexed as to why we're not
14 bringing them on. I agree with Jerry
15 Laricchuita that we see some things that we're
16 failing. They're doing the best they can and
17 these people are really breaking their backs
18 to deliver the best possible service to Nassau
19 County. And they constantly -- when people
20 want their grass cut. They want this. They
21 want that. And these people have to keep
22 going out. They have to keep answering and
23 they have to maintain their composure dealing
24 with people that are angry with them because
25 this isn't working, that's not working.

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2 I think of the people that work in
3 social services. We can do better with more
4 and they don't cost a lot. These workers do
5 not really impact the budget that much, and
6 I'm hoping that everybody will all work
7 together and try to bring the workers back to
8 the county so Nassau County works better.
9 Thank you.

10 LEGISLATOR NICOLELLO: Andy, I
11 just want to note for the record that
12 Legislator Muscarella gave up tickets to the
13 Yankees game to be here.

14 MR. PERSICH: I'm a Mets fan.
15 Thanks for attending. It's riveting I know.

16 LEGISLATOR NICOLELLO: Deputy
17 Presiding Officer Kopel.

18 LEGISLATOR KOPEL: Just one
19 item. The deferment for pensions. Can you
20 speak to that at this point?

21 MR. PERSICH: We haven't gotten
22 the bill in for this year yet for next year.
23 We paid the bill for this year. I don't have
24 the exact number.

25 LEGISLATOR KOPEL: You paid

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2 the --

3 MR. PERSICH: Previous year's
4 bill.

5 LEGISLATOR KOPEL: Previous
6 year's bill in full?

7 MR. PERSICH: We didn't pay it in
8 full. We paid it with a deferment in there.
9 I can get you the number Legislator.

10 LEGISLATOR KOPEL: What's the
11 outlook on that?

12 MR. PERSICH: We have it
13 increasing. Our pension cost going up a
14 little bit. The economic conditions -- it's
15 based on salaries, the pension costs. So when
16 it goes up our costs go up. I will get you
17 the deferment amount. I don't have it off the
18 top of my head.

19 LEGISLATOR KOPEL: That's fair
20 enough. But I think it was 13 point some odd
21 million if I recall correctly.

22 MR. PERSICH: Close to that
23 number.

24 LEGISLATOR KOPEL: Do you also
25 know the cumulative amount?

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2 MR. PERSICH: I can get that for
3 you. It's reported in the financial
4 statements.

5 LEGISLATOR KOPEL: Because we are
6 kind of digging for ourselves, aren't we?

7 MR. PERSICH: Agreed. But to pay
8 that bill upfront is very expensive. When
9 they offered it I know a lot of municipalities
10 opted into amortize it.

11 LEGISLATOR KOPEL: A lot of
12 municipalities are not in the same predicament
13 as that we are in.

14 MR. PERSICH: Without a doubt. I
15 do know some other places that have done it.
16 They offered it to you, you're paying them
17 four or five percent or whatever the number
18 is.

19 LEGISLATOR KOPEL: Four or five
20 percent is what the coupon rate is on that?

21 MR. PERSICH: I think that's what
22 the rate is that the state offers.

23 LEGISLATOR KOPEL: Is that
24 scheduled to end as I understand?

25 MR. PERSICH: I think after every

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2 five years it cycles out. You either opt back
3 in if they still offer the program.

4 LEGISLATOR KOPEL: That's in your
5 five year projections, that repayment of
6 that?

7 MR. PERSICH: Yes. It's
8 amortized out in the multiyear plan. Meaning
9 we are taking a deferment.

10 LEGISLATOR KOPEL: Our borrowing
11 costs aren't they less than that four, five
12 percent?

13 MR. PERSICH: We have looked to
14 do something I remember last year when I was
15 here but the state comptroller I don't know if
16 they allow you to bond for pension costs like
17 that.

18 LEGISLATOR KOPEL: Even if it
19 costs less money?

20 MR. PERSICH: I remember when I
21 was here we were looking to do some type of
22 buyout of the pension costs because we were
23 going to save money on the amortization, but
24 the state comptroller didn't allow us to do it
25 for obvious reasons.

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2 LEGISLATOR KOPEL: Why?

3 MR. PERSICH: They're getting the
4 five percent instead of us bonding costs out.
5 The benefit's to them. They're getting a
6 piece of the five percent.

7 LEGISLATOR KOPEL: There's
8 literally no prepayment?

9 MR. PERSICH: You prepay it early
10 in the year, like you pay it in December I
11 think it's a five percent discount for the
12 previous year. We always pay it in December
13 so we get a five percent discount on it.

14 LEGISLATOR KOPEL: The
15 outstanding amount there is no prepayment on
16 that?

17 MR. PERSICH: No. I don't think
18 there's a prepayment penalty on it if that's
19 what you're asking.

20 LEGISLATOR KOPEL: There's no
21 prepayment penalty?

22 MR. PERSICH: No. We could go to
23 them and pay it off in one fell swoop if we
24 wanted to. If we had the cash on hand we
25 could actually physically pay them off and not

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2 have that amortization.

3 LEGISLATOR KOPEL: My question is
4 why not borrow it?

5 MR. PERSICH: I don't think we
6 can. That's the problem.

7 LEGISLATOR KOPEL: NIFA wouldn't
8 allow that? Even if it's saving money?

9 MR. PERSICH: Local finance law
10 doesn't allow us to do that. I don't think we
11 can borrow that money to do it. I will
12 defer -- I will get an opinion from Connell on
13 why we can't but I remember there was some
14 discussion last year on doing a deal like
15 that.

16 LEGISLATOR KOPEL: Fair enough.
17 Thank you.

18 LEGISLATOR NICOLELLO: We have
19 Legislator Schaefer followed by Minority
20 Leader Abrahams and then Legislator Bynoe.

21 LEGISLATOR SCHAEFER: Hi. How
22 are you? I just have one question really at
23 the moment. You had under other initiatives
24 investment in economic development the Hub and
25 Belmont. To what extent is are we -- I read

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2 that as we're spending money for Belmont. But
3 isn't that state property? Is that something
4 that we are going to be investing in?

5 MR. PERSICH: We are not putting
6 money into the property. What I'm saying is
7 it's an investment in the economic benefit.
8 Meaning that if we do -- if these projects
9 start taking off and they start ramping up I
10 think there will be a benefit to the county
11 residents. Employment goes up. Thusly back
12 to the fact that sales tax will go up. We are
13 not putting money into it unless we are
14 required to match funds or whatever it is.
15 But it's not our investment I would say so.

16 LEGISLATOR SCHAEFER: No
17 conversations about us needing to put money in
18 at this point?

19 MR. PERSICH: Not that I'm aware
20 of.

21 LEGISLATOR SCHAEFER: That's
22 all. Thank you.

23 LEGISLATOR NICOLELLO: Minority
24 Leader Abrahams.

25 LEGISLATOR ABRAHAMS: Thank you

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2 Presiding Officer. I'll be brief. First
3 thing, and I know we are going to have public
4 safety up at some point, not tonight, but
5 obviously at some point during the budget
6 hearings. I do have concerns regarding the
7 level of staffing for public safety officers.

8 A couple of meetings ago I brought
9 up obviously the heightened amount of criminal
10 activity that's occurring in our parks and our
11 preserves. Things that we're seeing. People
12 that are seeing things on television as well
13 as about reading in the paper. I would like
14 to see an increase in public safety officers.

15 Can you just note for the record
16 what the starting public safety officer makes,
17 if you know? A general idea. Because we
18 would be pursuing amendments in that degree.

19 MR. PERSICH: Can I get back to
20 you? I don't have the number off the top of
21 my head. I want to think it's in the 30s or
22 40s. But I don't know that to be a fact. I
23 will get back to you on that.

24 LEGISLATOR ABRAHAMS: I think
25 it's vital to be able to try to incorporate

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2 that into the budget.

3 MR. PERSICH: I will say with
4 every budget there are some technical changes,
5 adjustments that have to be made. We will be
6 making certain ones.

7 LEGISLATOR ABRAHAMS: The next
8 question I wanted to ask you about is --
9 trying to make sure I find my page here as it
10 pertains to the multiyear financial plan. I
11 lost my page. I apologize. Andy, the sales
12 tax growth that we budgeted for this year was
13 based on what percentage again I saw in your
14 presentation?

15 MR. PERSICH: 2.5 over the
16 projected amount in June. I think in the out
17 years --

18 LEGISLATOR ABRAHAMS: That's what
19 I was going to ask you in the out years you --

20 MR. PERSICH: Two percent is what
21 we used as the baseline inflator. Grows by
22 two percent annually after number.

23 LEGISLATOR ABRAHAMS: For 2018
24 what are we projected to bring in in terms of
25 actual growth?

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2 MR. PERSICH: We're currently at
3 four nine. But there's the deferral piece
4 that we can't account for the goes to the
5 towns that's offset by the property tax. So,
6 our take is going up a little bit this time, I
7 mean the county portion of it. We're probably
8 going to be around I want to say like 2.5 we
9 are up.

10 LEGISLATOR ABRAHAMS: 2.5 for the
11 out years?

12 MR. PERSICH: Two five for the
13 from '20, '21, '22. It's two five in '19.
14 And what we are taking in this year we are
15 projecting it 4.9. But we can't recognize the
16 full 4.9 because of the deferral piece that's
17 going into the towns and villages that we have
18 to portion out. We are going to recognize a
19 \$13 million increase in sales increase.

20 LEGISLATOR ABRAHAMS: The twos in
21 the out years is that cumulative?

22 MR. PERSICH: It's cumulative --

23 LEGISLATOR ABRAHAMS: -- From the
24 base of 2.5.

25 MR. PERSICH: Yeah. What we are

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2 taking in from our take this year is roughly
3 going to be about 13 or 14 million higher.

4 LEGISLATOR ABRAHAMS: My next
5 question is in regards to the Campanelli and
6 the boot and tow. Should I save that for TPVA
7 or are you prepared to answer that? I'm
8 trying to get a better understanding of the
9 revenue projections.

10 MR. PERSICH: I would defer to
11 them on that then. We are anticipating
12 numbers from the beginning of the year that
13 were going to come out of that. To us I need
14 money. I'm not going to lie. It's revenue.
15 I have things to pay for. Any way I can shake
16 something upside down and get it that's what
17 I'm looking for. They have a better handle on
18 the contract and how it works and the
19 functioning of it.

20 LEGISLATOR ABRAHAMS: Just to
21 stay with the function for a second. Is this
22 something that if it was to be done can it be
23 done in-house?

24 MR. PERSICH: I don't think so.
25 I think it has to be outsourced out to

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2 somebody who has a specialty in collections of
3 this nature. Because I don't think we -- it's
4 a specialty in the collection business.

5 LEGISLATOR ABRAHAMS: It was our
6 understanding that the comptroller had
7 indicated that that was something that the
8 county could do in-house as part of a
9 collections unit.

10 MR. PERSICH: It's a very
11 specialized thing. The problem you have is
12 the county going out and trying to collect
13 money from people it's not a friendly
14 environment. I think they're going to be very
15 resistant to give -- I think the county
16 employee -- people don't get happy when you
17 call up and collect money from them. So I
18 think there might be some resistance. I think
19 it's better to be outsourced.

20 LEGISLATOR ABRAHAMS: I was
21 joking around earlier today with one of our
22 legislators. Isn't the practice now the way
23 they are approaching scofflaws, don't they
24 have a Nassau County some type of notification
25 on the truck already?

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2 MR. PERSICH: I think they do.
3 You're getting into an operational piece. And
4 the other piece I will say this has to do with
5 more of non-owned cars, which I would say
6 leased or financed cars. I don't think we can
7 do it in-house. I would defer to TPVA.

8 LEGISLATOR ABRAHAMS: I see the
9 judge here. I will jump on to it later.
10 That's it. Nothing further.

11 LEGISLATOR NICOLELLO: Legislator
12 Bynoe.

13 LEGISLATOR BYNOE: Thank you
14 Presiding Officer. So when we chatted
15 earlier, I guess a couple of weeks back, we
16 had not received any final numbers from the
17 state on how they were going to support Raise
18 the Age, but I did see some revenue, and I'd
19 like to know how you arrived at that number.

20 MR. PERSICH: We are
21 anticipating -- it's a budget too. We haven't
22 finalized the number even though the
23 initiative was supposed to take place October
24 1st. It's not a reality. We have ongoing
25 conversations and discussions with the state

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2 agency. I forget what it is. Office of
3 Children Services. We put a number in the
4 budget that everybody gave us their numbers
5 that we anticipate that the state is going to
6 fund us dollar for dollar. That's what's in
7 the budget at this point. If it cost me \$5
8 million to fund it I'm going to get \$5 million
9 in state aid. That's subject to change based
10 on the budget we submit to them. The numbers
11 in the budget could fluctuate a little bit.
12 If the state aid -- that would mean the
13 expense side and revenue side would both go
14 down.

15 LEGISLATOR BYNOE: So you receive
16 the formula?

17 MR. PERSICH: Formal grant award
18 which we haven't gotten yet. Then I can do a
19 budget off of that. But this is a preliminary
20 budget based on what the state -- and because
21 our fiscal years are two different times, I
22 put the best guesstimate based on the
23 information I have.

24 LEGISLATOR BYNOE: What was that
25 number again? Was it 5.8?

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2 MR. PERSICH: 5.3. But it's
3 still dynamic. It changes. We all have
4 concerns. The state put these mandates on us
5 and then we want the funding for it. Whether
6 we get dollar for dollar for it that's always
7 a question mark. But we are anticipating as
8 it stands right now that they will fund this
9 initiative dollar for dollar.

10 LEGISLATOR BYNOE: We have
11 something in writing?

12 MR. PERSICH: Some kind of
13 concrete document that I will say before I
14 start putting people on board that they're
15 going to be funding these positions and stuff
16 like that. Until I have a grant award that
17 will be the Bible at that point.

18 LEGISLATOR BYNOE: I'm in full
19 support of Raise the Age, and I would like to
20 see us be able to move it forward. I
21 obviously want to make sure the state is going
22 to provide us what we need.

23 MR. PERSICH: Diversion is a
24 better way of doing it.

25 LEGISLATOR BYNOE: Next question

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2 is about Corrections. Just for clarity, you
3 are on boarding 25 or 25 just came on?

4 MR. PERSICH: 25 came just on.
5 There's no restrictions on me from hiring the
6 next class. It brings down my overtime
7 number.

8 LEGISLATOR BYNOE: Another 25?

9 MR. PERSICH: Another 25 if they
10 can get them through. There's the
11 investigation process, the hiring process
12 takes a while.

13 LEGISLATOR BYNOE: Then we are at
14 50. And I believe it's been stated we are
15 down 100?

16 MR. PERSICH: Correct. But with
17 the diversion programs we may not have as many
18 need for those officers. It's part of the
19 process that we are going through right now.
20 I think what we are looking at next year two
21 classes of 25 for next year's budget.

22 LEGISLATOR BYNOE: I don't know
23 if Raise the Age is going to affect that but
24 nonetheless, the question is have we
25 considered attrition as well? They are saying

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2 they're down 100 now. Have we looked at any
3 projections as to the number of officers that
4 we could potentially lose and are we prepared
5 to on board another class if we need to?

6 MR. PERSICH: As of today there
7 were only 25 officers that retired out of
8 Corrections.

9 LEGISLATOR BYNOE: 25 this year?

10 MR. PERSICH: This year.

11 LEGISLATOR BYNOE: So we've only
12 backfilled the 25 and we're still down 100.

13 MR. PERSICH: Yeah.

14 LEGISLATOR BYNOE: I want to be
15 clear about those numbers.

16 MR. PERSICH: It's something we
17 will relook at. We have two budgeted classes
18 in the 2019 budget.

19 LEGISLATOR BYNOE: There's a
20 whole bunch of different factors that go along
21 with us not having the right number of
22 officers and overtime is only a piece of it.
23 The other is safety and other issues.

24 MR. PERSICH: Agreed.

25 LEGISLATOR BYNOE: I wanted to

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2 ask OTPS spending, what's actually budgeted
3 for or proposed for next year and what was
4 actually budgeted for last year?

5 Don't bother answering it. I can
6 find it in the book apparently. Let's move on
7 to a question I can't find an answer.

8 MR. PERSICH: From the previous
9 year's budget it's increasing by almost \$20
10 million from the adopted budget. But that's
11 because of the restorations and the increases
12 to fund all the programs. As far as the
13 contractual increases for the buses and
14 everything else. So while it looks like it's
15 going up by \$20 million, we've modified the
16 budget to include an additional -- what were
17 the restorations like, ten or \$12 million that
18 we put back in? \$7 million for buses and like
19 1.4 for the youth services.

20 LEGISLATOR BYNOE: Can I find
21 that breakdown?

22 MR. PERSICH: You can find that
23 breakdown. What was taken out of the NIFA
24 budget was restored. So when you look year
25 over year it looks like it's going up

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2 significantly but it's really not.

3 LEGISLATOR BYNOE: Let me move on
4 to I think my final area of questioning. It's
5 going to be in the Office of Minority
6 Affairs. Specifically I want to deal with
7 their staffing level. So, we're only going to
8 add one position to that office?

9 MR. PERSICH: Correct.

10 LEGISLATOR BYNOE: So I, year
11 after year, level the same concerns about the
12 staffing level in that office given the
13 important work that they are tasked to do.
14 And more importantly, their inability to meet
15 the targets. In this budget book it shares
16 that there were some targets and it was 20
17 percent for MWBE to which we met 8.12
18 percent. In the budget book it states that
19 DBEs six percent. We met .57. Service
20 disabled veterans, and this is the first time
21 that I will speak to that because it's
22 included in this book, we were earmarked to
23 try and meet a six percent goal and we hit
24 zero.

25 So I can't help but think that

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2 we're not meeting these benchmarks because
3 we're not staffed appropriately. And I can't
4 even imagine how we would only be adding one
5 position there. And I look through the budget
6 and see several other departments that are on
7 boarding or projected to on board larger
8 numbers. No disrespect to Labor Relations,
9 but they're adding, from what I can see from
10 last year, adding four additional positions.

11 We know that the Office of Minority
12 Affairs has several different requirements
13 that are placed on them and their charge is
14 really to make sure that we're hitting the
15 benchmarks of our funding agencies. Of the
16 state, the federal government. We have
17 Section 3 requirements. All of those things
18 that the governments that provide us funding
19 have said that we have to hit these goals.
20 They want to see us engage at a certain level
21 with these groups. So why wouldn't we have
22 staffed this office appropriately? I'm
23 concerned that we keep doing the same thing
24 year after year after year.

25 MR. PERSICH: Let me just address

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2 that the administration is focused on this
3 issue. I will say that. I will say it's a
4 new leadership over there. I think it's
5 taking a little time to meet the goals and
6 everything else. As far as the staffing
7 needs, if they need we will find a way to fund
8 what they need. This is what they told me
9 currently that they needed. I think at this
10 point this is what the budget has. They have
11 three vacancies there right now.

12 LEGISLATOR BYNOE: I'm telling
13 you this is not acceptable. This has been
14 every year since I've been here. Since 2014
15 this is something that I have looked at, I've
16 spoken to, and I would like to believe the
17 administration, my former colleague who sat on
18 the Office of Minority Affairs along with me,
19 shared the same concerns. I'm surprised to
20 see this budget come down here with that.
21 With it not being funded appropriately. And
22 so we need to address this. Because I don't
23 think we can afford not to in the event that
24 federal government or the state governments
25 come in and say have you hit your benchmarks?

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2 They have the ability to claw back money from
3 us or to penalize us.

4 But more importantly, we are
5 continuing to disenfranchise a group of people
6 that we have a responsibility to try and make
7 sure that they have opportunity to engage. So
8 we need to do something with this. I want to
9 know, the Office of Asian -- I don't know what
10 the full title is -- there's a new office that
11 was established.

12 MR. PERSICH: Not that I'm aware
13 of.

14 LEGISLATOR BYNOE: Yes. Can
15 someone from the administration other than Mr.
16 Persich help me? What the name of that new
17 department established? Mr. Santeramo? Asian
18 Advisory Committee. Do they have a staff?
19 Because I understood that they created this
20 committee and that there was a staffer.

21 MR. PERSICH: It might be an
22 outside the county agency. It's not funded in
23 this budget that I'm aware of.

24 LEGISLATOR BYNOE: If it is
25 funded I want to know where it is that's the

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2 question I would have.

3 MR. PERSICH: I will get back to
4 you on that.

5 LEGISLATOR BYNOE: Definitely
6 would like to know. I need the answer to
7 that. And I also have questions about the
8 Campanelli but I will reserve those until TPVA
9 comes. Thank you.

10 LEGISLATOR NICOLELLO: Legislator
11 DeRiggi-Whitton.

12 LEGISLATOR DERIGGI-WHITTON: I
13 just have two quick questions. In this book
14 on page 116 there's a graph here that shows
15 the property taxes and the amount of revenue
16 that we brought in. Property taxes not sales
17 tax or anything. I'm just wondering why in
18 2015 the actual was so much higher than the
19 next four years?

20 MR. PERSICH: I do believe that
21 this was a rebated amount that was given back
22 by the state in '15 where we levied taxes and
23 came back in the form of a rebate by the
24 state. I will get back to you on that. I
25 stand corrected. It's for the LIPA PILOTS.

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2 LEGISLATOR DERIGGI-WHITTON: Oh
3 my goodness. Really?

4 MR. PERSICH: They came out of the
5 tax levy.

6 LEGISLATOR DERIGGI-WHITTON: I
7 know. We lost that much from LIPA?

8 MR. PERSICH: No. We picked it
9 up in a different area. It's not a property
10 tax. It's a different revenue source. It's
11 moved from point A to point B.

12 LEGISLATOR DERIGGI-WHITTON: My
13 other question, I think you were here earlier
14 when I have my bus load of people come from
15 Port Washington. I'm really hoping that the
16 state, we're meeting with Senator Elaine
17 Phillips, I'm hoping that she will at least
18 match what Tony Durso, the assemblyman,
19 matched. I'm hoping. So it might be
20 somewhere around \$100,000 from the county or
21 maybe even less. It might be something that
22 is reimbursed.

23 MR. PERSICH: That would be an
24 administration policy issue. What is it for?
25 For busing?

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2 LEGISLATOR DERIGGI-WHITTON:

3 We're basically reinstating a bus route that
4 was cut.

5 MR. PERSICH: The buses is funded
6 at the current route system. If there is any
7 modifications there's a whole thing that NICE
8 bus needs to do.

9 LEGISLATOR DERIGGI-WHITTON: They
10 did already.

11 MR. PERSICH: I will get back to
12 you on that. I don't know the routes that are
13 funded.

14 LEGISLATOR DERIGGI-WHITTON: We
15 have it all set. There's a PILOT they are
16 ready to start January 1st.

17 MR. PERSICH: I will talk to DPW.

18 LEGISLATOR DERIGGI-WHITTON: If
19 you could give me an update on that.
20 Otherwise they're coming back on their bus.
21 Thank you.

22 LEGISLATOR NICOLELLO: Legislator
23 Ford has a follow-up.

24 LEGISLATOR FORD: Just to
25 follow-up. Going back to what Legislator

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2 DeRiggi-Whitton had asked about why was it so
3 high, in the \$20 million, that we lost
4 basically that was decreased in the property
5 taxes. 832 million I guess. Where do you
6 show them the PILOT payment?

7 MR. PERSICH: If you go on page
8 96 you will see a spike in PILOT payments.

9 LEGISLATOR FORD: Perfect. Thank
10 you very much.

11 MR. PERSICH: I was confused and
12 I apologize. We took it out of the property
13 tax levy and moved it over to PILOT payments
14 because that was the arrangement as part of
15 the LIPA settlement.

16 LEGISLATOR FORD: Thank you very
17 much.

18 LEGISLATOR NICOLELLO: Anyone
19 else? Legislator Ferretti.

20 LEGISLATOR FERRETTI: Thank you.
21 Mr. Persich, can you clear up something for me
22 on page four of your power point
23 presentation. The third bullet, fines
24 increase 16 million, boat and tow 9 million.
25 Is the \$9 million included in the \$16 million

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2 there? What are the fines being referred to
3 there?

4 MR. PERSICH: The \$9 million is
5 included in the 16 million. So we are
6 anticipating volume increases of the \$7
7 million is what we are anticipating. From red
8 light camera fees and violations.

9 LEGISLATOR FERRETTI: Let's talk
10 about the red light camera fees. Are all the
11 cameras that are permitted under the state
12 authorization in place right now?

13 MR. PERSICH: I do not believe so
14 but I would defer to my friend in TPVA for
15 what's still outstanding as far as to be
16 installed.

17 LEGISLATOR FERRETTI: Is there
18 any planned movement of the existing cameras
19 right now?

20 MR. PERSICH: I would let him
21 answer that question.

22 LEGISLATOR FERRETTI: It looks
23 like there's an estimated \$3.8 million in
24 increased revenue from the red light cameras.

25 MR. PERSICH: That's strictly

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2 based on volume. Could be some news. Could
3 be just violation are up.

4 LEGISLATOR FERRETTI: Generally
5 the theory I would believe is that as the
6 cameras are there the amount of tickets issued
7 should go down.

8 MR. PERSICH: I will let him
9 speak to that. He has more experience.

10 LEGISLATOR FERRETTI: One more
11 question. A public safety fee increase of
12 \$4.7 million.

13 MR. PERSICH: That's based on the
14 number of tickets going up.

15 LEGISLATOR FERRETTI: It's the
16 same thing? That's the fee attached to the
17 red light cameras?

18 MR. PERSICH: Yes. If the fine
19 goes up that goes up with it. And new drivers
20 coming on board too. Like the cell phone
21 business. When you get somebody here with a
22 license they don't think that this camera
23 works. Mom and dad get the ticket.

24 LEGISLATOR FERRETTI: I'll talk
25 to Mr. Rich in a few minutes.

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2 LEGISLATOR NICOLELLO: Any other
3 legislators? Thank you. Just want to make
4 sure we have this budget -- another hearing on
5 Friday the 12th. One of the main focuses will
6 be on the public safety. Make sure there will
7 be someone here to answer questions that might
8 come up as well as the department heads.

9 MR. PERSICH: Absolutely. Thank
10 you.

11 LEGISLATOR NICOLELLO: We have
12 Department of Social Services. Dr. Imhof and
13 Paul Broderick, the deputy commissioner.

14 DR. IMHOF: Good evening
15 Presiding Officer, Minority Leader and members
16 of the legislature. Before we get into the
17 specific financial aspects of our budget we
18 wanted to take a couple of moments and present
19 an overview, an update of the department.

20 The Department of Social Services
21 is committed to strengthening and preserving
22 families by providing financial assistance and
23 services to residents of Nassau County in
24 accordance with state and federal regulations
25 and laws. DSS is dedicated to providing

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2 quality service and maintaining the dignity
3 and respect of those who we serve.

4 The department's responsible for
5 providing to eligible recipients the family
6 assistance safety net, day care employment,
7 Supplemental Nutrition Assistance Program,
8 formerly called food stamps, Medicaid and home
9 energy assistance. Establishing an initial
10 child support obligation of a legally
11 responsible individual through family court.
12 Collecting support payments and enforcing and
13 modifying existing court orders. Protecting
14 children, adults and families by enforcing the
15 mandates of the New York State Social Services
16 Law and providing the department's services
17 without regard to age, race, gender,
18 disability, ethnicity, culture, national
19 origin, religion, sexual orientation or gender
20 identity.

21 These are probably numbers you are
22 all familiar with already. Nassau's
23 population 1.36 million. 436,00 plus
24 households. The per square mile density, the
25 median household income in Nassau County is

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2 currently at \$101,830. The federal poverty
3 level for a family of three is currently at
4 \$20,420. Which is based on the most recent
5 statistics from the Long Island index. 5.8
6 percent of people in Nassau County live below
7 the poverty level and that's eight percent of
8 children living below the poverty level.

9 The unemployment rate is four
10 percent. Crime rate 3.3 times lower than the
11 national average. And the consumer spending
12 index 1.5 times the national average.

13 Overall the number of individuals
14 served has begun to see a gradual decrease
15 since 2014. The highest was in that year for
16 326,877 residents. Currently, the last year,
17 we served a total of 252,790 residents. There
18 has been some decreases in different areas of
19 population for the department. Be happy to
20 provide the specifics at the time of our
21 questions and answers.

22 The department has many, many
23 oversight agencies. We have many masters to
24 whom we are accountable, and I'm not going to
25 go through every single one and name them.

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2 You have them in front of you on the computer
3 and we handed out paper copies of the
4 presentation.

5 Any or all of these agencies can at
6 any time come in and provide information to
7 us, advice and very often audits as well for
8 which we are evaluated and in turn provide
9 corrective action plans.

10 The mandates are quite extensive.
11 The Department of Social Services operates
12 under the laws of the New York State Social
13 Services Law. And currently there are close
14 to 800 different mandates from the departments
15 of the Office of Temporary and Disability
16 Assistance and the Office of Children and
17 Family Services. This does not include
18 several mandates as well from the Department
19 of Health for our Medicaid operation for which
20 we are also accountable. Close to 1,000
21 different state mandates and federal as well
22 with SNAP and Food Stamp Programs for which we
23 are accountable.

24 The department has several direct
25 program areas. I have listed them here for

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2 your information. Many of you are familiar
3 with these. You've called us about these
4 programs and services, especially when
5 constituents in your areas have needed
6 information or particular services from the
7 department.

8 Additional direct program areas
9 that are quite extensive. We have developed
10 many over the years and many of these are also
11 done in cooperation with community-based
12 agencies with whom we have developed very
13 serious and now long-standing relationships.

14 We have liaisons with several
15 external agencies. It's the philosophy of our
16 department that we cannot will not work in a
17 vacuum. We have to work with our community
18 partners and we have many different types of
19 relationships throughout the county and Long
20 Island with several community-based judicial,
21 legal, education, law enforcement agencies.
22 Which in turn enhance the services of the
23 department and give us more opportunity to
24 improve the services we provide to all
25 constituents.

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2 We've developed through the years
3 many partnerships and this also has been a
4 priority of service for the department. And
5 this is just a listing in front of you of the
6 organizations that we have been working with
7 on an on going basis. Certainly over the last
8 12 years since I have been here as
9 commissioner. These are very important
10 partnerships. They enhance the services for
11 the constituents we serve. And furthermore,
12 it gives them an opportunity, our
13 constituents, to receive improved services
14 that we alone cannot provide. We have to work
15 in partnerships with community agencies.

16 Most importantly is that the
17 residents of this county see the presence of
18 government throughout different agencies and
19 organizations. That we're not working in
20 isolation. Not working in a vacuum. That we
21 reach out to our community partners and
22 partnership is a very important concept
23 throughout the department.

24 These are additional partnerships.
25 We have two pages of them here.

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2 Our annualized activities. In 2017
3 we processed 17,500 applications in public
4 assistance. 20,000 applications for
5 Medicaid. 19,000 for SNAP. 4,000 for day
6 care. And 21,000 HEAP benefits. The Heating
7 Assistance Program.

8 We've also been engaged with the
9 state and federal agencies in many, many
10 initiatives. These are initiatives that again
11 further enhance the opportunities for service
12 to our constituents throughout the county.
13 This is a partial listing of the programs.

14 Some of them have actually involved
15 grant support to the department. Many of
16 these programs that we've initiated or
17 supported from the state are now being
18 replicated in programs throughout the state
19 and country as well.

20 Perhaps of all of the programs we
21 have one of them that is of great concern to
22 us is the increasing numbers of the homeless
23 in Nassau County. As of this date, as of
24 yesterday, we have 1,515 homeless individuals
25 in Nassau County. Of that number 700 are

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2 children.

3 As you can see, we have a very
4 wealthy county in many regards. Many aspects
5 of the county are very rich in nature. Yet in
6 our rich county we continue to have a serious
7 problem with homelessness. We have people who
8 have been unable to continue affording their
9 houses. While the unemployment rate has
10 certainly decreased down to four percent, the
11 nature of jobs has changed where the income
12 for many positions are lower than they used to
13 be.

14 People have been unable to afford
15 their homes. The cost of rent in Nassau
16 County is quite high. There is a very serious
17 lack of affordable housing. As a result, we
18 have found more people coming to the
19 department needing housing for their
20 homelessness.

21 We've also begun to see an increase
22 from people out of state who have come to both
23 Nassau and Suffolk come here and are
24 homeless. Based on New York State Social
25 Services Law we must provide housing for

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2 people where they appear in a social service
3 district. We've had to increase or homeless
4 services as well for that population.

5 We currently have many, many areas
6 where we are currently housing people. We are
7 trying to get away from this word shelter. We
8 find the word shelter to be a very derogatory
9 and misleading term. I believe that the very
10 term itself has a way of stigmatizing people.
11 When people think of the word shelter they may
12 think of New York City and gymnasiums with
13 100, 200 cots and crime issues and so on. We
14 want to think of the places where we can place
15 homeless as resource centers. Family resource
16 centers and individual resource centers. We
17 need to wrap services around these
18 individuals, provide more case management and
19 begin to help them move towards transitional
20 and hopefully permanent housing as well.

21 Again, the lack of availability of
22 permanent housing in Nassau County continues
23 as a serious problem.

24 Day care numbers have been pretty
25 consistent through the years. We currently at

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2 the end of last year had 5500 children in day
3 care. We found this to be a very successful
4 program.

5 LEGISLATOR ABRAHAMS:

6 Commissioner, you're fine. If you don't mind
7 while it was freshly being discussed, can you
8 go back to your homeless screen. I see that
9 the numbers of individuals -- first I want to
10 thank you for your presentation by the way. I
11 see the numbers are going up since 2014. One
12 of the concerns that I hear throughout my
13 district quite a bit is it seems to be there
14 are more shelters coming into Legislative
15 District One. I'm willing to say that it's
16 probably Legislative District Two as well.
17 More than we've seen in the past. Homes
18 opening up as shelters. And I'm concerned
19 because it seems that it's not slowing down.
20 It's having an impact. Especially when it's
21 in the middle of residential areas.

22 Do you have a breakdown of the
23 shelters that exist throughout the county,
24 where they are and their locations?

25 DR. IMHOF: Yes, we do. We have

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2 the breakdown. There are some communities
3 where there are more shelters located. I'm
4 going to use the word shelter for the sake of
5 our discussion. More located in certain
6 communities than others. One of the reasons
7 is that many of the residents of those
8 shelters are from the communities where the
9 shelter is located. We seem to have a higher
10 number from a smaller group of communities in
11 Nassau County who are currently homeless or
12 facing homeless.

13 LEGISLATOR ABRAHAMS: That could
14 be the case when it comes to homeless but then
15 some of the shelters they're not all
16 homeless. Some are transitional situations.
17 Some of them are dependency. There are folks
18 from all throughout Nassau County.

19 MR. BRODERICK: We understand
20 that Legislator. The shelters, there are a
21 number of different providers out there that
22 fall outside the scope of DSS. DSS has a
23 mandated responsibility to provide emergency
24 housing. That's what our mission is. That's
25 what we do. We do like to work with the

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2 community-based partners, as the commissioner
3 showed in the presentation, to bring in
4 wraparound resources because we can't do it
5 alone and neither can they. But there are a
6 number I guess community-based agencies, or
7 they call themselves sober homes or shelters
8 that have nothing to do with DSS. They are
9 out there in the community. They're not
10 working with us. Their just doing their own
11 thing. Nor are the licensed. They say a
12 sober home, there is no licensed sober home.

13 LEGISLATOR ABRAHAMS: Are they
14 getting funding from the county?

15 MR. BRODERICK: Not from DSS. I
16 don't believe so.

17 LEGISLATOR ABRAHAMS: Where is
18 their funding coming from? The state?

19 MR. BRODERICK: Could be coming
20 from the state.

21 LEGISLATOR ABRAHAMS: I would
22 love to see your breakdown of any shelters,
23 transitional centers that you have that are in
24 residential communities. Only because I
25 talked to a lot of our constituents and in

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2 Roosevelt alone after my conversations with
3 many of them that there were 18, which seems
4 high, extremely high for one community that's
5 one square mile in size to be taken on. So
6 from that standpoint, I would love to see --
7 can you provide those numbers before we get to
8 the end of the budget season I guess?

9 DR. IMHOF: Absolutely. I will
10 send you the list of the different shelters
11 and their locations. Obviously it must be
12 kept confidential. Cannot leave our
13 discussions. We can provide that for you. As
14 Paul said, there are homes that are working as
15 shelters. The residents who live there may be
16 getting unemployment. They may be getting
17 SSI. They may be getting social security or
18 other benefits that they turn over to these
19 providers of these homes. Many of them are
20 outside the purview of the Department of
21 Social Services. We get calls from time to
22 check on certain resident and we find out
23 they're not even on the social service rolls
24 but they get assistance from the federal
25 government.

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2 MR. BRODERICK: Or in some cases
3 we've had individuals that call up and say I
4 paid money to the landlord. That landlord
5 that they were paying money to they just took
6 over a home. They walked into a zombie home
7 or something and just said they called up
8 LIPA. We've seen in a few instances where
9 people were paying money to the landlord. It
10 wasn't the landlord. They had no legal reason
11 to be collecting money. They weren't our
12 clients. They were just regular residents
13 looking for housing.

14 DR. IMHOF: I think a number of
15 people have also begun to use their homes
16 temporarily as shelters by accepting money
17 from people. Because of the housing crisis
18 people have become kind of taken advantage of
19 the fact that there are individuals who need
20 rooms and home. They are outside the purview
21 of the Department of Social Services. We have
22 a very strict application process and our
23 application process is under the strict
24 management of the New York State Office of
25 Temporary Disability Assistance. We are

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2 audited periodically. We have very stringent
3 regulations that we must follow in terms of
4 homelessness. I will get you the list.

5 LEGISLATOR ABRAHAMS: I don't
6 want to belabor this. I know it's getting
7 late. Almost nine o'clock. But if I can ask
8 you while you get those numbers, the best you
9 can through your department, make a concerted
10 effort to ensure obviously we are not placing
11 pedophiles and sex offenders near schools and
12 parks and playgrounds, even those these
13 shelters are throughout the area. I would
14 like to think that we are making a concerted
15 effort to ensure that we are not placing --
16 those are things that have come up in the
17 past.

18 DR. IMHOF: Besides forwarding
19 the list, I will be glad to meet with you with
20 our housing staff to have opportunities for
21 discussions.

22 LEGISLATOR ABRAHAMS:
23 Absolutely. Robin, make sure we make a
24 connection with the commissioner. Thank you
25 Commissioner.

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2 LEGISLATOR KOPEL: Legislator
3 Rhoads has question. Are we going to get to
4 the budget?

5 DR. IMHOF: In about one minute.
6 This is a quick overview.

7 LEGISLATOR RHOADS: My request is
8 really a question it's just a request to
9 actually provide that same information, if you
10 wouldn't mind, to my office as well and to
11 everyone. Everybody wants it.

12 DR. IMHOF: You all want a copy?
13 We will get it to every legislative office
14 here.

15 Again, I'm going to finish up
16 quickly. The CPS reports have been
17 consistently going down over the past few
18 years except last year there was a rise of
19 approximately 300 additional cases of CPS
20 reports. The county executive has
21 reinvigorated the task force on domestic and
22 family violence and we are preparing a number
23 of recommendations to again address head on
24 the incidents of domestic and family violence
25 in New York. In Nassau County.

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2 Very good numbers. Foster care the
3 numbers have gone down significantly through
4 the years. One of the reasons has been a very
5 innovative program in social services called
6 the Blind Removal Process where evaluations
7 are done regarding potential removals. And as
8 a result of this program fewer and fewer
9 children are being taken away from their
10 primary families and placed in foster care.
11 We've reduce the incidents of referrals of
12 black and Latino children to foster care by
13 over 50 percent. We've developed a model
14 program that is now being used in other
15 counties and the state and beginning to have
16 national notice as well.

17 National Adoption Day is coming up
18 shortly. We invite all the legislators to
19 attend.

20 We just finished our summer food
21 service program and served over 60,000 lunches
22 to children and 2500 kids daily across 30
23 school sites in the county.

24 We just finished a successful
25 summer youth employment program as well.

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2 We've had 14 different county agencies
3 participate in the placement of over 100 kids
4 this summer. This program will be continued
5 next year.

6 Just finally, the good work of our
7 staff could not happen without very dedicated
8 and loyal people to the missions and goals of
9 the department. We were agency of the year
10 last year. Deputy Commissioner Broderick was
11 just named Public Citizen of the Year for all
12 of his outreach work at local communities.
13 Our training director was singled out as
14 training director of the year. Many of our
15 staff have been recognized for their good work
16 in the community.

17 So on that note, we will move on to
18 specific budget questions. Thank you for your
19 attention.

20 LEGISLATOR KOPEL: Do we have any
21 questions? Yes, Minority Leader.

22 LEGISLATOR ABRAHAMS:
23 Commissioner, just a general question about
24 staffing. It appears that your head count
25 seems to be, from what I'm understanding here,

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2 it's decreasing. Your full time number is
3 decreasing. I'm reading this wrong. Supposed
4 to increase by 24. So you are in the process
5 of ramping that up? And your part time is
6 supposed to be increasing from 73 to 93.

7 MR. BRODERICK: On a budget to
8 budget basis or last FY-18 adopted versus the
9 '19 proposed an increase of 24 full time FTEs
10 and 20 -- 24 and then flat on the part
11 timers. I believe the numbers you're looking
12 at, the part timers, the full-time positions
13 on board at 577. Recently we received
14 approval, probably about a week and a half
15 ago, to hire approximately 11 case workers and
16 five support staff. Then in addition to
17 hiring ten additional part time staff. So
18 we're already going up and we're surpassing
19 what we believe to be FY-18 budget or coming
20 up to budget. It is a lengthy process as
21 everyone knows.

22 LEGISLATOR KOPEL: Anyone else?
23 Legislator McKeivitt.

24 LEGISLATOR MCKEVITT: Going on to
25 the staffing issues. Do you project an

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2 increase in staffing your child support
3 enforcement unit to assist the work of that
4 unit?

5 MR. BRODERICK: That's a good
6 question. The state is very particular when
7 hiring child support enforcement staff. It
8 isn't -- recently, last October, they mandated
9 to us have us I guess fuller background
10 investigations on individuals going into that
11 line of work or into that title. Child
12 support investigator. That's primarily
13 because you're dealing with people's W-2s or
14 their financial records. They basically
15 forced us to come up with a policy. So in New
16 York State every single county had to figure
17 out how to do with this. It wasn't only
18 working with Nassau County Police but it's
19 working with the FBI to get a national data
20 base search whether these applicants had
21 anything in their background that would
22 preclude them from being hired. That took us
23 about six months to get figured out.

24 Recently we hired or promoted
25 someone into an assistant director for that

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2 unit. We hired I believe it was six child
3 support investigators and we have some more
4 promotions going on there, including two
5 bilingual staff. So, we are going into the
6 right direction.

7 And I might mention also, they
8 collected approximately \$101 million in pass
9 through payments from noncustodial parents to
10 custodial parents last year.

11 LEGISLATOR MCKEVITT: Thank you.

12 LEGISLATOR KOPEL: Anything
13 further? Yes? Okay.

14 LEGISLATOR BYNOE: Thank you.
15 Hello Dr. Imhof. Quick question about Raise
16 the Age. Is your department going to have
17 some responsibility? Is some of the staffing
18 hires going to be related to Raise the Age?

19 MR. BRODERICK: That primarily is
20 probation is heavily involved as well as
21 Corrections Department and the county
22 attorney's office. We will have a roll but a
23 very minor roll. We have budgeted a few case
24 worker positions in there. But once again, as
25 Andy mentioned, they are ramping this

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2 initiative up. It is funded 100 percent by
3 the state and we are well positioned. We
4 believe we might have to enter into a contract
5 with Mercy first. But right now our oversight
6 agencies are coordinating this. OCFS has been
7 kind of giving obscure guidance to the
8 counties. We will be in a very good position
9 to support that initiative.

10 LEGISLATOR BYNOE: I wouldn't
11 down play your roll. I think your roll is
12 probably single-handedly the most important
13 roll anyone will have in Raise the Age.
14 Because the case management and case social
15 work that will come out of your department
16 will be instrumental in making sure that the
17 young person stays out of trouble and
18 therefore doesn't get swept into the system.
19 Please ramp up and ready to go as soon as you
20 can.

21 MR. BRODERICK: We have a great
22 relationship with the Probation Department and
23 they are ready to go and we are ready to
24 support them. They are in place to support
25 us. A lot of attention is being placed in

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2 this initiative.

3 LEGISLATOR KOPEL: If there are
4 no other questions thank you gentlemen. We
5 also have availability -- are there any
6 legislators who have any questions for Traffic
7 and Parking Violations, TPVA, or Consumer
8 Affairs? Any questions from the legislators
9 for either of those agencies? TPVA.

10 LEGISLATOR ABRAHAMS: You all
11 set?

12 MR. RICH: Yes. David Rich,
13 executive director of Nassau County Traffic
14 and Parking Violations Agency.

15 MS. CLODFELTER: Kristine
16 Clodfelter, counsel at TPVA.

17 LEGISLATOR ABRAHAMS: Good
18 evening. I presented a question to OMB in
19 regards to how the county has determined the
20 revenue projections for the boot and tow as
21 well as the Campanelli components of those
22 revenue projections. If you can just give me
23 an idea on how you were able to calculate, I
24 think it was presented in the budget number,
25 was it \$9 million?

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2 MR. RICH: I believe it was
3 around eight or \$9 million.

4 LEGISLATOR ABRAHAMS: Can you
5 break down the two? Break down the budgets
6 for each one of those components. Then how do
7 you pump up or get to the actual projection
8 numbers.

9 MR. RICH: The \$8 million,
10 unfortunately it wasn't a number that we had
11 put out directly. It was derived between the
12 police department and OMB based on our
13 outstanding collectibles.

14 LEGISLATOR ABRAHAMS: You said
15 OMB?

16 MR. RICH: Yes.

17 LEGISLATOR ABRAHAMS: Where's
18 Andy. Andy left. Andy said it was you guys.
19 TPVA. Then he'll say TPVA again and he won't
20 be here.

21 LEGISLATOR KOPEL: Will you be
22 here next Friday the 12th?

23 MR. RICH: I can make myself
24 available.

25 LEGISLATOR ABRAHAMS:

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2 Mr. Santeramo care to chime in on the numbers
3 how they were calculated?

4 MR. SANTERAMO: Everybody will be
5 in the room Friday at the same time if that
6 makes it easier for everybody.

7 LEGISLATOR ABRAHAMS: I have
8 nothing further.

9 LEGISLATOR KOPEL: Anyone else
10 for this agency? Yes, go on Legislator
11 Ferretti.

12 LEGISLATOR FERRETTI: Good
13 evening, Mr. Rich. The red light camera
14 revenue projections an increase of 3.8
15 million. Can you explain where that revenue
16 will come from?

17 MR. RICH: First off, I heard
18 your question before. You are correct in that
19 as the existing locations are monitored there
20 are decreased violations, and that's the goal
21 of the program. It's about safety. Less
22 people are getting into crashes as well as
23 running red lights. At the same time we are
24 still increasing the number of equipment we
25 have out there. Right now I believe we have

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2 94 intersections which compromises about 285
3 cameras. State legislation allows us to
4 install 100 intersections. And some
5 intersection may only have two cameras, may
6 have three, may have four, may have five.

7 At the same time, since this
8 program has started, since 2009, we are going
9 to evaluate some of the intersections where we
10 have achieved the reduced crash goal and we
11 may seek to relocate some of the existing
12 equipment at other intersections.

13 LEGISLATOR FERRETTI: Is there
14 any plan to move any of these? Did you say
15 there was a plan to move some of the cameras?

16 MR. RICH: We will evaluate but
17 there is not a hard and fast plan.

18 LEGISLATOR FERRETTI: With regard
19 to the boot and tow, has the administration
20 proposed a fee for the boot and tow?

21 MR. RICH: There is an existing
22 fee for the boot and tow now.

23 LEGISLATOR FERRETTI: Isn't that
24 some of that money deferred to the police
25 department? Can you give us a breakdown of

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2 what the fee is for the boot and tow?

3 MR. RICH: For the current boot
4 and tow process the way it works right now
5 there is a \$166 boot fee which the vendor,
6 because the vendor actually provides the
7 boots, the equipment the IT behind it, as well
8 as the staffing to go out and locate the
9 vehicles. There also is an additional \$175
10 boot surcharge and that is deposited into the
11 general fund.

12 LEGISLATOR FERRETTI: Can you
13 comment on the recent story with regard to the
14 erroneous boot and tow in Massapequa to
15 numerous residents where boots were put on
16 their vehicles in error? Can you comment on
17 that?

18 MR. RICH: I can comment but I'm
19 not sure what you received.

20 LEGISLATOR FERRETTI: My
21 understanding is that the county executive
22 apologized for it and said there would be an
23 extensive investigation into what went wrong
24 and what could be done to fix errors like that
25 in the future.

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2 MR. RICH: We did identify --
3 unfortunately Mr. Stachigen's vehicles were
4 booted in error a total of three times. The
5 first time he had made a payment to one of our
6 collection vendors. Due to an interface with
7 accounting for those monies, our system of
8 record, which is the red light camera system
9 in this case, never received that update and I
10 believe he had made the payment sometime in
11 2014, 2015. So, unfortunately it was an
12 error. And when we identified after his
13 vehicle were booted he provide proof. We then
14 researched with the collection vendor to
15 validate that a payment was made to them. But
16 for some reason their system of record was
17 never updated.

18 LEGISLATOR FERRETTI: TPVA is
19 doing this review?

20 MR. RICH: Yes. With the vendors
21 involved.

22 LEGISLATOR FERRETTI: Are there
23 any written findings as to the results of this
24 review?

25 MR. RICH: I can search for

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2 those.

3 LEGISLATOR FERRETTI: Are you
4 aware of any that exist?

5 MR. RICH: It's my feedback and
6 whatever the information that was provided to
7 me. There's not a formal report available.

8 LEGISLATOR FERRETTI: My
9 understanding is that the county executive
10 announced a systematic review of the boot and
11 tow program. What is the systematic review?
12 What exact review is being done in this
13 program?

14 MR. RICH: I would defer that
15 question to the county exec.

16 LEGISLATOR FERRETTI: You are
17 conducting the review, correct?

18 MR. RICH: I conducted the review
19 just for the Mr. Stachigen case.

20 LEGISLATOR FERRETTI: We have Mr.
21 Santeramo here. Maybe he can shed some light
22 on what the systematic review consists of.

23 MR. SANTERAMO: I'm not familiar
24 with any details on the systematic review.

25 LEGISLATOR FERRETTI: Can anyone

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2 confirm if there's a systematic review going
3 on?

4 MR. SANTERAMO: I can't confirm
5 nor deny.

6 LEGISLATOR FERRETTI: Mr. Rich
7 can you confirm that there is a systematic
8 review going on?

9 MR. RICH: The question is when
10 you say it's a systematic review, we've looked
11 at our processes. What County Executive
12 Curran has referenced I'm not sure what the
13 intent or what the scope of that review is.

14 LEGISLATOR FERRETTI: What I'm
15 getting at this is a problem. This isn't
16 something that happened four months ago. This
17 is story that came out on September 21st.
18 It's roughly two weeks, a little less. Was a
19 review conducted where you can say assure this
20 body that issues like this, errors like this
21 will not happen again?

22 MR. RICH: Yes. We have looked
23 into that. What we did is, one of the steps
24 that we took is we looked at every payment
25 file. Every day there is a payment file sent

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2 from our collection vendor to the system of
3 record. We looked and ensured that all files
4 were processed by the system of record.

5 We looked into the case where it
6 seemed to be -- Mr. Stachigen's case we
7 apologized. It was really just a one off and
8 we don't anticipate those errors occurring
9 again. There was just some unique errors
10 involved in that case.

11 LEGISLATOR FERRETTI: The \$8
12 million in revenue that's projected from the
13 boot and tow -- you're shaking your head.
14 What did I get wrong?

15 MR. RICH: I'm waiting for the
16 question.

17 LEGISLATOR FERRETTI: There's \$8
18 million in additional revenue projected for
19 boot and tow, correct?

20 MR. RICH: Which is associated
21 with the Campanelli project, yes.

22 LEGISLATOR FERRETTI: What's the
23 contingency if that is not passed?

24 MR. RICH: I don't believe we
25 have a contingency. We are looking to engage

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2 the services of Mr. Campanelli which we
3 anticipate would generate that revenue.

4 LEGISLATOR FERRETTI: And if that
5 does not pass there's no contingency?

6 MR. RICH: Not that I'm aware
7 of. Not to fill that hole.

8 LEGISLATOR FERRETTI: Thank you.

9 LEGISLATOR KOPEL: Legislator
10 Bynoe.

11 LEGISLATOR BYNOE: Thank you.
12 Hello Mr. Rich.

13 MR. RICH: Good evening.

14 LEGISLATOR BYNOE: Good night.

15 So, along the lines of Legislator Ferretti's
16 questions about the systematic review. So,
17 you can't confirm, according to Mr. Santeramo,
18 he can't confirm or deny a systematic review
19 but we really should be doing one. It wasn't
20 an isolated situation. Two people around the
21 same time period being booted.

22 MR. RICH: That's actually
23 incorrect. The other individual was correctly
24 booted. She stated she wasn't but she had
25 outstanding violations that were due TPVA.

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2 There was only one, Mr. Stachigen's case.

3 LEGISLATOR BYNOE: Thanks for
4 clearing that up. It would be a good thing
5 that that systematic review potentially is
6 undertaken just so that we can have a peace of
7 mind. I don't know that we can really
8 consider an expansion of this program if we're
9 not sure that the current program is really
10 working. So that's something that I would be
11 interested in.

12 Let's stay with the boot and tow
13 situation. Just last week we undertook an
14 exercise, I did, just to look and see if there
15 was a way to find out whether a vehicle had
16 any outstanding red light camera tickets. And
17 there is a process for you to put in a plate
18 number and see moving violations I believe and
19 maybe some parking tickets. But there is no
20 mechanism in place for one to go in and plug
21 their tag in to see if there's red light
22 camera tickets. So I believe that it should
23 be easier for someone to search that. It
24 should be as easy as it is for parking tickets
25 or moving tickets for one to determine whether

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2 they have those issues.

3 What I learned you have to do is
4 then call only during business hours and reach
5 someone who can then search that for you and
6 then give you the notice numbers. Or
7 something to that effect. Give you those
8 numbers and then you can go into the system
9 and look at those tickets or perhaps pay for
10 those tickets. So, I'm concerned that we
11 don't have an easier process in place for
12 those red light camera tickets. Am I
13 incorrect in my --

14 MR. RICH: You are correct in
15 your statement. I can give you the technical
16 reasons why we are also working to be able to
17 search all open violations that are returnable
18 to TPVA. So it would show parking violations,
19 traffic violations as well as red light camera
20 violations. Right now because parking and
21 traffic that data set is kept in our system
22 and that's the one where you can currently go
23 in and put a plate number, put your driver's
24 license number and show all open parking and
25 traffic.

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2 The red light camera data is
3 actually kept in our vendor system right now
4 where you would need a specific notice number
5 and a pin number. We are working with both
6 Nassau County IT, with ATS, which is the red
7 light camera vendor, as well as a vendor we
8 plan on engaging into a contract where the
9 public would be able to access all of that
10 information in one-stop shopping. Be able to
11 see all outstanding violations.

12 MS. CLODFELTER: In a simpler
13 way. In the way you are suggesting. It's in
14 the process.

15 LEGISLATOR BYNOE: Again, another
16 thing, we're penalizing people when we
17 actually almost made it some level of a hunt
18 to be able to get the information they need to
19 be able to pay that ticket without that pin
20 number it shouldn't be. They shouldn't have
21 to hunt and actively pursue it to that degree
22 and then we're going to start hooking up
23 people's cars.

24 MS. CLODFELTER: There is a
25 measure of caution also that has to be

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2 exercised and privacy in terms of how much
3 information is accessible.

4 LEGISLATOR BYNOE: Here I go.
5 Because if we're talking about privacy, I
6 think I'm less concerned about a red light
7 ticket that was on my vehicle that anyone
8 could have been driving at the time. But
9 moving violations, which is typically to the
10 driver I would suspect, we're giving that
11 out. We're comfortable giving that out but
12 we're not comfortable about giving out the red
13 light ticket where you're actually going to
14 come up and hook up my car and take it?

15 MS. CLODFELTER: The ease of
16 researching a ticket that you mentioned is in
17 the process and we are working on making it
18 easier.

19 LEGISLATOR BYNOE: The privacy
20 part is a disconnect with me. I will
21 reconcile to that later. I think if we are
22 going to give some information about a vehicle
23 we should give all information and the drivers
24 or the owners of those vehicles should have an
25 ease of doing that before we start expanding

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2 the program where we're going to be taking
3 people's cars or booting people's cars. There
4 should be some ease to them being able to get
5 that information. But let's move on.

6 MR. RICH: If I may I want to
7 back up a little bit. Just so you understand
8 it was more a technology constraint. Because
9 red light camera violations photo enforcement
10 are in this other outside vendor system --

11 LEGISLATOR BYNOE: I understand.

12 MR. RICH: But it's just that
13 it's difficult for us to get them to modify
14 the way data is extracted. When that was put
15 in back in 2009 it was more of security. We
16 didn't want the public going in and saying how
17 many red light camera tickets does my neighbor
18 have? That's why it was specific in that you
19 had a violation number and a pin number.

20 We just recently started providing,
21 within the past couple of years, the ability
22 to look at parking and traffic tickets and
23 doing a much easier search. We just can't
24 modify the red light camera system yet because
25 in all honesty we have pending enhancements

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2 for four years. Not a difficult vendor but
3 it's difficult to get technology changes.

4 LEGISLATOR BYNOE: I understand
5 what you're saying. I hope you understand
6 what I'm saying too.

7 MR. RICH: I totally understand
8 where you're coming from.

9 LEGISLATOR BYNOE: You want to
10 expand the program that could result in people
11 having their cars booted or towed but there is
12 no automated process for them to be able to
13 search and pay tickets without having to call
14 only during business hours and get the notice
15 number and a pin to be able to pay. There's
16 in some way we are impeding their ability to
17 take care of these things at any hour of the
18 day with ease. That's the point that I'm
19 making. Okay.

20 So Campanelli. So, I asked these
21 questions before and maybe now there will be
22 different answers. Where has Campanelli done
23 this before or where is Campanelli getting the
24 idea that we can go after leasing companies
25 and finance companies to pay the tickets for

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2 cars that they have loans on? Where has this
3 happened before? What is this modeled after?

4 MR. RICH: I believe to some
5 extent but it's not him directly they are
6 doing some of this in New York City with the
7 city marshals. But also Mr. Campanelli is
8 experienced with working with the Nassau
9 County Police Department as well as the Nassau
10 County Attorney's Office is working with the
11 DUI asset seizures in understanding the
12 nuances of trying to contact a leaseholder or
13 lienholder so they can reclaim their vehicle.
14 He has that experience and he has those
15 relationships with those leasing companies and
16 financing companies.

17 LEGISLATOR BYNOE: He has
18 relationships with those leasing companies and
19 financing companies to the extent that they
20 say that they would be willing to pay these
21 kind of charges?

22 MR. RICH: I'm not going to speak
23 for Mr. Campanelli, but I believe there is
24 something because he has that familiarity with
25 them and it's something I believe he has

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2 explored with them there is an opportunity
3 there.

4 LEGISLATOR BYNOE: You say that
5 the New York City marshal is utilizing a
6 similar type of process?

7 MR. RICH: That's my
8 understanding. Based on Mr. Campanelli's -- I
9 would have to find the information -- but I
10 believe he referred that this is the type of
11 process that occurs in the city.

12 LEGISLATOR BYNOE: Did we vet
13 that assertion? Did we call New York City and
14 find out how it's working? If it's in fact
15 the same type of initiative that was suggested
16 here for Nassau?

17 MR. RICH: We did not.

18 LEGISLATOR BYNOE: What are we
19 basing the numbers on? All right. Forget
20 it. You said you couldn't tell us. One is
21 saying the other.

22 MR. RICH: I apologize for that.

23 LEGISLATOR BYNOE: Hopefully next
24 Friday we will have been opportunity. But if
25 we haven't reached out to New York City, we

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2 haven't vetted the assertion that this is
3 possible, I'm just going to say for the record
4 I don't know how we could arrive at a number,
5 multimillion dollar revenue number and we
6 don't have any real benchmarks based on
7 reality. I will leave it there for now.
8 Thank you.

9 LEGISLATOR KOPEL: Thank you.
10 Legislator Birnbaum.

11 LEGISLATOR BIRNBAUM: Just a
12 quick follow-up. You said you're in the
13 process of being able to get the data from ATS
14 into our computer system.

15 MR. RICH: Into a new system.

16 LEGISLATOR BIRNBAUM: Do we to
17 modify our contract with ATS so that it's
18 going to cost the county more or are they able
19 to provide this service?

20 MR. RICH: No. When we engaged
21 the services with ATS back in 2009 we had put
22 something that they had, build an enhancement
23 to our new system. So our new system is
24 still -- we've been trying to get this new
25 system since 2004. You should have a contract

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2 coming to you soon from IT for the TPVA
3 replacement system.

4 LEGISLATOR BIRNBAUM: Is this
5 service being added into it? Will it cost the
6 county?

7 MR. RICH: For red light camera
8 no. It's already in the original contract
9 that they have to build an interface with our
10 new. There would be no additional cost to the
11 county for this data from ATS.

12 LEGISLATOR DRUCKER: I just
13 wanted to piggyback on one thing from
14 Legislator Bynoe's comments as well. I
15 practiced in the City of New York too and I've
16 had clients who had their car booted and
17 towed. And as of now I have not heard of any
18 instances where these leasing companies are
19 paying any of these expenses. In fact, all my
20 clients complain about are the exorbitant fees
21 they have to pay to get the car out of the
22 towing yards. That's about it.

23 MS. CLAUFELDER: Under the
24 existing boot and tow program we are already
25 being contacted at TPVA by corporations,

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2 leaseholders and lienholders and inquiring
3 about the debt on the cars. The situation
4 already exists where someone's car is booted
5 and it could be they are not the titled owner
6 and the companies are already inquiring about
7 the debt outstanding in an effort to decide
8 whether or not it's worth it to them to pay
9 it. It's not as abstract a concept as what is
10 being suggested tonight. It's just a matter
11 of how we navigate the response and the
12 process going forward. Because when they're
13 calling in to inquire about it now they're
14 calling in to the same clerks that are picking
15 up the phone to take payment. They're not
16 dealing with someone who is familiar with the
17 process of what the lienholder and
18 leaseholders' rights are vis-a-vis the
19 lessor's.

20 LEGISLATOR DRUCKER: Any time you
21 are dependent upon a lending institution or a
22 leasing company to evaluate whether it's a
23 good business decision for them to pursue the
24 recovery of the vehicle and satisfy the
25 indebtedness associated with that boot and tow

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2 it's an inexact science. I don't know how you
3 can rely upon that in terms of trying to
4 predict a revenue stream.

5 MS. CLAUFELDER: I'm not sure if
6 I understand that question. I'm just making
7 the point that they are already reaching out
8 to us and paying the debt on vehicles in
9 certain instances.

10 LEGISLATOR DRUCKER: But not
11 across the board.

12 MS. CLAUFELDER: In the instances
13 where they become aware that the vehicle is
14 booted and towed and they make the evaluation
15 that it is still profitable for them.

16 LEGISLATOR DRUCKER: That would
17 vary from instance to instance in terms of
18 reaching out and making an evaluation.
19 Talking about the companies themselves. You
20 can't predict that every single leasing
21 company or financial company is going to call
22 and try to arrange for that, right?

23 MS. CLAUFELDER: Of course not.
24 That's why the suggestion is that the
25 Campanelli Law Firm will affirmatively reach

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2 out to these corporations, make them aware
3 they have 25 cars or 250 cars that are boot
4 eligible and do they want to have a
5 negotiation and pay that debt now so that they
6 avoid booting and they avoid towing and they
7 avoid storage costs. The idea is to refine
8 that process and approach it in an affirmative
9 way, in an organized way where we can say
10 listen, this is the situation for Buick or GM
11 or Nissan, do you want to step in and talk
12 about how much is outstanding and make your
13 business decision. Where the way it exists
14 right now it's more a matter of happenstance
15 whether or not they are reaching out to us.

16 LEGISLATOR DRUCKER: I would like
17 to see the data that they have acquired from
18 other jurisdictions. I really would like to
19 see that data that Campanelli has had, what
20 success they have had in the city.

21 MS. CLAUFELDER: Campanelli is
22 not working for the city.

23 LEGISLATOR DRUCKER: In other
24 jurisdictions -- where have they done this
25 before?

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2 MS. CLAUFELDER: I'm not aware of
3 them doing it. We're talking about breaking
4 ground here.

5 MR. RICH: I think New York City
6 does something similar but not to the extent
7 of the program we are proposing.

8 LEGISLATOR DRUCKER: Again, in my
9 opinion it's very speculative. Thank you.

10 LEGISLATOR GAYLOR: Good evening
11 Mr. Rich. First of all, I would like to thank
12 you and thank all the men and woman who work
13 for you for the outstanding job they do on a
14 day-to-day basis. As you know, I have had
15 many occasions to observe them in action and
16 they do a great job. Nevertheless, we are
17 here on budget night, so I'm going to ask you
18 some budget related questions first of all.

19 I'm showing that you're projected
20 for 2019 1.75 million in the boot and tow
21 payments, which seems to be down from the 6.6
22 million or so you collected this year. Can
23 you account for why such a drastic projection
24 reduction?

25 While you're thinking about that,

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2 on the same line the red light camera revenue
3 I'm showing to be projected only \$25 million
4 next year but it's \$58 million in 2017 and 48
5 million in '16 and projected to be whatever,
6 \$40 million this year. Is the administration
7 low balling the figures for a particular
8 reason?

9 MR. RICH: Unfortunately I would
10 have to defer to OMB on that. They provided
11 the proposal.

12 LEGISLATOR GAYLOR: But you don't
13 foresee a reduction in the revenues, do you?

14 MR. RICH: No, I don't.

15 LEGISLATOR GAYLOR: In fact, back
16 on the Campanelli issue. The administration
17 is showing projected revenues of \$8 million.
18 Is there any justification for that figure of
19 \$8 million that you're aware of or is that
20 some number they believe to be achievable?
21 I'm just trying to figure out, most of us up
22 here are trying to figure out where or how
23 that eight million is going to be projected or
24 where it's coming from and how it was
25 projected. Especially since this is a novel

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2 concept basically that's never been tried
3 before by any other municipality in the nation
4 that I'm aware of. So there's a lot of
5 questions from up here.

6 MR. RICH: There are.
7 Unfortunately, it's difficult to project
8 because we don't know what portion of the
9 scofflaw population is leased, lienied,
10 financed, outright owned or whatever. So it
11 is a difficult projection.

12 LEGISLATOR GAYLOR: Do you know
13 if the county attorney or even outside counsel
14 has provided any legal opinion as to whether
15 we have standing to do this?

16 MR. RICH: We have been working
17 with the county attorney's office. Just of
18 note, I believe that they plan on refiling the
19 Campanelli contract that would modify the
20 scope of services. So, it might be a little
21 bit clearer for understanding and for review.

22 LEGISLATOR GAYLOR: Let's just
23 say hypothetically in the event the Campanelli
24 contract doesn't pass this body. Does the
25 county have an alternative means of collecting

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2 this kind of revenue or are we just abandoning
3 the concept altogether.

4 MS. CLAUFELDER: We would resort
5 to what we are doing now to collect the
6 revenue. This is a suggested improvement to
7 our effort. But if it doesn't succeed then we
8 will continue with the program as is.

9 LEGISLATOR GAYLOR: This
10 improvement helps you achieve an additional \$8
11 million in the next year? That's the
12 projection the administration is telling us.

13 MR. RICH: Problematic the
14 difference would be our current boot and tow
15 we are going out with a vehicle that uses
16 LPR. So if we just happen to find that
17 vehicle on the street that's how we generate
18 the revenue. With Campanelli he's a more of a
19 proactive stance where he's going to
20 identify -- the Nassau County Police
21 Department will be involved where they're
22 going to identify the titled owner of the
23 vehicle. Okay, is it Nissan, GMC? And they
24 will give a list to Campanelli's firm and
25 Campanelli will then more actively reach out

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2 to them and say we have 250 cars that are
3 eligible to be boot and towed, how would you
4 like to resolve? It's a little more directed
5 at a bigger population. Whereas, right now
6 we're just lucky if we know where the car may
7 be. We don't know where you work. We don't
8 know if the car is in your driveway versus on
9 the street.

10 LEGISLATOR GAYLOR: I
11 understand. Thank you for clarifying that.
12 Please let the men and women know that we up
13 here appreciate all the efforts they do on a
14 day-to-day basis. Thank you.

15 MR. RICH: Will do. Thank you
16 very much.

17 LEGISLATOR KOPEL: Legislator
18 Kennedy.

19 MR. KENNEDY: I have one thing.
20 Good evening. How are you doing? I'd like to
21 have a clear understanding of the systematic
22 review. I think we need to see that. I'm
23 looking at a young mother in Massapequa with
24 three children, came out of a birthday party
25 and had a boot on her car and that was

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2 something there was a mistake.

3 MS. CLAUFELDER: That was not a
4 mistake. She was not booted in error.

5 MR. RICH: We just said that to
6 Legislator Bynoe. Her's was a valid boot.

7 MS. CLAUFELDER: She was unhappy
8 about being booted. She was not booted in
9 error.

10 LEGISLATOR KENNEDY: I'd still
11 like to see the systematic review. I think
12 that is something we are looking at a proposal
13 to expand the program. We do need to see that
14 in order to be able to really have a good idea
15 whether or not this is something that could go
16 forward.

17 MR. RICH: I will work with the
18 administration on that.

19 LEGISLATOR KOPEL: Legislator
20 Ford.

21 LEGISLATOR FORD: We have a lot
22 of questions about this boot and tow. As you
23 know, the item has been tabled. We're not
24 realizing any of that revenue. What are the
25 plans that you have if this doesn't get passed

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2 by the legislature?

3 MR. RICH: We have two
4 initiatives that have been tabled by the
5 legislature and they are both related to boot
6 and tow so to speak. One does the physical
7 and mobilization, the other one doesn't. I
8 don't have a contingency plan. TPVA does not
9 generate the parking tickets, the traffic
10 tickets. We have no control over who goes
11 through a red light or not. We're just
12 working with a product that comes into it and
13 we process it. We have no way of generating
14 that product.

15 LEGISLATOR FORD: You have
16 proposed I guess it would be \$8 million in
17 revenue; am I reading that right?

18 MR. RICH: That's what the
19 proposal is, yes.

20 LEGISLATOR FORD: Thank you.

21 LEGISLATOR KOPEL: I think we are
22 done except one thing I would like to point
23 out. There have been a lot of questions here
24 and you and your agency and Mr. Persich
25 earlier just kind of pointing fingers at each

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2 other. Perhaps you might coordinate by a week
3 from this coming Friday and whoever it is that
4 has the answers be prepared to discuss it
5 here.

6 MR. RICH: Okay.

7 LEGISLATOR KOPEL: Thank you.

8 One moment. We have one more question.
9 Mr. Ferretti.

10 LEGISLATOR FERRETTI: Just to go
11 back for a quick second to the red light
12 cameras. The projected increase revenue will
13 be from additional intersections, installation
14 of cameras at additional intersections,
15 correct?

16 MR. RICH: Yes. As well as the
17 relocation of existing.

18 LEGISLATOR FERRETTI: In terms of
19 the additional intersections have those
20 intersections been identified?

21 MR. RICH: Not all of them, no.

22 LEGISLATOR FERRETTI: That's
23 where it's a bit of an issue for me. When you
24 just put a projection in revenue out there
25 without knowing where the intersections are

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2 going to be my fear is you're going to pick
3 intersections to get to your bottom line
4 number. When of course that's not the goal of
5 these cameras.

6 MR. RICH: Just so you know the
7 process, there's a committee between TPVA, DPW
8 and traffic safety where we identify locations
9 based on crash data.

10 LEGISLATOR FERRETTI: But you
11 haven't identified locations yet?

12 MR. RICH: We have not identified
13 them yet.

14 LEGISLATOR FERRETTI: But you've
15 picked a number in terms of revenue?

16 MR. RICH: We're basing that
17 number on average number of violations that
18 were issued over the program's time frame that
19 it's been in operation.

20 LEGISLATOR FERRETTI: Are there
21 any intersections that are currently
22 pinpointed as intersections that cameras will
23 be installed at?

24 MR. RICH: We still have I
25 believe five more intersections to even

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2 identify. So we have not pinpointed where
3 we're putting them.

4 LEGISLATOR FERRETTI: Are there
5 any that are currently identified as
6 intersections that cameras will be installed
7 at?

8 MR. RICH: I would have to check
9 but I believe so.

10 LEGISLATOR KOPEL: Legislator
11 Walker.

12 LEGISLATOR FERRETTI: My last
13 comment would be I would like to see the data
14 to see that these intersections are indeed
15 cameras necessary to be installed there. Now
16 I'm done. Thank you.

17 LEGISLATOR WALKER: And I would
18 just piggyback on what Legislator Ferretti
19 said. We always got a list of all of the
20 locations beforehand. Understanding why they
21 were going there. I know there's cameras that
22 are now up in my district that other than the
23 fact that I saw them up there or residents
24 have said now there's a camera here, now
25 there's a camera there, complaining, we

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2 wouldn't know. We haven't gotten any list.

3 We haven't gotten any notification.

4 MR. RICH: To the best of my
5 knowledge, I have been involved with the
6 program since 2009. Out of TPVA we never
7 provided that information. I don't know if
8 maybe Traffic Safety provided it. But TPVA in
9 general hasn't provided the information where
10 we plan on putting locations.

11 LEGISLATOR WALKER: I couldn't
12 tell you exactly who sent it but we always
13 knew that they were going up.

14 MR. RICH: I'm unaware of that.

15 LEGISLATOR WALKER: Maybe it was
16 previous administration or whatever. This way
17 we don't act surprised. You're riding around
18 all over and you do see them. When somebody
19 calls and questions about it and you act like
20 you know and you really didn't know. It would
21 be nice if we did know. Then we would
22 understand better that that's a location
23 that's really -- that we even realize in our
24 district that it's very needed. Thank you.

25 LEGISLATOR KOPEL: Thank you. I

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2 think you're sprung.

3 MR. RICH: Thank you all.

4 LEGISLATOR KOPEL: Does anyone
5 have questions for the Department of Human
6 Services? Nobody. Human Services you can
7 go. Anyone have questions for Consumer
8 Affairs? Consumer Affairs.

9 MR. MAY: Gregory May,
10 commissioner of Consumer Affairs.

11 MR. HEINO: Ken Heino, Consumer
12 Affairs.

13 MS. KUNZIG: Christie Kunzig.

14 LEGISLATOR RHOADS: Thank you
15 Mr. Deputy Presiding Officer. Thank you. I
16 appreciate it.

17 Good evening. As we go late into
18 the night. First off, I want to thank you
19 personally for your assistance that you've
20 offered my office. Obviously you know that I
21 represent a district, South Shore district,
22 that was heavily impacted by Super Storm
23 Sandy. I was just looking for some sort of
24 update from the department as to where we are
25 in terms of investigations into the complaints

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2 that you receive with regard to Super Storm
3 Sandy. And what is the department doing in
4 terms of bringing those to a conclusion and
5 making sure that the complaints from
6 homeowners are addressed.

7 MR. MAY: Sure. The department
8 has actually, starting with Legislator Ford
9 and her invitation to her community events,
10 the beginning of this year it become obviously
11 apparent there was a number of communities and
12 residents who were still affected by Super
13 Storm Sandy. So I undertook a review of all
14 of the complaints in our office. It turns out
15 we have about 300 consumer complaints that are
16 related to Super Storm Sandy. I've devoted
17 staff and resources to investigating the
18 complaints issued or filed with our office.
19 We've issued upwards of 150 to 200 violations
20 against the contractors who the consumers had
21 complained against. And we are in the process
22 of resolving I would say many of those
23 complaints though not all of them. It's just
24 a process.

25 We offer the vendors an opportunity

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2 to come in for a prehearing settlement
3 conference to address any of the issues we
4 found in our investigation. Including
5 whatever would need to be done to make the
6 consumer whole. As well as address any of the
7 violations that we've issued. Beyond that, we
8 have an administrative process where if they
9 don't want to settle their violations and
10 complaints they go to the next step, which is
11 the judicial hearing officer. Or the
12 administrative hearing.

13 LEGISLATOR RHOADS: Is there any
14 timetable for how quickly those complaints can
15 be closed?

16 MR. MAY: Unfortunately there is
17 not. I wish I could say that there were. I
18 know that we are coming up on the December
19 31st deadline for New York Rising for all of
20 our constituents to have their homes lifted.
21 Voluntary lift deadline I think was June 30th
22 of this year.

23 LEGISLATOR RHOADS: They were
24 both extended.

25 MR. MAY: So now they're both on

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2 December 31st. We are working as judiciously
3 as we can. Unfortunately, there are still
4 people out there who have been victimized by
5 contractors who have yet to come forward.

6 Legislator Ford and County

7 Executive Curran cohosted a Super Storm Sandy
8 seminar or forum the beginning of August. And
9 if you can believe it, we had three or four
10 constituents come in and file complaints
11 against their contractor. Six years ago at
12 this point and they just kept thinking the
13 contractor's going to come in, he's going to
14 do the thing, we're going to get it done. We
15 had to tell them unfortunately it's our
16 experience that they're probably not going to
17 get it done and they need to file complaints.

18 While I hope to have everything
19 done by the end of the year, I don't want to
20 promise anyone that. And even if we were able
21 to, there's no guarantee that there aren't
22 other people out there who have been
23 victimized who haven't yet gotten to the point
24 where they want to file a complaint against
25 their contractor.

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2 LEGISLATOR RHOADS: I very much
3 appreciate your efforts. I know part of the
4 frustrations that many residents are having is
5 not in their dealings with your office but
6 perhaps in dealings with the district
7 attorney's office and the position they've
8 taken with respect to criminal prosecutions
9 for many of these contractors.

10 What level of coordination is there
11 between your office and the district
12 attorney's office and is there likely to be
13 any change in their position as to how they
14 view this?

15 MR. MAY: I can't really speak
16 for the district attorney's office. I can say
17 they've been excellent partners in government
18 with us. They have a higher standard of proof
19 than my office does. It's just a matter of
20 fact if they're going to prove criminal
21 cases. Often time if there's been an issue in
22 our office that we thought was criminal we
23 would refer it to their office for
24 investigation. If they receive a complaint
25 they feel is better directed towards the civil

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2 side of things they will refer it to us.

3 We met with them a few weeks ago
4 and we are in constant contact with the
5 district attorney's office. I would probably
6 love to see -- I don't want to say that I
7 would see love to see anything happen in
8 particular, but when you are talking to some
9 of the consumers and you hear the heartbreak
10 in their voice and -- Ken and Christy and I
11 have seen some of these homes -- it becomes
12 difficult to remain impartial as to the
13 outcome.

14 I will say that the district
15 attorney's office has been a partner with us
16 and we are constant contact with them.

17 LEGISLATOR RHOADS: I think part
18 of the frustration is the fact that, you know,
19 if you have a particular contractor that has
20 walked in, taken money, done part of the work
21 and left basically and then you see that they
22 have done that to 20 different homeowners.
23 How that's not criminal is very difficult to
24 understand. I know you're not here to speak
25 on behalf of the district Attorney's office

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2 and I know there's a calculation they make
3 with respect to what they are able to actually
4 charge and what they are able to actually
5 prove. It just seems as though most of the
6 obligation is falling upon your department.
7 Whereas, some of it should be handled, in my
8 opinion, should be handled on the criminal
9 end. That's really not a question for you to
10 answer.

11 MR. MAY: I appreciate that. I
12 guess I would say that I agree with the
13 sentiment. We are happy to take on whatever
14 work that we need to take on to do whatever we
15 can for obviously all of our constituents.
16 It's just a different burden of proof. I
17 don't envy the district attorney's office to
18 make some of these decisions. I can't speak
19 for anyone in particular in the district
20 attorney's office but I'm sure there are
21 plenty of people who would say they might want
22 to pursue cases but if the evidence is not
23 there or there's a clear story to tell to
24 convince a jury, you know.

25 I think really what we all wish is

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2 that none of this happened in the first
3 place.

4 LEGISLATOR RHOADS: Amen to
5 that. I know obviously we had a Super Storm
6 Sandy liaison who has since retired. Is there
7 any one individual that is kind of acting as
8 the Super Storm Sandy liaison for us to be
9 able to -- one of the tremendous challenges,
10 as you are well familiar, is working with
11 New York Rising. Which has been a source of
12 endless frustration not only for consumers and
13 our constituents but even for elected
14 officials.

15 New York Rising has been
16 exceedingly difficult to deal with. Getting
17 information out of them has been tremendously
18 difficult from a consumer perspective. You've
19 got five or six different case managers over
20 the course of the six years that you have been
21 trying to deal with this. Every time you
22 speak to someone new the answers tend to
23 change. Every time there's an extension of a
24 deadline it's because we have had to have a
25 press conference and we've had to embarrass

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2 somebody into extending it.

3 The issue that's coming down the
4 pike is not only the deadlines that are coming
5 up for optional mandatory elevation on
6 December 31st, but those individuals who are
7 participating in the program over the course
8 of the next couple of months to try to get
9 their house up there's no interim mortgage
10 assistance.

11 So now the issue coming down the
12 pike s are they going to extend that program
13 so that we can actually -- these folks are
14 having to pay not only their mortgage but they
15 have to for somewhere else to live while
16 they're out of their home while it's being
17 lifted. The failure of the state to extend
18 the interim mortgage assistance makes it
19 impossible for many of those families to be
20 able to do that.

21 Is Consumer Affairs or really does
22 Consumer Affairs have a role, along with us as
23 elected officials, to try and get the governor
24 and the state to try to pay attention to us?

25 MR. MAY: Certainly any

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2 additional attention that can be brought on
3 the issue is welcome. I don't want to take a
4 sort of combative stance with New York Rising
5 or the governor's office.

6 LEGISLATOR RHOADS: That's my
7 job.

8 MR. MAY: Certainly I have a
9 fairly good working relationship with New York
10 Rising at this point. When we came in and
11 first met, I think it was with Legislator
12 Ford, I was new in the position and I guess
13 they were feeling me out and I was feeling
14 them out. I am able now to get in touch with
15 people and get answers for constituents. I
16 can't speak for any particular constituent's
17 individual relationship with New York Rising.
18 I do understand some of the criticisms of that
19 office. But at the same time having met with
20 them and they were participants in the Super
21 Storm Sandy forum in August their's is also a
22 tough and at times thankless job.

23 Certainly attention needs to be
24 brought on our constituents who are still
25 suffering. We are probably down to the

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2 hardest core of individuals that have to be
3 helped. There was probably -- I think the
4 last numbers we discussed with New York Rising
5 was somewhere in the neighborhood of 3,000 or
6 4,000 affected homes in Nassau and Suffolk
7 County. We're down to 300 homes or so based
8 on the complaints in our office. And these
9 are the people who are at wit's end.

10 We visited a particular home, an
11 individual down in Bay Park. The house is not
12 sealed to the elements. It is elevated. The
13 front door is a board on hinges chained shut.

14 We went down to the city of Long
15 Beach to see a constituent's home. The back
16 door doesn't even have a plank on it. It's
17 just actually like two by fours that someone
18 decided they were going to throw out that
19 didn't quite make it out the door. That's
20 sealing the house.

21 Really, anything that we can do we
22 will do to help bring attention to this issue
23 and get whatever support for the constituents
24 that we need to do.

25 LEGISLATOR RHOADS: Very much

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2 appreciate that. If you can do me a favor and
3 use your newly established contacts with New
4 York Rising, ask about the extension of the
5 IMA Program. Because, again, it's much easier
6 to try and do it through internal channels
7 then it is to beat them over the head with a
8 club. Is it even on their radar at this point
9 in time? And if not, you know.

10 MR. MAY: I don't want to speak
11 for another agency. I think the issue is the
12 issue that all government agencies have at
13 this point. Just where is the money going to
14 come from? We would need to determine some
15 amount of money that would be sufficient to
16 bridge where these constituents are and where
17 they need to go and then administer that
18 program. I don't know that we are the point
19 where we've done a complete postmortem on the
20 Super Storm Sandy response at all levels of
21 government. I think one of the things we've
22 seen is block grants of money to contractors
23 is not necessarily the best recipe for
24 success.

25 LEGISLATOR RHOADS: I appreciate

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2 it. Thank you.

3 LEGISLATOR FORD: Good evening.

4 Commissioner, I want to thank you very much
5 and your staff because I think you have done a
6 great job, especially handling with Super
7 Storm Sandy homes and many of our residents.
8 But we know that your agency handles much more
9 than the complaints that people have against
10 their contractors. Especially after a storm
11 hits them.

12 We in the legislature do seem to
13 add on to a lot of your responsibilities. We
14 want you to check on people's weights and
15 measures, whatever. Whole array of different
16 things. So I'm a little concern -- I don't
17 mean to put you in the hot seat -- that you're
18 going from 31 people and you're like I guess
19 NIFA confirmed you for 31. But in the 2019
20 budget you're only looking for 26 people.
21 You're going to look to have 26 full time CSEA
22 people and four ordinates. Am I reading this
23 wrong that it looks like you're going down in
24 numbers or are you looking to bring in more
25 people?

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2 MR. MAY: You're reading it
3 correctly. We are four ordinates on staff.
4 Three of them are sitting in front of you. We
5 have 26 CSEA employees. The administration
6 has been responsive to our staffing needs.
7 Our weights and measure staff was down to
8 six. The state agriculture and markets
9 department, of which we are the local division
10 in terms of our weights and measure division,
11 had indicated to us that we needed additional
12 staff in order to meet our mandates. This is
13 the inspecting all of the gas pumps and scales
14 and anything that's certifying products for
15 sale by weight or by length. That sort of
16 thing. And the administration has given us
17 two additional staff members.

18 As far as the Consumers Affairs
19 investigators aside, sort of separating the
20 two, we are working to combine the titles
21 between the Consumer Affairs investigators and
22 the taxi and limousine investigators. I think
23 that the staff that I have now is sufficient
24 to do the work that the office needs. I'm
25 satisfied with the budget that the

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2 administration has given us. I'm satisfied
3 with staff. I am working to see if we can get
4 some additional support staff. I would like
5 to hire a bilingual clerk. We had a bilingual
6 clerk. I was able to promote her into a
7 bilingual investigator title. But I need to
8 see to backfilling that. So far everyone has
9 been responsive.

10 As far as hard numbers, right now I
11 think I have what I need. Come next year I
12 would be able to tell you better the successes
13 or challenges I've had with the amount of
14 staff that we've had.

15 LEGISLATOR FORD: So then the 26
16 that doesn't include the under of people that
17 are currently working under the TLC.

18 MR. MAY: That does. The
19 Consumer Affairs titles in that series there
20 are three. Consumer Affairs investigator one,
21 two and three. I've got seven and one
22 Consumer Affairs investigator bilingual and
23 five taxi and limousine investigators.

24 LEGISLATOR FORD: It just seems
25 odd like NIFA, who would like to get rid of

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2 all of us here, here they are thinking that
3 you could use 31 people. I guess maybe once
4 in my life I'm going to actually agree with
5 NIFA that I think that 31 would be better for
6 you. You make your determination. You run
7 the department. You're doing a good job.

8 MR. MAY: If you don't mind
9 holding that thought until next year's budget
10 and we can come back to it and if you feel I
11 need the staff.

12 LEGISLATOR FORD: I will check on
13 you during the year.

14 LEGISLATOR KOPEL: You should get
15 it in writing from her.

16 MR. MAY: We have it, right?
17 Frank will get it to me.

18 LEGISLATOR KOPEL: Legislator
19 Schaefer.

20 LEGISLATOR SCHAEFER: Hi. How
21 are you? I just was wondering, are you moving
22 in any direction with regard to the ride share
23 services in the county and any surcharges or
24 any regulations we can impose?

25 MR. MAY: Unfortunately, the

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2 change in New York State law pretty much
3 prevented us from doing any kind of regulatory
4 effort on the T and Cs. We do speak with our
5 counterparts in the T and C world. I speak, I
6 don't want to say regularly, with
7 representatives from Uber and Lyft. Often
8 enough to know generally what's going on and
9 what they're thinking about in terms of
10 broader state policy. But really
11 unfortunately our hands are tied by the state.

12 LEGISLATOR SCHAEFER: It would
13 require the state to change it?

14 MR. MAY: Yes.

15 LEGISLATOR SCHAEFER: Thank you.
16 That's all.

17 LEGISLATOR WALKER: I'm pretty
18 sure this goes back to the health department
19 but I want to check. You don't have anything
20 to do with the checking our businesses for
21 underage sale of goods? That goes back to the
22 health department?

23 MR. MAY: I believe this body
24 gave us the coauthority to do that and we have
25 been coordinating with the Department of

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2 Health, and that is on our radar for some
3 initiatives in the coming months.

4 LEGISLATOR WALKER: Especially
5 now that we passed the bills regarding the
6 vaping and so forth.

7 MR. MAY: We are particularly
8 interested in that.

9 LEGISLATOR WALKER: That will
10 help us there with fines. Thank you.

11 MR. MAY: You're welcome.

12 LEGISLATOR BIRNBAUM: Hi Greg. I
13 see a lot of the budget increase for next year
14 is tied to the increase revenue from the home
15 improvement licenses, correct?

16 MR. MAY: Yes.

17 LEGISLATOR BIRNBAUM: So is it
18 because it's the biannual that they are up
19 every two years?

20 MR. MAY: It's the biannual, yes.

21 LEGISLATOR BIRNBAUM: I know
22 whenever I've had a problem with the company
23 they've had appointments to speak to you, have
24 you streamlined the procedure for companies to
25 get licensed?

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2 MR. MAY: We are working on
3 continued streamlining of the processes in the
4 office. One of the major initiatives that we
5 have is rolling out the new Apex software
6 platform. I should back up and not speak in
7 code.

8 When I took over as the Taxi and
9 Limousine commissioner I worked with the
10 information technology department to develop a
11 soup to nuts case management system. That's
12 based on the Apex software platform by
13 Oracle. We have a number of CSEA staff who do
14 an absolutely phenomenal job. I told
15 Commissioner Stanton that I would always sing
16 the praises of her office whenever I got the
17 chance. Unfortunately, you've given me the
18 chance now. So I'm going to do that and say
19 what a fantastic job her and her staff have
20 done.

21 We are developing from the TLC
22 platform out into the Consumer Affairs side of
23 things. So when that program launches it
24 should really streamline and make the entire
25 application process much smoother. Much more

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2 consumer friendly. Much more business
3 friendly and really accelerate the entire
4 process.

5 LEGISLATOR BIRNBAUM: Thank you.

6 LEGISLATOR KOPEL: Looks like
7 we're done. Thank you everyone for coming.
8 We are done here. Have a good night.

9 (TIME NOTED: 9:48 P.M.)

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2 CERTIFICATION
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6 I, FRANK GRAY, a Notary
7 Public in and for the State of New
8 York, do hereby certify:

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

12 IN WITNESS WHEREOF, I have
13 hereunto set my hand this 11th day of
14 October 2018
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18 FRANK GRAY
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