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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO,
Presiding Officer

FINANCE COMMITTEE

HOWARD KOPEL, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, September 9, 2019
6:10 P.M

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

HOWARD KOPEL,
Chairman

VINCENT MUSCARELLA,
Vice Chairman (Substituted by
Laura Schaefer)

TOM MCKEVITT

ROSEMARIE WALKER

ELLEN BIRNBAUM,
Ranking

ARNOLD DRUCKER

JOSHUA LAFAZAN

MICHAEL PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

TORI KASO 5

DEIDRE CALLIE 12

PATRICK GALLAGHER 13

LISA ANALA 15

SEAN SALLEY 17

KEN ARNOLD 23

MARYELLEN LAURAIN 24

KEVIN WALSH 25

LARRY NEDELKA 27

BOB MCMANUS 28

ANDY PERSICH 37

TED HUMMEL 38

MARION MILGRIM 39

SEAN RAINEY 40

MICHAEL KELLY 47

1 Finance Committee/9-9-19

2 CHAIRMAN KOPEL: I will call the
3 Finance Committee to order and I will call
4 the roll. Rose Walker is here. We have
5 Legislator Schaefer or Legislator
6 Muscarella. Mr. McKevitt is here. Ellen
7 Birnbaum. Mr. Drucker and Mr. Lafazan. I
8 am here. We have a quorum.

9 The first thing I'm going to do
10 is call for a motion to suspend the rules.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR DRUCKER: Second.

13 CHAIRMAN KOPEL: Moved by Ms.
14 Walker, seconded by Mr. Drucker.

15 All those in favor of suspending
16 the rules.

17 (Aye.)

18 The rules are suspended.

19 The next thing I will do is call
20 the consent calendared. There are a number
21 of items that have been agreed upon by both
22 parties and we are going to vote them as a
23 package. Those will be number 281,
24 supplemental to the District Attorney's
25 Office. 285. On the addendum we have 293,

1 Finance Committee/9-9-19
2 312, 313, 314, 319, 322, 323, 324, 325, 326,
3 327, 335, 336, 337, 338, 339, 340, 341, 342,
4 343, 344, 345, 346, 347, 348, 349, 350, and
5 351. Motion?

6 LEGISLATOR BIRNBAUM: So moved.

7 LEGISLATOR MCKEVITT: Second.

8 CHAIRMAN KOPEL: Motion by
9 Ms. Birnbaum and seconded by Mr. McKevitt.

10 All those in favor of those
11 items?

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Those items pass unanimously.

16 We will start now with 66 which
17 is a Resolution authorizing the County
18 Executive to execute a grant agreement, and
19 that's with Parks and Recreation and friends
20 of Cedarmere.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR LAFAZAN: Second.

23 CHAIRMAN KOPEL: Moved by Ms.
24 Walker, seconded by Mr. Lafazan.

25 MS. KASO: Good evening. Tori

1 Finance Committee/9-9-19

2 Kaso from the Parks Department.

3 This is a grant agreement with
4 the Friends of Cedarmere for ongoing
5 operating and program support at the
6 Cedarmere Museum in Roslyn Harbor for
7 \$75,000 paid for through the Hotel Motel
8 grant.

9 CHAIRMAN KOPEL: Do we have any
10 questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 Stay here, please.

20 67 which is a grant agreement,
21 once again Parks and Recreation and the Mid
22 Island Y Jewish Community Center. Motion?

23 LEGISLATOR MCKEVITT: So moved.

24 LEGISLATOR DRUCKER: Second.

25 CHAIRMAN KOPEL: Motion by Mr.

1 Finance Committee/9-9-19

2 McKevitt, seconded by Mr. Drucker.

3 MS. KASO: So this is a grant
4 agreement with the Mid Island Y JCC for the
5 expansion of their new cultural arts
6 department for program and operating support
7 in the amount of \$20,000 provided for by the
8 Hotel Motel tax grant program.

9 CHAIRMAN KOPEL: Thank you. I
10 went to the addendum before the regular
11 item. I will go back. Yes, Mr. Drucker?

12 LEGISLATOR DRUCKER: I just
13 wanted to say this is an item that's been
14 long awaited, I'm appreciative that it's
15 getting done. Thank you to the majority.
16 The Mid Island Y JCC does so much for the
17 community in my district. So much for every
18 type of nationality, religion, ethnicity and
19 they provide workshops and caring for
20 children of very small ages through adults
21 and they even an Alzheimer facility. They
22 do a tremendous amount.

23 Anything we can do to help that
24 institution is so much appreciated. I'm
25 very grateful to the majority and look

1 Finance Committee/9-9-19

2 forward to working more with that
3 institution. Thank you.

4 CHAIRMAN KOPEL: All right.
5 Mr. Drucker, you owe us forever.

6 LEGISLATOR DRUCKER: I should
7 have played Lotto today.

8 CHAIRMAN KOPEL: Anybody else?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Don't go away. I think you have
18 some other items. Number 352 I see is yours
19 on the addendum. Number 352 which is
20 between Parks and African Atlantic
21 Genealogical Society.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR LAFAZAN: Second.

24 CHAIRMAN KOPEL: Moved by Ms.
25 Walker, seconded by Mr. Lafazan.

1 Finance Committee/9-9-19

2 MS. KASO: This is a grant
3 agreement with the African-American
4 Genealogical Society for ongoing program
5 support at the African-American Museum in
6 the amount of \$100,000 paid for by the Hotel
7 Motel tax grant.

8 CHAIRMAN KOPEL: Any questions?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Do you ever any others

18 MS. KASO: 301.

19 CHAIRMAN KOPEL: 301 is with
20 Parks and the Seaford Historical Society.

21 LEGISLATOR BIRNBAUM: So moved.

22 LEGISLATOR MCKEVITT: Second.

23 CHAIRMAN KOPEL: That motion is
24 paid by Ms. Birnbaum and seconded by
25 Mr. McKevitt.

1 Finance Committee/9-9-19

2 MS. KASO: This is a grant
3 agreement in the amount of \$12,950 for the
4 Seaford Historical Society to undertake to
5 prepare projects for their circle museum
6 paid for by Hotel Motel tax.

7 CHAIRMAN KOPEL: Do we have any
8 questions?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 That is unanimous. Thank you
18 very much. We are going to go out of order
19 and we're going to go with some settlements.

20 I'm going to call them together.
21 That would be number 282, 283 and 284. I
22 think that's it.

23 LEGISLATOR MCKEVITT: So moved.

24 LEGISLATOR BIRNBAUM: Second.

25 CHAIRMAN KOPEL: Motion by

1 Finance Committee/9-9-19

2 Mr. McKevitt and seconded by Ms. Birnbaum.

3 And now I'm going to take a
4 motion for executive session on those items.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR DRUCKER: Second.

7 CHAIRMAN KOPEL: By Ms. Walker,
8 seconded by Mr. Drucker. All those in favor
9 of executive session?

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Rules members are certainly
14 invited into this. Members of the public we
15 will be back soon hopefully.

16 (Whereupon, the Finance Committee
17 recessed at 6:22 p.m. and reconvened at 6:32
18 p.m.)

19 CHAIRMAN KOPEL: We are just
20 going to go ahead. All those in favor of
21 these three items; 282, 283, and 284 please
22 so indicate.

23 (Aye.)

24 Anyone opposed?

25 (No verbal response.)

1 Finance Committee/9-9-19

2 Those items are unanimous. Thank
3 you.

4 We're going to go back now; 279
5 is a warrant issue, a warrant directing the
6 treasurer to pay various towns and villages
7 of I guess it's for the mortgage tax, right,
8 and transfer tax?

9 MS. CALLIE: Deidre Callie,
10 Office of Legislature Budget Review.

11 CHAIRMAN KOPEL: Do you have
12 anything to add to that?

13 MS. CALLIE: It's the collections
14 from April 1, 2019 to June 30, 2019. We're
15 passing out 9.9 million compared to last
16 quarter, there was 9.4 million. So the
17 quarterly collections were up 4.8 percent or
18 \$553,000.

19 CHAIRMAN KOPEL: Anybody have any
20 questions on this item? We didn't do a
21 motion.

22 LEGISLATOR SCHAEFER: So moved.

23 LEGISLATOR LAFAZAN: Second.

24 CHAIRMAN KOPEL: Legislator
25 Schaefer makes the motion, and seconded by

1 Finance Committee/9-9-19

2 Legislator Lafazan.

3 Now, all those in favor of this
4 item?

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 That item is unanimous. Thank
9 you. Number 286, Legislator McKevitt is
10 recusing himself. Let the record show he
11 has left the chamber and will not be taking
12 part in any debate or discussion.

13 286 is making a determination
14 pursuant to SEQRA and authorizing the sale
15 of a property known as Section 10, Block 34,
16 lots 40, 41, 42. Motion?

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR BIRNBAUM: Second.

19 CHAIRMAN KOPEL: That motion is
20 made by Ms. Walker and seconded by
21 Ms. Birnbaum. Who is here to tell us about
22 this?

23 MR. GALLAGHER: Good afternoon,
24 legislators. I'm Patrick Gallagher from the
25 Office of the County Attorney.

1 Finance Committee/9-9-19

2 I represent the Department of
3 real estate services in this transaction.
4 This is a sale related to the main line
5 expansion project of the Long Island
6 Railroad.

7 It is a 7,500 square piece parcel
8 comprised of three lots. We are receiving
9 \$105,000 in consideration for the sale plus
10 a \$10,000 gift from the design builder 3TC
11 of the Long Island Railroad which will be
12 applied to an open space acquisition in
13 Wantagh.

14 CHAIRMAN KOPEL: Thank you. We
15 are also going to incorporate by reference
16 the minutes for the Planning Commission.

17 (Whereupon, please refer to the
18 minutes of the Planning Commission.)

19 CHAIRMAN KOPEL: Anybody have any
20 questions?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/9-9-19

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Thank you.

6 Number 295 is an establishment of
7 an asset forfeiture escrow fund.

8 LEGISLATOR DRUCKER: So moved.

9 LEGISLATOR SCHAEFER: Second.

10 CHAIRMAN KOPEL: That motion is
11 made by Mr. Drucker, seconded by
12 Ms. Schaefer.

13 MS. ANALA: Lisa Anala, Deputy
14 Treasurer. Item before you today, Clerk
15 Item 295-19 is the resolution establishing
16 an asset forfeiture escrow fund.

17 The New York State Legislature,
18 chapter 55 of the laws of 2019 added a new
19 section requiring the county to establish an
20 asset forfeiture escrow fund for the purpose
21 of depositing and tracking proceeds from
22 forfeiture accounts.

23 Currently asset forfeiture money
24 in Nassau County is mapped to the grant
25 fund. Money is not commingled and is in a

1 Finance Committee/9-9-19

2 separate bank account housed in the grant
3 fund. The new law now requires that civil
4 forfeiture money be held in a separate fund.

5 This new fund will isolate the
6 asset forfeiture monies allow for better
7 tracking and reporting.

8 CHAIRMAN KOPEL: Well, from what
9 you are saying, we are doing all this
10 already.

11 MS. ANALA: We are, yes.

12 CHAIRMAN KOPEL: Changing names
13 on the account, same account?

14 MS. ANALA: Exactly.

15 CHAIRMAN KOPEL: Do we have any
16 questions?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 Thank you. Number 303 is

1 Finance Committee/9-9-19
2 authorizing the County Executive to execute
3 a consulting service funding agreement and
4 it's with the Department of Public Works and
5 the Long Island Railroad company.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR DRUCKER: Second.

8 CHAIRMAN KOPEL: And that motion
9 is made by Ms. Walker and seconded by Mr.
10 McKevitt.

11 MR. SALLEY: Sean Salley, Nassau
12 County Department of Public Works. This
13 item is an amendment to an existing funding
14 agreement between the County of Nassau and
15 the MTA Long Island Railroad in regard to
16 the railroads third track project Long
17 Island Railroad expansion project.

18 The nature of the amendment is to
19 essentially increase the funding
20 reimbursement cap from the railroad to the
21 county from \$500,000 to a max of \$2 million.

22 The funding reimbursement is to
23 cover design review and construction
24 monitoring services that the county is
25 undertaking again as part of the third

1 Finance Committee/9-9-19

2 track.

3 CHAIRMAN KOPEL: In other words,
4 the MTA is reimbursing us for that money?

5 MR. SALLEY: Yes. In essence,
6 the county is spending its forces to review
7 the design and we will review the
8 construction as it commences.

9 In addition, the railroad program
10 management JV has entered into a sub
11 consulting agreement with the firm of GPI to
12 assist the county in reviewing the railroad
13 plans.

14 Now, the \$2 million budget will
15 be used to offset the cost of GPI to the JV
16 firm that was hired by the railroad.

17 CHAIRMAN KOPEL: By the way, is
18 304 on the same item? On the same that
19 matter?

20 MR. SALLEY: It is related.

21 CHAIRMAN KOPEL: Why don't I call
22 that and we can vote together? 304 related
23 matter.

24 LEGISLATOR DRUCKER: So moved.

25 LEGISLATOR WALKER: Second.

1 Finance Committee/9-9-19

2 CHAIRMAN KOPEL: That motion is
3 made by Mr. Drucker and seconded by
4 Ms. Walker. Tell us about that as well
5 Sean.

6 MR. SALLEY: Certainly, so this
7 item we are calling a county improvement
8 agreement between Nassau County and the Long
9 Island Railroad for the Long Island Railroad
10 expansion project.

11 Essentially the expansion project
12 involves a range of improvements to a range
13 of county infrastructure namely roads. That
14 includes Culvert Avenue, New Hyde Park Road,
15 Main Street in Mineola, Willis Avenue in
16 Mineola and several other existing
17 underpasses where bridges will be widened,
18 et cetera.

19 So the railroad and its Design
20 Build contractor 3TC is performing the
21 design and construction of these
22 improvements, so once these improvements are
23 completed by 3TC they will be turned back
24 over to the county for ownership and
25 maintenance in perpetuity.

1 Finance Committee/9-9-19

2 This agreement sets forth that
3 process for the county reviewing those
4 design plans and then the transfer of the
5 improvements back to the county.

6 There are also other clauses in
7 this agreement that deal with
8 indemnification, insurance and other legal
9 provisions.

10 CHAIRMAN KOPEL: Anyone have
11 questions on these two items? Ms. Birnbaum.

12 LEGISLATOR BIRNBAUM: I think we
13 had questions for background materials for
14 some of the contracts and are you still
15 gathering information?

16 MR. SALLEY: Yes. So we had a
17 call with the railroad actually this morning
18 regarding their contract information between
19 the railroad and 3TC and we expect to get
20 those documents shortly.

21 CHAIRMAN KOPEL: Anyone else?
22 Legislator Schaefer.

23 LEGISLATOR SCHAEFER: On 303, do
24 you know how much the community benefits
25 fund is included within the \$2 million

1 Finance Committee/9-9-19
2 maximum; is there like a percentage or
3 amount?

4 MR. SALLEY: For Nassau County,
5 the railroad, the \$2 million is essentially
6 the community benefit fund for the County of
7 Nassau as opposed to the villages that are
8 receiving community benefit funding for
9 other projects within the village and towns.

10 For Nassau County, our community
11 benefit fund is this \$2 million to offset
12 the cost of keeping up with the review of
13 the plans and construction.

14 LEGISLATOR SCHAEFER: I see. So
15 is the county then using the MTA sub
16 consultant for this work?

17 MR. SALLEY: Yes. It's a blend,
18 it's a mix. County DPW forces our
19 reviewing, engineers are reviewing the plans
20 and we're also relying on the assistance of
21 the MTA's program management JV and their
22 subconsultant GPI for a detailed review of
23 the design plans to ensure compliance with
24 the county specifications.

25 LEGISLATOR SCHAEFER: So it will

1 Finance Committee/9-9-19

2 essentially be a collaboration of county
3 consultant and subconsultants.

4 MR. SALLEY: Exactly. And county
5 staff. And that process has been ongoing
6 for the past year, year and a half. We have
7 monthly meetings with that team to make sure
8 we keep on track.

9 LEGISLATOR SCHAEFER: Thank you.

10 CHAIRMAN KOPEL: Anyone else?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 We have one more item on the
20 regular calendar which I had skipped and
21 then to the addendum.

22 296 is a signing of a New York
23 State grant agreement with Mechanical
24 Harvest of Trapa Natans Water Chestnut.

25 LEGISLATOR WALKER: So moved.

1 Finance Committee/9-9-19

2 LEGISLATOR LAFAZAN: Second.

3 CHAIRMAN KOPEL: Moved by Ms.

4 Walker, seconded by Mr. Lafazan.

5 MR. ARNOLD: Ken Arnold, Public
6 Works. This item is a grant that the
7 department received for removal of water
8 chestnuts in Massapequa Lake. This will
9 reimburse the county for work that we did in
10 eradicating that evasive species.

11 CHAIRMAN KOPEL: Any questions?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 Unanimous. Thank you.

21 On the addendum, number 309, 310,
22 311 and those are transfers of
23 appropriations.

24 LEGISLATOR SCHAEFER: So moved.

25 LEGISLATOR WALKER: Second.

1 Finance Committee/9-9-19

2 CHAIRMAN KOPEL: Moved by
3 Ms. Schaefer and seconded by Ms. Walker.

4 MS. LAURAIN: Marry Ellen
5 Laurain, Department of Health.

6 Item 309-19 is a board transfer
7 in the amount of \$152. It's approved by New
8 York State Department of Health for our
9 children and special health care needs to
10 maximize grant reimbursement.

11 310-19 again is a board transfer
12 in the amount of \$12,259. Been approved by
13 the New York State Department of Health and
14 it is also to maximize grant reimbursement.

15 311-19 is a board transfer for
16 \$1,440. It's also approved by the New York
17 State Homeland Security and it is to
18 maximize grant reimbursement.

19 CHAIRMAN KOPEL: I see we have
20 actually two more but we will vote on this
21 first. Any questions?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor 309, 310, 311

1 Finance Committee/9-9-19

2 signify by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Carries unanimously.

7 315 is authorizing the execution
8 of a parking license agreement between
9 Nassau and the incorporated Village of
10 Hempstead.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR SCHAEFER: Second.

13 CHAIRMAN KOPEL: Moved by Ms.
14 Walker, seconded by Ms. Schaefer.

15 MR. WALSH: Good evening, Kevin
16 Walsh from the Office of Real Estate
17 Services this is a renewal of a parking
18 license for Nassau County employees and
19 related agencies who use parking lots and
20 parking fields in the Village of Hempstead.

21 It's going to be a renewal for a
22 three-year period. We use approximately 655
23 spaces in the village, a lot of court
24 personnel, ADAs, district attorneys, our
25 staff at TPVA and this is a renewal with the

1 Finance Committee/9-9-19

2 village. The village board approved this
3 August 5th. We were trying to make the same
4 calendar but we are here today.

5 CHAIRMAN KOPEL: How much are we
6 paying for this?

7 MR. WALSH: We pay \$4 per space.

8 CHAIRMAN KOPEL: \$4 per space per
9 day?

10 MR. WALSH: Per day, per space.
11 It's approximately \$681,200 per annum.

12 CHAIRMAN KOPEL: I suppose there
13 is really no choice in the matter because
14 there aren't any other spaces anywhere?

15 MR. WALSH: Correct.

16 CHAIRMAN KOPEL: Any questions?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 Unanimous.

1 Finance Committee/9-9-19

2 320 is supplemental to the
3 appropriation in connection with the Board
4 of Elections.

5 LEGISLATOR SCHAEFER: So moved.

6 LEGISLATOR DRUCKER: Second.

7 CHAIRMAN KOPEL: Moved by
8 Legislator Schaefer and seconded by Mr.
9 Drucker.

10 MR. NEDELKA: Good evening, Larry
11 Nadelka from the board of elections.

12 This is a supplemental
13 appropriation we're asking for from the
14 legislature to front some expenses for the
15 new early voting requirement that the board
16 faces. This money is covered by a contract
17 with the state board of elections so it's
18 100 percent reimbursable, but it's a
19 reimbursable grant so we need this money up
20 front because we don't have operating
21 expenses to cover this. That is it in
22 essence.

23 CHAIRMAN KOPEL: Any questions?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/9-9-19

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 That's unanimous, sir. Thank
9 you.

10 321 a transfer of appropriations.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR BIRNBAUM: Second.

13 CHAIRMAN KOPEL: That is moved by
14 Ms. Walker and seconded by Ms. Birnbaum.
15 That's the only one for you. Go ahead.

16 MR. MCMANUS: Bob McManus,
17 District Attorney's Office. This measure,
18 if approved, will allow the District
19 Attorney's Office to move funds out of
20 personnel and fringe benefit lines where we
21 know where we have sufficient funding and to
22 reallocate them to other budget categories
23 where they may possibly be able to be used
24 later in the year.

25 CHAIRMAN KOPEL: Does anyone have

1 Finance Committee/9-9-19

2 any questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 All those in favor signify by
7 saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 Thank you, sir.

12 Number 327 is to prohibit the
13 inhumane restraint of pets.

14 LEGISLATOR SCHAEFER: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRMAN KOPEL: Legislator
17 Schaefer makes the motion and Legislator
18 Walker seconds it.

19 Anybody here to speak about the
20 inhumane restraint of pets? Mr. Drucker, go
21 ahead, please.

22 LEGISLATOR DRUCKER: So this is
23 another example of where I'm happy the
24 majority recognized the importance of this
25 legislation.

1 Finance Committee/9-9-19

2 I do have a question. One of the
3 problems that I've seen consistently is when
4 we inconsistent -- I have seen consistently
5 inconsistent laws. So when you have town
6 and city and village laws, then you have the
7 county law and they conflict, aren't we
8 making life a lot more difficult for our law
9 enforcement, our police officers?

10 CHAIRMAN KOPEL: We may very
11 well. I don't know that we can answer that.
12 I think we have to get Mr. Kleins to stand
13 up there.

14 LEGISLATOR DRUCKER: The
15 legislation that was originally introduced,
16 the change that the majority made was to
17 just simply in effect nullify it if it
18 conflicts, not even conflicts, if there is a
19 similar legislation in a town or village
20 similar to this legislation, then the county
21 legislation doesn't apply.

22 So you have the city of Long
23 Beach has it, you have North Hempstead has
24 it, the Village of Hempstead I think is
25 going to have it, Town of Oyster Bay is

1 Finance Committee/9-9-19

2 considering it.

3 So we are passing a law that is
4 going to be rendered meaningless. What we
5 are doing is asking our cops, when they are
6 answer a call in Roslyn, do what? Look at
7 the handbook to see which law applies. Is
8 it 85 degrees or 90? Is it 80 degrees or
9 85, an hour or half an hour. I think it's
10 confusing and making enforcement difficult.

11 I don't really understand why it
12 was necessary to really eviscerate the law.

13 CHAIRMAN KOPEL: I'm told,
14 Legislator Drucker, that the wording of the
15 proposed law, first of all, there is no
16 state law and the wording of the proposed
17 law specifically excludes application in the
18 case where there may be another law that's
19 applicable, in other words, a town or a
20 village.

21 LEGISLATOR DRUCKER: Exactly my
22 point. It excludes it. So how does a cop
23 know that he is going to answer a call in
24 Roslyn which is in the Town of North
25 Hempstead, that Oh, my God, this is Roslyn

1 Finance Committee/9-9-19

2 not Mineola; therefore, it doesn't apply.

3 CHAIRMAN KOPEL: We have very
4 clever cops, I'm told. But the towns have
5 units.

6 LEGISLATOR DRUCKER: Is that
7 really your answer?

8 CHAIRMAN KOPEL: The towns have
9 units specific animal humane units.

10 I'll tell you what, if you would
11 like to discuss this a little further, I'm
12 happy to entertain a motion.

13 We can pass it through and
14 discuss this at Full Leg or table it and
15 discuss it that way. Whatever you prefer.

16 MR. MCKEVITT: Mr. Chairman?

17 CHAIRMAN KOPEL: Yes.

18 LEGISLATOR MCKEVITT: I think
19 what the intent was to exactly avoid that
20 confusion. So, for example, if the Town of
21 North Hempstead has one law, and the county
22 does another, then how then does a police
23 officer know which one then applies?

24 So the point is, is that the
25 county law will apply where there is no law.

1 Finance Committee/9-9-19

2 Then you have a situation where you have two
3 laws doing one thing.

4 For example, if the Town of North
5 Hempstead has a law that will abide, but if
6 the village of Great Neck Estates has no
7 law, then the county law will apply. That
8 was the intention.

9 LEGISLATOR DRUCKER: I understand
10 that. My point is, a neighbor calls 911.
11 My next door neighbor has his dog harnessed
12 for hours and it's howling and it's 90
13 degrees outside. The Nassau County cop
14 comes and attend to that call. Is he
15 supposed to step back now and say it's not a
16 violation because --

17 CHAIRMAN KOPEL: We take your
18 point.

19 LEGISLATOR MCKEVITT: My point
20 is, when you have officer out there and
21 they're in the sector car, those officers,
22 I've seen the memo books, have books which
23 deal with these local laws.

24 I will give you a good example.
25 Noise enforcement. Noise enforcement is

1 Finance Committee/9-9-19

2 from every town to every village. When
3 hearing a leaf blower, 7 a.m., 8 a.m., 6
4 a.m. so that differs from place to place.

5 So the officer goes to the scene,
6 that officer if he has sector car, the
7 village of Roslyn, knows in the village of
8 Roslyn and knows which laws to apply and
9 what not.

10 So the point here is that when
11 he's in the village of Roslyn and he knows
12 there's no other type of law dealing with
13 the restraint of dogs, then the county law
14 applies. That was it.

15 LEGISLATOR DRUCKER: But,
16 Legislator McKeivitt, the logic says that
17 wouldn't it be better to have one uniformed
18 law in the County of Nassau? Wouldn't that
19 be better?

20 LEGISLATOR MCKEVITT: I have a
21 better idea. Why isn't there one law in the
22 State of New York that applies to all of
23 this?

24 LEGISLATOR DRUCKER: Because
25 we're dealing with a county. I filed this

1 Finance Committee/9-9-19
2 bill for Nassau County. Why can't we have a
3 county wide uniformed law? Why do we have
4 to have 12 different laws?

5 Aren't you making the job of a
6 law enforcement officer that much more
7 difficult? He has to go to a handbook every
8 time he answers a call?

9 LEGISLATOR MCKEVITT: That's what
10 they do, they go to the handbook.

11 LEGISLATOR DRUCKER: If you have
12 an opportunity to avoid that why not avoid
13 it?

14 CHAIRMAN KOPEL: I don't think
15 there's preemption of the local law, so I'm
16 not sure --

17 LEGISLATOR MCKEVITT: That is my
18 concern. Now we can't preempt. We can't
19 preempt that town law. That's the issue
20 that we have in this instance.

21 LEGISLATOR DRUCKER: When we pass
22 the law as written now and as amended,
23 you're asking the police officers to make an
24 evaluation to revert to their handbook to
25 see if there's a comparative law.

1 Finance Committee/9-9-19

2 LEGISLATOR MCKEVITT: But they
3 refer to the handbook no matter what, and
4 revert to the handbook, now I have the
5 village of Roslyn which is one thing, and
6 then another, now which do I write the
7 ticket for? That's why. We can debate this
8 further. That was the intention to have
9 less confusion not more. Obviously we have
10 more confusion. So this is something we
11 will discuss and work on later.

12 CHAIRMAN KOPEL: Let's put it
13 through.

14 LEGISLATOR SCHAEFER: I
15 understand your point, but if we're talking
16 about having uniformed laws then we are
17 talking about villages, I get it. I see
18 what you're saying. But for littering and
19 parking, the police have to do it all the
20 time. I get it. Why should it be so
21 difficult? But until we can share those
22 types of laws a little bit or at least
23 conform them between the municipalities, I
24 think this is just kind of a stopgap. We
25 can figure it out.

1 Finance Committee/9-9-19

2 CHAIRMAN KOPEL: Okay. We'll
3 pass it through assuming we all vote for it.

4 All those in favor?

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 That is passed unanimously.

9 334 is supplemental to Office of
10 Management and Budget.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR DRUCKER: Second.

13 CHAIRMAN KOPEL: Moved by Ms.
14 Walker, seconded by Mr. Drucker.

15 MR. PERSICH: Andy Persich,
16 Office of Management and Budget. This is a
17 distribution 7 from New York State ILS in
18 the amount of \$1.6 million. It's a three
19 year distribution and it's split between
20 legal aid and 18B. It's an annual
21 distribution that we do here.

22 CHAIRMAN KOPEL: Do we have any
23 questions on this item?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/9-9-19

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Unanimous. Thank you.

9 Number 353 is a Resolution to
10 authorize a restated amended tax exemption
11 pilot agreement for Laurel Homes 2 and North
12 Hempstead Housing Authority.

13 LEGISLATOR BIRNBAUM: So moved.

14 LEGISLATOR SCHAEFER: Second.

15 CHAIRMAN KOPEL: Moved by Ms.
16 Birnbaum and seconded by Ms. Schaefer.

17 MR. HUMMEL: Ted Hummel, County
18 Attorney's Office.

19 This is a Resolution for a
20 restated and amended tax exemption agreement
21 with the North Hempstead Housing Authority
22 and Laurel Homes 2 Housing Development Fund
23 Company. It's to essentially extend the
24 existing tax exemption agreement to meet the
25 term of financing that will be used to

1 Finance Committee/9-9-19
2 redevelop the existing 66 units and add
3 eight additional units that would be
4 dedicated to senior housing.

5 We have representatives here from
6 the North Hempstead Housing Authority as
7 well as counsel for Laurel Homes 2 who can
8 answer any questions you have about the
9 project itself.

10 CHAIRMAN KOPEL: Let's do that.
11 Why don't you come up, please, and identify
12 yourselves for the record.

13 MS. MILGRIM: Marion Milgrim,
14 Counsel to North Hempstead Housing Authority
15 and the HDFC which is Laurel Homes 2 Housing
16 Development Fund Company Inc., and Sean
17 Rainey is the executive director of North
18 Hempstead Housing Authority and David Gallo
19 is here on behalf of the developer and we're
20 here to answer any questions that you may
21 have.

22 CHAIRMAN KOPEL: So primarily
23 it's 66 current units?

24 MS. MILGRIM: Yes.

25 CHAIRMAN KOPEL: Are those market

1 Finance Committee/9-9-19

2 rate units, regular units?

3 MS. MILGRIM: No. Those are
4 affordable housing units regulated by the
5 state and it's managed by law by North
6 Hempstead Housing Authority.

7 Originally this project was state
8 public housing. Under the state enabling
9 legislation is allowed for the creation of
10 the Housing Development Fund Corporation,
11 Article 11 redevelopment companies that are
12 formed by virtue of state law.

13 These projects always must be
14 under the state enabling legislation
15 affordable housing.

16 CHAIRMAN KOPEL: So it's
17 affordable housing. Are they fully occupied
18 now?

19 MS. MILGRIM: Yes, fully
20 occupied.

21 CHAIRMAN KOPEL: When you say
22 redevelop it, why is there --

23 MS. MILGRIM: Sean will explain
24 the need for the redevelopment.

25 MR. RAINEY: Sean Rainey,

1 Finance Committee/9-9-19
2 executive director for North Hempstead
3 Housing Authority. Basically right now we
4 have 66 units of existing housing on the
5 site ranging from one bedroom all the way up
6 to five bedrooms.

7 The property is really in
8 disrepair. Out of our whole portfolio, it's
9 the last development that hasn't been fully
10 renovated.

11 It's in such bad condition that
12 the state has actually requested we replace
13 the units.

14 So we are not going to go in like
15 we had where we go in like in other
16 developments, where we just renovate, we're
17 actually going to demo and put in new units.

18 CHAIRMAN KOPEL: What about all
19 the people who are there?

20 MR. RAINEY: We are doing it in
21 three phases. We are going to do the first
22 three buildings which is approximately 26
23 units I believe. We've kept units vacant
24 for the last three years in anticipation of
25 doing this development and we're going to

1 Finance Committee/9-9-19

2 relocate those tenants to existing units
3 within the facility mostly the families that
4 have children.

5 CHAIRMAN KOPEL: Do kind of a
6 round robin redevelopment?

7 MR. RAINEY: Yes, moving to other
8 locations, shuffle them around where we can.
9 There are some people going to different
10 locations but it's at their own request.

11 CHAIRMAN KOPEL: Without the tax
12 exemption this would not work?

13 MR. RAINEY: No, it would not
14 work.

15 CHAIRMAN KOPEL: Anyone else?
16 Mr. Drucker.

17 LEGISLATOR DRUCKER: I just want
18 to say, Sean, I did a walk through at your
19 other location in Westbury at Magnolia
20 Garden and you did a fantastic job at Palm
21 View Homes.

22 So I'm looking forward to this.
23 This particular housing project is in my
24 district and it's something that's badly
25 needed.

1 Finance Committee/9-9-19

2 Hopefully you will do the right
3 thing when it comes to relocating some of
4 those families and make the transition as
5 palatable and comfortable as possible.

6 But the end result, if it's going
7 to be anything like the Magnolia Gardens
8 one, I think the residents are going to be
9 very happy with it.

10 MR. RAINEY: Thank you. I also
11 think it's important to mention that we had
12 unanimous approval from both the Roslyn
13 School District and Town of North Hempstead.

14 CHAIRMAN KOPEL: Anyone else?
15 Ms. Walker.

16 LEGISLATOR WALKER: Who was in
17 charge of those before that they became in
18 disrepair?

19 MR. RAINEY: So what happened
20 was, the Housing Authority was always in
21 charge of it. It was a state property. So
22 the state was responsible for funding it.
23 But then there was --

24 MS. MILGRIM: There was enabling
25 legislation because the state stopped

1 Finance Committee/9-9-19
2 funding the state public Housing Authority,
3 not just North Hempstead, but all of the
4 state public Housing Authority in the late
5 80s.

6 So, the Housing Authority,
7 instead of just letting the projects
8 continue to disrepair, started
9 rehabilitating by utilization of the federal
10 low income tax credits that are awarded
11 through the state HCR. There was enabling
12 legislation passed by New York State in 1988
13 which allowed North Hempstead Housing
14 Authority and the other state housing
15 authorities a few others to form housing
16 development fund corporations for each of
17 its projects to allow this method of
18 financing.

19 Otherwise the low rents would not
20 permit the redevelopment of the projects in
21 the way the community and the residents
22 deserve.

23 LEGISLATOR WALKER: Even though
24 they took it over they kind of sort of let
25 it go?

1 Finance Committee/9-9-19

2 MS. MILGRIM: By state law, the
3 Board of Directors of the Housing
4 Development Fund Corporation must at all
5 time mirror the commissioners of the North
6 Hempstead Housing Authority. It's a
7 different entity legally but it's managed by
8 the same people.

9 LEGISLATOR WALKER: Right, but
10 you said it became in a state of disrepair.
11 I mean it's not falling down.

12 MR. RAINEY: It's definitely the
13 infrastructure. There's a lot of drainage
14 issues. We know that there's going to be
15 issues in the future. We are trying to get
16 out ahead of it. But there is certainly
17 nothing that's dangerous right now.

18 LEGISLATOR WALKER: You know it
19 needs a complete overhaul?

20 MR. RAINEY: Yes, we know what's
21 going to happen. So, basically, I think the
22 follow-up on this, you have most of the
23 housing authorities on Long Island have HUD
24 that funds them.

25 We had the state that funded us

1 Finance Committee/9-9-19

2 and then they dried up and said we're not
3 doing this anymore that's why we are in this
4 situation.

5 LEGISLATOR WALKER: Thank you.

6 CHAIRMAN KOPEL: Anymore
7 questions?

8 MR. RAINEY: I also think it's
9 important to mention we have already
10 successfully redeveloped five of those same
11 type of developments. This is the final
12 development. The final Housing Authority
13 property on our portfolio that has to be
14 updated and completely renovated.

15 LEGISLATOR WALKER: I imagine you
16 probably started with the ones that needed
17 it the most and as much as this needs a lot
18 of work, it was the best of not so good.

19 CHAIRMAN KOPEL: All those in
20 favor of this item?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/9-9-19

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Unanimous.

6 I'm going to call the last two
7 items to together, 354 and 355. 354 is to
8 remove some ad valorem taxes, and 355 is to
9 cancel -- restore taxes from certain
10 properties in each case.

11 LEGISLATOR SCHAEFER: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRMAN KOPEL: Moved by Ms.
14 Schaefer and seconded by Ms. Walker.

15 MR. KELLY: Good evening.
16 Michael Kelly, Deputy County Attorney and
17 counsel to the Department of Assessment.

18 Clerk Item 354 is to reduce a
19 direct assessment on a property designated
20 as Section 36, Block 508, Lot 35 by
21 \$109,033.62 to \$1,101.38 as a result of a
22 clerical error as a transposition error.

23 CHAIRMAN KOPEL: A clerical
24 transposition error? Explain that, please.

25 MR. KELLY: On the direct

1 Finance Committee/9-9-19

2 assessment, it should have been
3 approximately \$1,101.38. When it was placed
4 on to the tax roll, it added a couple of
5 zeros at the end of it to make it \$110,000
6 instead of \$1,100.

7 CHAIRMAN KOPEL: No big deal.
8 When did that happen?

9 MR. KELLY: It happened in 2018.
10 Brought to our attention recently.

11 CHAIRMAN KOPEL: What happened?
12 Did the people pay?

13 MR. KELLY: I don't believe any
14 payment has been made. I believe that the
15 property right now is being sold so we are
16 waiting for this to go forward so the
17 closing can happen.

18 CHAIRMAN KOPEL: Good. And the
19 other item?

20 MR. KELLY: The item 355 is
21 regarding property known as Section 56,
22 Block 56, lot 669. This is to cancel
23 \$6,721.49 in general taxes and \$17,009.31 in
24 school taxes.

25 Those were taxes that were

1 Finance Committee/9-9-19
2 restored on the property for '17-'18. The
3 prior administration, the property was
4 transferred in October 2017, and the taxes
5 were restored without proper notice to the
6 property owner and that would constitute a
7 correction of error under Section 550 and
8 556 of the Real Property Tax Law.

9 We are recommending those two
10 taxes be cancelled and that the general
11 taxes that were paid be refunded.

12 CHAIRMAN KOPEL: Okay. Any
13 questions on either of those items from the
14 members?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor of those two
19 items signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 Those two items are unanimous.

24 Motion to adjourn?

25 LEGISLATOR MCKEVITT: So moved.

1 Finance Committee/9-9-19

2 LEGISLATOR LAFAZAN: Second.

3 CHAIRMAN KOPEL: That motion is
4 made by Mr. McKeivitt and seconded by
5 Mr. Lafazan. All in favor?

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 We are adjourned.

10 (Whereupon, the Finance Committee
11 adjourned at 7:10 p.m.)

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C E R T I F I C A T E

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

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 30th day of September, 2019.

FRANK GRAY