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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, October 18, 2021  
1:23 P.M.

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2     A P P E A R A N C E S:

3

4     LEGISLATOR RICHARD J. NICOLELLO

5             Presiding Officer

6             9th Legislative District

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8     LEGISLATOR HOWARD KOPEL

9             Deputy Presiding Officer

10            7th Legislative District

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12    LEGISLATOR DENISE FORD

13            Alternate Presiding Officer

14            4th Legislative District

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16    LEGISLATOR KEVAN ABRAHAMS

17            Minority Leader

18            1st Legislative District

19

20    LEGISLATOR SIELA BYNOE

21            2nd Legislative District

22

23    LEGISLATOR CARRIE SOLAGES

24            3rd Legislative District

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2     LEGISLATOR DEBRA MULE

3             5th Legislative District

4

5     LEGISLATOR C. WILLIAM GAYLOR III

6             6th Legislative District

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8     LEGISLATOR VINCENT T. MUSCARELLA

9             8th Legislative District

10

11    LEGISLATOR ELLEN BIRNBAUM

12            10th Legislative District

13

14    LEGISLATOR DELIA DERIGGI-WHITTON

15            11th Legislative District

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17    LEGISLATOR JAMES KENNEDY

18            12th Legislative District

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20    LEGISLATOR THOMAS MCKEVITT

21            13th Legislative District

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23    LEGISLATOR LAURA SCHAEFER

24            14th Legislative District

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2     LEGISLATOR JOHN FERRETTI, JR.

3             15th Legislative District

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5     LEGISLATOR ANDREW DRUCKER

6             16th Legislative District

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8     LEGISLATOR ROSE WALKER

9             17th Legislative District

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11     LEGISLATOR JOSHUA LAFAZAN

12             18th Legislative District

13

14     LEGISLATOR STEVEN RHOADS

15             19th Legislative District

16

17     MICHAEL PULITZER

18             Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: I'm going  
3 to call this meeting of the legislature to  
4 order and ask Legislator DeRiggi-Whitton to  
5 lead us in the Pledge of Allegiance and please  
6 remain standing.

7 I would like to have a moment of  
8 silence for General Colin Powell who passed  
9 away from COVID complications. Former  
10 general, former chairman of the Joint Chiefs  
11 of Staff, former secretary of state, former  
12 national security advisor. Truly a great man  
13 who will be missed.

14 Thank you. Mike you want to call  
15 the roll.

16 MR. PULITZER: Thank you  
17 Presiding Officer. Roll call. Deputy  
18 Presiding Officer Howard Kopel.

19 LEGISLATOR KOPEL: Here.

20 MR. PULITZER: Alternate Deputy  
21 Presiding Officer Denise Ford.

22 LEGISLATOR FORD: Here.

23 MR. PULITZER: Legislator Siela  
24 Bynoe.

25 LEGISLATOR BYNOE: Here.

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2 MR. PULITZER: Legislator Carrie  
3 Solages. I see you. Thank you. Legislator  
4 Debra Mule.

5 LEGISLATOR MULE: Here.

6 MR. PULITZER: Legislator C.  
7 William Gaylor III.

8 LEGISLATOR GAYLOR: Present.

9 MR. PULITZER: Legislator Vincent  
10 Muscarella.

11 LEGISLATOR MUSCARELLA: Here.

12 MR. PULITZER: Legislator Ellen  
13 Birnbaum.

14 LEGISLATOR BIRNBAUM: Here.

15 MR. PULITZER: Legislator Delia  
16 DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON:  
18 Here.

19 MR. PULITZER: Legislator James  
20 Kennedy.

21 LEGISLATOR KENNEDY: Here.

22 MR. PULITZER: Legislator Thomas  
23 McKevitt.

24 LEGISLATOR MCKEVITT: Here.

25 MR. PULITZER: Legislator Laura

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2 Schaefer.

3 LEGISLATOR SCHAEFER: Here.

4 MR. PULITZER: Legislator John

5 Ferretti.

6 LEGISLATOR FERRETTI: Here.

7 MR. PULITZER: Legislator Arnold

8 Drucker.

9 LEGISLATOR DRUCKER: Here.

10 MR. PULITZER: Legislator Rose

11 Marie Walker.

12 LEGISLATOR WALKER: Here.

13 MR. PULITZER: Legislator Joshua

14 Lafazan.

15 LEGISLATOR LAFAZAN: Here.

16 MR. PULITZER: Legislator Steven

17 Rhoads.

18 LEGISLATOR RHOADS: Present.

19 MR. PULITZER: Minority leader

20 Kevan Abrahams.

21 LEGISLATOR ABRAHAMS: Here.

22 MR. PULITZER: Presiding Officer

23 Richard Nicolello.

24 LEGISLATOR NICOLELLO: Here.

25 MR. PULITZER: We have a quorum

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2 sir.

3 LEGISLATOR NICOLELLO: Motion to  
4 open the budget hearing by Legislator Deputy  
5 Presiding Officer Kopel. Seconded by Minority  
6 Leader Abrahams. All in favor of opening the  
7 hearing signify by saying aye. Those  
8 opposed? Hearing is open.

9 The legislators will be discussing  
10 the budget and the budget amendments when  
11 those items come up, but I would like to offer  
12 this opportunity for any member of the public  
13 who might be here to provide their comments  
14 with respect to the budget.

15 Hearing none, Minority Leader  
16 Abrahams makes a motion to close the hearing.  
17 Seconded by Deputy Presiding Officer Kopel.  
18 All in favor of closing the hearing signify by  
19 saying aye. Those opposed? Carries  
20 unanimously.

21 This is the ordinance number  
22 104-2021, legislative budget, which is clerk  
23 item 354 of 2021. Motion by Deputy Presiding  
24 Officer Kopel. Seconded by Minority Leader  
25 Abrahams. Now that budget is now before us.



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2 Any debate or discussion on the legislature's  
3 budget? Hearing none, all in favor of the  
4 legislature's budget ordinance signify by  
5 saying aye. Those opposed? Carries  
6 unanimously.

7 The next item is the county budget  
8 which is clerk item 351 of 2021. Ordinance  
9 102 of 2021. Motion by Legislator Drucker.  
10 Seconded by Legislator Birnbaum to open -- to  
11 put this item before us. Now we have, the  
12 Majority has certain amendments. We'll have a  
13 motion to second and then we can discuss those  
14 amendments.

15 Motion by Legislator Rhoads.  
16 Seconded by Legislator Ferretti. This is the  
17 motion and second for the Majority's  
18 amendments. Those amendments now are before  
19 us.

20 On the Majority's budget  
21 amendments. Start off on the proposition that  
22 the sales tax revenue projections in the  
23 county executive's 2022 budget are wrong.  
24 Once again these projections are incorrect.  
25 The administration has a history of

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2 underbudgeting for sales taxes and as a result  
3 overtaking property taxes. For the 2021  
4 budget the administration is off by more than  
5 \$300 million. By the end of this year it will  
6 probably be a figure of closer to \$350  
7 million. That is a mistake of an enormous  
8 magnitude.

9 Last year the administration  
10 projected a 20 percent decrease in sales tax  
11 revenues in 2021. That was contrary to every  
12 projection both nationally and state with  
13 respect to economic growth. This gross error  
14 resulted in overtaking. The budget has to  
15 rely more on property taxes to make up for  
16 ridiculously low sales tax revenues.

17 For the 2022 budget the  
18 administration is wrong again. Their  
19 projection ignores confirmed sales tax  
20 receipts. The administration is projecting  
21 \$1,375,000 sales tax revenues for 2022. The  
22 county is on pace for exceeding that number in  
23 2021. What does this mean? That in reality  
24 what the administration is projecting is  
25 either no increase in sales taxes in 2022 or a

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2 decrease in sales taxes in 2022. Again, this  
3 ignores the estimates of the Office of  
4 Legislative Budget Review and the  
5 comptroller. It ignores the national forecast  
6 of growth of up to 3.7 percent. It ignores  
7 Moody's forecast of reasonable growth of 3.5  
8 percent.

9 The Majority's \$50 million tax  
10 relief program. The county is overtaxing its  
11 residents. It's time to return those monies  
12 to our residents. We are taking \$50 million  
13 from the unassigned fund balance to provide  
14 tax relief. The residents need this relief.  
15 School taxes are hitting our residents now and  
16 our offices are getting inundated. Largely  
17 because assessment doesn't pick up the phone.  
18 We are hearing in our communities the middle  
19 class is leaving the county. Our seniors are  
20 leaving our county. Our working families are  
21 leaving the county. There was a story in  
22 Newsday, another story about people leaving  
23 Nassau County because of the high cost of  
24 living.

25 Combined with the fee cuts the

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2 Majority's amendments provide real tax  
3 relief.

4 We are reducing patronage. The  
5 Curran administration increased the budget in  
6 constituent affairs by over \$850,000 over the  
7 prior administration. This includes seven  
8 public relation positions in the constituent  
9 affairs alone, not including the county  
10 executive's own budget. When you look at  
11 these types of jobs and you consider this,  
12 that the Department of Assessment is  
13 understaffed. Residents can't get anyone to  
14 answer the phones.

15 Consumer affairs has a backlog of  
16 home improvement renewals and new license  
17 applications that takes months. Work is not  
18 being done. Contractors are suffering.

19 DPW and parks do not have enough  
20 staff to adequately maintain our sumps and  
21 parks. In our jail we are forcing correction  
22 officers to work 16 hour shifts.

23 It is unacceptable for this level  
24 of patronage when this is going on in our  
25 county.

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2 Outside counsel. For years our  
3 colleagues to the left railed against outside  
4 counsel. Curran has maintained the same level  
5 of outside counsel but now in this year's  
6 budget projects to increase outside counsel by  
7 \$7 million and increased the county attorney's  
8 office by \$1 million. This is unacceptable.

9 In sum, the Majority corrects the  
10 errors in the county executive's budget. We  
11 pay for the fee cuts. We provide \$50 million  
12 in tax relief and we cut out patronage.

13 We also remove in the four year  
14 plan the county executive's tax increases in  
15 future years. So today we can vote to cut  
16 taxes or we can vote for more overbudgeting  
17 and more taxes. We can vote to remove the tax  
18 increases in the outyears or we can vote to  
19 keep them in.

20 I urge all of my colleagues to vote  
21 for these amendments.

22 I will open up the floor to anyone  
23 who would like to speak. Minority Leader  
24 Abrahams.

25 LEGISLATOR ABRAHAMS: Thank you

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2 Presiding Officer. Before I get into my  
3 comments just as a point of clarification. On  
4 the motion to amend we were against that  
5 motion. So if it could be recorded on the  
6 record that we were against that motion.  
7 That's the vote on the amendments. But the  
8 motion to amend the budget, if I understand  
9 correctly, still requires a vote itself. Just  
10 a motion to amend the budget, to begin the  
11 process.

12 LEGISLATOR RHOADS: I believe it  
13 was a motion and a second to get it on the  
14 floor so that we can have this discussion and  
15 the vote comes at the end of the discussion.

16 LEGISLATOR ABRAHAMS: I  
17 understand that but if I remember from years  
18 past that motion, the way it happened or  
19 occurred it gives the impression that we were  
20 in favor of it. I just note it for the  
21 record. That's all I'm doing. I understand  
22 how the vote's going to work.

23 In regards to the budget, we feel  
24 that the county executive for what we've seen  
25 over a period of years she has proposed a

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2 thoughtful, balanced budget that delivered  
3 significant tax relief to the residents that  
4 have been hit hard by the pandemic. The  
5 budget is fiscally responsible.

6 We are still awaiting the comments  
7 of NIFA and from that standpoint, because of  
8 the fiscal responsibility and the relief it  
9 provides to taxpayers we are prepared to  
10 support it.

11 However, the amendments that we see  
12 before us today by the legislative majority we  
13 feel are irresponsible, they're reckless.  
14 They have no approach towards fiscal  
15 mismanagement and they are the same level of  
16 shenanigans and ideas that we heard many years  
17 ago on why we have a control board today.

18 This budget, these amendments  
19 proposed by the Majority would set us back.  
20 It would move the clock backwards. It would  
21 allow the county to continue to have a control  
22 board. NIFA is getting ready to opine on the  
23 county budget in the next coming days and I  
24 find it hard to believe that they're going to  
25 support additional reliance on sales tax.

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2 Just to go through the numbers.

3 The county executive's proposed budget last  
4 year had a 34.8 percent reliance on sales  
5 tax. This year her budget has, for fiscal  
6 year 2022, has a 42 percent reliance on sales  
7 tax. So the notion that the county executive  
8 underestimates sales tax revenue is completely  
9 absurd and ridiculous.

10 Then thirdly, now though, the  
11 Majority's amendments is now putting a  
12 reliance of 44 percent on sales tax. That's  
13 almost ten percent from fiscal year 2021 to  
14 2022. While at the same time it provides no  
15 significant revenue or expenditure reductions  
16 to pay for it.

17 Again, this budget, their  
18 projections are made up. I haven't seen one  
19 person quantify their projections in regards  
20 to this 44 percent reliance on sales tax. Not  
21 one. It provides an uncertain platform to an  
22 unprecedented situation as we're dealing with  
23 the pandemic and COVID.

24 The budget that's being presented  
25 by the Majority is eager to take us



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2 backwards. It's going to move the clock  
3 backwards. And it's most important that the  
4 reductions that we're seeing in the revenue  
5 they're going to provide an even more  
6 significant impact on some of the programs  
7 that we find near and dear. Those provided by  
8 VEEB or the fire department or anything along  
9 those lines as well.

10 They will continue, as you heard  
11 from the commissioner, continue to hurt those  
12 that are providing for the police department.

13 So, it's strongly suggested that we  
14 do not support these amendments and that's  
15 what I'm asking my colleagues to do. I think,  
16 as I've said before, we are going to look to  
17 see what NIFA says in the coming days. And  
18 from the sense that we've gotten from past  
19 budgets, there's a strong -- I believe they're  
20 going to strongly oppose any increases in  
21 sales tax as it pertains to that. We are all  
22 eager to remove a control board -- having a  
23 control board removed from under the county  
24 and this budget that's presented by the county  
25 executive does that. So, from that

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2 standpoint, we want to be able to allow that  
3 to move forward.

4 The county executive has announced  
5 that she is going to, with a committee that's  
6 hopefully joined by the Majority, she's going  
7 to have a committee that's going to address  
8 the fees. I think we all want to see the fees  
9 go down. Especially those of us who voted  
10 against it. We want to see the fees go down  
11 but we're going to do it in a way that's  
12 fiscally responsible. That does not continue  
13 to hurt the county as it moves forward out of  
14 the perils of previous administrations'  
15 budgets and if we can move it in a way where  
16 we're able to reduce the fees but at the same  
17 time keep the budget balanced that's our  
18 goal.

19 But, as I said before, this budget,  
20 these amendments, I haven't seen anyone  
21 quantify the sales tax numbers. And from that  
22 standpoint, using that level of reliance of  
23 the budget, 44 percent of the budget will be  
24 based off of sales tax, that's almost ten  
25 percent from last year to this year, seems to

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2 be fiscally irresponsible and reckless and I'm  
3 urging my colleagues to vote no.

4 LEGISLATOR NICOLELLO: Deputy  
5 Presiding Officer Kopel.

6 LEGISLATOR KOPEL: I want to  
7 thank my friend Kevan Abrahams for those  
8 remarks but I'd like perhaps correct a few  
9 misimpressions over here.

10 First of all, I think that a  
11 concentration on percentage of reliance is not  
12 particularly relevant. The question is in  
13 reality what kind of numbers are being brought  
14 in by the sales tax. Is it going to be more?  
15 Is it not going to be more? If the sales tax  
16 numbers happen to come in at such a rate that  
17 they make up a much larger percentage of the  
18 county's revenue well, that's just fine. That  
19 just shows we're doing well and reflects  
20 reality and there's no reason not to rely on  
21 that. Not to use those numbers. Percentages  
22 are just not relevant.

23 You mentioned the question on  
24 fees. Again, once again, we in the Majority I  
25 think are recognizing reality. Many of these

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2 fees already have been found unconstitutional  
3 by the courts. And to continue to impose them  
4 flies in the face of reality. Almost  
5 certainly going to be knocked down by the  
6 courts in the future or probably in the not  
7 too distant future. And moreover, we've run  
8 the risk by continuing to impose them of  
9 having to actually refund money that we're  
10 collecting now, which flies in the face of  
11 what we know have been court opinions.

12 Finally, NIFA is being mentioned as  
13 someone to rely upon in terms of projections.  
14 This is the same NIFA that a year ago  
15 projected, insisted, together with the  
16 administration I might add, insisted on  
17 projecting a 20 percent decrease in sales tax,  
18 which, once again, flew in the face of  
19 reality. At the time we were experiencing, we  
20 had experienced I should say, it was just a  
21 year ago now, an eight percent decrease in  
22 revenues for the year. And it was practically  
23 mathematically impossible to reach anything  
24 close to the 20 percent. It was virtually  
25 impossible for that to happen. Nonetheless,

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2 they insisted on doing it.

3 It is a politicized group at this  
4 point and has been for a long time. I for one  
5 certainly do not put any credence in what they  
6 suggest and what they estimate. It's not  
7 really worth anything as far as I'm  
8 concerned.

9 LEGISLATOR NICOLELLO: Anyone  
10 else? Legislator Rhoads and then Legislator  
11 Ferretti.

12 LEGISLATOR RHOADS: I certainly  
13 appreciate the Deputy Presiding Officer's  
14 comments and his diplomacy in making those  
15 comments. I would be a little bit more  
16 direct.

17 Laura Curran lied to us last year  
18 and we knew at the time she was lying to us  
19 last year. Us being eight percent down in  
20 sales tax revenue during the budget process  
21 that was what was ultimately looked like we  
22 were going to be and then turning around and  
23 saying in 2021 that we were going to be 20  
24 percent down off of 2020's revenues was  
25 ludicrous last year. We knew that it was

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2 ludicrous last year.

3 But when the county executive gave  
4 us those numbers, NIFA, the comptroller, the  
5 Office of Management and Budget all swore to  
6 it as being true. What happened as a result?

7 As a result, Nassau County is  
8 collecting \$345 million in sales tax revenue  
9 above what was forecasted. What does that  
10 mean for the taxpayer? That means for the  
11 taxpayer that we collected \$345 million in  
12 property taxes that we did not need to collect  
13 from them for the purposes of the county's  
14 bottom line.

15 And what made it even worse is that  
16 that underforecasting of revenue by that large  
17 of an amount of money was then used by the  
18 county executive, used by NIFA and used by my  
19 colleagues in the minority as justification to  
20 approve \$1.5 billion in debt refinancing.  
21 That brought us short term relief in terms of  
22 debt service to help the bottom line of the  
23 budget but is going to cost taxpayers  
24 substantially more in the long term, in the  
25 outyears in the amount of debt service that we

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2 have is going to spike. That is reckless and  
3 fiscally irresponsible.

4 This year the Majority's budget  
5 plan is to make sure that that same mistake,  
6 that same misrepresentation that was made last  
7 year for different purposes is not repeated  
8 this year. We're presenting a plan that makes  
9 sure that we don't collect one more dollar  
10 from taxpayers than we have to. And, in fact,  
11 does the important work of returning dollars  
12 to the pockets of taxpayers in the form of  
13 real, sustainable tax cuts. Not the gimmick  
14 that was employed by the county executive  
15 where you have one year of tax cuts and then  
16 all of a sudden we have tax increases to  
17 slowly take away those tax cuts. So that at  
18 the end of four years you're right back to  
19 where you started from.

20 Instead, we want to do sustainable  
21 tax cuts that provide actual relief to  
22 residents. We want to provide sustainable fee  
23 cuts that actually provide relief to  
24 residents.

25 My colleagues in the Minority and

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2 the county executive can try and posture that  
3 any way that they want to, but by a vote  
4 against these amendments the Minority is  
5 voting against sustainable tax cuts. The  
6 Minority is voting against sustainable fee  
7 cuts. Many of which have already been ruled  
8 to be unconstitutional and we know are  
9 unnecessary and we have accounted for every  
10 dollar through responsible budget forecasting  
11 of sales tax revenue instead of the  
12 intentional misrepresentation and  
13 misforecasting of sales tax revenue which  
14 serves only for the purpose of padding the  
15 county's budget.

16 We have a responsibility not to  
17 take one more dollar than is necessary out of  
18 the pockets of taxpayers to fund the  
19 legitimate operations of government. We are  
20 exercising that responsibility seriously. The  
21 administration is not.

22 And I would urge all of our  
23 colleagues to vote in favor of the budget  
24 amendments and provide actual real sustainable  
25 relief to the taxpayers of Nassau County who



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2 are suffering as a result of the county  
3 executive's reassessment and her reassessment  
4 tax increase.

5 LEGISLATOR NICOLELLO: Legislator  
6 Ferretti.

7 LEGISLATOR FERRETTI: Thank you  
8 Presiding Officer. I'm not going to repeat a  
9 lot of what Legislator Rhoads just said. I  
10 was going to make many of the same points.

11 I've heard for years the Minority  
12 in the legislature screaming about these fees  
13 that they're excessively high, they're  
14 unconstitutional, they're illegal, they  
15 shouldn't be. I think I would generally agree  
16 with that. Well, here's your chance. Here's  
17 your opportunity. A couple of weeks ago we  
18 voted on the elimination of those fees, the  
19 reduction of some others and your response was  
20 show us how you're going to make up the  
21 money. We just did.

22 Just like we said a year ago that  
23 the sales tax projection was artificially  
24 low. We were right. The Office of  
25 Legislative Budget Review was right. The

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2 comptroller was right. This year, I think  
3 it's somewhat comical that we're hearing once  
4 again that our projections are, quote unquote,  
5 reckless. What's reckless is what we saw last  
6 year that's going to saddle our children and  
7 our grandchildren not only with enormous debt  
8 for years to come, but for NIFA for years to  
9 come. Because now we're stuck with NIFA for  
10 the next half of a century because of that  
11 under intentional and obvious underprojection  
12 that you all went along with.

13 Now, today, you have a chance, you  
14 have a chance to follow through with all the  
15 political screaming you've done over the last  
16 eight years and you have a chance to get rid  
17 of these fees. If you don't take it then  
18 they're your fees.

19 The same thing with the taxes.  
20 This tax cut the county executive has  
21 proposed, this property tax cut, well, that's  
22 great. Except the devil is in the details.  
23 The taxes go up next year and the year after  
24 and the year after and we're eliminating those  
25 tax hikes that the county executive has

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2 proposed for the next three years following  
3 this year. You want to vote no they're your  
4 tax hikes. Your property tax hikes.

5 We've presented a balanced budget,  
6 a fair budget and one that it talks to  
7 reality. And it's provided the revenue that's  
8 needed for these meaningful tax cuts.

9 And so, I would strongly urge all  
10 legislators to vote in favor of these common  
11 sense amendments. And I would be remiss not  
12 to mention an amendment that is very dear to  
13 my heart, which I know presiding officer  
14 didn't mention but I know it's dear to his  
15 heart as well, which is the amendment for the  
16 rat extermination. It's certainly a problem  
17 in my district as well as many of your  
18 districts. I see Legislator Drucker over  
19 there laughing. I'm sure you deal with it as  
20 well.

21 But it's certainly a program that  
22 has been in the place in Nassau County in the  
23 past and should be reimplemented because, as  
24 the presiding officer said and as we heard  
25 from Commissioner Arnold, we don't have the

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2 staff to maintain our sumps. As a result, we  
3 are part of the problem. We're part of the  
4 reason why this infestation has been happening  
5 in our communities and we have an obligation  
6 to assist residents in curing it. Thank you.

7 LEGISLATOR NICOLELLO: Anyone  
8 else?

9 LEGISLATOR ABRAHAMS: From our  
10 standpoint, Legislator Ferretti, we understand  
11 that there's money for infestation of  
12 rodents. It's in the board of health. I  
13 don't know if someone from the administration  
14 wants to speak to it but that's our  
15 understanding in regards to that.

16 It seems like we're going to, I  
17 guess, agree to disagree to say it politely.  
18 The amendments you have proposed, I mean, flat  
19 out are going to put us in the same peril.  
20 And some of you weren't here for this, only a  
21 handful of us were here for this in the early  
22 2000s and we saw risky budgets that were based  
23 off of inflated sales tax and you're  
24 continuing to say that the sales tax is based  
25 off of numbers that you have seen. Did you

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2 hire an economist? Someone to help you  
3 determine these projections? Or are they just  
4 numbers that you grabbed out the sky to try to  
5 balance some of the other stuff you want to do  
6 in terms of the fee reductions to try to  
7 correct your record?

8 You said before that we would be  
9 owning the fee reductions if we voted no to  
10 the amendments today. Well, I mean, but we're  
11 never going to own them because, quite  
12 frankly, you supported the public safety fee  
13 or your colleagues did as well as it pertains  
14 to many of the other fees.

15 From our standpoint it would be  
16 fiscally reckless and irresponsible, that's  
17 the term I used, to try to do this stuff and  
18 balance the budget on the eve of the  
19 election. That's really what you're trying to  
20 do is score points on the eve of the  
21 election. Which we totally get that. We're  
22 two weeks out. I know what you guys are  
23 trying to do. Look, it is what it is.

24 But, from that standpoint, we're  
25 going to vote against these -- the motion to

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2 amended today. We feel that these amendments  
3 are not in conjunction with NIFA, a control  
4 board that actually came through on the watch  
5 of your heels based off of the reckless  
6 budgeting that happened in the '90s and still  
7 here with us today.

8 Honestly, that structure being  
9 here, that agency being here has limited us in  
10 terms of what we can do. So, NIFA is going to  
11 have a very strong opinion on your budget as  
12 amended. We'll see when that opinion comes  
13 back earlier this week. But I find it hard to  
14 believe that they're going to allow the county  
15 to proceed with a reliance on sales tax which  
16 goes from 34.8 percent based on what the  
17 county executive proposed last year to 42  
18 percent that she proposed this year and you're  
19 still saying that she has a faulty budget with  
20 sales tax and she underestimates.

21 So your number of 44 percent, why  
22 did you stop at 44? How come you didn't go  
23 all the way up to 50 percent? Why don't you  
24 just blow up the growth rate of the sales tax  
25 all the way up? I mean, it's not based on

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2 anything. If you can share with me before we  
3 close this part of the process who exactly  
4 advised you on the sales tax growth that the  
5 number can go exponentially up higher? I  
6 would love to hear that.

7 Look, guys, there comes a point  
8 where you got to roll up your sleeves and do  
9 what is fiscally irresponsible. None of us  
10 like the fees. We voted against them. And I  
11 know you don't like them either and that's why  
12 you're trying to correct your record now. So  
13 you're trying to put up a budget now and  
14 talking tough about we'll own it.

15 But the bottom line is, nobody  
16 likes the fees. But I like a fiscally  
17 responsible budget too. I do have a fiduciary  
18 responsibility to the taxpayers to make sure  
19 that the county doesn't continue to fall into  
20 financial peril. And the county executive's  
21 budget does that. It provides taxpayer relief  
22 while at the same time responsible growth in  
23 sales tax. It provides a tax decrease while  
24 at the same time making sure the budget is  
25 balanced. It does all these things. But

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2 we've got to do a oneupmanship. We're going  
3 to try to be one better than the county  
4 executive for political reasons.

5 It's unfortunate that we are even  
6 at this point. But we're going to vote  
7 against these amendments. If you were willing  
8 to put up the county executive's budget, which  
9 does address many of these things and join the  
10 process as we go into the fees we would love  
11 to see. But that's not going to be the case  
12 and we get why we're not. So if we can't move  
13 forward together then we're going to vote  
14 against the amendments today that were sent  
15 forth. Thank you.

16 LEGISLATOR NICOLELLO: Legislator  
17 DeRiggi-Whitton.

18 LEGISLATOR DERIGGI-WHITTON: I  
19 just want to say one thing about the  
20 refinance, which I think was a really good  
21 move that all 19 of us did. NIFA is not going  
22 to be held over as it is in the position that  
23 it is today as an oversight for everything we  
24 do. It's only going to be kept regarding the  
25 refi bonds. It's not going that we're under a



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2 control period for that time. So, I just  
3 don't think that that's a good message to  
4 send. I think it was something very  
5 responsible that we did. So I don't want it  
6 to make it sound like we would be under  
7 control for NIFA the entire time that it takes  
8 for us to pay off the refinance debt.

9 LEGISLATOR NICOLELLO: Just a  
10 couple of points in response. Whether or not  
11 NIFA remains in control period probably  
12 depends on whether a Democrat or Republican is  
13 elected county executive from my perspective.

14 But the jump from 34.8 percent to  
15 42 percent in sales tax in the county  
16 executive's budget is looking at the wrong  
17 number. The 42 percent was close to being  
18 accurate. The 34.8 percent of the total  
19 budget was completely inaccurate. That was  
20 the forecast for a 20 percent reduction.

21 More importantly, the 44 percent  
22 that we're projecting in terms of overall  
23 budget, the sales tax revenues making it 44  
24 percent, was exactly what sales taxes were in  
25 2019 as compared to the total county budget.

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2 So, therefore, this is not something that's  
3 extremely out of the ordinary etcetera.

4 In terms of what our projections  
5 are based on, we do know certain things that  
6 cannot be denied, which is that the actually  
7 sales tax projections of this year are on pace  
8 to exceed what the county executive is saying  
9 the sales taxes are going to be in 2022. So  
10 her's is the floor. That mean that she's  
11 projecting a zero percent increase or less or  
12 a reduction next year.

13 Where do we get our numbers?  
14 They're based on the Office of Legislature  
15 Budget Review's estimate. The comptroller's  
16 estimate of what the sales tax increase is  
17 going to be next year. It's also based on the  
18 national forecast of economic growth of 3.7  
19 percent and Moody's forecast of 5.3 percent.

20 Moreover, it's based on just common  
21 sense and knowledge of what's going on in the  
22 world. We see inflation going up and up and  
23 up. People are spending more money on goods.  
24 Unfortunately for those people, when they  
25 spend more money on goods they're also

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2 spending more money on sales taxes. So, any  
3 projection that the sales taxes are going to  
4 decrease in 2022 is similar to 2021. It's  
5 completely unrealistic and a bad budget.

6 So, we are putting in a responsible  
7 3.7 percent growth in sales taxes in 2022.  
8 Very achievable, very consistent with what all  
9 sources that we're getting.

10 Any further comments?

11 LEGISLATOR KOPEL: The remarks of  
12 the presiding officer I would add that I think  
13 that the administration, and I would include  
14 NIFA in this as the reckless parties over  
15 here. Going back we see there was a surplus  
16 in '20 and a surplus in '21. However, take  
17 away federal aid last year. How much of a  
18 surplus do you have any more? Take away the  
19 refinance which NIFA did a year ago what kind  
20 of a surplus do you have?

21 Looking at that refinance what have  
22 we done over here? We take the 80 something  
23 million dollar debt repayment that had been  
24 scheduled this year and kick it into the  
25 future. Things look great now but what

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2 happens in '23 over '22? The debt service  
3 explodes by 86 percent. That's the number I  
4 calculated. Goes from I believe \$160 million  
5 or so to over \$300 million. That's what I  
6 call reckless and I think that's what people  
7 should be focusing on.

8 We have to look at not only what's  
9 happening now, we have to look at what's  
10 happening tomorrow. And I think that what the  
11 administration and NIFA have been doing is  
12 concentrating on short term political gains at  
13 the expense of the financial security of our  
14 children and our grandchildren and even us  
15 just a couple of years down the road.

16 LEGISLATOR ABRAHAMS: If I may?  
17 I know presiding officer you mentioned that  
18 some of the forecast numbers you received from  
19 OLBR we trust OLBR. We've always felt that  
20 they provide sound fiscal information in  
21 substantiating the 3.3 percent growth that you  
22 believe in sales tax versus the county  
23 executive's 3.1 growth.

24 But that being said, this is where  
25 the fiscal responsibility comes in. I'm not

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2 going to put Maurice Chalmers in a position.  
3 But is it wise to use every inch of that  
4 potential growth on some of the initiatives  
5 that you're putting forward without doing the  
6 proper analysis on the fees, without doing the  
7 proper analysis on the tax decrease? We all  
8 want to see the taxes go down and that's why  
9 we were ready to support the county  
10 executive's budget because it was done with  
11 some level of fiscal responsibility.

12 If you're saying that Mr. Chalmer's  
13 presented to you a forecast that substantiates  
14 3.3 I don't doubt it. But this is where the  
15 fiscal responsibility and restraint comes in.  
16 Quite frankly, I don't see it in your budget  
17 proposals. We would've like to have had a  
18 much broader and larger conversation. The  
19 conversation has to include NIFA. Because you  
20 can't present something and get the hopes of  
21 taxpayers up thinking that they're going to  
22 receive, I think based off of your numbers, a  
23 \$50 million increase, I'm sorry, \$50 per  
24 household increase in taxes and if NIFA says  
25 no way, we're not going to do it because your

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2 sales tax forecast is off it's not going to  
3 happen.

4 This is the thing. We have to do  
5 what's best for the county but at the same  
6 time do something in a fiscally responsible  
7 fiduciary responsible way and we don't see  
8 it. As long as NIFA is sitting there over our  
9 heads they're going to have much say in terms  
10 of what the growth rate we're using. They're  
11 going to have much saying in what taxes we  
12 decrease by. If it was up to me I would cut  
13 people's taxes in half. But I know that's not  
14 going to pass muster with NIFA.

15 I just want to also indicate that  
16 the county executive's proposed budget has a  
17 lot of discussion about property taxes. Here  
18 reliance on property taxes from the proposed  
19 budget of this year from last year went down  
20 28.1 percent to 23.1 percent. So there's less  
21 of a reliance on property tax. And she  
22 actually bumped the sales tax.

23 So, I think from that standard  
24 point her budget does provide a balanced  
25 pathway to one, providing relief to ratepayers

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2 and taxpayers. But then two, more  
3 importantly, it allows us to get the cloud of  
4 NIFA from over our heads and moves up in a  
5 direction of removing NIFA while at the same  
6 time being fiscally responsible and I think  
7 residents understand that and they want to  
8 support that type of leadership in their  
9 government. Thank you.

10 LEGISLATOR NICOLELLO: Thank  
11 you. That will be the last word. We're going  
12 to move on to the vote on these amendments.  
13 This vote will be on the Majority's amendments  
14 to the county executive's budget. All in  
15 favor of the Majority amendments signify by  
16 saying aye. Opposed? This is for the  
17 amendments. This is the vote on the  
18 Majority's amendments. To amend the budget.  
19 This is the vote on the motion to amend the  
20 budget.

21 All in favor signify by saying  
22 aye. Those opposed?

23 There seems to be some confusion.  
24 What this is we had called the budget. The  
25 budget is before us. Then we proposed

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2 amendments. The amendments are now before the  
3 body, not the budget itself. The amendments  
4 to the budget. So, let's do that one more  
5 time.

6 All in favor of the motion to  
7 amend, which is the Majority's amendments to  
8 budget, signify by saying aye. All opposed?  
9 We have 11 votes from the Majority in favor of  
10 the amendments. Eight votes against the  
11 amendments by the members of the Minority.  
12 The motion passes. So now we have an amended  
13 budget.

14 What we need to do now, now that it  
15 has been amended, we need to have a vote on  
16 the amended budget. The budget as amended,  
17 correct. So, all in favor of the budget as  
18 amended? This incorporates the Majority's  
19 amendments.

20 LEGISLATOR ABRAHAMS: I have a  
21 brief statement. Really brief Rich. In light  
22 of the fact that the Majority's amendments to  
23 the budget, to the county executive's budget  
24 have passed, and as I said before, we believe  
25 that the county executive presented a very



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2 fiscally thoughtful balanced budget, I'm  
3 urging my side to abstain for two reasons.

4 One, there is a NIFA board meeting  
5 that is occurring later on this week and  
6 without knowing exactly how these amendments  
7 have been vetted to them we feel that it is  
8 not the most prudent time to present  
9 amendments that can, quite frankly, in our  
10 opinion, hurt the financial situation of the  
11 county.

12 And then two, we believe that the  
13 county executive's budget, and we would've  
14 like to have had an opportunity to vote on it,  
15 would have provided taxpayer relief while at  
16 the same time providing fiscal  
17 responsibility. We would have like to have  
18 seen that amendment and had an opportunity to  
19 vote on that -- I'm sorry -- on that budget  
20 per se itself.

21 So, for those reasons, I'm asking  
22 my side to vote to abstain on the budget.  
23 Waiting to see the outcome of NIFA and then I  
24 envision at some point there will be some  
25 level, depending on what the county executive

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2 decides to do, there will be some type of  
3 override vote as it pertains to that  
4 particular process.

5 LEGISLATOR NICOLELLO: This will  
6 be a vote on the budget as amended. All in  
7 favor of the budget as amended signify by  
8 saying aye. Those opposed? Those  
9 abstaining? We have a vote of 11 in favor of  
10 the budget as amended and eight abstentions by  
11 the members of the Minority.

12 Now we move on to the tax levy  
13 ordinance which is clerk item 352 2021,  
14 Ordinance 103 of 2021. Moved by Legislator  
15 Walker. Seconded by Legislator Schaefer.  
16 That puts this before us.

17 Again, I guess we have to amend the  
18 tax levy based on the amendments put forth by  
19 the Majority and passed by the Majority. The  
20 motion to amend the tax levy ordinance is  
21 moved by Legislator Kennedy. Seconded by  
22 Legislator Rhoads. This is a motion to amend  
23 the tax levy.

24 In terms of the amendments proposed  
25 by the Majority, based on their budget

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2 amendments, we need a motion on the amended  
3 tax levy ordinance. All in favor signify by  
4 saying aye. Those opposed? Passes by a vote  
5 of 11 votes from the members of the Majority  
6 to eight votes against by the members of the  
7 Minority.

8 Now we need to vote on the item,  
9 tax levy ordinance as amended. All in favor  
10 of the tax levy ordinance as amended signify  
11 by saying aye. Those opposed? Those  
12 abstaining? This passes by a vote of 11 in  
13 favor from the Majority. Eight votes of the  
14 Minority abstaining.

15 Last, but not least, is the  
16 multiyear plan. Clerk item 353 of 2021.  
17 Resolution 196 of 2021. The motion, second on  
18 the multiyear plan that can be made by  
19 Legislator Bynoe. Seconded by Legislator  
20 DeRiggi-Whitton. That simply puts the  
21 multiyear plan before us. The multiyear plan  
22 is now before us. We need a motion and second  
23 to amend that as per the Majority amendments.  
24 Moved by Legislator Gaylor. Seconded by  
25 Legislator Ferretti.

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2 In terms of the Majority amendments  
3 to the multiyear plan, all in favor signify by  
4 saying aye. Those opposed? This is on the  
5 amendments. It passes by a vote of 11 votes  
6 for by the Majority members. Eight votes  
7 against by the Minority members.

8 Last, but not least, now that the  
9 resolution has been amended we need to vote on  
10 the amended resolution. All in favor of the  
11 resolution as amended signify by saying aye.  
12 Those opposed? Those abstaining? The item  
13 passes 11 votes in favor by the Majority with  
14 eight abstentions by the Minority.

15 We need a motion to close the  
16 meeting. Moved by Legislator Ford. Seconded  
17 by everyone else? Seconded by Legislator  
18 Drucker. All in favor signify by saying aye.  
19 Those opposed? We are adjourned.

20 (Meeting was adjourned at 2:10  
21 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 18th day of  
October 2021

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FRANK GRAY