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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

10

11 FINANCE COMMITTEE

12

13 LEGISLATOR HOWARD KOPEL

14 CHAIR

15

16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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22 December 7, 2020

23 3:54 P.M.

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

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4 LEGISLATOR HOWARD KOPEL

5 Chair

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7 LEGISLATOR VINCENT MUSCARELLA

8 Vice Chair

9

10 LEGISLATOR TOM MCKEVITT

11

12 LEGISLATOR ROSE MARIE WALKER

13

14 LEGISLATOR ELLEN BIRNBAUM

15 Ranking member

16

17 LEGISLATOR ARNOLD DRUCKER

18

19 LEGISLATOR DEBRA MULE

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2 LEGISLATOR KOPEL: I will call
3 the role. Mr. Muscarella. Mr. McKevitt is
4 here. Ms. Walker.

5 LEGISLATOR WALKER: Here.

6 MR. PULITZER: Ms. Birnbaum.

7 LEGISLATOR BIRNBAUM: Here.

8 LEGISLATOR KOPEL: Mr. Drucker.

9 LEGISLATOR DRUCKER: Here.

10 LEGISLATOR KOPEL: And
11 Mr. Lafazan. Mr. Lafazan. Mr. Muscarella.

12 LEGISLATOR LAFAZAN: Here.

13 LEGISLATOR MUSCARELLA: Here.

14 LEGISLATOR KOPEL: We have
15 everyone. We have a quorum. We have a number
16 of items. I'm going to first call the items
17 for which we have consent and I will call them
18 altogether and then proceed to the other
19 ones. Number 358, 359, 360, 361, 363, 364,
20 365, 366, 369, 374, 375 and 379. Motion for
21 those items is by Mr. McKevitt. Seconded by
22 Ms. Birnbaum. All those in favor of those
23 items signify by saying aye. Are there any
24 opposed? Those items pass unanimously.

25 We will go to the other items on

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2 the calendar. 354, which is a resolution to
3 authorize a transfer of appropriations.

4 MR. PERSICH: Good afternoon.

5 Andy Persich, Office of Management and
6 Budget. This item just appropriates some
7 monies to cover some shortages that we're
8 going to anticipate in the end of the year
9 plan budget. There are various departments
10 mostly between social services and the
11 Department of Public Works. The total amount
12 of transfer is \$975,000.

13 LEGISLATOR KOPEL: That motion is
14 by Ms. Walker and seconded by Mr. Drucker.
15 Any debate? Any discussion? Thank you. We
16 will call these at the end.

17 Number 355 is authorizing the
18 county executive to execute an agreement with
19 NIFA, Nassau County Interim Finance, in
20 relation to return to New York State
21 comptroller certain sales tax revenue to
22 enable the comptroller to make distress
23 provider assistance account payments.

24 That motion is made by Ms. Walker
25 and seconded by Mr. Lafazan.

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2 MR. PERSICH: This item is
3 similar to when we did the agreement with the
4 AIM payments of sales tax. Because we have a
5 control board, they intercept our sales tax
6 but the legislation didn't give them the
7 authority to do that. So this item is similar
8 to the AIM legislation where we're giving them
9 the ability to transfer the funds back to the
10 state. In absence of that we can't do that
11 and it's for the distressed hospitals portion
12 of the sales tax that's being taken away from
13 the county as a result of this.

14 LEGISLATOR KOPEL: Any discussion
15 legislators? Hearing none, all those in favor
16 of this item signify by saying aye. Any
17 opposed?

18 367 is a supplemental to the annual
19 appropriations ordinance in connection with
20 the legislative majority. It's just the
21 funding for the legislative majority.

22 Any debate or discussion? That
23 motion is made again by Mr. Muscarella and
24 seconded by Mr. Drucker. Any debate or
25 discussion? All those in favor signify by

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2 saying aye. It's unanimous.

3 368 supplemental to Parks

4 Recreation and Museums. Motion by

5 Ms. Birnbaum. Seconded by Mr. McKevitt.

6 MS. KASO: Victoria Kaso from the

7 Department of Parks. This is a supplemental

8 appropriation in the amount of \$50,000

9 received from Blaze Historic Hudson Valley.

10 It will be used for capital program

11 enhancements at OBVR.

12 LEGISLATOR KOPEL: Any questions,

13 debate or discussion? Mr. McKevitt.

14 LEGISLATOR MCKEVITT: I was just

15 curious as to how the \$50,000 amount was

16 arranged at? Was that as part of like a gross

17 percentage of proceeds from the event or how

18 is it determined?

19 MS. KASO: I believe that is

20 their permit fee as per their use and

21 occupancy permit that was approved.

22 LEGISLATOR MCKEVITT: It was a

23 flat fee.

24 MS. KASO: Yes, flat fee.

25 LEGISLATOR MCKEVITT: Thank you.

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2 LEGISLATOR KOPEL: Legislator
3 Birnbaum.

4 LEGISLATOR BIRNBAUM: Just
5 curious, what is that Blaze program that will
6 be a Old Bethpage? Can you elaborate? What
7 is the Blaze Program?

8 MS. KASO: Blaze is like a
9 Jack-o'-lantern show. I guess it's much more
10 elaborate than just the word show. They have
11 one in Hudson Valley which is why they're
12 named the Historic Hudson Valley and they
13 brought it to the OBVR this past year. It was
14 there from about October through mid November
15 I believe.

16 LEGISLATOR BIRNBAUM: Thank you.

17 LEGISLATOR KOPEL: Anyone else?
18 Ms. Walker.

19 LEGISLATOR WALKER: Just to
20 comment, from anyone who did attend that they
21 did say it was a wonderful event. I did not
22 attend it but that was what I heard from
23 people who did go. Just that you are aware of
24 that.

25 LEGISLATOR DRUCKER: Chairman

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2 Kopel. I also would like to just say I did
3 attend the event and it was an amazing event.
4 I was impressed. It was actually crowded like
5 five days in a row. It was an amazing thing.
6 The feedback from families who brought their
7 children there. It was all very, very
8 impressive. Very well done. You felt like
9 you were in Disney World or something like
10 that. It's really a very, very extensive
11 program that just went on and on. You needed
12 a long time to get through this and it was
13 well worth it.

14 LEGISLATOR KOPEL: Anyone else?
15 Hearing none, all those in favor of this item
16 please signify by saying aye. Any opposed?
17 Unanimous.

18 The next four items 370, 371, 372,
19 373 are OMB transfers of appropriations.
20 Motion on those items is by Mr. Muscarella.
21 Seconded by Ms. Birnbaum. Andy is that you?

22 MS. LAURAIN: Mary Ellen Laurain
23 from the Department of Health. Item 370-20 is
24 a board transfer. It's in the amount of
25 \$17,205. It's a grant, New York State grant

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2 funded program. It has no impact on the
3 overall budget. It's to maximize our
4 reimbursement.

5 LEGISLATOR KOPEL: 371.

6 MS. LAURAIN: Item 371 is a board
7 transfer in the amount of \$1,128. Again, this
8 is a grant-funded program. It has no impact
9 on the overall budget. It's to maximize our
10 reimbursement.

11 LEGISLATOR KOPEL: 372.

12 MS. LAURAIN: Item 372-20 is a
13 transfer in the amount of \$50,000. As said
14 before, it's grant funded. No impact on the
15 budget and it's to maximize our
16 reimbursement.

17 LEGISLATOR KOPEL: 373.

18 MS. LAURAIN: 373 is a transfer
19 in the amount of \$125,000. Again, this New
20 York State Department of Health grant
21 funding. It has no impact on the budget and
22 it's to maximize grant reimbursement.

23 LEGISLATOR KOPEL: Thank you. Do
24 any legislators have any questions or
25 comments? All those in favor of those item

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2 please say aye. Any opposed? Those items are
3 unanimous.

4 We are going to 380, 381 I think we
5 will wait until the end because they will
6 require executive session.

7 382 is ratifying a memorandum of
8 agreement making certain amendments to the
9 collective bargaining agreement between the
10 county of Nassau and Nassau Community College.

11 A motion on that by Ms. Walker.
12 Seconded by Mr. Lafazan. Anyone here on that
13 one?

14 MS. HORST: Katy Horst from the
15 administration. I believe Chris Nicolino from
16 labor relations and the college should be on.

17 MR. NICOLINO: I am.

18 LEGISLATOR KOPEL: Would you
19 identify yourself and speak to the item
20 please.

21 MR. NICOLINO: Mr. Gross from the
22 college is here also.

23 MS. HORST: Chris is that you?

24 MR. NICOLINO: It is.

25 MS. HORST: Can you identify

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2 yourself for the record and give an overview
3 of the item.

4 MR. NICOLINO: Sure. I was going
5 to let John Gross from the college who
6 negotiated this for the college present. He's
7 on the line and here he comes now.

8 MR. GROSS: Good afternoon. I'm
9 John Gross. I'm outside counsel to Nassau
10 Community College. What you have before you
11 is a two-year settlement of the Nassau
12 Community College Federation of Teachers
13 contract. We were able to work out a
14 relatively short-term agreement for two years
15 that dealt with two unfortunate economic
16 circumstances that became apparent once we
17 began negotiations that dictated that we try
18 to achieve as low a settlement as possible in
19 a relatively short period of time.

20 The college has become aware that
21 our enrollment has continued to decline
22 greater than anticipated. I'm sure, as the
23 legislators know, funding for the college is
24 actually premised on three areas. One is
25 county contribution. The second is state aid

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2 and the third is tuition. And with diminution
3 in enrollment as a result we think of the
4 COVID crisis, that led us to sit down with the
5 faculty to see if we could achieve some type
6 of accommodation.

7 The second problem is through, I'm
8 sure you're aware of it, the state of New York
9 and the threat that unless there is
10 substantial increase in funding to states and
11 local municipalities in the form of a federal
12 funding bill, the state has indicated to SUNY
13 and to the college through SUNY that we could
14 face up to a 20 percent reduction in state aid
15 from the state. Which of course would be very
16 problematic.

17 The first tranche of that has been
18 implemented although it has not been made --
19 decision has not yet been made that that's
20 final. But the anticipation is that we will
21 face something of a reduction.

22 So, the negotiations with the
23 association, and I have to certainly extend
24 the appreciation of the college to the
25 faculty, resulted in a contract that from one

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2 perspective is essentially no increase except
3 for the equivalent of step increments. Most
4 educational institutions provide for an
5 incremental structure that takes staff members
6 upwards of 20 years to achieve top salary.
7 They're hired at somewhat lower, substantially
8 lower rate and every year they're entitled to
9 receive step increments depending on whether
10 they're an instructor or assistant professor,
11 professor.

12 The gross course of that is the
13 equivalent of two percent of base payroll.
14 The contract does provide that the association
15 has to negotiate for increment. But just
16 about every prior contract with a couple of
17 exceptions increment ends up being part of the
18 deal along with a COLA or across the board
19 increase.

20 The seeming going rate in any
21 educational institutions for across the board
22 increases ranging from one to two percent.
23 The cost of increment two percent. So, if we
24 were to have followed the traditional pattern
25 but for these unfortunate, unanticipated

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2 circumstances the settlement would be as
3 referred to in the education labor area as two
4 percent plus increment which would be the
5 total of four percent.

6 We've been able to negotiate
7 however a modification of increment to the
8 extent that for the next two years union
9 members will only receive one half the value
10 of increments. So, in essence it will take
11 them to two years to move one step.

12 We also added a one percent
13 increase to each of those two years. So, on a
14 yearly basis the equivalent is merely the two
15 percent -- it's equivalent of just granting
16 increment.

17 So we were pleased with that. It
18 falls within budgetary constraints,
19 notwithstanding the concerns that I expressed
20 earlier.

21 There are other aspects to the
22 agreement that are favorable to the college.
23 One actually is favorable to the county. You
24 have a new reporting system and we had to make
25 sure that was complied with and the

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2 association agreed to that. We had a
3 provision for sick notes from physicians only
4 after 20 days of consecutive absences, which
5 obviously is a very difficult prospect. That
6 has been reduced to only five days.

7 A very important other item is we
8 are obviously required to continue
9 evaluations, supervision of teaching staff.
10 As I'm sure all of you know, the college was
11 forced during the COVID crisis to present to
12 the students instruction virtually. That
13 creates some significant issues relative to
14 the federal statute but also in just simple
15 logistics in being able to observe classes.

16 We were able to work that out to
17 where we were obviously can attend these
18 remote classes -- when I say we I mean the
19 administration -- by advanced notice with
20 traditional methodology if there is an
21 identification of a difficulty on the part of
22 the instructor or professor it will -- and
23 after an opportunity to improve, we're
24 permitted to, under the contract now, to do
25 unannounced observations on a virtual basis.

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2 We also established a committee
3 with the association to come back to the
4 college with recommendations for establishment
5 of criteria for promotion of nonclassroom
6 faculty. Which at the current time is
7 essentially done based on a mere service
8 basis.

9 We've another joint committee to
10 study what's called the link program, which is
11 an immersive foreign language, English as a
12 second language so to speak, program.

13 Finally, we reached an accord with
14 the association on a number of what are called
15 temporary lines which are established every
16 year to backfill temporary vacancies. Those
17 appointments can continue on until five years
18 and they morph in probationary appointments.
19 We came up with a reduced number. We agreed
20 with the association to restore or to employ
21 so to speak. And it provides expressly that
22 it's only a one year appointment. And it
23 expires at the end of the year.

24 That is the contours of the
25 settlement. We would respectfully suggest or

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2 ask that the legislature approve this and your
3 role of course as legislative body to the
4 joint employer, we are joint employers with
5 the county, the college is a separate
6 institutional, and the county and the board of
7 trustees who pays for this -- not board of
8 trustees but the college -- has already
9 adopted a resolution approving, granting its
10 legislative approval and now the county
11 executive has executed it as well as the
12 president of the college and now we are before
13 you for your approval.

14 LEGISLATOR KOPEL: Thank you
15 Mr. Gross. I notice that you were with us
16 right from the outset at 1 o'clock. I said I
17 noticed that you've been with us since the
18 outset, since 1 o'clock, for which I thank you
19 and I believe you stayed awake throughout for
20 which I congratulate you. Do any of the
21 legislators have any questions or comments?

22 LEGISLATOR DRUCKER: Yes, Mr.
23 Chairman, I have something. Thank you John.
24 Always a pleasure to see you. How are you? I
25 just have one question. Does the settlement

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2 factor in or account for further possible
3 decline in revenue from the three sources?
4 Does it account for that John?

5 MR. GROSS: It does to the extent
6 that the amount that we were anticipating to
7 have is much lower than what is bargained for
8 in the agreement.

9 Secondly, we are currently engaged
10 in further negotiations that are ongoing right
11 now because we're projecting that we may have
12 to move to consideration of reduction in
13 force. Which we want to avoid at all costs.

14 We're looking at many other cost
15 saving matters that we're negotiating with the
16 faculty association. I do again, not to throw
17 too many bouquets, the NCCFT has been utterly
18 understanding of the situation the college
19 faces financially. So I'm hopeful that we
20 will garner some modification of cost. We're
21 looking at different factors like early
22 retirement etcetera.

23 LEGISLATOR DRUCKER: I think that
24 would be advisable. I know that getting the
25 cooperation to garner that support is never an

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2 easy task. I commend you in getting it done.
3 I certainly hope that the college doesn't
4 experience any further unprojected decline in
5 revenue. I wish you good luck and thank you
6 John and happy holidays to you and your
7 family.

8 LEGISLATOR KOPEL: Any other
9 legislators? Hearing none, all those in favor
10 please signify by saying aye. Any opposed?
11 That item is unanimous. Thank you.

12 MR. GROSS: Thank you very much.

13 LEGISLATOR KOPEL: Number 378,
14 which I appeared to have skipped, is an
15 ordinance supplemental to OMB. That motion is
16 made by Mr. Muscarella and seconded by
17 Mr. Drucker.

18 MR. PERSICH: This item
19 supplementally appropriates our \$4 million
20 from the money received from New York State
21 last year. We anticipated settling claims to
22 save money in the worker's comp fund, worker's
23 comp appropriations, but that didn't appear.
24 So we have additional monies to pay out for
25 medical and indemnities claims that we will be

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2 using this money to pay outlet.

3 LEGISLATOR KOPEL: Any

4 questions? Hearing none, all those in favor

5 of 378 signify by saying aye. Any opposed?

6 That is unanimous. Thank you Andy.

7 383 is a resolution authorizing the
8 county executive to execute a grant agreement
9 between the department of parks and Oyster Bay
10 Historical Society. That's moved by
11 Ms. Walker and seconded by Mr. Lafazan.

12 MS. KASO: This is an amendment
13 to a hotel-motel tax grant with the Oyster Bay
14 Historical Society extending their term
15 because due to COVID they had some delays in
16 completing their projects that the funds were
17 supposed to help with. And so they just
18 needed a little bit of extra time. So we are
19 extending the term through December 31st of
20 this year.

21 LEGISLATOR KOPEL: Thank you.

22 Any questions? All those in favor please
23 signify by saying aye. Any opposed? That
24 item is unanimous.

25 384 is a resolution authorizing of

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2 restriping of various county roads.

3 That motion is made by

4 Mr. McKevitt. Seconded by Ms. Birnbaum.

5 MR. ARNOLD: Ken Arnold,

6 Department of Public Works. 384 is a New York

7 State master agreement for pavement and

8 marking phase 12. This agreement obligates

9 one million of federal funding to our pavement

10 management program which is also 80 percent of

11 what we would spend on this contract.

12 LEGISLATOR KOPEL: Any

13 questions? All those in favor please say

14 aye. Any opposed? That item is unanimous.

15 Number 385 is a grant agreement

16 between the district attorney's office and the

17 Woman's Opportunity Rehabilitation Center.

18 A motion by Mr. Drucker. Seconded

19 by Ms. Walker.

20 MR. MCMANUS: Bob McManus,

21 district attorney's office. This is a

22 four-month extension of an agreement with the

23 Women's Opportunity Rehabilitation Center

24 Incorporated in Hempstead to provide

25 additional time to utilize funding for the

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2 recipients Women Offenders Diversion and
3 Reentry Services Program. WORC is a community
4 correction program that offers alternatives to
5 incarceration programs for female offenders in
6 and around Nassau County. These programs
7 allow law enforcement officers to redirect low
8 level offenders engaged in drugs, prostitution
9 and other unlawful activity to community-based
10 services instead of jail and prosecution.

11 LEGISLATOR KOPEL: The reason you
12 have it separate for women and men is what?
13 Why is this a separate program special for
14 women?

15 MR. MCMANUS: Is the question why
16 is this program limited to women?

17 LEGISLATOR KOPEL: Yes.

18 MR. MCMANUS: This is a program
19 that was initially formed to serve women in
20 this situation and that has been its mission
21 since its inception.

22 LEGISLATOR KOPEL: Which doesn't
23 really answer the question but okay. Seems
24 like a worthy program. Any comment or
25 questions? Okay then. All those in favor

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2 please signify by saying aye. Any opposed?

3 That item is unanimous.

4 We have a number of addendum items
5 and we need a motion to suspend the rules by
6 Ms. Walker. Seconded by Mr. Drucker. All
7 those in favor of suspending the rules say
8 aye. Any opposed? The rules are suspended.

9 On the first addendum first item is
10 number 386, which is a transfer of
11 appropriations. Motion is made by Mr.
12 Lafazan. Second by Ms. Walker.

13 MS. LAURAIN: Mary Ellen Laurain
14 from the Department of Health. Item 386-20 is
15 a board transfer in the amount of \$90,000.
16 This is 100 percent grant-funded program so it
17 doesn't have any impact on the budget. It's
18 necessary to maximize grant reimbursement.

19 LEGISLATOR KOPEL: Thank you.
20 Any questions? Any public comment? All those
21 in favor of number 386 please signify by
22 saying aye. Any opposed? That item is
23 unanimous.

24 387 is a local law in relation to
25 the Department of Public Works approval of

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2 building permits and curb cuts pursuant to
3 Section 239-F of the New York State General
4 Municipal Law. I will make that motion and
5 seconded by Ms. Birnbaum.

6 What this is about is a Majority
7 item. What's going on is that Section 239-F
8 of the New York State General Municipal Law
9 authorizes counties to involve themselves in
10 certain aspects of building permits, curb cuts
11 and so forth to the extent that it affects the
12 county or the various counties.

13 Section 239-F provides that the
14 county has ten working days within which it is
15 supposed to respond or provide its objections
16 to any applications. And the statute further
17 provides that should the county fail to make a
18 report within ten working days of such
19 offerings the county shall forfeit the right
20 to suspend action.

21 In practice, for many years Section
22 239-F in the department of Nassau has been
23 widely disregarded in terms of time periods.
24 The result of this is that building permits
25 are often, and curb cuts, sometimes for simple

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2 matters, sometimes more complex buildings are
3 delayed for many, many months and sometimes
4 even years.

5 This is unacceptable because it
6 imposes enormous costs on builders, on
7 homeowners, on commercial projects. And
8 further, it also prevents the county in many,
9 many instances from being able to assess and
10 collect taxes, and other municipal governments
11 for that matter, taxes on completed projects
12 which results in a significant loss of
13 revenue.

14 Accordingly, this new local law
15 goes much further beyond the state law and it
16 provides that the county has 30 days, which is
17 three times as long, 30 days is not three
18 times as long -- it's ten working days, but 30
19 days in which to respond.

20 I would note that there are not
21 that many items that Section 239-F really
22 contemplates as being within the purview of
23 the county. It shouldn't be that hard.

24 Therefore, when the county does not
25 respond within 30 days any fees paid in

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2 connection with the application are reduced 25
3 percent. They are reduced by a further 25
4 percent for each ten days following that
5 within which the county does not respond. The
6 time for county response is extended for any
7 period during which the county is waiting for
8 information or a response from an applicant.

9 When the fees are reduced such that
10 they reach zero, the ordinance will provide
11 now that the approval is deemed granted
12 automatically and the individual municipality
13 may go ahead and proceed.

14 Do we any comments from any
15 legislators or administration? Ms. Birnbaum.

16 LEGISLATOR BIRNBAUM: I had the
17 honor of serving on the blue ribbon panel that
18 examined the 239-F process and it met several
19 times with business leaders, with the
20 Department of Public Works, with Legislator
21 Schaefer, myself and others. After a series
22 of meetings there was a list of
23 recommendations that would help streamline the
24 process.

25 At this point, I think we need to

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2 learn more about what was implemented and what
3 the average time period is from receiving the
4 applications to getting the permits. And I
5 know there's a meeting scheduled in fact for
6 tomorrow. We'll be learning more about what
7 is happening in the Department of Public Works
8 in terms of using the program, having
9 additional personnel working on it. But at
10 this point I don't feel as if we have all the
11 information.

12 LEGISLATOR KOPEL: All right. I
13 would respond simply by saying that certainly
14 from -- I will agree that it's anecdotal
15 evidence but it is one of the more common
16 complaints that I receive and many of the
17 legislators receive in terms of the
18 unsupportable delays.

19 Also I would say that the
20 commission that quite a while ago -- nothing's
21 improved. Again, anecdotally but we have no
22 evidence that things have improved.

23 Finally, the fact is that if were
24 someone to go to court, I'm not talking about
25 an applicant over here, and claim that the

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2 county simply has no right to delay beyond the
3 ten business days that would probably be
4 granted possibly. I'm not an expert at this.
5 It possibly might even be the grounds for a
6 class-type action.

7 This gives the county significantly
8 more time. The county should not be involved
9 in many of the aspects of building
10 applications that it does get involved in.
11 It's really a strictly limited series of needs
12 that the county should be looking at. That is
13 okay access to public streets as well as water
14 accumulation and things like that. Beyond
15 that, we should be leaving these things to
16 local building departments. That's their
17 job. They hopefully do a fine job and it's
18 just not the county's business. There's no
19 evidence that the county is making any
20 significant progress. We've waiting far too
21 long. Anyone else?

22 LEGISLATOR BIRNBAUM: I would
23 like to see the evidence. I would really like
24 to examine the numbers and see if there has
25 been an improvement since the panel met and

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2 came up with a list of recommendations.

3 LEGISLATOR KOPEL: Anyone else?

4 Hearing none, all those in favor of -- were
5 you looking to make a motion?

6 LEGISLATOR BIRNBAUM: I would
7 like to say I'm in favor of making
8 improvements always. I don't know whether
9 this is the proper resolution to do it but I
10 would like to hear more from the department
11 and what goes on there.

12 LEGISLATOR KOPEL: Is the
13 department available?

14 LEGISLATOR BIRNBAUM: Maybe by
15 the time --

16 LEGISLATOR KOPEL: We'll have
17 another chance maybe next week.

18 LEGISLATOR BIRNBAUM: Exactly.

19 LEGISLATOR KOPEL: Anyone else?
20 Hearing none, all those in favor of 387?

21 LEGISLATOR BIRNBAUM: I want to
22 make one other comment. This resolution came
23 to the legislature late Friday afternoon. So
24 I really don't think there was a lot of time
25 to gather the information between late Friday

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2 afternoon and Monday. I realize the next
3 meeting is a week from now. That's still only
4 one week and a day in terms of working days.

5 LEGISLATOR KOPEL: It shouldn't
6 really take a long time to gather this
7 information. Either they've made very
8 significant progress or they haven't.

9 LEGISLATOR BIRNBAUM: I hope to
10 hear on Monday.

11 LEGISLATOR KOPEL: All those in
12 favor please signify by saying aye. All those
13 opposed? That item passes unanimously.

14 389 is a local law to amend the
15 administrative code in relation to the
16 collection of unpaid taxes, penalties and
17 interest by the county treasurer.

18 That is moved by Ms. Birnbaum I
19 think it was and seconded by Ms. Walker.

20 This item is again a Majority
21 item. It's something that has been presented
22 in response to the COVID-19 pandemic. As
23 everyone knows, the governor issued, all the
24 way back in March, closures. There was a
25 significant economic downturn. Not news to

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2 any of us. The governor issued a directive to
3 assist commercial tenants who are struggling
4 to help pay rent. That directive prohibits
5 the initiation or enforcement of eviction of a
6 commercial tenant if the commercial tenant is
7 having difficulty paying rent.

8 Now, this has, of course, a
9 knock-on affect on the landlords. If they're
10 not collecting rent then -- they're not
11 collecting rent then they don't have money to
12 pay taxes.

13 What this item does is it is not
14 suggesting or it's not providing that we
15 forgive this tax. What it does is, you don't
16 recover the penalty and interest or it's
17 selling tax liens so long as the landlord is
18 able to affirm they cannot pay it because of
19 the nonpayment of rent, therefore, the county
20 treasurer cannot initiate this kind of
21 proceeding or enforcement eviction. The
22 county treasurer -- an action cannot be used
23 as proof of rent amounts owed to a commercial
24 landlord.

25 The provisions of this law, it's a

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2 temporary law, it expires when the governor's
3 previously described directive expires. So
4 the landlords are still responsible to pay
5 taxes ultimately. The purpose of the
6 legislation is simply to provide some relief
7 to landlords that are struggling as a result
8 of the current emergency.

9 Do we have any questions or
10 comments by any by any of the legislators?
11 Hearing none, all those in favor of 389 please
12 signify by saying aye. Any opposed? That
13 item passes unanimously.

14 390 is a local law to create a
15 special revenue fund to assist in finance or
16 payment of tax certiorari settlements and
17 judgements in Nassau County.

18 Once again, this is a Majority
19 sponsored item. And it is moved by Legislator
20 Walker and seconded by Legislator Lafazan.

21 What this item does is it creates a
22 special revenue fund. The purpose of this
23 special revenue fund is as follows. The
24 administration has presented us with a request
25 to forward or pass a declaration of need. The

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2 declaration of need would signal NIFA to go
3 ahead and make certain adjustments to
4 refinance various bonds of the county in the
5 amount of several hundreds of millions of
6 dollars.

7 Now, the reason that this is being
8 done is because the administration projects a
9 very significant decrease in sales tax
10 collections which would impact on our budget,
11 which would in turn perhaps impact on the
12 provision of various services by the county to
13 the public. The projection by the
14 administration is that the decrease in sales
15 tax would be 20 percent. In fact, the
16 decrease has been on the order of eight
17 percent.

18 Now, nobody knows the future but we
19 are looking at hopefully a vaccine becoming
20 available. We also know that we have, the
21 Majority has projected the decrease at a far
22 lower rate. And we also know that sister
23 jurisdictions such as Suffolk has projected a
24 far lower rate than the 20 percent.

25 Should that which I'm sure everyone

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2 of us hopes for comes to pass, in other words,
3 that we collect far more sales tax than the
4 administration projects, that would be a
5 wonderful thing for many reasons. Obviously
6 it means our economy is doing well and it
7 means that the county in turn is doing well
8 collecting lots of revenue and has less need.

9 What we are doing in this
10 initiative over here is suggesting that any
11 excess of sales tax that is collected over and
12 above the amount projected by the
13 administration be used in a fiscally
14 responsible manner.

15 Now what happens is -- it happens
16 to be that we have a very large certiorari
17 overhang. People, taxpayers, whether
18 homeowners or commercial tenants or commercial
19 owners, have overpaid and have been
20 adjudicated or have settled and they're
21 waiting for refunds and many of these people
22 can use refunds desperately. Need the refunds
23 in view of the COVID-19 slow down.

24 One further aspect of this that is
25 interesting and important is that the

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2 certiorari settlements or judgements in many
3 cases bear an interest rate of nine percent
4 which is far, far higher than we should be
5 paying or that we should be contemplating.
6 Especially if we have a way to pay it off at a
7 lower cost. That should be an exercise of
8 fiscal responsibility. One of the very first
9 items that we ought to pay off.

10 So, the initiative suggests really
11 that we take excess funds over and above the
12 funds that are projected by the
13 administration. These are excess funds. If
14 that happens, we collect these excess funds,
15 that means that our budget will not be in
16 deficit significantly because of the
17 noncollection of sales taxes due to the
18 pandemic. Let's use this money in a
19 responsible and prudent fashion and use it to
20 pay off this debt to people who need it, who
21 want it and at the same time benefits the
22 county.

23 Do we have any comment from the
24 administration? Any comment from
25 legislators? Legislator Birnbaum.

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2 LEGISLATOR BIRNBAUM: While I
3 certainly hope that your economic forecasting
4 is better than that of the administration's
5 and as we have seen to date Black Friday was
6 flat or even lower than projected. Polls are
7 showing that during Christmas, holiday season
8 shopping will be done mostly online. We have
9 no idea when the vaccinations will come to the
10 general populace and the ages of people who
11 are most likely to go shopping in Nassau
12 County. That could be quite a while and we'll
13 see whether these sales tax revenues will
14 exceed the administration's forecast and will
15 even be able to collect revenue. It's very
16 optimistic.

17 LEGISLATOR KOPEL: Legislator
18 Birnbaum, I think that no one here disagrees
19 with you in terms of what you hope. We all
20 hope the same thing. Indeed, if the worst
21 should come to pass and the sales tax dollars
22 are not collected and the additional revenue,
23 not really revenue but the additional money
24 that would be freed up by this refinance is
25 needed it's there. This does nothing to

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2 prevent that. Nothing at all to prevent
3 that. All this is doing is saying that if the
4 money is not needed because the sales tax is
5 there then we're going to use it for a good
6 and smart purpose. Anyone else?

7 LEGISLATOR BIRNBAUM: I want to
8 comment that the cause is very worthy and like
9 my comments before in regard to the panel
10 we're basing a lot of our resolutions on
11 anecdotal and desires. I don't think there's
12 a downside to creating the fund but is it
13 necessary at this point?

14 LEGISLATOR KOPEL: There's no
15 downside to creating the fund we agree with
16 that. There should be no downside. No one
17 should object to it. And is there a need for
18 it? Yeah, I think so. There's a need for it
19 because if the best does eventuate and we do
20 have all this extra money I think this ties up
21 the money. This ties up the money. Doesn't
22 allow us or the administration to go ahead and
23 spend it on other items. It's uses the
24 money. It uses, to use an old phrase, the
25 lock box which is to be used for a salutary

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2 purposes which is to pay off debt. Very high
3 rate debt.

4 So, we're taking the extension of
5 current debt, we're taking the money that we
6 derived from that and using it to pay off high
7 rate debt. And I can conceive of no more
8 responsible or better use for it.

9 Yeah, what we have now is a
10 situation where, as you said, there's no
11 downside to it and there's a tremendous upside
12 to it. And I think that I would be surprised
13 if anyone were to oppose this. There's no
14 good reason to oppose it that I can conceive.

15 LEGISLATOR BIRNBAUM: I agree
16 with you on that. I just hope that there will
17 be money coming into it.

18 LEGISLATOR KOPEL: Let's see what
19 happens. Anyone else? Hearing none, all
20 those in favor of item 390 please signify by
21 saying aye. Any opposed? Thank you. That
22 item passes unanimously.

23 Number 391, once again, is a
24 Majority-sponsored item which is a local law
25 to amend Section 21-10.2(2)c of the Nassau

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2 County administrative code with respect to due
3 process for trade practice violations.

4 This one here is aimed at ensuring
5 that while the rights of the public with
6 respect to not being price gouged are
7 respected and protected, at the same time we
8 don't thereby harm any of our hard-working
9 merchants.

10 This item, which is moved by
11 Legislator Walker and seconded by Legislator
12 Lafazan, provides that -- let's see. The way
13 things work now is the Nassau County
14 Department of Consumer Affairs gets reports of
15 price gouging. Now there are unscrupulous
16 businesses and individuals that do engage in
17 price gouging and we all know and that's why
18 we have the Department of Consumer Affairs
19 among other reasons.

20 But there are also upstanding
21 businesses that sometimes charge more and
22 charge a lot more and they've got very good
23 reasons. The reason is that there is a
24 shortage and their suppliers charge them more
25 and they can't sell it at a loss. Now we've

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2 got to protect the due process rights of these
3 businesses. And the fact that someone
4 complains about it is just not enough. What
5 we want to do is have these businesses be
6 informed in writing initially on specific
7 information regarding allegations against
8 them.

9 The proposed law does several
10 things. It requires the Department of
11 Consumers Affairs commissioner to post its
12 rules and regulations on the county website.

13 Secondly, prior to issuance of the
14 summons which alleges unconscionable trade
15 practices, in other words price gouging,
16 Department of Consumer Affairs must provide
17 reasonable opportunity for a business to
18 provide evidence that it's not price gouging
19 including or such as receipts, books and
20 records showing why it happened. That they
21 are charging more but they're charging more
22 for a good reason. That their profit margin
23 is not unduly different than it was before the
24 disruption of business.

25 Finally, the department must

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2 provide a written explanation of charges
3 against the business and evidence that after
4 the issuance of summons and within five
5 business days prior to a hearing or conference
6 on the charges they got to provide this
7 information. Failure to do this, if they
8 don't provide this information, leads to
9 adjournment of the case in the first instance
10 and secondly, dismissal on the second
11 instance.

12 Businesses that price gouge should
13 be punished. We have no quarrel about that.
14 But the county must also remember that during
15 a crisis that we're in, such as the crisis
16 that we're in, there are outside forces that
17 sometimes leave a business no choice but to
18 raise prices. We've got to distinguish
19 between those two groups and this proposed
20 local law allows us to do so. That's my
21 statement. Do we have any -- Legislator
22 Birnbaum.

23 LEGISLATOR BIRNBAUM: I'm just
24 curious if the commissioner of consumer
25 affairs has been in discussions about these

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2 improvements? Has the commissioner of the
3 Department of Consumer Affairs been consulted
4 to at least discuss these items and to maybe
5 get him to be part of the process of changing
6 the rules in the department?

7 LEGISLATOR KOPEL: The answer is
8 that the commissioner is aware of this and
9 it's under review by his office and presumably
10 by next week when it's on the full calendar --

11 LEGISLATOR BIRNBAUM: Right. But
12 does that mean he just found out about it as a
13 resolution how to run his department?

14 LEGISLATOR KOPEL: I'm informed
15 that this was filed last weekend. When it was
16 filed is when he heard about it.

17 LEGISLATOR BIRNBAUM: What day
18 was it filed? Was it also on Friday?

19 LEGISLATOR KOPEL: I don't know.
20 It was filed last week. Katy.

21 MS. HORST: Katy Horst from the
22 administration. Commissioner May was made
23 aware of it on Friday evening.

24 LEGISLATOR BIRNBAUM: I just feel
25 at this point I'm hearing a lot of resolutions

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2 that are instructing departments of Nassau
3 County government how to run their
4 departments. Yes, maybe to improve them but
5 perhaps the way we're going about it is not
6 the correct procedure. We maybe should be
7 consulting with the departments and talking to
8 them about how it's being run and what could
9 they do. I don't think that everything needs
10 a law to change how an internal department
11 works.

12 LEGISLATOR KOPEL: Legislator
13 Birnbaum, I understand what you're saying.
14 But it seems like many of your objections are
15 on process and procedure rather than substance
16 and especially so in this case. I think that
17 the substance of the proposed law is such that
18 all we're doing is saying that a business
19 should not be -- we're getting anecdotal
20 evidence that a number of businesses have been
21 assessed fines without a chance to actually
22 contest it and provide evidence of it. And
23 all this does is give these businesses a
24 chance to hear what the case against them is
25 and to refute the case before the commissioner

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2 imposes any fines.

3 I once again would be surprised to
4 hear that this is objectionable in any way to
5 anyone. Why would anybody say no? I have had
6 personal experiences dealing with -- I'm not
7 talking about Nassau County but other bodies,
8 sometimes in other states, where a
9 commissioner, in my case insurance
10 commissioners in various states, get a
11 complaint and immediately say okay, you're
12 being fined. It's almost like that famous
13 line, what is it, Alice in Wonderland,
14 sentence first verdict afterwards. That's not
15 right. This merely corrects that.

16 All it does is say that these
17 people are entitled to due process and should
18 not be assessed fines or otherwise punished
19 without having had a chance to contest it and
20 to provide evidence that it's proper. And it
21 is happening in some instances right now where
22 that's not the case.

23 LEGISLATOR BIRNBAUM: Again,
24 anecdotally I believe you but I would like to
25 see evidence and would like to see how often

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2 this happens and I would like the department
3 to be notified sooner than the night of the
4 business day before a meeting and there would
5 be more opportunity to gather information and
6 given that the next meeting of the full
7 legislature is one week away I feel that
8 everything is being rushed.

9 LEGISLATOR KOPEL: It will happen
10 before the full legislature and we will
11 discuss it hopefully in further depth at that
12 point. But I will say that if it happens to
13 one business that's one business too many. So
14 the fact that it's only anecdotally it is
15 happening to some people. If it happens to
16 one person as I say that shouldn't be the
17 case.

18 LEGISLATOR DRUCKER: Mr. Chairman
19 may I speak?

20 LEGISLATOR KOPEL: Of course. Go
21 ahead.

22 LEGISLATOR DRUCKER: I support
23 any bill that seeks to protect consumers I
24 support. But there are some legal and perhaps
25 constitutional concerns that we need to be

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2 aware that this bill does shift the burden on
3 to a retailer or a merchant to prove that what
4 they're charging is not an excessive amount.
5 I am concerned or I have questions about what
6 is considered to be a reasonable markup that a
7 merchant can charge in light of substantial
8 increases in costs that retailers and
9 merchants face now as a result of the
10 pandemic.

11 I certainly support any bill that
12 protects consumers but we have to be mindful
13 of what the burden of proof is and how it's
14 now shifting onto the retailer to prove that
15 they're not gouging. Whereas, in normal
16 circumstances, example, Department of Traffic
17 and Parking Violations if you get a speeding
18 ticket the police officer has to demonstrate
19 through radar or other types of detection they
20 have proof that you were speeding and it's up
21 to you to controvert that.

22 I only have concerns about that but
23 I do support any bill that does protect the
24 consumers but it has to be mindful of what the
25 legal arguments and constitutionality may be.

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2 LEGISLATOR KOPEL: I would simply
3 point out to you, with all due respect
4 Legislator Drucker, that this is actually not
5 protecting the consumer, rather it's
6 protecting the merchant against a claim by a
7 consumer which may lack some fairness or
8 accuracy. And it's not, again, directed at
9 the consumer. It's merely ensuring that our
10 merchants are not penalized for something that
11 they can't do.

12 And it is not doing anything, it is
13 not impeding in the enforcement. It is merely
14 providing or ensuring that these people are
15 afforded due process and a chance to respond
16 to any complaints against them. That's all
17 this does. It doesn't prevent claims. It
18 doesn't prevent any fines or other enforcement
19 action. All it does is give these people a
20 chance to defend themselves which I believe
21 all of us should want.

22 LEGISLATOR DRUCKER: Again, I
23 don't necessarily disagree with what you're
24 saying. It's just how when a merchant
25 receives a summons he's automatically told

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2 that he was price gouging and it's now the
3 burden is on the merchant to show proof that
4 he's not.

5 LEGISLATOR KOPEL: This does not
6 put any burdens on the merchant at all. It
7 absolutely does not do that Mr. Drucker.
8 Understand. What this does is this helps the
9 merchant. Whereas, sometimes there's a
10 complaint filed and the merchant is informed
11 that he or she has been fined, what this does
12 is prevent the imposition of that fine or
13 other disciplinary action unless and until the
14 merchant has had a chance to present to the
15 department evidence in defense of his practice
16 or her practice. That's all it does. It is
17 not imposing any burden whatsoever on the
18 merchant. It is helping the merchant.

19 LEGISLATOR DRUCKER: Again, this
20 came in very late. I would like further
21 opportunity. I will support it now but I
22 would like to use the next week to really go
23 over this bill.

24 LEGISLATOR KOPEL: Of course you
25 will and of course you should. Ms. Walker.

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2 LEGISLATOR WALKER: I will be
3 very brief. Especially during the height of
4 COVID we had businesses that were opening
5 packs of PPE equipment and selling individual
6 masks for \$10. I mean, these are paper
7 masks. Again, opening packages or having a
8 package of ten that were being sold for 50
9 something dollars. We knew right away that
10 that was price gouging and we reached out and
11 consumer affairs was very, very good in
12 handling all of us and trying to help all of
13 us so that our residents -- and residents were
14 panicking because they couldn't find them any
15 place. So then they're paying what they
16 shouldn't have to pay.

17 But yet there are some businesses
18 that have reached out to us and said it's so
19 hard to get whatever they need. Even grocery
20 items, detergents or whatever it might be.
21 So, they were having to pay so much more to
22 get them. And again, doesn't have to be huge
23 amounts of a difference. But if they're fine
24 because all of a sudden they're selling
25 something for three or four dollars more than

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2 it ever was some of them it's because they
3 can't possibly get it.

4 And they had no defense. And this
5 really helps those businesses to be able to
6 say look at my paperwork. This is what I had
7 to pay for it. So I have to pass some of that
8 on to the consumer. Hopefully in the near
9 future we will be back to way things where.
10 Hope to God for all of us in many ways. Then
11 we will expect those prices to go back down to
12 where they were.

13 Again, any of those businesses that
14 did reach out and say that they felt they were
15 fined unjustly they kind of didn't have
16 anywhere to go for help and this would give
17 them some help.

18 LEGISLATOR KOPEL: Anyone else?
19 All those in favor of item 391 please signify
20 by saying aye. That item is unanimous.

21 The next group are items 394, 395,
22 396, 397, 398. All of which are resolutions
23 authorizing the assessor to extend the
24 assessment roll amounts for the reconstruction
25 of sidewalks pursuant to various town laws and

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2 government laws. These are in various towns,
3 Town of Hempstead, North Hempstead, Oyster Bay
4 and so forth.

5 Motion on that by Mr. McKevitt.
6 Seconded by Mr. Drucker. Anyone to speak on
7 those items? We all know what they are.

8 MR. MOOG: County assessor David
9 Moog. Is this items 394 through 401?

10 LEGISLATOR KOPEL: 394, 395, 6, 7
11 and 8. The other ones we will grab next.

12 MR. MOOG: Mr. Miles will speak
13 on behalf of the Department of Assessment.

14 LEGISLATOR KOPEL: Go ahead
15 please.

16 MR. MILES: Deputy Assessor
17 Robert Miles. These are your yearly direct
18 assessment charges. Hempstead does their
19 sidewalk charges by five installments. You
20 will see five resolutions from the Town of --
21 regarding the Town of Hempstead. They send a
22 resolution to us telling us all the properties
23 that are being charged for the direct
24 assessments for the sidewalks. That's five
25 resolutions. Then there's three additional

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2 resolutions, litter and dangerous buildings.

3 Two of which came from Town of Hempstead.

4 LEGISLATOR KOPEL: I haven't
5 called those yet.

6 MR. MILES: The first five are
7 Town of Hempstead sidewalk resolutions.

8 LEGISLATOR KOPEL: Any
9 questions? All those in favor of those three
10 items 398, 399, 400 and 40-- I'm sorry, I've
11 given you the wrong numbers there. 394, 395,
12 396, 397 and 398. All those in favor signify
13 by saying aye. Any opposed?

14 399, 400 and 401 are resolutions
15 authorizing the assessor to assess amounts for
16 demolition of unsafe premises and clearing
17 costs.

18 Motion on that is made by
19 Ms. Walker. Seconded by Mr. Lafazan.

20 MR. MILES: Similar situation
21 here. You have two Town of Hempstead
22 resolutions. The litter resolutions and the
23 dangerous buildings resolution these once
24 again are our annual resolutions for the towns
25 whenever they request direct assessments.

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2 Those two items, 399 and 400, are for the Town
3 of Hempstead and then 401 is for the Town of
4 Oyster Bay and that's a dangerous buildings
5 resolution.

6 LEGISLATOR KOPEL: Any
7 questions? All those in favor please signify
8 by saying aye. Any opposed?

9 402, 403, 405, 406 and 407 are
10 resolutions authorizing partial exemptions of
11 various real properties. A motion on that is
12 by Mr. McKevitt. Seconded by Ms. Birnbaum.

13 MR. MILES: Those items are
14 correction of error resolutions for the three
15 towns, two of which are mass petitions for two
16 condominium units and three are various
17 petitions for the three towns.

18 LEGISLATOR KOPEL: Thank you.
19 All those in favor of those items say aye.
20 Any opposed? Those items are unanimous.

21 404 is an ordinance amending
22 ordinance 99-D for updating and certifying the
23 base and adjusted base proportions for the
24 county, town and special districts for each
25 class of property.

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2 Motion by Ms. Walker. Seconded by
3 Ms. Birnbaum. Mr. Moog, are you there?

4 MR. MILES: We couldn't hear.
5 Did you just call 404?

6 LEGISLATOR KOPEL: Yes. 404 is
7 what I called.

8 MR. MILES: 404 is the adjusted
9 base proportions for the general tax levy
10 county, town and special districts, and this
11 will apply for the tax levy ordinance you will
12 see later in the week.

13 LEGISLATOR KOPEL: Thank you.
14 All those in favor of 404 please signify by
15 saying aye. Any opposed? That is unanimous.
16 Thank you.

17 We are going to the second
18 addendum. It has one item which is 409. I'm
19 sorry. So then what I need then is we're
20 going to come back. We skipped a couple of
21 items at the beginning which is going to
22 require executive session. Number 380, 381
23 which are settlements. First one is Duarte
24 against the county and the second one is HVAC
25 against the county of Nassau.

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2 Those are moved by Mr. Drucker and
3 seconded by Mr. McKevitt. Before I take a
4 motion for executive session -- well,
5 actually, first we'll do executive session.
6 Then I will come back and comment on them.

7 Motion is made for executive
8 session by Mr. Muscarella. I seemed to have
9 forgotten you Mr. Muscarella. You still
10 there? And seconded by Mr. Drucker. All
11 those in favor of going into executive session
12 please signify by saying aye. Any opposed?
13 We are in executive session to which I would
14 invite members of the Rules Committee as
15 well.

16 (Committee moved to executive
17 session at 5:06 p.m.)

18 (Committee reconvened at 5:21 p.m.)

19 LEGISLATOR KOPEL: We are back in
20 session. We are going to vote on the final
21 two items, 380 and 381. First on 380, all
22 those in favor of the settlement please
23 signify by saying aye. Any opposed? That item
24 passes unanimously.

25 Now on 381, before we vote, I just

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2 want to say a few words on -- the feeling of
3 the Majority and I would expect the Minority
4 as well on this particular situation, what
5 happened over here is that, and I'm not giving
6 away any secrets, this was an item where a
7 vendor got an emergency contract and
8 apparently performed that contract and was not
9 paid for several years, from 2017 through
10 2019. At which point it got tired of waiting,
11 filed a lawsuit and from 2019 until the end of
12 2020 that's how long it took to get the county
13 to get the money to them.

14 I think this is a terrific
15 illustration of one of the reasons why we
16 often seek, certainly on the Rules Committee,
17 contracts that are sole source, I'm not
18 talking about OMB vendors who can't do it, I
19 shouldn't say sole source, but only one bidder
20 where you might expect that you should have
21 dozens of bidders. And that is because nobody
22 likes to work and not get paid. This is not
23 fair. This is not right.

24 We get contracts all the time which
25 are retroactive in nature. It happens

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2 virtually every session and we complain about
3 it virtually every session and it happens
4 anyway. I don't understand why that didn't
5 happen in this case. If I was a contractor
6 I'd be very hesitant to bid on a county
7 contract. It's simply disgraceful.

8 Anybody else have anything to say
9 on this? That having been said, all those in
10 favor of settling 381 please signify by saying
11 aye. Any opposed? That item is unanimous.

12 We now have a motion to finally
13 adjourn. That is by Ms. Walker and it's
14 seconded by Mr. Muscarella. All those in
15 favor of adjourning signify by saying aye.
16 Any opposed? We are adjourned and we're back
17 to Rules. Thank you.

18 (Committee adjourned at 5:25 p.m.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have
hereunto set my hand this 12th day of
December 2020

FRANK GRAY