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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

FINANCE COMMITTEE

LEGISLATOR HOWARD KOPEL  
CHAIR

Theodore Roosevelt Building  
1550 Franklin Avenue  
Mineola, New York

September 13, 2021

5:05 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

6

7     LEGISLATOR VINCENT MUSCARELLA

8                     Vice Chair

9

10    LEGISLATOR DENISE FORD

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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1 Finance 09-13-21

2 LEGISLATOR KOPEL: Mr. Pulitzer,  
3 would you be so kind as to call the roll.

4 MR. PULITZER: Thank you  
5 chairman. Finance Committee. Legislator  
6 Joshua Lafazan.

7 LEGISLATOR LAFAZAN: Here.

8 MR. PULITZER: Legislator Arnold  
9 Drucker.

10 LEGISLATOR DRUCKER: Here.

11 MR. PULITZER: Ranking member  
12 Ellen Birnbaum.

13 LEGISLATOR BIRNBAUM: Here.

14 MR. PULITZER: Legislator Rose  
15 Marie Walker.

16 LEGISLATOR WALKER: Here.

17 MR. PULITZER: Filling in for  
18 Legislator Thomas McKevitt would be Legislator  
19 Denise Ford.

20 LEGISLATOR FORD: Here.

21 MR. PULITZER: Vice Chairman  
22 Vincent Muscarella. We will come back there.  
23 Chairman Howard Kopel.

24 LEGISLATOR KOPEL: Here.

25 MR. PULITZER: We have a quorum

1 Finance 09-13-21

2 sir.

3 LEGISLATOR KOPEL: Start out

4 Ms. Walker makes a motion to suspend the rules  
5 and that is seconded by Ms. Birnbaum. All  
6 those in favor of suspending the rules please  
7 say aye. Any opposed? The rules are  
8 suspended.

9 There are a number of items which I  
10 will call together which have gone through  
11 previous committees. The Majority and  
12 Minority have agreed that no further debate or  
13 discussion is required. Those are numbers  
14 271, 273, 276, 278, 279, 280, 298, 304, 305,  
15 306, 307, 308, 309, 311, 316, 326. On the  
16 addendum 327, 335, 336, and yes, that's it.

17 Motion on that by Ms. Ford.

18 Seconded by Ms. Walker. All those in favor of  
19 those items please so indicate by saying aye.  
20 Any opposed? Those items are passed  
21 unanimously. Thank you.

22 Next I will call together number  
23 265 266, and 267, which are all resolutions  
24 authorizing the county assessor to partially  
25 exempt certain properties.

1 Finance 09-13-21

2 Motion on that by Ms. Walker.

3 Seconded by Mr. Lafazan. All those in favor  
4 of those three items please so indicate by  
5 saying aye. Any opposed?

6 Number 272 is supplemental to  
7 appropriations with OMB, and that is moved by  
8 Ms. Walker again and Mr. Drucker seconds.  
9 Anyone here?

10 MR. PERSICH: Good afternoon.  
11 Andy Persich, Office of Management and Budget.

12 LEGISLATOR KOPEL: We're on 272.

13 MR. PERSICH: This is yours.

14 LEGISLATOR KOPEL: This is the  
15 one. Never mind. This is a transfer of  
16 appropriations in the Majority budget. All  
17 those in favor? Any opposed? That is  
18 unanimous. Thank you. Sorry. Let's see.  
19 Don't go away. 274 is yours? Withdrawn?  
20 Okay.

21 You want to go through whatever you  
22 have.

23 MR. PERSICH: I only have one  
24 other item.

25 LEGISLATOR KOPEL: Which is?

1 Finance 09-13-21

2 MR. PERSICH: Item 312.

3 LEGISLATOR KOPEL: Number 312 is  
4 supplemental to OMB, and that motion is made  
5 by Ms. Ford and seconded by Mr. Lafazan.

6 MR. PERSICH: Andy Persich,  
7 Office of Management and Budget. This item  
8 appropriates \$537,731 for indigent legal aid  
9 services. It's distribution ten of year  
10 three. It's a recurring grant stream that  
11 comes from the state of New York and this is  
12 just the annual appropriation for this term of  
13 the grant.

14 LEGISLATOR KOPEL: Any  
15 questions? Yes, Ms. Ford.

16 LEGISLATOR FORD: Is this the  
17 only grant you get from New York State on this  
18 or is this just one of?

19 MR. PERSICH: No. This is a  
20 result of the Harrell-Haring litigation and  
21 they've been giving -- the state of New York  
22 has been giving out grants in pieces. It's a  
23 little clumsy I will say. But it's a flowing  
24 stream that we have. This is distribution ten  
25 if that tells you how many we've gotten so

1 Finance 09-13-21

2 far. So we've gotten ten distributions on  
3 this already.

4 LEGISLATOR FORD: I was just  
5 wondering if there was any intention of  
6 increasing the stipends to legal aid?

7 MR. PERSICH: Separate and apart  
8 from this, this is just for news because of  
9 the supplantation issue. So whatever legal  
10 aid had in its budget already we really can't  
11 supplant this for any new items, caseloads,  
12 everything else. We work with both the ILS  
13 people and the 18B people over in the Bar  
14 Association to figure out how to spend the  
15 money and they kind of direct us on what their  
16 needs are.

17 LEGISLATOR FORD: Thank you.

18 LEGISLATOR KOPEL: Anyone else?  
19 All in favor of that item please so indicate  
20 by saying aye. Any opposed? That is  
21 unanimous.

22 Number 277 is a grant agreement  
23 between Parks and the Long Island Arts  
24 Alliance. Motion by Ms. Birnbaum. Second by  
25 Mr. Drucker.

1 Finance 09-13-21

2 MS. KASO: Tori Kaso, Department  
3 of Parks. 277-21 is hotel-motel tax agreement  
4 in the amount of \$25,000 for the Long Island  
5 Arts Alliance for the purpose of creating an  
6 art specific member-generated online events  
7 calendar and directory and providing print and  
8 digital public awareness campaign.

9 LEGISLATOR KOPEL: Anyone have  
10 any questions? Hearing none, all those in  
11 favor of that item please so indicate by  
12 saying aye. Any opposed? That's unanimous.

13 You have others as well I think.  
14 285 is next?

15 MS. KASO: Yes.

16 LEGISLATOR KOPEL: Number 285 is  
17 a grant between Parks and Girl Bands Rock.  
18 That motion is made by Ms. Walker and seconded  
19 by Mr. Lafazan.

20 MS. KASO: 285-21 is a  
21 hotel-motel tax grant agreement in the amount  
22 of \$10,000 with Girls Band Rock, Inc. to  
23 provide online virtual outreach programs with  
24 prominent guest speakers for their members.

25 LEGISLATOR KOPEL: Any



1 Finance 09-13-21

2 questions? All those in favor so indicate by  
3 saying aye. Any opposed? That's unanimous. I  
4 think your next one would be 302?

5 MS. KASO: 302 yes.

6 LEGISLATOR KOPEL: 302 is a grant  
7 between Parks and Cornell Cooperative  
8 Extension. That motion is made by Ms. Ford  
9 and seconded by Ms. Birnbaum.

10 MS. KASO: 302-21 is a  
11 hotel-motel tax grant agreement in the amount  
12 of \$40,000 with the Cornell Cooperative  
13 Extension of Nassau County for their ongoing  
14 programing at the East Meadow farms.

15 LEGISLATOR KOPEL: Any  
16 questions? All those in favor so indicate by  
17 saying aye. Any opposed? That's unanimous.

18 Are you done?

19 MS. KASO: Yes.

20 LEGISLATOR KOPEL: Thank you.

21 281 is an IMA with the City of Long  
22 Beach in relation to assisting the county  
23 representation, recommendation and defense of  
24 assessment challenges brought by municipal  
25 employees of the county or City of Long Beach.

1 Finance 09-13-21

2 That motion is made by Ms. Walker.

3 Seconded by Mr. Lafazan.

4 MS. LOCURTO: Lisa Locurto,  
5 Deputy County Attorney. As you said  
6 legislator, this is an intermunicipal  
7 agreement with the city of Long Beach. It's  
8 to provide representation for the county in  
9 defending tax challenges brought by employees  
10 who work for either the Assessment Review  
11 Commission, Department of Assessment or within  
12 the county attorney's office who bring --  
13 these are conflict cases because we cannot  
14 defend.

15 LEGISLATOR KOPEL: Got it.  
16 Anyone have any questions? Yes, Ms. Walker.

17 LEGISLATOR WALKER: Can I just  
18 ask how these were handled previously?

19 MS. LOCURTO: Previously conflict  
20 issues were always -- it was determined  
21 whether or not there was a conflict and they  
22 were sent to either -- last year they were  
23 also sent to the City of Long Beach or they  
24 were sent to a special counsel, a firm outside  
25 of the county, to represent and defend the

1 Finance 09-13-21

2 county in these actions. They've always been  
3 sent out when there's a conflict.

4 LEGISLATOR KOPEL: Anyone else?  
5 Hearing none, all those in favor of this item  
6 please so indicate by saying aye. Any  
7 opposed? That item is unanimous.

8 Next I'm going to call 286 together  
9 with 332 and 333. Those two are on the  
10 addendum. And those are grant agreements --  
11 well, I have a Parks and various  
12 not-for-profit museums. 332 is subrecipient  
13 agreements with various not-for-profit  
14 organizations. They're funded with money  
15 received by the county under ARP.

16 And 333 is subrecipient agreement  
17 providing -- the county providing low interest  
18 loans to certain qualified small businesses.  
19 And that's again with ARP money.

20 Anyone here on that one? Those  
21 three I should say. Motion by Ms. Walker and  
22 seconded by Mr. Drucker.

23 MR. SALLIE: Good afternoon  
24 legislature. Item number 286-21 is a  
25 resolution to authorize the county executive

1 Finance 09-13-21  
2 to execute a grant agreements utilizing ARP  
3 funding to museum and tourism-related  
4 businesses and not-for-profits. The ARP  
5 funding allows these types of grants to be  
6 made to allow for museums and other  
7 tourism-related industries to assist with the  
8 COVID-19 recovery.

9 This particular item earmarks  
10 \$500,000 to be made in such grants. This  
11 \$500,000 was appropriated as part of the \$62.9  
12 million appropriation back in June.

13 Just a couple of examples of the  
14 types of activities that could be funded  
15 through this particular grant program.  
16 Traditional or digital advertising and  
17 marketing campaigns to promote new programs  
18 and/or exhibits and bring new visitors.  
19 Specialized promoting and ticketing.  
20 Campaigns to promote Nassau County's culture,  
21 history and arts and program support relevant  
22 to the enhancement of tourism industry in  
23 Nassau County.

24 I believe in the package you have a  
25 nonexhaustive list of potential museum

1 Finance 09-13-21

2 partners that would be eligible and we hope  
3 make an application to the county. We have  
4 essentially estimated that roughly -- or  
5 grants would be made roughly in the amount of  
6 \$25,000 for these types of promotional  
7 activities.

8 LEGISLATOR KOPEL: Are you  
9 reaching out to them?

10 MR. SALLIE: Yes, Legislator. To  
11 date, I just want to bring to your attention  
12 that we've received ten applications. I  
13 believe there are 15 or so organizations on  
14 the list in your package, ten of which have  
15 already submitted applications through the  
16 Boost portal. The Center for Science Teaching  
17 and Learning, Museum of American Armor,  
18 Science Museum of Long Island, Museums at  
19 Mitchell, which is essentially Cradle of  
20 Aviation. The Holocaust Memorial and  
21 Educational Center at Wellwind. Long Island  
22 Arts Alliance, Long Island Children's Museum  
23 and the Nassau County Museum of Art William  
24 Cullen Bryant Preserve.

25 LEGISLATOR KOPEL: Anyone have

1 Finance 09-13-21

2 any questions on 286?

3 LEGISLATOR FORD: Good

4 afternoon. In regard to this, this is a great  
5 idea like to have I guess the museums are  
6 going to do some sort of advertising to bring  
7 people into the parks. I don't know if they  
8 would be eligible or not, but do we ever  
9 consider like perhaps like reaching out to  
10 some of the schools to see if maybe an arts  
11 club or something like that would be able to  
12 come up with some ideas on how to -- to ID  
13 these students to tap into their creative  
14 selves and maybe come up with something where  
15 they can also help maybe with their ideas  
16 boost tourism and maybe the school or whatever  
17 organization they're with maybe they can get  
18 some money or something like that. Or is this  
19 strictly something that must go through an  
20 established 501(3)C.

21 MR. SALLIE: The funding would  
22 need to go to a not-for profit organizations  
23 in this case. But legislator, I think your  
24 idea of engaging schools in terms of that  
25 promotional type activity these grants have

1 Finance 09-13-21

2 not yet been made. So, there's nothing that  
3 stops us from, as we're reviewing those  
4 applications, potentially putting those pieces  
5 together or requesting that the museums,  
6 not-for profits reach out to school districts  
7 and folks that they know to put together that  
8 material.

9 LEGISLATOR FORD: So, if there's  
10 an art group say would they be able to  
11 participate in this? Like say if they wanted  
12 to come up with something like they do at  
13 Eisenhower Park just for argument's sake.  
14 Maybe they juggle. They want to bring people  
15 in to show them how to juggle. Whatever.  
16 Would they be able to tap into this as well  
17 and get some sort of funding to perform there  
18 or is it just strictly advertising?

19 MR. SALLIE: My understanding is  
20 that type of group would not necessarily be  
21 eligible to receive a grant through this  
22 program. But if they partnered with or they  
23 engage one of these not-for-profits and say  
24 can you include our promotional information as  
25 part of your broader advertising campaign

1 Finance 09-13-21

2 that's something that could be worked out.

3 LEGISLATOR KOPEL: Any other  
4 questions on 286? Sean, number 332 on the  
5 addendum.

6 MR. SALLIE: Item 332 is  
7 similar. It's an authorization to award ARP  
8 funds for what we're calling the Boost Nassau  
9 Technical Assistance Program. This funding  
10 was also appropriated as part of the \$62.9  
11 million back in June. This program would  
12 provide chambers of commerce and other not-for  
13 profit downtown businesses related  
14 not-for-profits to basically promote downtown  
15 business if you will. Particular activities  
16 that could be funded through this program  
17 include outreach to small businesses including  
18 MWBEs concerning availability of recovery  
19 resources. Technical assistance to businesses  
20 with applications for grants, loans and other  
21 assistance that may become available.  
22 Workshops with targeted communities and  
23 downtown businesses to foster peer  
24 networking. Workshops with targeted  
25 communities and downtown businesses.



1 Finance 09-13-21

2 Informational sessions on digital marketing,  
3 e-marketing. Those types of services would be  
4 funded through this program.

5 In this case these not-for-profits  
6 would be subrecipients because they would be  
7 performing a service. Again, whether it's a  
8 workshop or a training on e-marketing or  
9 otherwise with an emphasize on small  
10 businesses, downtown economic recovery.

11 LEGISLATOR KOPEL: How are we  
12 informing people of the availability?

13 MR. SALLIE: This is all on the  
14 Boost Nassau portal that I believe flyers and  
15 promotional information has been circulated.  
16 We can continue to do that with the Nassau  
17 chamber, the Nassau County Chambers of  
18 Commerce counsel and other outreach.

19 LEGISLATOR KOPEL: Anyone else  
20 have any questions? Number 333 please.

21 MR. SALLIE: Item 333 this is a  
22 Boost loan program. So, this was part of the  
23 initial \$62.9 million appropriation from back  
24 in June, the Boost Nassau small business loan  
25 program. Back then the appropriation was for

1 Finance 09-13-21

2 \$10 million. At this time we are proposing a  
3 long program of \$5 million as sort of a phase  
4 one, an initial phase.

5 The application before you today is  
6 a resolution to enter into a subrecipient  
7 agreement with LEAC. That is the Local  
8 Economic Assistance Corporation of Nassau  
9 County. They are associated with the Nassau  
10 County IDA. LEAC would essentially procure  
11 the services of local -- excuse me, let me  
12 find my page here. LEAC would contract with  
13 community development financial institutions,  
14 or CDFIs, to create the actual loan program  
15 and administer the loan program. LEAC has a  
16 tremendous success in operating loan  
17 programs. They recently operated our COVID-19  
18 CBDG CV small business program that  
19 administered roughly \$2.7 million in loans.

20 If I may, I can just provide just a  
21 distinction between this proposed loan program  
22 and the existing Boost grant program that is  
23 currently up and running and on the street.

24 For the grant program that's a  
25 maximum of \$10,000 per grant award. In

1 Finance 09-13-21

2 addition, those grants are only eligible for  
3 businesses with up to, small businesses for up  
4 to 50 employees.

5 The loan program, in contrast,  
6 would be larger allocations up to several  
7 hundred thousand dollars and those would be  
8 available to small businesses with up to 200  
9 employees.

10 We've also heard through business  
11 organizations that many of these businesses  
12 took out loans during the height of the  
13 pandemic with unfavorable terms. This program  
14 would create a new loan program that provides  
15 more favorable terms.

16 LEGISLATOR KOPEL: You can use  
17 these loans to pay back previous loans  
18 presumably?

19 MR. SALLIE: Yes, they could.  
20 They could working capital. They could cover  
21 rent, inventory purchasing.

22 LEGISLATOR KOPEL: Money is kind  
23 of fungible. It can go where ever it's needs  
24 I guess.

25 MR. SALLIE: Exactly.

1 Finance 09-13-21

2 LEGISLATOR KOPEL: What is the  
3 term of these loans? How long do they go?

4 MR. SALLIE: Right. So, there is  
5 no defined term at this point. LEAC would be  
6 responsible for coming up with a term that  
7 works for both the businesses and also  
8 complies with --

9 LEGISLATOR KOPEL: Is there a  
10 range or contemplation?

11 MR. SALLIE: Contemplating ten  
12 years. However --

13 LEGISLATOR KOPEL: What happens  
14 when ARPA ends?

15 MR. SALLIE: We're still waiting  
16 for the Treasury to opine on that question  
17 whether or not the loan repayment, the  
18 amortization can exist past the 2026 spending.

19 LEGISLATOR KOPEL: What happens  
20 to that money when it's repaid?

21 MR. SALLIE: That's a question.  
22 So that money is repaid to the county. Can it  
23 be reinvested? What happens to that  
24 interest? Those are open questions that are  
25 with the Treasury. But at this point this is

1 Finance 09-13-21

2 really -- LEAC is going to be responsible for  
3 getting those questions answered before they  
4 fully bake the loan program.

5 LEGISLATOR KOPEL: Right. You  
6 can't go ahead with the program until you have  
7 those answers. And the interest parameters?

8 MR. SALLIE: Contemplating very  
9 low interest, one percent, but again that  
10 would be developed as part of LEAC and IDA's  
11 part of it.

12 LEGISLATOR FORD: So, we can't  
13 offer any loans to any of the businesses just  
14 yet until we have all these questions  
15 answered?

16 MR. SALLIE: That's correct.

17 LEGISLATOR FORD: What happens if  
18 it takes four months or five months?

19 MR. SALLIE: I think it's still  
20 quicker to do it this way, to go through LEAC,  
21 allow them through their federal procurement  
22 guidelines to procure and advise or develop  
23 the program as opposed to the county bringing  
24 on somebody to do that.

25 LEGISLATOR FORD: How much is the

1 Finance 09-13-21

2 cost to this program by bringing LEAC on? Do  
3 we have to pay them a stipend? Do they get  
4 paid a fee for doing this?

5 MR. SALLIE: Legislator, yes. My  
6 understanding is there would be an  
7 administrative fee that they would get similar  
8 to the grant program.

9 LEGISLATOR FORD: Do we know  
10 offhand how much it would be?

11 MR. SALLIE: I would have to get  
12 back to you on the percentage.

13 LEGISLATOR FORD: Just for  
14 argument's sake, I guess if we enter into an  
15 agreement with LEAC. LEAC now says that,  
16 through the IDA, they're going to say to these  
17 business we can provide you a loan with one  
18 percent interest and we really don't have 100  
19 percent clarification from the Treasury  
20 Department. So like say then they feel they  
21 can pay back the loan back in ten years and  
22 they take a loan and then the Treasury  
23 Department says no, it has to be paid back in  
24 five years when ARPA ends. So what do we do?

25 MR. SALLIE: LEAC would not

1 Finance 09-13-21

2 commence the issuance of loans until that  
3 question is revolved and those parameters are  
4 fully understood.

5 LEGISLATOR FORD: Do we have like  
6 a I guess a set time as to when we expect the  
7 Treasury Department to make their  
8 determination if this is legal or not or if we  
9 can do it? Because my concern then would be  
10 instead of using this money for loans maybe we  
11 could take the five or \$10 million and provide  
12 it as direct grants to the businesses rather  
13 than a loan.

14 MR. SALLIE: Your point is well  
15 taken. I think as far as the response from  
16 the federal treasury anyone's guess. But even  
17 with this \$5 million and a subrecipient there  
18 would still be an additional \$5 million that  
19 had been appropriated but not allocated.

20 LEGISLATOR FORD: I don't want to  
21 leave \$5 million on the table. What I'm  
22 saying is, I'm hoping when -- is there like a  
23 date that we're going to set? I don't want it  
24 to say -- I can understand until December  
25 31st. Wait and see. But anything beyond

1 Finance 09-13-21

2 that -- because then it would be unfair to  
3 businesses. If they're waiting -- first of  
4 all, if they think that maybe they can apply  
5 for this loan and get it and then they're  
6 still waiting and waiting and it's not going  
7 to happen then how fast can we turn it around  
8 so that instead of lending them the money  
9 we're going to give them the money. That's  
10 really what I'm interested in. I'm more  
11 interested in getting the aid to the  
12 businesses rather than worrying about if I'm  
13 going to give them a loan or a grant. I would  
14 rather them just be able to get this money in  
15 their pockets because who knows like with this  
16 variant there's going to be down -- if  
17 anything's going to happen to impact them.

18 So, I would really prefer to have  
19 this so that we know that, I know by December  
20 31st if the Treasury Department has not  
21 clarified if we can do these loans then let's  
22 quickly convert it to a grant program. That's  
23 all I'm asking.

24 MR. SALLIE: Understood. We will  
25 have those questions answered by the full



1 Finance 09-13-21

2 leg. Again, just to stress, no loans would be  
3 made until that guidance is but we will get  
4 that answer.

5 LEGISLATOR FORD: Thank you.

6 LEGISLATOR KOPEL: Anyone else?

7 All those in favor of numbers 286, 332 and 333  
8 please so indicate by saying aye. Any  
9 opposed? Those items are unanimous.

10 300 and 301 are supplemental with  
11 the Board of Elections. Motion made by  
12 Mr. Muscarella and seconded by Mr. Drucker.

13 MR. NEDELKA: Good afternoon.

14 Larry Nedelka from the Board of Elections.

15 Item 300 is a \$102,602.75 grant from the state  
16 of New York to help us offset expenses that  
17 will be incurred from the expansion of the  
18 early voting program. Those expansion changes  
19 were passed by the legislature earlier this  
20 year.

21 LEGISLATOR KOPEL: Anyone with  
22 questions? All those in favor of 300 and 301  
23 please so indicate by saying aye. Any  
24 opposed? Those items are unanimous.

25 We're skipping 299 and one or two

1 Finance 09-13-21

2 others because they're going to require  
3 executive session. We will get to those at  
4 the end.

5 On the addendum, number 328 is a  
6 transfer of appropriations. Motion again is  
7 made by Mr. Muscarella. Seconded by  
8 Ms. Walker. Anyone here on 328?

9 MR. FIELD: William Field from  
10 the police department. Item 328-21 is  
11 requesting a transfer of \$1,113 from our AB to  
12 our AA line. This is through the Operation  
13 Gateway grant closed out at the end of August  
14 of 2021 which will allow us to have maximum  
15 reimbursement for our funds from this grant.

16 LEGISLATOR KOPEL: Thank you.  
17 Any questions? Hearing none, all those in  
18 favor of 328 please so indicate by saying  
19 aye. Any opposed? That item is unanimous.  
20 Thank you again.

21 329 is making certain SEQRA  
22 determinations and extending a lease between  
23 OCR Courthouse and the county of Nassau.

24 Motion is made by Mrs. Walker.  
25 Seconded by Mr. Lafazan.

1 Finance 09-13-21

2 MR. HOMMEL: Ted Hommel, county  
3 attorney's office appearing on behalf of real  
4 estate services and the district attorney's  
5 office.

6 This is a resolution authorizing  
7 the exercise of a five-year renewal option for  
8 space occupied by the district attorney's  
9 office at 114 Old Country Road. Approximately  
10 4,545 square feet. The option must be  
11 exercised by September 30 of this year. The  
12 lease doesn't expire until September 30,  
13 2022. But this is for a five-year renewal  
14 option.

15 LEGISLATOR KOPEL: And the terms  
16 are more favorable then you can get at this  
17 point because I guess --

18 MR. HOMMEL: Real estate services  
19 did solicit the input of an independent real  
20 estate broker consultant and the rate over the  
21 five-year renewal option it increases by two  
22 and a half percent a year and it's a favorable  
23 rate.

24 LEGISLATOR KOPEL: Favorable rate  
25 even now even though rents have come down a

1 Finance 09-13-21

2 bit because of the pandemic?

3 MR. HOMMEL: I'm told that the  
4 broker said that it's a favorable market rate.

5 LEGISLATOR KOPEL: Any  
6 questions? Yes, Mr. Drucker.

7 LEGISLATOR DRUCKER: Thank you.  
8 We're so used to getting things late, like  
9 contracts in that nature, and it's unusual we  
10 are asked to renew a lease a year ahead of  
11 it's expiration. Is there any sort of urgency  
12 of why we're renewing it a year ahead of  
13 time?

14 MR. HOMMEL: Yes. The renewal  
15 option is specific in the lease must be  
16 exercised a year in advance. Time is of the  
17 essence. So if it's not exercised by  
18 September 30th there will be no option.

19 LEGISLATOR DRUCKER: That's the  
20 answer to my question. Thank you.

21 LEGISLATOR KOPEL: Anyone else?  
22 Hearing none, all those in favor of 329 please  
23 so indicate by saying aye. Any opposed? That  
24 item is unanimous. Thank you.

25 339, 340, 341. Did I skip one?

1 Finance 09-13-21

2 Yes. Sorry, we'll come back. 337 is a  
3 transfer of appropriations and that motion is  
4 made by Mr. Muscarella. Seconded by Ms.  
5 Birnbaum.

6 MS. LAURAIN: Good afternoon.  
7 Mary Ellen Laurain, Department of Health.  
8 Item 337-21 is a board transfer in the amount  
9 of \$490. It's for New York State grant funded  
10 programs so it has no impact on the county  
11 budget. We're maximizing grant  
12 reimbursement.

13 LEGISLATOR KOPEL: Any  
14 questions? Hearing none, all those in favor  
15 please say aye. Any opposed? That was  
16 unanimous. Thank you.

17 339 is a resolution authorizing the  
18 county assessor and treasurer to correct  
19 certain erroneous assessments. And 342 as  
20 well. 339 and 342, motion is made by  
21 Ms. Walker and seconded by Mr. Lafazan.

22 MR. ROSS: Daniel Ross,  
23 Department of Assessment. We are here today  
24 requesting that these resolutions be passed to  
25 restore some chapter bills and/or exempt or

1 Finance 09-13-21

2 class changes to the proper assessment value.

3 LEGISLATOR KOPEL: Any questions  
4 on these two items? All those in favor please  
5 say aye. Any opposed? Thank you.

6 340 and 341 is yours as well,  
7 exempting certain properties. Motion by  
8 Ms. Walker and seconded by Ms. Birnbaum.

9 MR. ROSS: Again, these  
10 resolutions are to restore the exemptions to  
11 the tax roll. These exemptions were removed  
12 for various reasons and we are looking to  
13 correct it and restore it.

14 LEGISLATOR KOPEL: Any  
15 questions? All those in favor please say  
16 aye. Any opposed? The item is unanimous.

17 On addendum number two, number 289  
18 is an ordinance supplemental to the annual  
19 appropriations ordinance in connection with  
20 OMB. Forget it. We're not up to that yet.

21 I'm going to call together 344,  
22 345, 346 and 347 which are ordinances reducing  
23 certain fees that are now collected by the  
24 county for recording various documents in  
25 relation to public safety. And that motion is

1 Finance 09-13-21

2 made by Ms. Walker and seconded by Ms. Ford.

3 That is a Majority sponsored --  
4 those are all Majority-sponsored items and  
5 these items are being brought forward to  
6 reduce certain fees that are being collected  
7 now by the county which are not strictly --  
8 which are now being collected by the county in  
9 excessive amounts. These fees should normally  
10 be collected for the purpose not of raising  
11 revenue but for reimbursing the county for the  
12 costs incurred in providing the specific  
13 services to the residents and businesses that  
14 are paying for it.

15 In many cases they are wildly  
16 excessive when it comes to various real estate  
17 matters. We find that homeowners having to  
18 record several documents at one closing are  
19 shocked at the magnitude of these fees. They  
20 run into many hundreds sometimes thousands of  
21 dollars. These are wildly disproportionate to  
22 the costs involved in actually verifying the  
23 tax map and so forth. When they were first  
24 proposed and passed they were opposed by the  
25 county clerk as being unnecessary to cover the

1 Finance 09-13-21

2 county clerk's cost.

3 Similarly, with respect to the  
4 public safety fee, the amount of fee that is  
5 being imposed is wildly disproportionate to  
6 the cost incurred by the county.

7 We can go ahead and we can do this  
8 because the sales tax revenue that the county  
9 has been collecting has been very gratifyingly  
10 higher, much higher as a matter of fact, not  
11 only then projections which were projected at  
12 I believe at eight percent decrease, actually  
13 the taxes are coming in at an amount that is  
14 significantly higher than they were even in  
15 the prepandemic year of 2019. It can cover  
16 the amount that the county would lose and have  
17 some left over as well.

18 Okay. Do we have any discussion  
19 among the legislators? Anyone have anything  
20 to say? Mr. Drucker.

21 LEGISLATOR DRUCKER: I guess what  
22 comes to my mind is deja vu all over again  
23 because I can recall every one of the  
24 arguments that you just made Legislator Kopel  
25 being made by some of us over the past few



1 Finance 09-13-21

2 years. And I remember the county clerk saying  
3 it wasn't necessary. And I remember,  
4 especially myself as I recall because I do a  
5 large amount of real estate practice in my law  
6 practice, and in comparison to the fees  
7 charged by the city of New York the fees in  
8 Nassau County were just exorbitant. I  
9 remember each of us on this side railing  
10 against how arbitrary it was and how to call  
11 them a fee was ridiculous because it was  
12 really -- it had no correlation to the  
13 operation of the county clerk's office.

14 So, while I applaud the efforts now  
15 to get this done and reversed, I'm just  
16 appalled and shocked at the hypocrisy of it  
17 because we wanted to get this done years ago  
18 but they were approved by the Majority.

19 LEGISLATOR KOPEL: Not everyone  
20 but yes.

21 LEGISLATOR DRUCKER: Not  
22 everyone? What do you mean?

23 LEGISLATOR KOPEL: I voted  
24 against it.

25 LEGISLATOR DRUCKER: The Majority

1 Finance 09-13-21

2 approved this and we argued against it. It  
3 was horrible. As someone who practices law in  
4 this county and other counties it's certainly  
5 a blemish on Nassau County to charge fees that  
6 are triple what other jurisdictions charge.

7 LEGISLATOR KOPEL: We're all on  
8 the same page.

9 LEGISLATOR DRUCKER: I applaud it  
10 but the irony of it is not escaping me. Thank  
11 you.

12 LEGISLATOR KOPEL: Anyone else?

13 LEGISLATOR FORD: I'm one person  
14 who is happy that we are proposing this right  
15 now because I think it is a way of giving back  
16 to our residents. And Legislator Drucker is  
17 right, it was something that was passed. Not  
18 everybody on this side voted for all of the  
19 items. But I guess it was so egregious.  
20 Obviously this was passed under when Ed  
21 Mangano was our county executive. If it was  
22 such a harsh tax or fees or something on our  
23 residents I'm just surprised that it was never  
24 recommended by the county executive perhaps to  
25 take the action that we are taking today.

1 Finance 09-13-21

2 So, I am not a lawyer and I'm sure  
3 that you probably hated going to closings  
4 because I heard even from the lawyers on this  
5 side that people and anybody who bought a  
6 house, sold a house and recording everything  
7 and it was just the big complaint.

8 So, I think that at this point I  
9 guess waking up and saying this is what we  
10 need to do. We have an opportunity because  
11 the sales tax has been so robust and I believe  
12 that it will continue to be robust because  
13 we've had unprecedented house sales. People  
14 in my neighborhood alone. It's amazing what  
15 people have been paying for houses. We're  
16 lucky that some houses even stay on the market  
17 for more than three weeks. So, I think that  
18 it indicates a good sign that people are  
19 coming into Nassau. They're willing to spend  
20 and I think that we will continue.

21 And also the fact that we do tax  
22 internet sales which we hadn't in the past in  
23 2019 and 2018. So I think this is something  
24 that can be sustained and we will be able to  
25 carry forward on it.

1 Finance 09-13-21

2 LEGISLATOR DRUCKER: I think your  
3 point is well taken Legislator Ford and I  
4 think we are thankful that our county budget,  
5 our county resources have improved and we had  
6 a couple of years where it was very, very dire  
7 and we had no idea of how things were going to  
8 look going forward. But now we can and it  
9 certainly is appropriate, it was always  
10 appropriate, but we have to find a way to  
11 absorb the cost of it and maybe now we can.  
12 But I'm glad we're doing it now. But I guess  
13 I understand why we couldn't do it in the  
14 past.

15 LEGISLATOR FORD: Sometimes you  
16 change your mind after something. Because I  
17 remember Rich was here when we did the energy  
18 tax and it was passed and before I guess we  
19 ended up repealing it after we passed it. Not  
20 we didn't but the Democrats. There's  
21 opportunities when we find that like if  
22 something can be corrected let's correct it,  
23 let's do it to the betterment of our  
24 residents. Okay.

25 LEGISLATOR KOPEL: Yes,

1 Finance 09-13-21

2 Ms. Birnbaum.

3 LEGISLATOR BIRNBAUM: I proudly  
4 will support this bill because I have been  
5 saying all along that I thought these were  
6 unfair taxes and I've heard complaints from  
7 homeowners, from realtors, from buyers and I'm  
8 very happy that we're rectifying the  
9 situation. However, I know this money has  
10 been already budgeted for and I guess there  
11 will have to be some adjustments made by the  
12 administration.

13 But I think we need some  
14 clarification about the excess sales tax  
15 revenue that the county will be receiving  
16 because I believe that we said it was going  
17 into a special fund. So, I think there's  
18 going to be some allocations needed for the  
19 budget when we have to talk about the  
20 different revenue lines.

21 LEGISLATOR KOPEL: That will  
22 expire I believe. But, in any event, if that  
23 becomes an issue obviously we will deal with  
24 it.

25 Okay. All those in favor of this

1 Finance 09-13-21

2 item please so indicate by saying aye. All  
3 four of those items, yes, sorry. Please say  
4 aye. Anybody opposed? That is unanimous.

5 And we had one item that we had  
6 passed. That would be number 264, which is  
7 issuance of a warrant directing the treasurer  
8 of Nassau County to pay certain sums as  
9 apportioned by the Nassau County Legislature  
10 and that's in respect of mortgage taxes having  
11 been paid from April 1 through June 30th. And  
12 it's moved by Ms. Walker. Seconded by  
13 Ms. Ford. It's a routine matter. Anybody  
14 have any questions? All those in favor of  
15 that item 264 please say aye. Any opposed?  
16 That is unanimous.

17 Item 289 is an ordinance  
18 supplemental to the annual appropriation  
19 ordinance in connection with OMB. And that  
20 motion is made by Mr. Drucker. Seconded by  
21 Ms. Birnbaum. Is there anyone from the  
22 administration to speak on that?

23 MR. SALLIE: Good afternoon  
24 legislature. Sean Sallie, Nassau County  
25 Department of Public Works.

1 Finance 09-13-21

2 This ordinance appropriates \$100  
3 million from the county's coronavirus ARP  
4 funds allocation to fund a household  
5 assistance program otherwise known as HAP, for  
6 a one-time cash assistance of \$375 to  
7 qualifying households that have experienced  
8 negative economic impacts due to the  
9 pandemic.

10 The Treasury interim final roll  
11 provides that recipients, such as the county,  
12 may provide assistance to households or  
13 populations facing negative economic impacts  
14 due to COVID-19 including cash assistance if  
15 the payments are reasonably proportional to  
16 the negative impacts they are intended to  
17 address.

18 In doing so, the recipient must  
19 consider whether and the extent to which the  
20 household has experienced a negative economic  
21 impact from the pandemic. The regulations  
22 allow recipients, however, to presume that a  
23 household or population has experienced such  
24 impact if it experienced unemployment, food  
25 insecurity or housing insecurity or is low to

1 Finance 09-13-21

2 moderate income.

3 The interim final rule, however,  
4 does not define low to moderate households.  
5 Using one, the US Department of Housing and  
6 Development's, HUD, definition of area median  
7 income, or AMI, for the 2021 uncapped income  
8 limits for Nassau and Suffolk counties.

9 And two, New York State Long Island  
10 Workforce Housing Law Act, which is General  
11 Municipal Law Article 16A, qualifying  
12 percentage of AMI for affordable workforce  
13 housing eligibility as guidance, the county  
14 has defined moderate income for HAP purposes  
15 as being up to 130 percent of HUD AMI or  
16 equivalent to \$168,900 or less, which is  
17 supported by the county's consultant HR and A  
18 Advisors Incorporated who have provided a  
19 report that signifies the same.

20 The HAP, therefore, will consist of  
21 two categories of eligible households. The  
22 county will utilize the existing Boost Nassau  
23 resource portal to streamline the application  
24 process, control or approval and distribution  
25 of funds. The HAP categories are described



1 Finance 09-13-21

2 further.

3 Category one households. These are  
4 households with annual incomes of up to  
5 \$168,900. Households in this category are  
6 presumed to have experienced a negative  
7 economic impact from the pandemic. They are  
8 presumed, as they are low to moderate income  
9 as defined in the previous description of low  
10 to moderate income in Nassau County.

11 So these households will not be  
12 required to demonstrate individual harm. Some  
13 households in this category already receive  
14 enhanced senior STAR, limited income and  
15 disabilities and/or senior citizens property  
16 tax exemptions. These particular households  
17 recipients will not need to provide income  
18 information nor complete an application since  
19 they are already in a county database.

20 Any other household, whether it be  
21 renter or owner, making under -- household  
22 income making under \$168,900 will need to  
23 apply, but again, will need to verify income  
24 but will not need to verify economic harm.

25 In the second category these are

1 Finance 09-13-21

2 households with incomes above \$168,900 and up  
3 to \$500,000. In this category households will  
4 be required to submit through the portal an  
5 application with documentation evidencing  
6 income level and a negative economic impact  
7 from the pandemic such as unemployment. So, a  
8 receipt of unemployment benefits during 2020.  
9 Food or housing insecurity. Example, receipt  
10 of social services, SNAP benefits, missed  
11 mortgage payments, utility arrears, eviction  
12 notice, unreimbursed medical bills, a  
13 behavioral health cost brought on by the  
14 pandemic, etcetera. Increased childcare  
15 expenses. COVID-19 related death expenses or  
16 unreimbursed remote learning work expenses  
17 including increased internet costs.

18 To ensure compliance the county  
19 will develop appropriate review steps for  
20 approving these applications in the portal.  
21 So both income, and in category two's case  
22 economic harm documentation, will be reviewed  
23 and validated as part of the portal review  
24 process before a check is issued.

25 The HAP will extend much needed

1 Finance 09-13-21

2 relief to residents covering nearly 300,000  
3 households in Nassau County in the low to  
4 moderate income category. As well as up to  
5 another possible 100,000 households in that  
6 second category which is above 168,9 to  
7 500,000 as they recover from the often  
8 devastating effects of the crisis.

9 This equates to a total of roughly  
10 400,000 households that could potentially be  
11 eligible for this funding.

12 The portal is being fit out with  
13 this new application process. So that we are  
14 ready to hit the ground with an open  
15 application cycle should this appropriation be  
16 approved by the county legislature.

17 I'm available to answer any  
18 questions. I believe we have Deputy County  
19 Attorney Conal Denion on the line as well.

20 LEGISLATOR KOPEL: I have a few  
21 questions and I'm confident that there will be  
22 others. Let's start out with this. How do  
23 you define household?

24 MR. SALLIE: So, a household for  
25 the purpose of HAP is any living unit. So we

1 Finance 09-13-21

2 know that there are rental housing units. We  
3 know that there are ownership housing units.

4 LEGISLATOR KOPEL: What I'm  
5 asking you is, you've got let's say a husband  
6 and wife and you've got one or two kids living  
7 at home filing separately. Is that a  
8 household? Or you've got a parent there. Is  
9 that a household?

10 MR. SALLIE: So, that is a  
11 household. We're requiring a tax return, a  
12 1040, for the latest tax 1040 submitted to the  
13 federal government. One 1040 per household.  
14 The only exception is in the case where you  
15 are married and filing separately.

16 LEGISLATOR KOPEL: I'm sorry.  
17 Forgive me. I don't understand Sean. One  
18 1040 per household?

19 MR. SALLIE: One tax return per  
20 household.

21 LEGISLATOR KOPEL: But if someone  
22 else lives in the household what happens  
23 then?

24 MR. SALLIE: Because we expanded  
25 the eligibility to all households, so renters

1 Finance 09-13-21

2 and owners, yes, there could be the case where  
3 you have a renter unit and --

4 LEGISLATOR KOPEL: No. I'm  
5 talking about a child let's say or a parent  
6 who lives with the family.

7 MR. SALLIE: There will be one  
8 check per household. We will ask for a tax  
9 return from that household to verify the  
10 income.

11 LEGISLATOR KOPEL: That's not one  
12 tax return. It won't be one tax return.  
13 You'll get one tax return if it's a husband  
14 and wife perhaps, that's it. But if there's a  
15 parent of one of them living in the household  
16 or they've got three kids who are living there  
17 as well who are working is that part of the  
18 household?

19 MR. SALLIE: The information we  
20 have available in order make sure that only  
21 one household gets a check, yes, that could be  
22 the case where the grandparent files a tax  
23 return separately, the child, maybe 25 years  
24 old, files a separate tax return, submits that  
25 through this portal, only that person would

1 Finance 09-13-21

2 get the check. We would then make sure that  
3 only one household gets a check.

4 LEGISLATOR KOPEL: But that  
5 household is now making maybe 300 or \$400,000.

6 MR. SALLIE: We don't have a way  
7 to check that other than if the grandparent or  
8 the child submits that tax return, it meets  
9 those income eligible thresholds, that person  
10 is going to get a check. We're going to check  
11 that household address, that unit off the  
12 list.

13 LEGISLATOR KOPEL: When you say  
14 the household you're talking about a specific  
15 living space? You're talking about a physical  
16 living space? You're not talking about  
17 numbers of people?

18 MR. SALLIE: That's correct.  
19 It's a little different than how the federal  
20 government issued the stimulus checks because  
21 we're not basing it on an income tax filing.

22 LEGISLATOR KOPEL: But what can  
23 happen fairly often is that you just won't  
24 know and we'll be giving checks to households  
25 that might have very significantly higher

1 Finance 09-13-21

2 income.

3 MR. SALLIE: In the case where  
4 you have a child, yes, making \$150,000, the  
5 parent makes more than that, the child applies --  
6 let's expand that a little bit. The child  
7 applies on day one. The parents apply on day  
8 two. The child who applied on day one, as  
9 long as the income eligibility checks out,  
10 verifies, that child would get a \$375 check.  
11 The parents would not. Yes, I understand what  
12 you're saying when you combine that income  
13 that might be over the threshold. But there  
14 is no way for us to validate that that would  
15 be --

16 LEGISLATOR KOPEL: But you're  
17 okay with that?

18 MR. SALLIE: We think that  
19 because there's only one check going to that  
20 household that that would be permissible.

21 LEGISLATOR KOPEL: Permissible,  
22 okay. Let's go with this whole question of  
23 permissible. One of the requirements, well,  
24 you've got to have proportionality to the harm  
25 that is incurred, right?

1 Finance 09-13-21

2 MR. SALLIE: Yes.

3 LEGISLATOR KOPEL: According to  
4 statistics at least, we can say with some  
5 confidence I believe that the majority of  
6 people who would be receiving this aid did not  
7 lose jobs. Would that be fair? A great  
8 majority?

9 MR. SALLIE: I have no --

10 LEGISLATOR KOPEL: Let's just  
11 look at the employment rate. It went up  
12 significantly of course, right? But it didn't  
13 go up to 50 percent. The unemployment rate  
14 what was it, 15?

15 MR. SALLIE: A little less than  
16 that but yes.

17 LEGISLATOR KOPEL: Something like  
18 that at the height of the pandemic.

19 MR. SALLIE: 12 or 13.

20 LEGISLATOR KOPEL: Which means  
21 that everyone else continued with their jobs.  
22 The people who lost their jobs would have  
23 suffered the greatest harm and they're getting  
24 the same amount of money that the people who  
25 didn't lose jobs.



1 Finance 09-13-21

2 MR. SALLIE: Legislator, I  
3 understand what you're saying. I think the  
4 most manageable way to undertake this program  
5 given the information in the database, the  
6 information that we can collect and sift  
7 through, low, moderate income is a presumption  
8 unto itself. I think keeping that flat  
9 benefit fee is the most manageable way for us  
10 to get money into the hands of theses  
11 households. But your point is well taken.

12 LEGISLATOR KOPEL: Right. Thank  
13 you. Is this money taxable? Do you have to  
14 report it?

15 MR. SALLIE: We're looking into  
16 that. That has come up. We're looking into  
17 that.

18 LEGISLATOR KOPEL: So a lot of  
19 this money essentially might go back to the  
20 state and the federal government?

21 MR. SALLIE: We do have to look  
22 into whether or not this particular benefit  
23 would be taxable.

24 LEGISLATOR KOPEL: Have you  
25 reviewed -- all these questions, I mean, so

1 Finance 09-13-21

2 far Sean we've come to an agreement that there  
3 are a number of open questions. Have you sat  
4 down, when I say you I meant the  
5 administration obviously, with the federal  
6 government and gotten some informal guidance  
7 with respect to this?

8 MR. SALLIE: I think Conal if  
9 you're on the line if you wouldn't mind  
10 responding.

11 MR. DENION: Not as to taxability  
12 we have not gotten any guidance as to the tax.

13 LEGISLATOR KOPEL: We can't  
14 really hear you Conal.

15 MR. DENION: Conal Denion, county  
16 attorney's office. We have not gotten any  
17 guidance as to taxability.

18 LEGISLATOR KOPEL: So, for all we  
19 know some of this we can go out and disburse  
20 some money and it may be unallowable or  
21 disallowed. That's what I'm hearing.

22 MR. DENION: Not disallowed. I  
23 wouldn't say disallowed. The question whether  
24 or not is whether it's taxable to the  
25 recipient is a different issue. Not that it

1 Finance 09-13-21

2 would be disallowed it's whether it's taxable.

3 LEGISLATOR KOPEL: No, no. In  
4 other words, we had several issues, Conal,  
5 that we've discussed over here with respect to  
6 which we've agreed already that we don't know  
7 for sure or that there are some issues that  
8 remain open. That's one of the issues. In  
9 other words, is there a chance perhaps that we  
10 might disburse money that the federal  
11 government may come back and say well, you  
12 ought not to have done that? Ought we to wait  
13 for perhaps the final regulations?

14 MR. DENION: I think the plan as  
15 it's laid out, the two tranches, as Sean said,  
16 the first one is a presumption low to moderate  
17 income is covered clearly by the rule.

18 The second tranche is as well in  
19 showing, demonstrating a negative economic  
20 impact. I think as long as we follow those  
21 two clear guidelines I don't imagine any of  
22 those would be disallowed costs.

23 LEGISLATOR KOPEL: I understand.  
24 You are making an educated guess. I'm putting  
25 words in your mouth but would that be fair?

1 Finance 09-13-21

2 MR. DENION: No. I think the  
3 examples that we've laid out, Sean has laid  
4 out, people have experienced unemployment or  
5 costs, unreimbursed medical costs or costs of  
6 childcare, costs to install partitions in  
7 businesses, in homes, etcetera. I think there  
8 are a number of costs that the interim final  
9 rule clearly recognizes as being related to  
10 COVID or the negative economic impacts. So, I  
11 think we're trying to follow those closely my  
12 understanding of the program.

13 LEGISLATOR KOPEL: Putting aside  
14 the federal government rules now, just  
15 speaking in terms of where this money is  
16 going, I think we have established, and again,  
17 putting words in your mouth, correct me if I'm  
18 misstating it, we've already established that  
19 we have no mechanism to ensure that this money  
20 is going to people who are most in need of it  
21 or who have been most affected by this. In  
22 other words, you could have people who have  
23 perhaps higher incomes and they were much more  
24 adversely affected because they lost jobs and  
25 so forth and we have no way of ensuring that

1 Finance 09-13-21

2 this money is really going to the people who  
3 need it most.

4 Just going ahead and saying that we  
5 can do this based upon allowable presumptions,  
6 according to the federal government you're  
7 allowed to presume that, but in fact we don't  
8 know if this is really going to the best uses  
9 there.

10 MR. SALLIE: We do know. We do  
11 have census data that gives us a picture of  
12 households in Nassau County in terms of  
13 income. And we do know that nearly 110,000  
14 homeowners, excuse me, households in Nassau  
15 County make up to 130 percent AMI. Up to 130  
16 percent of AMI is what we are using as our  
17 threshold for low and moderate income.

18 So, to say that there's -- and  
19 that's between 80 percent AMI and 130 percent  
20 of AMI there are 110,000 households in that  
21 bracket. So we know that folks that are  
22 making, again, 130 percent of AMI, which is in  
23 other parts of the country would be very --  
24 you'd love to be making that much, our low to  
25 moderate income, given our high housing costs,

1 Finance 09-13-21

2 etcetera, etcetera. So while folks may not  
3 have experienced unemployment due to the  
4 pandemic, we do know that, again, almost a  
5 quarter of the households in Nassau County are  
6 within that 80 percent to 130 percent AMI.

7 LEGISLATOR KOPEL: No, no. I  
8 understand. My point was this is really being  
9 directed at, again, without putting a value  
10 judgement on it, it's really not being  
11 directed at people being harmed. It's being  
12 directed at people of low income. I'm just  
13 making that point.

14 MR. SALLIE: It's certainly a  
15 presumption in the rule that we are acting  
16 on.

17 LEGISLATOR KOPEL: I'm not going  
18 to beat this one to death. Who's going to be  
19 actually doing the review of tax returns and  
20 so forth? How is that happening?

21 MR. SALLIE: As we speak, IT is  
22 building out a, county IT, is building out a  
23 portal that will allow for the public to  
24 submit their proof of income. So, a 1040.  
25 That will be required to put in their address

1 Finance 09-13-21

2 and that will come to us. We will have a  
3 consulting firm that will go through all these  
4 applications to verify and validate.

5 One point to keep in mind is that  
6 the tax return address, the address on the tax  
7 return, must match the address that the  
8 applicant is claiming as their address. So  
9 that's the first validation or check and  
10 balance. Once that's been established, so we  
11 know the unit being applied for, then we would  
12 have the consultants work through a standard  
13 operating procedure to validate the income.

14 Now, that's pretty  
15 straightforward. There's a line on the tax  
16 return for adjusted gross income is what we  
17 are using, AGI. We use that in our Office of  
18 Community Development, for our HUD funded  
19 housing programs. So we're being consistent.  
20 We're using AGI as the annual --

21 LEGISLATOR KOPEL: Sean, do we  
22 have any legal concerns as to allowing a third  
23 party to view tax returns that are being  
24 submitted?

25 MR. SALLIE: I think we will be

1 Finance 09-13-21

2 setting up the controls to ensure that that  
3 information does not leave the confines of the  
4 process.

5 LEGISLATOR KOPEL: You said we  
6 will have a consultant. Are we allowed? Will  
7 we require consent of each person providing  
8 these tax returns to having us provide copies  
9 of it to an outside vendor? Is that a  
10 problem?

11 MR. SALLIE: Conal, if you can  
12 weigh in in terms of that income information  
13 being submitted by the public. Is that  
14 something that can be -- if we have  
15 consultants reviewing that information can we  
16 make sure that that information does not leave  
17 that process?

18 LEGISLATOR KOPEL: We already  
19 said that it's going to a third party. Is  
20 that, in the first instance, allowable?

21 MR. DENION: I think that is  
22 something that is still under review. We are  
23 seeking assurance from the consultants that it  
24 is something that is allowable and that all  
25 the proper controls will be in place and we're



1 Finance 09-13-21

2 looking to minimize the type of information  
3 that needs to be submitted. Only the minimal  
4 information that would be submitted.

5 But we share your concerns  
6 legislator that all the proper controls shall  
7 be in place and need to be in the place.

8 LEGISLATOR KOPEL: So we don't  
9 know even in the first instance if it's  
10 allowable.

11 How many county employees need to  
12 be dedicated and for how long in processing  
13 these things? Do we have the people?

14 MR. SALLIE: The review process  
15 is meant to be primarily performed by a team  
16 of consultants that would be paid for through  
17 the ARP funds.

18 LEGISLATOR KOPEL: How much do  
19 you figure that's going to cost? Is that part  
20 of the \$100 million?

21 MR. SALLIE: Yes. In terms of  
22 the consultant support. I have that chart.  
23 As part of the appropriation there was a  
24 consultant support line. That line we would  
25 use.

1 Finance 09-13-21

2 LEGISLATOR KOPEL: That's part of  
3 the \$100 million that we're talking about?

4 MR. SALLIE: I'm sorry. The \$62  
5 million that was appropriated back in June.  
6 There is a consultant support line in that  
7 appropriation. A portion of that would be  
8 used to fund the consultant to do this  
9 operation.

10 The county has on-call contracts,  
11 disaster management contracts, three of them,  
12 that we had sent out a task order request, or  
13 mini bid if you will, to those three firms and  
14 we received one proposal. We are currently  
15 reviewing that proposal. We have not made an  
16 award yet, and we're actually waiting to fit  
17 out the portal process so that we can then  
18 share that.

19 LEGISLATOR KOPEL: Do you have  
20 any preliminary guesstimate on how much that's  
21 going to cost?

22 MR. SALLIE: I'd have to go back  
23 and check because that's part of sort of an  
24 open procurement solicitation. What we're  
25 trying to do, and I'll just put that out

1 Finance 09-13-21

2 there, is make that review process as  
3 programatic, as automatic as possible. There  
4 will need to be manual work done because there  
5 will be cases where there's -- the software  
6 can't read a receipt that was scanned in PDF  
7 and submitted through the portal. So there  
8 definitely will need to be manual work.

9 But through our IT department  
10 they're trying to automate as much of that  
11 review process as possible. No, that's not  
12 going to protect or prevent the firm that's  
13 doing the review from being able to view that  
14 personal identifiable information, but we're  
15 trying to automate as much as possible really  
16 to keep the cost down for the consultant doing  
17 the work.

18 LEGISLATOR KOPEL: I'm going to  
19 go into another area altogether. By the way,  
20 before I even do that, I assume that the  
21 administration will get a transcript of  
22 whatever questions are being asked here by  
23 everyone and that you're going to have  
24 comprehensive answers to all of these  
25 questions before the legislature goes ahead

1 Finance 09-13-21

2 and votes in a couple of weeks, right?

3 MR. SALLIE: Of course.

4 LEGISLATOR KOPEL: One question  
5 as to whether this is the most appropriate use  
6 necessarily of the money that the federal  
7 government is providing to us. There are  
8 other uses that are permissible, right? For  
9 instance, drainage projects and so forth,  
10 correct?

11 MR. SALLIE: Drainage is  
12 eligible, yes.

13 LEGISLATOR KOPEL: The county is  
14 going to go ahead in the next year or two  
15 years going to borrow many, probably multiples  
16 of this amount just for those kinds of  
17 projects. Would that be fair? I mean, I can  
18 go ahead and just say in my district alone  
19 there's one project I know.

20 MR. SALLIE: Infrastructure  
21 projects, yes.

22 LEGISLATOR KOPEL: In other  
23 words, we're going to rebuild West Broadway  
24 something like a \$20 million project and I  
25 understand three quarters of it is related to

1 Finance 09-13-21

2 drainage. That's just one project. We've got  
3 to have many more like that, right?

4 Now, \$100 million borrowed now and  
5 you bond it and what is a typical period? 20  
6 years? 30 years? What's that costing over 30  
7 years? What does that come to? Would you say  
8 150 maybe? 140, 150? Would that be a fair  
9 guess?

10 MR. SALLIE: I don't know what  
11 our bonding interest rate is these days.

12 LEGISLATOR KOPEL: Municipal  
13 finances much lower. It's the most efficient  
14 way of financing anything. We know that. But  
15 it's still borrowing and it's still got to be  
16 repaid. I'm trying to figure out the most  
17 efficient way or actually the most beneficial  
18 way to the taxpayers at large of using all  
19 this money.

20 In other words, we've got among the  
21 highest taxes in the entire country. I think  
22 the taxpayers would like to see, first of all,  
23 perhaps more projects of this type being done  
24 because we need them.

25 And second of all, they'd like to

1 Finance 09-13-21

2 see tax relief.

3 This is \$100 million. I mean, I  
4 know it's not coming directly from the budget  
5 but right now it's a county asset. Right now  
6 it's our money. It's a county asset. We can  
7 give some money to people right now, to some  
8 people right now or we can provide everybody  
9 long lasting tax relief over many years as  
10 well as other various uses that might provide  
11 tremendous benefit to the county. Has that  
12 been considered?

13 MR. SALLIE: Legislator, I  
14 certainly hear your point. The initial input  
15 of the public through the economic advisory  
16 committee and others was how do you spend this  
17 ARP fund that is coming to Nassau County? It  
18 was direct assistance to residents and then  
19 direct assistance to businesses through  
20 grants, loans and otherwise. So, \$100 million  
21 of ARP out of what will be nearly \$400 million  
22 coming to the county overall, it's about a  
23 quarter, right, of the overall allotment.

24 LEGISLATOR KOPEL: So, are you  
25 saying that you're not contemplating that any

1 Finance 09-13-21

2 of the remaining \$200 million that's coming  
3 next year will be used in this kind of  
4 fashion? Is that what you're saying?

5 MR. SALLIE: I don't have that  
6 answer for you.

7 LEGISLATOR KOPEL: So then we  
8 can't really say. We're talking about the  
9 \$200 million give or take right now and most  
10 of that by a small amount is being proposed  
11 for this use right now. Most of it. That's  
12 factual. It's a little under \$200 million and  
13 this is \$100 million. Most of it is being  
14 used for -- low income assistance, is that  
15 usually a state function or a federal function  
16 or a county function?

17 MR. SALLIE: For the?

18 LEGISLATOR KOPEL: Assistance to  
19 low income people. I'm questioning whether  
20 this is a proper use of county funds.

21 MR. SALLIE: You're asking who  
22 typically provides that?

23 LEGISLATOR KOPEL: Correct.  
24 Where does that money come from?

25 MR. SALLIE: Both federal and

1 Finance 09-13-21

2 state.

3 LEGISLATOR KOPEL: Right. So,  
4 once one again, is this a proper use of a  
5 county asset?

6 MR. SALLIE: I think though it's  
7 administered through the county.

8 LEGISLATOR KOPEL: Agreed.  
9 Agreed. It's administered through the county  
10 but right now this is a county asset that is  
11 being proposed to being spent on low income  
12 assistance. Again, I'm not trying to say that  
13 low income assistance is not a worthy thing to  
14 do. That's not the subject of this discussion  
15 at all. The question is whether it's  
16 appropriate for the county to use its assets  
17 for that purpose when it's not required to and  
18 when we have many needs.

19 In other words, let's look at a  
20 county that's been in deficit forever. We  
21 have a control board, right? We have a  
22 control board that I think we all would like  
23 to terminate. Everyone here. So, the last  
24 year we had a surplus in the budget, right?  
25 In 2020?



1 Finance 09-13-21

2 MR. SALLIE: I'd have to defer to  
3 OMB.

4 LEGISLATOR KOPEL: The question  
5 is, what happens to that surplus if you take  
6 away the first tranche of federal money? In  
7 other words, I believe it was \$90 million  
8 diverted to salaries. Permissible. Instead  
9 of being used to fund various COVID purposes  
10 it was used for salaries. Perfectly  
11 permissible. What happens to that surplus?  
12 It goes away. My question is really can we  
13 afford this? Again, I'm not looking for an  
14 answer from you. That's not a question for  
15 you.

16 I'm going to turn it over to the  
17 members of this panel here. And by the way,  
18 I'll ask consent, once members of this panel  
19 have finished with questions we might as well,  
20 since it's going to Rules as well, instead of  
21 calling it again why don't we allow members of  
22 Rules to join us. You have no questions.  
23 Excellent. Why don't you invite them to come  
24 in please. No objections? Good. Ms. Ford.

25 LEGISLATOR FORD: Thank you Sean

1 Finance 09-13-21

2 for your presentation. I'm just want to go  
3 back over some of the items that Legislator  
4 Kopel did discuss with you.

5 I understand the whole concept that  
6 the desire is to get \$375 basically to people  
7 who suffered some sort of need during the  
8 pandemic. When you talk about your household,  
9 where you define it as that one \$375 check  
10 would go per household. Okay? And, I don't  
11 know, I just find though that I agree with  
12 Legislator Kopel, you might end up giving this  
13 money to a household that like when they look  
14 at all of the people that are living, and I'm  
15 not talking just a husband and wife or  
16 whatever, but I'm talking about multiple  
17 people that are earning salaries living in  
18 this one household that they would get that  
19 375 because that one household gets it.

20 But you may have households that  
21 may have people that are low income living  
22 there that they may be renting rooms. And  
23 they may be the people who like worked in the  
24 local restaurants. Maybe they worked in nail  
25 salons, whatever, and they're earning a living

1 Finance 09-13-21

2 and they happen to live in this household but  
3 they're the ones that actually truly lost  
4 income. They suffered a lot during the  
5 pandemic. But because of the rule of the  
6 household they would not be eligible for this  
7 \$375.

8 So, in essence, when we look at the  
9 way we're going to disburse this money we may  
10 be hurting the people that I think, that I  
11 believe, should be the ones that should be the  
12 first to be getting something like this. If  
13 this indeed is something that we need to give  
14 to these people because of the suffering that  
15 they had through loss of income, food  
16 insecurity and so forth. So, I do have an  
17 issue with that. I really think that's  
18 something that has to be looked at.

19 Also, the fact that if you go by a  
20 household -- so somebody in a household  
21 decides that they're going to apply first.  
22 They may not be the actual homeowner but they  
23 may be somebody living there. That means that  
24 the homeowner doesn't get the \$375 but whoever  
25 is living there because that person jumped

1 Finance 09-13-21

2 ahead of the line. That's another thing that  
3 can cause a lot of issues with the people who  
4 are living there.

5 MR. SALLIE: If it's a two-family  
6 the tenant would be eligible under -- it would  
7 be different. That would be a separate unit.  
8 Then the owner, both the owner and the tenant  
9 could apply.

10 LEGISLATOR FORD: That I get.  
11 But what I'm saying though is if the intent --  
12 so the intent is basically just homeowners and  
13 not necessarily renters?

14 MR. SALLIE: Renters would be  
15 permitted to apply.

16 LEGISLATOR FORD: As long as they  
17 were in a legal apartment?

18 MR. SALLIE: As long as we're  
19 able to verify their address, and we have  
20 databases to do that, they're eligible.

21 LEGISLATOR FORD: But you defined  
22 the households and that only one check would  
23 go for a household. You're saying that it  
24 depends upon the address. If somebody is  
25 renting a room or two people are renting rooms

1 Finance 09-13-21

2 who gets the \$375?

3 MR. SALLIE: Right. Exactly. So  
4 if it's one unit and there are say four  
5 bedrooms and four college kids are working,  
6 yes, one would get the check.

7 LEGISLATOR FORD: So, whoever is  
8 the first in applying gets the money?

9 MR. SALLIE: Right.

10 LEGISLATOR FORD: I don't know.  
11 That I think is unfair. I really do. Because  
12 I think it defeats the whole purpose, the  
13 thought behind this being so gracious in  
14 helping these people out.

15 Now, when we talked about these  
16 payments are taxable or not, I don't think you  
17 were here, in the previous, when we discussed  
18 this a couple of months ago, this was  
19 something that was brought up and it was  
20 brought up because even Newsday had reported  
21 that these payments are going to be taxable.  
22 That the people, that if they get 375, based  
23 on the tax rate they'll really only see \$250.

24 So, have we reached out to the  
25 Treasury Department and if so, can I get a

1 Finance 09-13-21

2 copy of that correspondence where you have  
3 asked the Treasury Department as to whether or  
4 not these payments are going to be taxable or  
5 not?

6 They wrote to them so I'd like to  
7 know if -- this should have been sent to the  
8 Treasury Department already because it's  
9 something that we have been talking about  
10 awhile. So I would like to see what  
11 correspondence we sent in regard to some of  
12 the questions that we brought up months ago in  
13 regard to these payments so that we know  
14 moving forward that we are able to say with  
15 certainty to residents that if you have this  
16 money but, you know, like you're going to get  
17 a 1099. You're going to have to report it.  
18 Because I don't know whether or not they can  
19 have an impact on anybody's like  
20 unemployment. I don't know. So that's just  
21 something I think to me is very, very  
22 important if they're going to get that or not.

23 The concern I have also with the  
24 consultant, when we look at -- everything is  
25 going to go through that Boost Nassau first.

1 Finance 09-13-21

2 How many employees do we have assigned to the  
3 Boost Nassau portal? Because that Nassau  
4 portal is going to be for the chambers, it's  
5 going to be for 501(c)3s, it's going to be for  
6 all businesses. Now it's going to be for over  
7 400,000 residents that are going to be  
8 eligible to be able to submit all the  
9 documentation. How many employees do we have  
10 assigned to this portal?

11 MR. SALLIE: The way the HAP  
12 portal would work is yes, you're all going to  
13 the same Boost landing page. But on the back  
14 end it's a completely separate program that  
15 you will connect to. We have to work out how  
16 many county staff will be managing the  
17 day-to-day. But we intend to have the  
18 majority of this review be done by the --  
19 performed by the consultant, overseen by  
20 county staff. So, minimizing the county staff  
21 hours in the day-to-day. Of course,  
22 overseeing and ensuring that thing things are  
23 done properly. But in terms of the day-to-day  
24 hourly forces that would be on the consultant  
25 side.

1 Finance 09-13-21

2 LEGISLATOR FORD: There's no cap  
3 on how much the consultant because we're not  
4 taking from the \$100 million that we're  
5 planning on distributing to or up to \$100  
6 million that we're distributing to the  
7 households in Nassau County. But we are going  
8 to be taking money away from out of the \$62  
9 million that has been promised as either loans  
10 and/or grants to businesses and 501(c)3s,  
11 correct?

12 MR. SALLIE: Yes. And there  
13 are -- many of those lines in the \$62 million  
14 appropriation have -- there's administrative  
15 fees, percentages baked into each one of  
16 those. For instance, the grant program, loan  
17 program, there would be administrative set  
18 asides within that allocation.

19 LEGISLATOR FORD: For those. But  
20 now we're adding another line of  
21 administrative fees that have nothing to do  
22 with those programs but to do with this  
23 program, correct?

24 MR. SALLIE: The \$100 million  
25 would be preserved for the checks. On top of



1 Finance 09-13-21

2 that there would be --

3 LEGISLATOR FORD: But out of the  
4 \$62 million there's like not preserved. We're  
5 going to take a portion of that for whatever.  
6 So, I mean, the consultant can very well  
7 charge us, can cost us maybe one or \$2  
8 million, correct? Or \$5 million?

9 MR. SALLIE: Again, because it's  
10 an open procurement I can't say. But yes,  
11 they will be charging us a fee.

12 LEGISLATOR FORD: Because they're  
13 going to be reviewing. They're going to have  
14 to take everybody's applications. They're  
15 going to have to see who lived in the  
16 household. Check any type of vouchers or  
17 anything like that. So it can be very labor  
18 intensive on their part, correct?

19 MR. SALLIE: We're trying to,  
20 through IT and the portal development, make it  
21 as automatic, as programatic as possible so  
22 that their work is minimal. But yes, there  
23 will be a manual review.

24 LEGISLATOR FORD: Will there be  
25 accountability on the part of these

1 Finance 09-13-21

2 consultants? So that when say I'm going to  
3 apply and I'm sending my information to them  
4 and vouchers and now I'm going to wait to see  
5 if I'm eligible for this money or not.  
6 Because I'm going to assume, I guess, that  
7 they're going to be the ones who will  
8 determine whether or not I'm eligible for that  
9 money or not, correct? Because then there has  
10 to be some sort of accountability.

11 When I think about Sandy, when they  
12 hired people to interact with residents that  
13 were impacted by loss it was very frustrating  
14 because they would get different people. I  
15 know like sometimes we think that 375 maybe  
16 it's not a lot of money but to some people it  
17 is a lot. So it's very important that they're  
18 able to communicate and get their answers.  
19 I'm going to hope that this will be done in a  
20 timely fashion. If somebody applies like say  
21 November 6th they're not all of a sudden  
22 calling us up January saying hey, where's my  
23 money? Because I think that there has to be a  
24 time limit as well so that they get it within  
25 a certain amount of time. Because if we're

1 Finance 09-13-21

2 saying that they suffered from food  
3 insecurity, loss of job or whatever it might  
4 mean a lot to them. It might mean maybe being  
5 able to pay for medications or something like  
6 that. Although shopping in Costco.

7 MR. SALLIE: The majority of  
8 households, using the latest census data,  
9 almost 300,000 households are within that 130  
10 percent AMI threshold. So, the only  
11 information that we would be verifying is the  
12 tax return or the income information. So that  
13 process should be very quick.

14 First of all, you will get an  
15 automatic response that we've received your  
16 application. There will be I don't want to  
17 call it like a waiver, a dispute but there  
18 will be that process available to speak to a  
19 reviewer to reconcile or update any data that  
20 we need.

21 LEGISLATOR FORD: I will be the  
22 first to admit I'm slower on doing like maybe  
23 these applications than my son would be. He  
24 may put in and he's get the money and then I  
25 say wait, what happened to me type of thing?

1 Finance 09-13-21

2 MR. SALLIE: Kick him out.

3 LEGISLATOR FORD: I wish. Only  
4 teasing. I'm sorry, I don't mean to hold you  
5 up on this one. I think actually you may  
6 have -- as Howard had said, that I hope that  
7 you'll take all these questions that we've  
8 asked. I really do.

9 My last comment will though be that  
10 I really think that you need to take a look at  
11 how you define a household and who would be  
12 eligible. Because for me, I'm in a household  
13 or maybe I can fall within that limit and then  
14 my son lives upstairs in his own apartment.  
15 You know what I'm saying? I don't think I  
16 should be eligible for something like that.  
17 Just as I think that it's more that -- I know  
18 everybody could have suffered like whether or  
19 not you had to run out and buy extra stuff.  
20 Living in a pandemic you find that you're  
21 ordering food online because the stores are  
22 closed or whatever. That I understand. It  
23 could be a hardship for some people.

24 But I really think that if the  
25 intent is to help the people that lost their

1 Finance 09-13-21

2 jobs or with food insecurity or really are on  
3 the lower income I think that I would feel  
4 more comfortable myself that they would be  
5 some of the first ones to get this money.  
6 Leave it at that.

7 LEGISLATOR WALKER: I'm going to  
8 try not to repeat any questions that were  
9 already asked. I just want to back up too to  
10 the households. In my district I have a lot  
11 of families that, especially families that  
12 have come from other countries. They all live  
13 together in a home. Many families are there.  
14 And they save up the money so they can buy a  
15 place of their own.

16 Now, obviously, like you said, I  
17 guess technically they're renters in that home  
18 but -- and you said renters are able to get  
19 this -- but they all live at I'm going to say  
20 it was my house, it's not the case but they  
21 all live at 38 Bobwhite Lane. Now, say I  
22 wanted to apply but every one of them wants to  
23 apply. I can tell you that every one of those  
24 families are going to be calling each and  
25 every one of us to say why didn't I get to do

1 Finance 09-13-21

2 this too? I fall into that category. Yet  
3 they all live at that same address. I feel  
4 that's going to be a major issue. That's not  
5 a few. That's a large number, I feel, of  
6 homes, certainly like I said, within my  
7 district.

8 I do agree with Legislator Ford in  
9 the fact that there are many people that  
10 really who are on minimal amount of income  
11 during this time. And, you know, they  
12 probably could use a little bit more than the  
13 375. Whereas, others, who really were able to  
14 work but they kind of just fall into this  
15 category they will be able to get this money  
16 also. Not that \$375 is a ton of money but for  
17 some people it's going to pay a bill. Going  
18 to help them with something.

19 Also, I think that we really have  
20 to be very careful. We have to know exactly  
21 like is that taxable. Because there are  
22 people that are on the cusp of receiving other  
23 benefits but even a little bit of money could  
24 knock them out of those benefits. So now you  
25 did something that you thought was going to

1 Finance 09-13-21

2 help them and in the long run hurt them. All  
3 of those questions need to be answered  
4 beforehand.

5 It does concern me that we are  
6 obviously we don't have the manpower to do it  
7 all in-house. But some people are going to be  
8 concerned about who is seeing their tax  
9 return. Who is getting all this information?  
10 Can they wipe anything out of their  
11 information? I don't know if that's  
12 possible. I guess they'll ask those questions  
13 too. I'm sure those questions are going to  
14 come to each and every one of the  
15 legislators. So we need to know all that  
16 information.

17 Can they redact information from  
18 their returns? Will those returns eventually  
19 be destroyed like where ever they're going,  
20 whoever is going to be looking at them, is  
21 there a period of time or will you need that  
22 for, God forbid, there were questions down the  
23 road and we have to do it.

24 What would happen if we found that  
25 this was not able to be done? Now we have to

1 Finance 09-13-21

2 pay back all this money. People think they're  
3 getting that money and they get it and they  
4 spend it they might not have it to give back.  
5 So that's another issue that needs to be  
6 addressed.

7 What do we do with the people who,  
8 let's be honest, we're trying to get people  
9 COVID vaccines and so on and so forth. There  
10 are many people who are not going to  
11 automatically get this check but who don't use  
12 computers. What do they do? How are we going  
13 to help all those people? That's another  
14 thing that has to be addressed.

15 I just feel like there's a lot of  
16 questions that we don't have the answers to,  
17 and I think we have to have those answers  
18 before our full leg session. And I hope that  
19 you can provide all those answers to the  
20 questions that were asked before and I'm sure  
21 those that are going to continue to come.

22 MR. SALLIE: I will do my best  
23 legislator. Just to point out to, of course  
24 all legislators know what's happening on the  
25 ground in your respective district. Coming



1 Finance 09-13-21

2 into this though as far as identifying low and  
3 moderate income households, the census  
4 information that's available to us does  
5 capture household income, right? And how many  
6 households fall into certain categories. Of  
7 course the information that's provided is only  
8 as good as the information collected.

9 But in terms of understanding how  
10 many of these households are low to moderate  
11 income, and again, there are about 291,000 of  
12 them out of about 450,000 households in Nassau  
13 County, we have a good sense of that magnitude  
14 and that scale right off the bat from the  
15 census information.

16 Yes, there can be situations where  
17 you have three generations living in a  
18 household or not. When you combine all those  
19 incomes, yes, that could trip the 168,9 low to  
20 moderate income. Yes, that can be the case.  
21 But from the census information that we have  
22 available to us we know that, again, almost  
23 300,000 of the 450,000 households in Nassau  
24 County are in fact making less than 130  
25 percent AMI. That's regardless of

1 Finance 09-13-21

2 generation. That's household unit.

3 Again, they need to report that  
4 information through the census  
5 questionnaires. But again, it's really data  
6 that we rely on and many rely on to make these  
7 types of decisions. I just wanted to point  
8 that out. But again, point taken. You know  
9 your districts through and through.

10 LEGISLATOR KOPEL: Thank you  
11 Sean. Now I'm going to invite members of the  
12 Rules Committee who have questions. We'll  
13 start with the presiding officer. We will  
14 vote only the Finance Committee. I don't  
15 think that's necessary. And, as a matter of  
16 fact, we on the Finance Committee might  
17 benefit from hearing the additional questions  
18 and answers that are posed by members of the  
19 Rules Committee.

20 LEGISLATOR KOPEL: Go ahead.  
21 Ms. Birnbaum.

22 LEGISLATOR BIRNBAUM: I've  
23 listened to all the questions and answers and  
24 it sounds like it's a rollout where the  
25 first-come first-served, right? The first

1 Finance 09-13-21

2 ones who will register will get their checks  
3 the soonest?

4 MR. SALLIE: Yes. As  
5 applications are received funds will leave the  
6 door, yes.

7 LEGISLATOR BIRNBAUM: If this  
8 legislative body passes this in two weeks it  
9 will go live almost immediately?

10 MR. SALLIE: Yes. The portal  
11 will go live. As I mentioned, in category  
12 one, the households receiving enhanced STAR  
13 limited income and disabilities benefits or  
14 senior citizen property tax exemptions they  
15 don't even need to apply. We know who those  
16 folks are. Those households are. That will  
17 be the first sort of tranche of checks to  
18 leave the door.

19 LEGISLATOR BIRNBAUM: How many  
20 make up that category?

21 MR. SALLIE: That's about 42,000  
22 households.

23 LEGISLATOR BIRNBAUM: So  
24 presumably the next day they could start  
25 receiving their checks?

1 Finance 09-13-21

2 MR. SALLIE: Yes. They could be  
3 mailed.

4 LEGISLATOR BIRNBAUM: Then the  
5 portal will be open and as soon as let's say  
6 the people in the first category up to the  
7 168,9 income apply and it's verified, that  
8 could be done almost immediately as well?

9 MR. SALLIE: That's correct.

10 LEGISLATOR BIRNBAUM: Thank you.

11 LEGISLATOR NICOLELLO: Good  
12 evening Sean. Moments ago in reference to the  
13 loan program I think the representation was  
14 made that the administration would not be  
15 issuing any loans until final guidance was  
16 received. I heard that correctly, right? So  
17 I'm assuming that they're not going to send  
18 out any checks until you have final guidance  
19 on the direct payments, correct?

20 MR. SALLIE: On the tax  
21 implication, yes.

22 LEGISLATOR NICOLELLO: Let me ask  
23 you this. The tax implications came up the  
24 last time we had a hearing which was two or  
25 three months ago. Tell me who have you

1 Finance 09-13-21

2 contacted, who has the administration been in  
3 touch with? What are you waiting for?

4 MR. SALLIE: Conal, are you on  
5 the line? Can you answer that question  
6 please?

7 MR. DENION: I am on the line  
8 Sean. I don't know if the administration has  
9 contacted anyone in the federal government  
10 regarding that issue. I don't know.

11 LEGISLATOR NICOLELLO: So, then  
12 begs the question what have you done to get an  
13 answer to that question? What has the  
14 administration done?

15 MR. SALLIE: The particular  
16 question is the tax --

17 LEGISLATOR NICOLELLO: The tax  
18 impacts of people who receive direct payments.

19 MR. SALLIE: Conal, in terms of  
20 the questions that were submitted to the  
21 Treasury as part of the open comment period is  
22 that information that can be shared?

23 MR. DENION: I would assume so  
24 but I don't believe taxability was included in  
25 that. But certainly can go back with that.

1 Finance 09-13-21

2 MR. SALLIE: Presiding Officer  
3 that's a question that I will get back to you  
4 as far as the tax implication, that question  
5 to the Treasury.

6 LEGISLATOR NICOLELLO: Questions  
7 were submitted to the Treasury. Were  
8 responses received from the Treasury? Were  
9 responses to the questions received from the  
10 Treasury?

11 MR. SALLIE: I'm sorry. I'm not  
12 following you.

13 LEGISLATOR NICOLELLO: You  
14 submitted questions to the Department of  
15 Treasury. Did the Department of Treasury  
16 respond to those questions?

17 MR. SALLIE: No, they have not.  
18 Our questions were submitted through the  
19 national request for questions. To my  
20 knowledge, the federal government has not yet  
21 published responses to those questions.

22 LEGISLATOR NICOLELLO: We will  
23 request that the questions be provided to us  
24 and my understanding is those are public  
25 records under the guidance.

1 Finance 09-13-21

2 MR. SALLIE: We will do so of  
3 course.

4 LEGISLATOR NICOLELLO: Are you  
5 aware, you meaning the administration, of any  
6 other municipality that is sending out direct  
7 payments?

8 MR. SALLIE: There are a few.  
9 There's not an apples to apples comparison.  
10 There are a few municipalities that have been  
11 debating funds to low and moderate income  
12 households. I actually did a little bit of  
13 research on that. Again, it's not apples to  
14 apples with our program. I believe I'd have  
15 to get you the two municipalities that are  
16 escaping me right now. There are two that are  
17 close to what we're doing but not identical.  
18 I believe there's a program that would provide  
19 only to first responders, health care  
20 workers. Again, not identical to the  
21 structure of our program.

22 LEGISLATOR NICOLELLO: Thank  
23 you. You indicated that the administration  
24 had submitted questions to the Treasury. In  
25 addition to submission of questions to the

1 Finance 09-13-21

2 Treasury have you an obtained any outside  
3 legal opinion as to whether this whole plan is  
4 permissible?

5 MR. SALLIE: Conal would you be  
6 able to respond?

7 MR. DENION: We have not. As you  
8 know, in the package, included in package is  
9 the county attorney's opinion which says it is  
10 permissible.

11 LEGISLATOR NICOLELLO: Let me go  
12 to the HUD guidelines in terms of the low to  
13 moderate income. Does HUD make a distinction  
14 in terms of households depending on whether  
15 it's a family or an individual?

16 MR. SALLIE: So, the AMI for  
17 Nassau and Suffolk counties is they base that  
18 on a family of four. So, in Nassau and  
19 Suffolk counties that median family income or  
20 median household income is \$129,900. That's  
21 Nassau and Suffolk counties.

22 LEGISLATOR NICOLELLO: All  
23 right. So then how do you make the  
24 determination if it's based on a family of  
25 four that a single person is a household and



1 Finance 09-13-21

2 entitled to receive this direct payment?

3 MR. SALLIE: Right. So, we don't  
4 have a way of confirming how many people live  
5 in a household. So, we are using the average  
6 AMI which is what HUD defines as \$129,900.  
7 They base that on a family of four but they  
8 publicize a -- if you look at AMI for Nassau  
9 and Suffolk County it's going to read  
10 129,900. You're not going to see a scale of  
11 income ranges.

12 LEGISLATOR NICOLELLO: In the  
13 submissions to the Department of Treasury was  
14 that indicated, the fact that while you're  
15 following the HUD guidelines in terms of low  
16 and moderate income there's some variance with  
17 respect to the number of people living in a  
18 household? Is the Treasury being made aware  
19 of that?

20 MR. SALLIE: I don't believe that  
21 was in our list of questions to the Treasury.

22 LEGISLATOR NICOLELLO: Let me ask  
23 you this. You went through this with  
24 Legislator Kopel. If you have a home and a  
25 family is living in it and there is the mother

1 Finance 09-13-21

2 of the two parents living in a mother-daughter  
3 is that two households? They're going to have  
4 the same address but the mother may have a  
5 separate apartment.

6 MR. SALLIE: If it's a separate  
7 apartment and it's being assessed in this case  
8 like a two family that shows in our assessment  
9 records shows as a two family both units would  
10 receive a check, yes.

11 LEGISLATOR NICOLELLO: That's  
12 interesting. Leads me to the next question I  
13 guess. So, if you have somebody who's living  
14 illegally in a home, again, not touching on  
15 multiple units, they would have their own  
16 issues and this would not apply, but if you  
17 had someone living illegal in a home, as  
18 Legislator Ford indicated before, maybe  
19 working locally in a restaurant trying to earn  
20 enough wages for the family, that person, that  
21 family will not be eligible because you're  
22 going to look at the assessment records and  
23 assessment records is going to say one family;  
24 is that correct?

25 MR. SALLIE: My understanding is

1 Finance 09-13-21

2 the assessment record does not -- let me flip  
3 that around. Local zoning and building, if  
4 the local municipality does not identify let's  
5 say it's a second unit in a single family home  
6 that does not necessarily mean that our  
7 assessment department does not acknowledge  
8 there's a second unit in that household. My  
9 understanding is it's based on the  
10 characteristics of the household. Were there  
11 two kitchens, etcetera. As long as our  
12 assessment data base reflects two -- it's  
13 being taxed as a two-family both units would  
14 be eligible.

15 LEGISLATOR NICOLELLO: But if  
16 it's being taxed as a one family and you get  
17 Smith and get another one from Jones, it's a  
18 one family, only one of those families is  
19 going to be able --

20 MR. SALLIE: Right. If it's  
21 being taxed -- in that case it would not show  
22 up on a local zoning database as two family it  
23 would not show up on a county assessment then  
24 yes, we would only acknowledge that household  
25 as one. Being one unit.

1 Finance 09-13-21

2 LEGISLATOR NICOLELLO: I want to  
3 move on. Legislator Walker brought this up.  
4 You mentioned repeatedly about the portal  
5 that's being developed. Seniors in particular  
6 and basically many of the people you're  
7 targeting, people with limited means, are  
8 unlikely, many seniors, not all of them,  
9 obviously there are many seniors, many of us  
10 are tech savvy, many of us are not. But many,  
11 many people, thousands of people are not tax  
12 savvy. They don't know what a portal is never  
13 mind submitting documents over a portal. Who  
14 is going to be handling the mass of documents  
15 and the tax returns that are going to be  
16 submitted by residents, by seniors, by people  
17 who really did struggle in the pandemic?  
18 Still struggling. Who is going to handle  
19 that?

20 MR. SALLIE: My understanding is  
21 that those documents would still need to be  
22 input through the portal. Through the single  
23 port of access. But there would need be  
24 outreach to those who may not be digitally  
25 proficient so that they can assist with having

1 Finance 09-13-21

2 that data input into the portal.

3 We understand that there are some  
4 folks who may not be proficient in computer,  
5 internet, etcetera. They'll need some  
6 assistance in loading their information into  
7 the portal. I think we also need to work  
8 through them on the back end if there are any  
9 questions how does that communication occur?

10 LEGISLATOR NICOLELLO: When you  
11 say assistance are you envisioning, I don't  
12 see any other scenario, are you envisioning  
13 people having to come to the county offices  
14 and sit down with a worker who is going to  
15 help them upload their tax returns to the  
16 portal and other documents?

17 MR. SALLIE: Is it a service that  
18 we will provide? Yes. We have the Boost  
19 resource center at Eisenhower Park, that's a  
20 venue. There's nothing that prevents us from  
21 setting up pop up assistance centers that  
22 would allow us in places where we can reach as  
23 much of that population as possible. So, I  
24 think that's something that we would strive  
25 for. But using our existing sort of networks

1 Finance 09-13-21

2 to ensure that those services are provided  
3 again for folks who may not be electronically  
4 or digitally proficient.

5 LEGISLATOR NICOLELLO: We're  
6 talking about but this is going to be a  
7 massive undertaking. It really is. You're  
8 talking tens of thousand of people who are not  
9 going to be able to navigate this portal. Who  
10 are going to need manual assistance. I don't  
11 know that you are ready for this.

12 Here's a concern I have about the  
13 information that's going to be going out that  
14 people will have to substantiate their income  
15 through their sending in their tax returns.  
16 There are scams going on all the time. How  
17 are we going to make sure that there are the  
18 bad actors out there that are going to say all  
19 right, look at this county program. I'm going  
20 to call Mrs. Jones, 88 years old, and I'm  
21 going to give her a call and say look, I'm  
22 from the county. Send me your tax returns.  
23 There's all sorts of issues here.

24 MR. SALLIE: I hear what you're  
25 saying. I don't have an answer for that. I

1 Finance 09-13-21

2 hear.

3 LEGISLATOR NICOLELLO: Legislator  
4 Ford summed it up. We need answers.

5 MR. SALLIE: I do have the list  
6 of other municipalities that we had researched  
7 if you'd like I can.

8 LEGISLATOR NICOLELLO: You want  
9 to do it now or later?

10 MR. SALLIE: I can follow-up. I  
11 can send it to you.

12 LEGISLATOR NICOLELLO: One last  
13 question. If there are problems with this  
14 program are people going to have to send their  
15 checks back in? If the final guidance comes  
16 out and the federal government in their wisdom  
17 decides you probably shouldn't have done it  
18 that way, are some people going to have to  
19 send us back their direct payments?

20 MR. SALLIE: My understanding is  
21 that the federal government, the Treasury, is  
22 not going to sign off or bless each individual  
23 recipient's programs. So, I think it's left  
24 to us to put forth a program that meets the  
25 guidance as we understand it, as it's been

1 Finance 09-13-21

2 interpreted and clarified through interim  
3 rules. I think we feel confident that the  
4 information out there today in the interim  
5 rule is consistent with the program that we  
6 are proposing to launch. So that we do not  
7 intend that those funds would need to be  
8 returned and recaptured. So, that's certainly  
9 our goal.

10 LEGISLATOR NICOLELLO: Thank you  
11 Sean. I just wanted to express our  
12 condolences to Conal. I know he had a loss in  
13 the family. I appreciate him making himself  
14 available. We express our sympathies Conal.

15 MR. DENION: Thank you Presiding  
16 Officer. I appreciate that.

17 LEGISLATOR RHOADS: We express  
18 the same Conal. Sorry for your loss.

19 MR. DENION: Thank you everyone.  
20 Thank you so much.

21 LEGISLATOR RHOADS: Mr. Sallie,  
22 there are approximately between 23 and 24,000  
23 municipalities, states, counties, towns,  
24 villages in the United States. There is not,  
25 according to your testimony, one who is doing



1 Finance 09-13-21

2 the program exactly like the program the  
3 administration is proposing. Has anyone in  
4 the administration asked themselves why that's  
5 the case?

6 MR. SALLIE: When I say apples to  
7 apples there's not an identical example.  
8 Yeah, I think there are just so many  
9 variations of what could be in a direct  
10 payment or a direct assistance to a homeowner,  
11 to someone who has been impacted economically  
12 from the pandemic.

13 LEGISLATOR RHOADS: You alluded  
14 to during your answer the names escaped you  
15 but you alluded to two, one of which was  
16 providing money, if I understand your  
17 testimony correctly, to first responders and  
18 health care workers, right? I know it's  
19 similar in that they're making a direct  
20 payment but we're talking about something much  
21 more expensive than that, right?

22 MR. SALLIE: Again, as you said,  
23 to understand what all of these municipalities  
24 throughout the nation are doing with their ARP  
25 funds would be a daunting task. However, we

1 Finance 09-13-21

2 did look at, again, certain examples that we  
3 are able to find online. St. Louis is  
4 doing -- setting aside \$5 million direct  
5 payments to folks or households struggling do  
6 to the pandemic. \$500 for families making  
7 less than \$66,000.

8 New Jersey city of Trenton, I don't  
9 believe this has been approved yet but it is  
10 under consideration, mayor wants to send the  
11 city's more than 28,000 households a \$500  
12 stimulus payment. Approximately \$15 million  
13 would come from their \$72 million allotment of  
14 ARP funds.

15 California \$600 will be sent to  
16 taxpayers who earn \$75,000 or less and those  
17 who didn't receive I guess a prior stimulus  
18 payment from the state.

19 Again, it's not identical but I  
20 would say some of these municipalities are  
21 thinking along the same lines.  
22 Proportionality, of course, if they have less  
23 funds allotted there's less funds to dole  
24 out. Population is less in many of these  
25 communities than Nassau. But there is some

1 Finance 09-13-21

2 comparable programs that are either proposed  
3 or have been initiated that are similar to our  
4 program.

5 LEGISLATOR RHOADS: How many have  
6 an actual initiated plan? How many of those,  
7 the handful that you cited to, how many of  
8 those have an actually initiated plan?

9 MR. SALLIE: My understanding is  
10 St. Louis --

11 LEGISLATOR RHOADS: For \$5  
12 million. Talking about \$100 million here,  
13 right?

14 MR. SALLIE: Right. And they're  
15 issuing \$500 checks.

16 LEGISLATOR RHOADS: How many  
17 people does the city of Saint Louis have in  
18 it?

19 MR. SALLIE: I don't have that  
20 number offhand.

21 LEGISLATOR RHOADS: More than the  
22 population of Nassau County, right?

23 MR. SALLIE: I can check.

24 LEGISLATOR RHOADS: I suspect  
25 that one of the reasons why many more

1 Finance 09-13-21

2 municipalities are not adopting the same plan  
3 that we're being asked to adopt is because  
4 there is so much uncertainty and because it  
5 will be so difficult to actually organize what  
6 it is that's being proposed. Because what I'm  
7 hearing today is, we don't know what we're  
8 actually doing if we adopt this plan. We  
9 don't have a final rule. We only have interim  
10 guidance.

11 According to your testimony, no one  
12 from the administration has actually reached  
13 out to the Treasury Department to ask certain  
14 questions. So, what is it that we're actually  
15 being asked to vote upon? And how is it when  
16 the county executive proposed an initial plan  
17 vastly different from the one that we're  
18 considering here today, back in May, how is it  
19 that we're coming here today without having  
20 answers to many of the same questions that we  
21 had in June when we spoke about this for the  
22 first time? How is that possible?

23 MR. SALLIE: My understanding is  
24 the change in the program is meant to engage  
25 more than just homeowners. So, renters are

1 Finance 09-13-21

2 involved in this new program.

3 I understand what you're saying  
4 regarding the lack of final guidance from the  
5 Treasury. But with that timetable being  
6 unknown and what type of clarity will  
7 ultimately be provided by the Treasury we  
8 don't know what that will look like either.

9 LEGISLATOR RHOADS: But that goes  
10 back to the presiding officer's point which  
11 is, what happens if you're wrong? You don't  
12 think the federal government is going to ask  
13 for the money back, right? That's what we're  
14 being told today? I can point to probably  
15 thousands of Superstorm Sandy individuals who  
16 received money from the federal government  
17 with clearly defined rules only to find that  
18 the rules changed midstream. That all of a  
19 sudden grants they received turned into loans  
20 and all of a sudden they owe back 50, 60,  
21 70,000, \$80,000 with their grant money with  
22 interest. The federal government does that  
23 all at time.

24 So, what makes the administration  
25 so sure that if we move ahead with this plan

1 Finance 09-13-21

2 that six months from now, a year from now,  
3 we're not going to be turning around to these  
4 same homeowners and say hey, you know that 375  
5 bucks you gave us -- may be taxed, may be not  
6 taxed -- that 375 bucks we need that back. By  
7 the way, we need that back with interest.

8 Or, how are you so sure that if we  
9 don't ask taxpayers for that back where is  
10 that \$100 million going to come from? It's  
11 going to come from the same taxpayers just in  
12 a different form, right, because we're going  
13 to have to pay that bill.

14 Here's my concern. County  
15 executive came out with a plan in May. That  
16 plan in May was supposed to provide to \$375  
17 checks roughly to 300,000 homeowners. Anybody  
18 that made less than \$500,000. Anybody that  
19 was eligible for, is eligible for enhanced  
20 STAR or the regular STAR deduction. That's  
21 how it was supposed to be distributed. We  
22 asked questions that and we were given the  
23 very same assurance that we're receiving today  
24 from the county attorney's office that yeah,  
25 yeah, we can do that. Absolutely we can. And

1 Finance 09-13-21

2 we asked you to ask the Treasury Department.

3 Maybe you did, maybe you didn't.

4 But now all of a sudden we have a  
5 completely different plan. I suspect because  
6 you figured out you can't actually do that.  
7 We've got a pretty bad track record with this  
8 administration with respect to that. You look  
9 at CARES Act money for example. We were told  
10 back in December hey, we got \$103 million in  
11 CARES Act money but we need to use \$98 million  
12 of it because we're looking at a \$285 million  
13 budget deficit. So we go ahead and say okay,  
14 we'll approve the \$98 million to go towards  
15 the budget so we can close the gap. And then  
16 find out 30 days later that we actually have a  
17 \$120 million surplus. Money that actually  
18 could have gone to businesses. Money that  
19 could have gone to residents. Didn't get  
20 there. Instead it went to the county's bottom  
21 line.

22 Now we're being presented with this  
23 plan in May. If we had adopted the plan that  
24 the administration set forth in May we would  
25 owe the federal government \$100 million. So,

1 Finance 09-13-21

2 the fact that you're coming here today and  
3 saying well, I don't know, we're going to have  
4 check on those answers, I'll get that for you  
5 in two weeks, I have a problem with that.  
6 We've been asking these questions.

7 And we got the county executive  
8 going out and having a press conference ten  
9 days ago demanding that we come back early  
10 from our summer break. We have a press  
11 conference this morning demanding that we pass  
12 this on our calendar today.

13 But when is the county executive  
14 going to do her homework? Because we would  
15 have gotten burned by this if we listened to  
16 her back in May just like taxpayers got burned  
17 by us listening to her back in December.  
18 Because you got a lot of questions that you  
19 simply don't know the answers to.

20 We don't actually know the  
21 definition of a household. We can speculate.  
22 We haven't gotten any Treasury guidance on  
23 that. We don't know -- the Treasury guidance  
24 requires the aid to be proportional to the  
25 harm. We simply picked \$168,000 as the



1 Finance 09-13-21

2 guideline. Do we know that's proportional to  
3 the harm? Because HUD has different  
4 definitions for what's low income, what's  
5 moderate income. How does that come into  
6 play? Do we know the answer to that  
7 question? Because based on what I've heard so  
8 far we're not 100 percent sure that us picking  
9 an arbitrary number of \$168,000, and I  
10 understand it's got some basis in median  
11 income, but do we know that that actually  
12 meets the criteria that's going to be set  
13 forth by the Treasury Department?

14 MR. SALLIE: Legislator, we don't  
15 but we also don't know --

16 LEGISLATOR RHOADS: But how is  
17 the county executive coming to us saying that  
18 we have to adopt this plan today when she  
19 doesn't know whether the criteria that she's  
20 using are actually going to be approved by the  
21 Treasury Department?

22 MR. SALLIE: Legislator, my  
23 understanding is that the Treasury is not  
24 going to approve or bless or sign off on  
25 programs from individual recipients. They

1 Finance 09-13-21

2 will provide as detailed guidance as they feel  
3 fit to issue but they will not ultimately  
4 check the box as far as eligibility for us.

5 LEGISLATOR RHOADS: But don't you  
6 think maybe the reason that virtually no other  
7 municipality in the country is doing this  
8 right now is because they don't know exactly  
9 what the rules are supposed to be?

10 MR. SALLIE: I can't speculate on  
11 why more municipalities are not doing it.

12 LEGISLATOR RHOADS: Let me ask  
13 you this question. When we don't know what  
14 the rules are why is the county executive  
15 saying we should do this?

16 MR. SALLIE: I can't answer that.

17 LEGISLATOR RHOADS: Let's assume  
18 for the moment that we were to adopt this. Is  
19 there any plan whatsoever for how we're  
20 actually going to provide technical assistance  
21 to homeowners that need help with this?

22 MR. SALLIE: Need help with  
23 applying?

24 LEGISLATOR RHOADS: Need help  
25 with the application process. To the

1 Finance 09-13-21  
2 presiding officer's point and to Legislator  
3 Ford's point, you probably have tens of  
4 thousands of individuals if we're going to  
5 open up this portal that have no ability to  
6 access the portal or understanding of the  
7 portal.

8 MR. SALLIE: I think -- well,  
9 42,000 households that are receiving enhanced  
10 senior STAR, senior exemptions or LID will get  
11 automatic payments. So they'll never have to  
12 touch the portal.

13 LEGISLATOR RHOADS: But how are  
14 the payments going to be -- because you still  
15 have to have some sort of application. You're  
16 saying that anybody that has an income of  
17 \$168,000 or less is automatically eligible for  
18 the program? But they're going to have to  
19 prove to you that they have an income of  
20 \$168,000 or less. So somebody has to --  
21 everyone that's applies for this, regardless  
22 of what they make, is going to wind up having  
23 to provide some sort of proof through a tax  
24 return, and I'm not sure that I'm entirely  
25 comfortable sharing tax returns and sensitive

1 Finance 09-13-21

2 information on tax returns with the county, we  
3 can't even get assessment right. We're going  
4 to collect data from 380,000 homeowners, tax  
5 returns from 380,000 homeowners as part of  
6 this program. How are we going to process all  
7 of that? What's the plan for how we're going  
8 to do this?

9 MR. SALLIE: Of those -- category  
10 one, those households making under 168,9 there  
11 are 42,000 households that are already  
12 receiving those enhanced senior STAR, LID or  
13 senior exemptions. We know how much they make  
14 because they apply for those benefits and they  
15 have received those benefits.

16 LEGISLATOR RHOADS: Great. So  
17 what are we going to do for the 340,000 other  
18 homeowners?

19 MR. SALLIE: That's not an  
20 insignificant number. That's 42,000 that are  
21 going to automatically get a check. And  
22 those, presumably, will be the most in need of  
23 assistance. Seniors, etcetera. Right off the  
24 bat they're getting checks.

25 The remainder, right, there still

1 Finance 09-13-21

2 may be -- you may have senior renters, right,  
3 who may not be getting a direct property tax,  
4 that definitely will be the case, and of those  
5 renters they may not be proficient in  
6 utilizing the internet. Through our outreach  
7 channels we will provide on the ground  
8 assistance to allow them to apply. That might  
9 be boots on the ground actually doing that in  
10 consultation with those folks.

11 I think there are various benefits  
12 programs out there that are primarily the  
13 intake is electronically and I think there are  
14 outlets and infrastructure in place to assist  
15 with that application process when someone --  
16 where there's a case where you may not be  
17 proficient in the internet.

18 I respect that concern and I'm not  
19 taking that lightly, but I think our team is  
20 equipped to be able to go out and do that  
21 outreach and make sure that those folks have  
22 an opportunity to apply.

23 LEGISLATOR RHOADS: I can't get  
24 somebody that calls the Department of  
25 Assessment to answer the telephone. How are

1 Finance 09-13-21

2 we going to do that? How many people are we  
3 going need to be able to do that? And how do  
4 we build the infrastructure that's going to be  
5 able to handle that?

6 You're talking about us approving  
7 the plan today. What is the administration's  
8 plan to be able handle that? Legislator  
9 Birnbaum asked an important question. I  
10 assume that on the 27th, assuming this passes  
11 committees and assuming this passes the full  
12 legislature, how quickly is this program going  
13 to be in place? Do we have any of the answers  
14 to any of those questions as to how we're  
15 going to accomplish any of that within a time  
16 frame not of a couple of weeks but of a couple  
17 of months?

18 MR. SALLIE: I understand your  
19 concern and your question. I think we have  
20 existing infrastructure to be able to go out  
21 and engage folks who, again, need assistance  
22 in applying. We have a Department of Social  
23 Services. We have a community development  
24 department. Yes, staffing, it's not that  
25 folks --

1 Finance 09-13-21

2 LEGISLATOR RHOADS: But,  
3 Mr. Sallie, in theory you're going to have  
4 340,000 homeowners. You may have more  
5 applications than that if you have multiple  
6 people living in a house that file separate  
7 returns. You're going to have at least  
8 340,000 people who are applying for this. We  
9 have the infrastructure to do the outreach and  
10 assist those individuals if necessary? And if  
11 they do happen to know how to file the  
12 applications and do file the applications,  
13 we're going to have the staff to be able to  
14 analyze their tax returns and their  
15 applications to demonstrate their need for the  
16 COVID resources? We have the people that are  
17 going to be able to do that?

18 MR. SALLIE: Legislator, I'm not  
19 minimizing the concern. I hear you loud and  
20 clear. But I think of that 350,000 that would  
21 need to apply there's a subset of that, of  
22 those households, that would need assistance  
23 in applying. That many of them would be able  
24 to jump on the internet and do so on their  
25 own.

1 Finance 09-13-21

2 LEGISLATOR RHOADS: Look, some  
3 will and let's say that they do.

4 MR. SALLIE: Many will I think  
5 respectfully.

6 LEGISLATOR RHOADS: But if they  
7 do -- and I agree with you. Many will and you  
8 will be flooded with an initial flood of  
9 applications. Are we prepared to handle  
10 that?

11 MR. SALLIE: I believe we are.

12 LEGISLATOR RHOADS: How?

13 MR. SALLIE: Through the  
14 electronic portal -- that portal we've been  
15 developing that with our IT department and  
16 we've talked about that numerous times. Can  
17 that portal infrastructure handle an influx of  
18 hundreds of thousands of applications? And  
19 the answer is yes. And they actually compared  
20 it to the land record viewer that's available  
21 to the public that gets hit multiple times a  
22 day. This did not seem to present an issue in  
23 terms of being able to handle that volume.

24 LEGISLATOR RHOADS: I  
25 understand. My point in this, however, is not



1 Finance 09-13-21

2 that you have the IT capacity to handle the  
3 applications. Do we have the manpower  
4 capacity to be able to take an application, do  
5 a manual review of that application, make a  
6 decision, and for those people who are denied  
7 this benefit, handle the appellate process,  
8 whatever that process is, that eventually  
9 ensues? And I don't think based upon the  
10 staffing that we have now and the  
11 infrastructure that we have now I don't know  
12 how that's conceivable. I don't know that the  
13 administration actually knows that.

14 So, my point in this is, and I  
15 don't mean to belabor it, but you have so many  
16 unanswered questions. How does the county  
17 executive -- look, we want to get money into  
18 the hands of residents. We have a population  
19 that suffered. Low income, middle income,  
20 high income, businesses. These are the funds  
21 that are supposed to be released to those  
22 residents and released to those businesses as  
23 quickly and as effectively as possible to help  
24 them recover from this pandemic. We share  
25 that same goal.

1 Finance 09-13-21

2 But I don't understand after this  
3 being discussed now for three months, three  
4 and a half months, since the county executive  
5 came out with her proposal, how does the  
6 county executive have the audacity to stand on  
7 the front steps of this legislature and demand  
8 we pass this plan when we don't have any of  
9 those answers? I know you don't know the  
10 answer and that's not fair to ask that  
11 question to you but you're the one that's  
12 here. It's really more of a rhetorical  
13 question.

14 So, I don't know exactly what my  
15 colleagues are going to do on this, but if in  
16 fact this does pass through committees today  
17 you got a lot of work to do in two weeks  
18 before this comes before the full  
19 legislature. Because as much as we want to  
20 get money into the hands of residents it's  
21 going to be very difficult to adopt a plan  
22 that has so many holes in it it wouldn't hold  
23 an ounce of water.

24 So, if that is what happens, please  
25 impress upon the powers that be upstairs that

1 Finance 09-13-21

2 they got a lot of work to do. Because the  
3 last thing that I want to do for residents is  
4 to make an empty promise to them like was made  
5 back in May that they're going to be receiving  
6 benefits that may never come or may only come  
7 after a tremendous amount of headaches on  
8 their part. So, thank you.

9 LEGISLATOR KOPEL: The next one,  
10 Mr. Ferretti, is online and he's got a few  
11 questions for you Sean.

12 LEGISLATOR FERRETTI: Thank you  
13 Deputy Presiding Officer.

14 Good evening gentlemen. I will try  
15 to be as brief as possible. We don't seem to  
16 be getting an answer as to what happens in the  
17 event that these funds are not spent in  
18 accordance with the guidelines. I'm not  
19 really sure why we aren't getting that  
20 answer. But let me ask you this flat out. Do  
21 you know what happens in the event that these  
22 funds are spent in contradiction to the  
23 guidelines?

24 MR. DENION: I can answer that.  
25 This is Conal. The rule requires that

1 Finance 09-13-21

2 recipients such as the county will be subject  
3 to recoupment if we don't spend in accordance  
4 with the law and the rule.

5 LEGISLATOR FERRETTI: Right.

6 Just for argument's sake, if these answers to  
7 these questions turn out to be in the negative  
8 and we're not allowed to do this, the federal  
9 government could come back to the county and  
10 recoup the money, correct?

11 MR. DENION: Correct. That's  
12 with any federal program. Certainly if you  
13 spend outside of the rule, correct.

14 LEGISLATOR FERRETTI: Do we agree  
15 that the guidelines require that the aid be  
16 proportionate to the harm incurred?

17 MR. DENION: It does. I think  
18 the focus there is really on the amount, the  
19 \$375. And I think what the rule says is the  
20 comparison would be to the aid that came into  
21 the earlier COVID relief, the \$1,400 that went  
22 to families. \$800. I think that's probably  
23 more apt comparison is that \$375 compared to  
24 \$1,400. So I think we have a pretty firm  
25 grasp.

1 Finance 09-13-21

2 LEGISLATOR FERRETTI: Let me ask  
3 you this. Let me just run through two  
4 scenarios. Resident A. They make  
5 approximately \$490,000 household income per  
6 year. As a result of COVID they incur \$1,000  
7 of extra childcare expenses. Are they  
8 eligible and if so, for how much?

9 MR. DENION: They're going to  
10 need to show an actual negative impact. And  
11 Sean, correct me if I'm wrong, they're over  
12 \$168,000, so they would have to show the  
13 actual --

14 LEGISLATOR FERRETTI: They show  
15 you their household adjusted income is 490.  
16 They actually show you that they suffered  
17 \$1,000 in extra childcare expenses due to  
18 COVID-19. Do they qualify? If so, how much?

19 MR. DENION: I believe, Sean,  
20 it's 375, correct?

21 MR. SALLIE: Yes. They make  
22 490,000. Yes.

23 LEGISLATOR FERRETTI: Okay.  
24 Resident B. Resident B's household income is  
25 \$75,000 and resident B lost, as a result of

1 Finance 09-13-21

2 COVID, every resident in that house got laid  
3 off and now their income is zero. Are they  
4 entitled to a payout under this and if so, how  
5 much?

6 MR. DENION: They would fall  
7 under the presumption, correct, Sean? So they  
8 would get the \$375 for the household.

9 LEGISLATOR FERRETTI: So one  
10 household's entire income was eliminated.  
11 They make \$75,000 a year. They get \$375. The  
12 \$490,000 house who suffered a \$1,000 harm as a  
13 result of COVID, still has their job, still  
14 has an income of \$490,000, they get 375. In  
15 what way is that aid proportionate to the harm  
16 suffered?

17 MR. DENION: I think, legislator,  
18 one thing to think about here is this is a  
19 federal program and we follow the rules. ARP,  
20 one of the categories is aid to households.  
21 Assistance to households. So, we didn't  
22 choose households as the criteria here. It  
23 didn't say individuals or those most impacted  
24 or a gradation of impact. It's households.  
25 So we have to live with household as being one

1 Finance 09-13-21

2 of the eligible funding categories like small  
3 businesses are.

4 LEGISLATOR FERRETTI: I'm not  
5 talking about that. They have two households  
6 and one is a household that's income is  
7 \$490,000 and essentially unchanged by COVID.  
8 The other household, pick a number, 170, 180,  
9 50, whatever. Everyone in that household lost  
10 their job. That household was severely  
11 impacted by COVID, to now to the point they're  
12 destitute. Yet both get a \$375 check. That  
13 doesn't seem proportionate to the harm. Maybe  
14 I'm missing something. It just doesn't seem  
15 that's proportionate.

16 MR. DENION: Maybe it's two  
17 things. One thing is under the rule whether  
18 it's proportionate to the harm from COVID. I  
19 think it is. I think under the rule it is.  
20 Maybe you're asking a different question like  
21 in relation to each other, to the two  
22 households you describe, is it fair? Is it  
23 proportionate which I think is a different  
24 policy question that I don't think I'm  
25 equipped to answer.

1 Finance 09-13-21

2 LEGISLATOR FERRETTI: But if  
3 we're wrong and the federal government says, I  
4 shouldn't say if we're wrong, if the  
5 administration is wrong and the federal  
6 government says, you know what? that's not  
7 proportionate need, then, as you said, they  
8 can come back to the county and recoup the  
9 money?

10 MR. DENION: They could but I  
11 think the feds would be looking to see whether  
12 it's disproportionate meaning whether we paid  
13 too much to someone who had -- if someone a  
14 \$10 harm and we paid them \$100 that would be  
15 disproportionate. But if somebody had \$1,000  
16 and we gave them 375 I think -- or as you  
17 said, they lost their total income and we gave  
18 them 375, if anything we haven't overpaid them  
19 for their COVID impacts. I don't think they  
20 would be looking to recoup something where we  
21 haven't overpaid them for a COVID-related  
22 impact.

23 LEGISLATOR FERRETTI: The  
24 \$169,000 threshold -- I'm sorry, is it 168 or  
25 169?



1 Finance 09-13-21

2 MR. DENION: It's 168 and change.

3 LEGISLATOR FERRETTI: That  
4 threshold, I think that was a threshold set by  
5 the county, right?

6 MR. DENION: Correct. Based on  
7 the guidance. We looked at the guidance.  
8 They've not defined low to moderate. Other  
9 federal programs do. So, we've interpreted  
10 that. In the program, the ARP rule talks  
11 about flexibility in allowing municipalities to  
12 really come up with programs that fit the  
13 local needs and the local character. So,  
14 we've done and our consultants have come up  
15 with a good proxy for what our local needs are  
16 here in Nassau. The local AMI combined with a  
17 local definition of that median income.

18 LEGISLATOR FERRETTI: I guess my  
19 question is, it seems this is a recurring  
20 theme with this proposal. There's a lot of  
21 mystery here. I mean, it's been four months  
22 since this was originally proposed back in the  
23 middle of May. Why don't we have an answer?  
24 Why can't we go to the federal government and  
25 say hey, look, here's our proposal. 169 under

1 Finance 09-13-21

2 you're presumed to have felt harm. Will this  
3 fly federal government? Yes or no? Why are  
4 we left to wonder?

5 We're asking you gentlemen, I know  
6 it's not your fault here but nobody seems to  
7 be able to give us an answer for four months.  
8 Why isn't anybody going to the federal  
9 government saying this is the proposal. Will  
10 this fly, yes or no? Because there's a lot at  
11 stake here, there's \$100 million that could be  
12 clawed back by the federal government if we're  
13 wrong. I know you're telling me that nobody  
14 has asked. Why?

15 MR. DENION: I believe what Sean  
16 had spoken to originally earlier was that the  
17 federal government has stated that they will  
18 not preclear a program. They've given general  
19 guidelines to all the municipalities out there  
20 in the country. They do FAQs that they  
21 release periodically. They've asked for the  
22 comment period, which is now closed, and we  
23 all expect a series of comments and a final  
24 rule to come out. So, you can't say to them  
25 here's the Nassau program, please preclear

1 Finance 09-13-21

2 it. They don't do that. They won't do that.  
3 So we have to live with the general guidance  
4 and do our best to interpret it as best we  
5 can.

6 We have hired consultants who are  
7 experts in this area and we're using them,  
8 relying on them. The county attorney's office  
9 reviews this. So, we think that the original  
10 plan talked about in May I think if we had  
11 gotten guidance on that that would have gone  
12 forward. But I still think we're hoping that  
13 we get guidance on that. I believe that's  
14 been submitted. That was the original  
15 concept. There's been no response from the  
16 federal government on that. This is a  
17 safer -- we think this is absolutely, this two  
18 tier plan, is absolutely within the interim  
19 final rule and you know --

20 LEGISLATOR FERRETTI: You can  
21 tell me definitively that the federal  
22 government would not give an answer as to the  
23 168 and change threshold would be an  
24 acceptable threshold, they will not tell us?

25 MR. DENION: That's my

1 Finance 09-13-21

2 understanding is they will not give you a  
3 preapproval of a particular program. They  
4 will, again, answer general questions. There  
5 are answers to questions that appear on the  
6 Treasury website. But whether or not can  
7 Nassau build a program that uses a local  
8 definition we've asked that. We've asked them  
9 can we use local definitions. We've not  
10 gotten a response to that. We haven't asked  
11 them the 168 but we have asked them can we use  
12 local cost of living adjustments to build our  
13 low to moderate definition. We have asked  
14 them and we have not gotten a response.

15 MR. SALLIE: Just to add to  
16 that. The county had to issue and submit it's  
17 annual report, first annual report, to the  
18 Treasury for how we are using ARP funds. And  
19 we do have a section in there on proposed  
20 programs where we spell out the proposal for  
21 HAP with these guidelines cited. That's  
22 another avenue for the Treasury to review and  
23 opine.

24 But again, as Conal stated, our  
25 understanding is the Treasury will not review

1 Finance 09-13-21

2 and opine, slash, approve a recipient's  
3 program.

4 LEGISLATOR FERRETTI: You're kind  
5 of broadening my question to be the entire  
6 program. I'm asking specifically with the  
7 168,9, similar to whether the 375 is taxable  
8 as income. You're asking that, right? So  
9 you're asking for an answer to that. So,  
10 likewise, we could be asking an answer for  
11 whether the 168,9 is a permissible threshold.

12 But that notwithstanding, has  
13 anyone reached out to the federal elected  
14 officials, a congressman, a senator, to ask  
15 them to help us get some responses to this?

16 MR. DENION: I believe the  
17 administration has done that, yes.

18 LEGISLATOR FERRETTI: Have they  
19 gotten an answer from any of the elected  
20 representatives in the federal government?

21 MR. DENION: I don't know Sean if  
22 you're able to speak to that better but I will  
23 defer to the administration on the response.

24 MR. SALLIE: I don't have a  
25 specific answer. My understanding is that

1 Finance 09-13-21

2 Senator Majority Leader Schumer does endorse  
3 the program. But as far as a specific  
4 blessing of the program I do not believe that  
5 I have that.

6 LEGISLATOR FERRETTI: I'm not  
7 looking for a blessing. It just seems like  
8 we've had these questions outstanding and  
9 nobody's getting back to us with answers. I  
10 was just curious if anybody reached to a  
11 congressman, a senator and said hey, can you  
12 push this along and get us some answers?

13 Especially in light of the fact  
14 that there are press conferences being held  
15 demanding that we vote on this now. In fact,  
16 come back from what was described as a summer  
17 break. I don't know what kind of breaks the  
18 county executive takes in the summer, I don't  
19 take any. I would think in light of that that  
20 every possible avenue would be explored to try  
21 to get some answers here.

22 MR. DENION: I believe they are  
23 and have been.

24 LEGISLATOR FERRETTI: I want to  
25 understand in terms of -- and I know this was

1 Finance 09-13-21  
2 touched upon by Legislator Ford a while back.  
3 So, how do you prevent husband and wife who  
4 live in the same household but file their  
5 income taxes separately, how do you prevent  
6 them from number one, double dipping and  
7 number two, evading the tax threshold of  
8 499,000?

9 MR. SALLIE: Right. A married  
10 couple filing separately will need to file  
11 both returns.

12 LEGISLATOR FERRETTI: What if  
13 they don't? What if only one files, how will  
14 you know? What if one of them submits their  
15 tax return to you?

16 MR. SALLIE: The front end of the  
17 questionnaire in the portal, in the  
18 application portal, you will need to indicate  
19 whether you file separately or jointly. If  
20 you check separately you'll need to file  
21 the -- married separately you need to file  
22 both returns. So you will need to specify  
23 that in the application itself.

24 LEGISLATOR FERRETTI: But what  
25 I'm asking is for people that are not doing

1 Finance 09-13-21

2 the right thing. What if somebody doesn't  
3 click the right box and doesn't show any kind  
4 of indication that they're even married but  
5 they are. They live in a house with a spouse,  
6 they file separately and they have a joint  
7 income of over \$500,000 but on this portal  
8 they don't show that and they submit their tax  
9 return and it has no indication on the tax  
10 return that they're even married. Is there a  
11 way to weed that out?

12 MR. DENION: I think the tax  
13 return will show married filing separately,  
14 right?

15 LEGISLATOR FERRETTI: So you will  
16 pick that up?

17 MR. SALLIE: That will be picked  
18 up, right, as part of the review of the 1040.

19 LEGISLATOR FERRETTI: Okay. Just  
20 one last question. Are residents who live in  
21 illegal residential apartments entitled to the  
22 check?

23 MR. SALLIE: I'm sorry  
24 legislator, is that a question?

25 LEGISLATOR FERRETTI: Yes. Let's



1 Finance 09-13-21

2 say, for example, in Levittown. They live in  
3 an upstairs apartment in violation of town  
4 code, as unfortunately that does happen quite  
5 often, are they entitled to a 375 check?

6 MR. SALLIE: If the county  
7 assessment records reflect, if that particular  
8 residence is a two family then that address  
9 would be eligible for two checks. One to each  
10 unit.

11 LEGISLATOR FERRETTI: For  
12 example, in Levittown, in this zoning district  
13 there are no legal two-family residential  
14 dwellings. So, you would never have a  
15 situation where there would be a two-family  
16 dwelling. So, I think the answer you're going  
17 to give me is no, from what it sounds like  
18 because that would be a second application  
19 from the same household, right?

20 MR. SALLIE: Right. But if  
21 there's a unit in a zoning district in the  
22 Town of Hempstead that is not legal in terms  
23 of the local building code or reflected on the  
24 county, and I guess it wouldn't be reflected  
25 on the county data base, then right, that

1 Finance 09-13-21

2 second unit, that apartment would not get a  
3 check.

4 LEGISLATOR FERRETTI: All right  
5 gentlemen. I thank you both for your time.

6 LEGISLATOR ABRAHAMS: How are you  
7 Sean?

8 MR. SALLIE: I'm doing okay.

9 LEGISLATOR ABRAHAMS: I know you  
10 had said earlier and there's been a lot of  
11 questions and comments that have been made in  
12 the last hour or two, but let's just get back  
13 to the point of why we're here today. If I  
14 understand this correctly, roughly 42,000 will  
15 be able to get a check without doing  
16 anything?

17 MR. SALLIE: That's correct.

18 LEGISLATOR ABRAHAMS: Then  
19 there's another 168,000 that will have to  
20 file -- correct me on the numbers if I'm  
21 wrong -- that will have to upload their tax  
22 returns?

23 MR. SALLIE: Right. So there's  
24 roughly 300,000 households making, it's a  
25 little bit less than that but I'm trying to

1 Finance 09-13-21

2 use easy math -- roughly 300,000 --

3 LEGISLATOR ABRAHAMS: I think we  
4 need easy math at this point.

5 MR. SALLIE: 300,000 households  
6 making under \$169,000 annually. 42,000 of  
7 those will get a check automatically without  
8 having to apply. The remainder, so easy math,  
9 250,000 will need to submit just their tax  
10 return through the portal along with filling  
11 out a couple of fields on the application as  
12 to their address essentially. Hit send. That  
13 then goes to the reviewer.

14 LEGISLATOR ABRAHAMS: Walk me  
15 through because I've heard a lot of objection  
16 to the upload on the portal. It sounds like  
17 it's Star Trek. Explain to me what exactly  
18 does that mean. Does that mean someone sits  
19 before their computer and is like uploading a  
20 PDF?

21 MR. SALLIE: That's correct. So,  
22 the tax return document, you may have a paper  
23 version sitting at home, you may have a PDF in  
24 your home files. If you have a PDF already  
25 you'd upload the PDF. If you have a hard

1 Finance 09-13-21

2 copy, you can take a picture of it and upload  
3 it like that or scan it as a PDF. Just  
4 converting it to electronic and dropping it in  
5 the portal. Just like you would upload any  
6 file. You hit the button upload, you find the  
7 file.

8 LEGISLATOR ABRAHAMS: Gotcha.

9 Sounds pretty straightforward. Basically  
10 42,000 doesn't do anything. A good chunk of  
11 folks have to upload a PDF. Then there's  
12 another category of folks that I guess are  
13 higher income that would have to answer a few  
14 more questions. But again, they're some of  
15 the higher income folks. So, from that  
16 standpoint they should have to answer a few  
17 more questions to be able to get the 375,  
18 correct?

19 MR. SALLIE: Right. So that  
20 could be up to about 100,000 households. They  
21 submit their tax return electronically and  
22 then let's say it's a receipt or bill or  
23 unemployment receipt, something of that  
24 nature, electronically through the portal.

25 LEGISLATOR ABRAHAMS: It seems

1 Finance 09-13-21

2 like to me, and I'm not trying to oversimplify  
3 this please, but it seems like to me the  
4 process is pretty straightforward. If folks  
5 are familiar on how to upload a PDF to  
6 computer, which I would like to think whether  
7 they're seniors or young or middle or old,  
8 whatever the case, I think by this point in  
9 this age, we're not talking about in the 1980s  
10 or 1990s when computers were a little bit  
11 newer to the homes, I would think most people  
12 have uploaded a PDF before. From that  
13 standpoint, I think we're pretty  
14 straightforward.

15 I do want to spend some time  
16 because I think the points in regards to the  
17 process in regards to the -- for us to have  
18 the ability to have more clarity, whether it's  
19 from the federal government, I do believe I  
20 some of the concerns that the Majority has  
21 raised do warrant some greater responses. I'm  
22 hopeful that that is the case.

23 But I do want to remind folks that,  
24 if I'm understanding you correctly again and  
25 based on the comments and the statements that

1 Finance 09-13-21

2 I've heard from the county executive and the  
3 county is that you have received the greatest  
4 amount of guidance that the federal government  
5 would provide. So, there's no other guidance  
6 that's coming in, if I'm understanding this  
7 correctly, through further questioning,  
8 there's no other guidance that could be coming  
9 in addition to what you've already asked for  
10 and what you've received?

11 MR. SALLIE: The federal  
12 government, whether they respond to the open  
13 question period that ended back in the middle  
14 of July, whether they put out a revised rule  
15 answering those questions clarifying, we don't  
16 know if they're going to do that. And if they  
17 do do that, do they answer all the questions,  
18 do they take a subset, we just don't know  
19 that. So we're operating on what everyone  
20 else in the country is operating on in terms  
21 of the guidance.

22 LEGISLATOR ABRAHAMS: I guess  
23 that's what I'm driving at. There's no  
24 question that you haven't asked in a certain  
25 way that -- someone had brought up the City of

1 Finance 09-13-21

2 Saint Louis tonight in regards to  
3 population -- there's no questions that you  
4 have asked that if you changed the phrasing on  
5 how you asked them that suddenly you're going  
6 to get more information?

7 What I'm trying to say is, it  
8 sounds like we've asked the questions, we  
9 received the guidance. Now as legislators we  
10 have to make the decision do we want to  
11 proceed with what we have or do we want to go  
12 down a path of trying to ask more questions  
13 and delay this process even more. And the  
14 flip side to that is, which is very real,  
15 you're going to have Nassau County residents  
16 continue to struggle to pay for their  
17 medication, possibly put food on the table.  
18 That's the trade-off guys. That's what it  
19 takes.

20 If you want to ask more questions  
21 than what the county executive's  
22 administration has already asked, which if we  
23 don't think that's sufficient, then you're  
24 making a calculated decision to trade off  
25 folks that need their medication, to pay their

1 Finance 09-13-21

2 rent, to put food on the table, you're saying  
3 to them you can wait two or three more months  
4 until we get this right. Or completely 99,  
5 100 percent right, when we probably maybe have  
6 it at, to be fair, maybe in the 90s or the  
7 upper '80s or low 90s. I don't know. To be  
8 fair, that's what we're talking about tonight,  
9 that trade-off.

10 I don't know. I got residents  
11 throughout Freeport and Baldwin and I can tell  
12 quite frankly they can't wait three more  
13 months while we should have been holding  
14 hearings on this and the same questions that  
15 are being asked tonight should have been  
16 pounded and pounded and pounded over and over  
17 again for the last few months. It took a  
18 press conference today for us to even get this  
19 on the addendum.

20 So, from my standpoint, let's just  
21 clear, that the politics is here. It's wide  
22 open. It's glaring in our faces. You didn't  
23 do anything for weeks, for months. Which is  
24 fair. We were off. I understand. But the  
25 bottom line is we did nothing.



1 Finance 09-13-21

2 So, now we're going to ask the  
3 questions, we're going to try to be tough,  
4 we're going to try to put Mr. Sallie in a  
5 tough spot, which is fine, he's a big boy, he  
6 can handle it. But these questions should  
7 have been asked already. And we should have  
8 been going through this process. We should  
9 have rolled up our sleeves and came back in  
10 August and hold hearings but we didn't do  
11 that. There wasn't one hearing in August.  
12 There wasn't one hearing in July. We didn't  
13 do that.

14 So, the bottom line is, we're now  
15 saying Mr. Sallie, you better come back in two  
16 weeks or guess what? Guess what? I would  
17 love to see one of you guys vote against it.  
18 Because I can tell you there are residents,  
19 not just in my district but all throughout the  
20 county that can benefit from this \$375. I  
21 would love to be able to see you guys vote  
22 against it. I would love to see it. I don't  
23 think you're going to do it.

24 So, rather than procrastinate and  
25 prolong this process, let's call the question

1 Finance 09-13-21

2 and let's move on. Thank you.

3 LEGISLATOR KOPEL: We'll do that  
4 soon. I would just correct one misimpression,  
5 Kevan, and that these questions were asked  
6 before. Many of these questions were asked  
7 months ago and answers have not been  
8 forthcoming. The point is you don't have to  
9 ask it in the session. We asked it behind the  
10 scenes so that when we came to the session it  
11 would have presumably been ready to go. As it  
12 is, what we have is something with dozens of  
13 questions. Sean, by the way, we still have  
14 one person who needs to talk with you.

15 We have dozens of questions. I  
16 assume, as I said before, you're going to take  
17 the transcript and come up with answers to  
18 them because we will. Because right now it  
19 just seems not fully baked let's put it that  
20 way.

21 Legislator Schaefer.

22 LEGISLATOR SCHAEFER: I have one  
23 question. Just one. Will the income be pre  
24 or post tax?

25 MR. SALLIE: AGI, adjusted gross

1 Finance 09-13-21

2 income. There's a line on the 1040 that we  
3 will use. I believe 2020 1040 it's line 11.  
4 AGI will be there and that's what we will  
5 use.

6 LEGISLATOR SCHAEFER: So not  
7 included with any of your deductions or  
8 anything?

9 MR. SALLIE: Right. This will be  
10 minusing before -- after some deductions  
11 before many. But we're just line 11 on that  
12 federal tax return. AGI will be the number  
13 that defines your household income.

14 LEGISLATOR SCHAEFER: Thank you.

15 LEGISLATOR KOPEL: Anyone else?  
16 Okay then. Let me just say that I anticipate  
17 that the Majority will provide sufficient  
18 votes to pass this through so that the entire  
19 legislature can consider this together with  
20 all of the responses to the many questions  
21 that have been posed today so that we can  
22 fully consider all those questions as well as  
23 the responses. However, that should not be  
24 taken as -- the fact that it gets passed  
25 through today should not be taken as a hint or

1 Finance 09-13-21

2 commitment that this will actually be passed  
3 as a final program. And certainly not in its  
4 current form.

5 With that, I will ask all those on  
6 the Finance Committee who are in favor of  
7 passing this matter on to the full legislature  
8 please say aye. And I'm a nay. So we have  
9 six to one.

10 Right now we have several more  
11 items to go. We have several items. Those  
12 would be 299 and then on the addendum we have,  
13 let's see, 338 and 343.

14 A motion on that by Ms. Walker and  
15 seconded by Ms. Ford. And we have a motion  
16 for executive session by Ms. Ford and seconded  
17 by Mr. Lafazan. All those in favor of going  
18 into executive session please say aye. Any  
19 opposed? We're in executive session and  
20 members of the Rules Committee are invited as  
21 well.

22 (Committee went into executive  
23 session at 7:49 p.m.)

24 (Committee returned from executive  
25 session at 8:35 p.m.)

1 Finance 09-13-21

2 LEGISLATOR KOPEL: So on items  
3 number 299, 332, and 333 all those in favor of  
4 those settlements please say aye. Any  
5 opposed? No opposed. That's done  
6 unanimously.

7 As I said, Legislator Ford  
8 emphatically makes a motion to adjourn and is  
9 seconded by Legislator Birnbaum. All those  
10 who are willing to adjourn please say aye.  
11 Any opposed? We are adjourned.

12 (Committee adjourned at 8:36 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 15th day of  
September 2021.

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FRANK GRAY