NASSAU COUNTY LEGISLATURE

FULL LEGISLATURE MEETING

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HOWARD J. KOPEL, PRESIDING OFFICER

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County Executive and Legislative Building

1550 Franklin Avenue

Mineola, New York

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Wednesday, October 30, 2024

9:03 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

LEGISLATOR HOWARD KOPEL

Presiding Officer

7th Legislative District

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LEGISLATOR THOMAS MCKEVITT

Alternate Presiding Officer

13th Legislative District

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LEGISLATOR JOHN FERRETTI,JR.

Alternate Deputy Presiding Officer

15th Legislative District

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LEGISLATOR SCOTT DAVIS

1st Legislative District

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LEGISLATOR SIELA BYNOE

2nd Legislative District

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LEGISLATOR CARRIE SOLAGES

3rd Legislative District

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LEGISLATOR PATRICK MULLANEY

4th Legislative District

LEGISLATOR SETH KOSLOW (Absent)

5th Legislative District

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LEGISLATOR DEBRA MULE

6th Legislative District

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LEGISLATOR JOHN J. GIUFFRE

8th Legislative District

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LEGISLATOR SCOTT STRAUSS

9th Legislative District

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LEGISLATOR MAZI MELESA PILIP

10th Legislative District

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DELIA DERIGGI-WHITTON

Minority Leader

11th Legislative District

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LEGISLATOR MICHAEL GIANGREGORIO

12th Legislative District

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LEGISLATOR C. WILLIAM GAYLOR, III

14th Legislative District

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LEGISLATOR ARNOLD W. DRUCKER

16th Legislative District

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LEGISLATOR ROSE MARIE WALKER

17th Legislative District

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LEGISLATOR SAMANTHA GOETZ

18th Legislative District

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LEGISLATOR JAMES KENNEDY

19th Legislative District

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MICHAEL PULITZER

Clerk of the Legislature

PUBLIC COMMENT:

David Tellerman

Heidi Puccio

Dimitrios Giouzepis

Filio Fandaros

Dr. Michael Grossfeld

Meta J. Mereday

PRESIDING OFFICER KOPEL: Legislator Mullaney, why don't you lead us in the Pledge, please?

(Whereupon, the Pledge of Allegiance is said.)

PRESIDING OFFICER KOPEL: Mike, would you call the roll for the Full Legislature, please?

CLERK PULITZER: Thank you, Presiding Officer.

Deputy Presiding Officer Thomas McKevitt?

LEGISLATOR MCKEVITT: Here.

CLERK PULITZER: Alternate Deputy Presiding Officer John Ferretti?

LEGISLATOR FERRETTI: Here.

CLERK PULITZER: Alternate Deputy Minority Leader Siela Bynoe.

LEGISLATOR BYNOE: Here.

CLERK PULITZER: Legislator Carrie A. Solages?

LEGISLATOR SOLAGES: Here.

CLERK PULITZER: Legislator Debra Mule.

LEGISLATOR MULE: Here.

CLERK PULITZER: Legislator C. William Gaylor, III?

LEGISLATOR GAYLOR: Present.

CLERK PULITZER: Thank you. Legislator John Giuffre?

LEGISLATOR GIUFFRE: Here.

CLERK PULITZER: Legislator Mazi Pilip?

LEGISLATOR PILIP: (No response).

CLERK PULITZER: Legislator Scott Davis?

LEGISLATOR DAVIS: Present.

CLERK PULITZER: Legislator James Kennedy?

LEGISLATOR KENNEDY: (No response.)

CLERK PULITZER: Legislator Patrick Mullaney?

LEGISLATOR MULLANEY: Here.

CLERK PULITZER: Legislator Seth Koslow.

LEGISLATOR KOSLOW: (No response).

CLERK PULITZER: Legislator Scott Strauss.

LEGISLATOR STRAUSS: Here.

CLERK PULITZER: Deputy Minority Leader Arnold Drucker?

LEGISLATOR DRUCKER: Here.

CLERK PULITZER: Legislator Rose Marie Walker?

LEGISLATOR WALKER: (No response.)

CLERK PULITZER: Legislator Samantha Goetz?

LEGISLATOR GOETZ: Here.

CLERK PULITZER: Legislator Michael Giangregorio?

LEGISLATOR GIANGREGORIO: Here.

CLERK PULITZER: Minority Leader Delia DeRiggi-Whitton.

MINORITY LEADER DERIGGI-WHITTON: Here.

CLERK PULITZER: Presiding Officer Howard Kopel?

PRESIDING OFFICER KOPEL: Here.

CLERK PULITZER: We have a quorum, sir.

PRESIDING OFFICER KOPEL: So we're going to open the hearing on the budget

hearing, and welcome to this hearing.

Motion by Deputy Presiding Officer McKevitt and seconded by Alternate Deputy Presiding Officer Ferretti.

All those in favor, please say, "Aye".

(Whereupon, all members of the Full Legislature present respond in favor with, "Aye".)

PRESIDING OFFICER KOPEL: Any opposed?

(Whereupon, no verbal response.)

PRESIDING OFFICER KOPEL: The hearing is open. I'll offer a brief statement on the proposed budget, and I understand that the Minority Leader DeRiggi-Whitton would like to offer one as well, and perhaps some of the legislators. Andy, are you here? He will be here, the budget director is coming. He's on the way. Okay, good. Well, we'll make speeches until he gets here.

So we'll have these statements by various legislators and perhaps some questions to the Budget Director. And then we'll have some public comment. And following that we'll vote on the '25 Nassau County budget, the Legislative Budget, the Tax Levy Ordinance, and Finally the Multi-Year Plan.

The Budget Hearing today, it builds upon two prior hearings that we've had earlier in this month. One was by Government Services and Operations Committee, and the other one was by Public Safety Committee. We heard from the Office of Management and Budget, we heard from Comptroller Elaine Phillips and a number of other County departments. We've also received a report from NIFA (Nassau Interim Finance Administrative) Authority and they've provided insights as well.

(Whereupon, Legislator Kennedy arrives.)

PRESIDING OFFICER KOPEL: Now, NIFA

has identified and we're aware also of various risks and opportunities. Some have been identified by our own Office of Legislative Budget Review, by the County Comptroller. A budget that size, you're always going to have risks and opportunities, without a doubt.

However, the County has sufficient resources, more than enough resources available and set aside to mitigate and and deal with all of the risks. Even if you have all of the risks materialize and none of the opportunities, we've still got plenty set aside to deal with those and with plenty left over after that.

We've projected that this year, 2024, is going to end up with a significant surplus. So that's going to add to County reserves, and, as I said, we'll have plenty of money to cover any risks should they materialize.

Now, County Executive Blakeman has a proven record of managing the budget. He's done well. We've had surpluses

constantly while he's been here. Under his leadership, the County's financial strength has increased, our ratings have increased, our reserve accounts have been bolstered, and we on the Majority, feel that he should be given the opportunity to manage the budget because he's earned that opportunity.

I just want to also point out that this budget is rather conservative, and I'll just offer one example: The budget estimates that we're going to have a zero increase of flat sales tax receipts next year. Now contrast that with New York State, which is estimating 2.4% increase; Suffolk County 2.5%; New York City 3.3% -- those are our neighboring counties and jurisdictions -- as well as the State. If we were to go ahead and take the average of those estimates instead of just estimating a flat, a good portion of the risks go away. So this is, as I say, that's just one example that I want to point out. So this is a

conservative budget. I, for one, am very happy with it, and I'm planning to vote for it.

Minority Leader, would you like to make a statement?

MINORITY LEADER DERIGGI-WHITTON: Thank you very much. During the past two years, the County Executive has painted a very rosy picture of the County's financial strength. However, the budget proposal before us makes it clear that it's not as strong as we've been led to believe. From the beginning, I've been concerned about the use of so much of the federal funding to prop up this budget. These concerns were validated with NIFA last week, who also reported that the 2025 budget is going to have to use $207.4 million just to cover the deficit. And according to NIFA, this year's budget for 2024 would be in a deficit if, in fact, the Administration had chosen to use the $222 million American Rescue Plans funds to create the illusion of a

huge surplus.

The bottom line is we're using the one shot Covid recovery funding to patch this budget. And as anyone knows, that type of plan is not fiscally sound. And we will see what NIFA does. But I have a feeling that we're going to have a problem with it.

With the budget being this tight, I think that we really have to look at some of our spending, including the advertising for the County's 125th anniversary, the million dollars plus that went for overtime for a political rally. There have been so many different decisions that were made that, in my opinion, were really not fiscally smart. And when we see how close we are and how if we didn't have this one shot funding where we would be, it just makes us realize how much more careful we have to be going forward.

I survived -- I was here during the Mangano years when they were constantly

plugging the budget with different ideas and the threat to cut Public Safety Or Youth Services, Social Services; we all lived through that. I don't want to get back into that situation. I want to us be a little bit more financially prudent. For that reason, our caucus is not going to be supporting this budget, but I will have the following legislators, Legislator Drucker is next.

LEGISLATOR DRUCKER: Thank you. So I'll be brief.

This legislative branch of the county government has an obligation to examine the Administration's proposed budget very, very carefully and not just rubber stamp it. We can't do a budget that is based on smoke and mirrors. Being too reliant on a fund balance that is predicated in a function of one shot financing from the federal government is not a way to govern. It's not a way to operate and formulate a budget. That's not what we call a fiscally prudent way.

Listen, I'm not a numbers guy, but there are people a lot smarter than me who do examine these numbers and have come back and said that the risks are great here for future problems, and it's not enough, as the Presiding Officer said, to mitigate against them. We can avoid them altogether. We can rein in -- we should have been reining in our spending for years. This Administration took over with a very, very healthy and robust surplus. It's not just boom, he came in and all of a sudden we have a surplus. We had surpluses. And that was before federal funding too. So he's maintaining it. But it's based on a false bottom, and we can't just rely upon that. And we should have been taking steps the past couple of years to rein in the spending.

In my opinion, one of the areas is the County Attorney's Office. I've been railing against the County Attorney's Office since I've been in office. This is

going with my ninth year. And it was under the previous administrations, too. We spend millions of dollars on outside counsel fees each and every year that is unnecessary. We can cut that back very, very easily. We have qualified attorneys in the County Attorney's Office who can handle these matters without having to refer every single case out. We can't govern with smoke and mirrors. We owe it to the taxpayers to be truthful and transparent and not just really gloss over things. We have people who oversee this who are numbers people, and they look at it and say we're in for some rocky waters. And the fact that property taxes aren't being raised, well, you know what? We've had surpluses where property taxes should have been reduced, there should have been money given back to the taxpayers. And now all of a sudden, we're supposed to be fiscally prudent. We should have been fiscally prudent a couple of years ago.

So we must rein in our spending drastically, and this particular budget doesn't do so in my eyes, and I'm going to be not supporting it.

PRESIDING OFFICER KOPEL: Each one of you announce the next one until you're done.

LEGISLATOR MULE: Good morning. Thank you.

I think we only have to look at the newspaper for the last couple of weeks to look at certain areas as bellwethers of what's going to be coming down the pike. So we know that the Town of Hempstead just proposed and voted on a 12.1% tax increase. That's unheard of.

In addition, we're hearing that out in Suffolk there are proposed tax increases of Southampton, 11.1%, East Hampton 9.2%, Shelter Island 8%, Riverhead 7.92%, Southold 7.48%. And we're hearing that Brookhaven is also going to be piercing the tax cap, but they haven't released their numbers yet.

So, again, unheard of. And we should really be looking at our budget under these circumstances, because the reasons that apply to them apply to us. Increased medical costs and use of the ARPA monies. So same things are happening here.

In addition, I think something that really stood out to me in the NIFA report was that this budget is not using GAAP, Generally Accepted Accounting Principles, as the principles of this budget. That's not only troubling, but it's also illegal according to our Charter. So, I think since NIFA has pointed that out, we need to take that into consideration. And for these reasons, I will not be supporting the budget. Thank you.

Scott will be going next.

LEGISLATOR DAVIS: I just have two areas that I would just like to focus everyone's attention on. And I think these are areas that represent an unrealistic view of the budget projections. And the first area would be

the area of overtime, and particularly in regard to both the Police and the Sheriff's Office, where we heard from both departments. And just to be clear, we definitely, and I in particular, support everything that they do. And public safety is obviously a very paramount issue in the County.

The issue I'd like to direct everyone's attention to is just the numbers in terms of overtime, and it seems that those numbers aren't very realistic. And in reality, those numbers will be close to double what's indicated in the budget.

With regard to the Police Department, we certainly have made every effort we can to have new classes come in. And with new classes, that certainly contains the costs to a certain extent. However, it seems like given the attrition rate and given the political climate that we're functioning in right now, it's going to call for much more

overtime than is in the budget.

And with regard to the Sheriff's Department, it's the same thing. The trend at least that I saw in reviewing the budget was that whatever was in there, typically it's nearly double in reality. So I think we just need to be mindful of that so that we don't have to scramble to meet those costs later on.

And then the second area where I have concerns are with regard to healthcare. In particular, the CSEA right now they are negotiating both very significant issues with both the active employees and the retired employees. And those costs could be potentially quite high. And I just think we need to take a better and harder look at what that would look like. And I don't think that the numbers reflected in our proposed budget accurately reflect the reality of things. So those are my two concerns.

PRESIDING OFFICER KOPEL: Thank you, Legislator Davis.

MINORITY LEADER DERIGGI-WHITTON: I think that basically wraps it up. And I just want to say this is a decrease with the police overtime of a good percentage. I think it's almost 30%. I don't know what that could possibly be based on. Yes, we're hiring. Yes, we're losing some. I think the head count will remain the same. Honestly, I think it's putting our police in a situation where if they surpass what the overtime is projected, it's going to almost make them look bad, because I could see a story on police surpassing their overtime. But for us to cut it by 30% without any indication as to how that's going to happen, I think it is really not fair to them.

Again, I think we're all set. Thank you for the opportunity.

PRESIDING OFFICER KOPEL: Legislator Ferretti.

LEGISLATOR FERRETTI: Thank you. Presiding Officer, with regard to NIFA and their report. Let's not forget

this -- and I know many of the legislators on both sides of the aisle were not here in 2020 -- but let's not forget, this is the same entity that under projected sales tax revenue in 2020, which necessitated hundreds of millions of dollars of borrowing. So their credibility, in my opinion, has been and continues to be zero. This is an entity that only exists if they have a projection of our budget being out of whack. If they didn't, they wouldn't exist. So they have certainly no credibility on many fronts in my opinion.

With regard to being a rubber stamp, I heard we can't be a rubber stamp for the County Executive. I don't see us that way. But that being said, my understanding is there have been absolutely zero proposed amendments by the Minority with regard to this budget. We heard some ideas, but nothing was put down as an actual proposing an amendment to the budget. So I'm not really sure how

those two things coincide.

Now in terms of other municipalities, we heard other municipalities, many of them raising property taxes in their proposed 2025 budget on Long Island. I'm not really sure what that means, if that's a suggestion that we should be raising property taxes. But certainly in a time where our federal government has led us into a time of great inflation and at a time where the financial institutions have indicated we're in a great financial place, we have a surplus, we have a fund balance, it would be unconscionable, in my opinion, to raise property taxes, which I think I heard from some of the comments that that's something that should be on the table. And I certainly disagree with that.

Lastly, and yes, I did hear some proposals of decreasing of spending as well, although no amendments were made to decrease spending. So I'm not really sure

where that came from, but I think it highlights the stark difference between the two sides of the aisle here. When we have a surplus, when we have fund balance, I think I could speak on behalf of my colleagues on this side of the aisle and saying, we want to keep the constituents money in their pockets. We don't want to be taking their money. We want to keep the property taxes where they are, and we want to make sure we have a balanced budget like the County Executive proposed last year, a $3 million surplus. We don't need to have a $400 million surplus. We don't need to under project sales tax like NIFA and the minority did in 2020 to justify increasing the revenue when it wasn't necessary.

So I will be supporting this budget. I think the County Executive has a track record in his time in office of proposing balanced budgets, having credit increases, of having financial

institutions indicate we are in a good place. And I think that this budget will lead us and continue to lead us in a good financial place. Thank you.

PRESIDING OFFICER KOPEL: Minority Leader.

MINORITY LEADER DERIGGI-WHITTON: Thank you.

First of all, this budget has so many issues. And just from brief conversations that I've had, we anticipate there to be a rough road going forward. I can just say that. And things will most likely have to be adjusted. So there's so much that we did not even feel that this is our problem to fix. This is the County Executive's budget. Let's see what he does as far amendments go, should he have to do it.

We have suggestions which we just made, which is just to be fiscally prudent. I think there's been a lot of waste this year with promoting things that really were not necessities. And

listen, as far as the police and everything else, I expressed my concern, which is that we're putting them -- we're basically showing that we can have this budget by saying the police are going to have almost a 30% decrease in their overtime. That puts a lot of pressure on our first responders. And that, in my opinion, was enough of a reason to not support this budget.

We never said to raise taxes. We never said to cut anything. We want financially responsible budget. And the $3 million, if you really want to take a look at something, the funding that is in the opioid settlement line, the interest on it this year was $3 million. Just about, it was like 2.8 or something, almost 4 million. So it was over. So our surplus basically came off this opioid funding interest. And God knows, everyone here knows, how horrible the opioid epidemic is and how many kids need help and people need help. And that's what

that money was for, and Suffolk County and other areas are all doing what they were supposed to be doing with that money. People always ask me, why isn't Nassau County doing anything to help with the opioid crisis with the settlement that we're obligated to do. And now I look at these numbers and it explains why. Had they done what they were supposed to do with the opioid funding, that almost $4 million that they got in interest, would have caused a deficit this year. So it's just something to think about. Maybe it's priorities, maybe I think getting opioid money out is more important than having political rallies and other celebrations that completely did not benefit our residents, in my opinion.

So we'll see. We've heard some rumors. We'll see what ensues with NIFA. Again, our recommendation is really just to take a hard look at some of this wasteful spending and be realistic with

it.

PRESIDING OFFICER KOPEL: Legislator Ferretti?

LEGISLATOR FERRETTI: Well, I think at least now we know why there were no proposed amendments to the budget: Because the Minority feels that if there's a problem with the budget, it's not their problem to fix. That's what you said.

MINORITY LEADER DERIGGI-WHITTON: That's not the truth. There's just so many --

LEGISLATOR FERRETTI: That's what you said.

MINORITY LEADER DERIGGI-WHITTON: It's not that.

LEGISLATOR FERRETTI: No, no, that is what you said. That is what you said. So I if I could finish -- I vehemently disagree with that. We have a role in this process. That's why we're here right now.

Now, I don't think there's a problem

with the budget --

MINORITY LEADER DERIGGI-WHITTON: Okay.

LEGISLATOR FERRETTI: I don't think the Majority feels there is a problem with the budget. There hasn't been a problem with the budget under this Administration, and that's why there are no amendments from the Majority. However, the previous County Executive, we did feel there were problems with the budget. We did feel we had a role in fixing it. And we did propose amendments, many of which were cutting expenses, cutting fees that were vetoed by the previous Administration. But I would encourage you going forward, if you feel there are problems with the budget, you absolutely should make amendments. Unfortunately, you didn't this time and we now know why.

MINORITY LEADER DERIGGI-WHITTON: Can I just answer that?

Listen, there are so many issues with this budget. And again, our

statement is pretty basic and that is our amendments for the most part, which is what we've been telling you for years, the whole time I've been sitting here, that this is a waste of money, that's a waste of money. There's been so many examples. And if he wants to do the job of taking a look at what he's doing and what his actual numbers are and what kind of stress he's putting on our Police Department, I think that that's something that is obvious and he should do it. And we're telling you right now on the record that that's basically our suggestion.

To make amendments at this point, I mean, what do you want me to say about making amendments? Maybe we shouldn't try to cut the police overtime protection without anything supporting that that's even a possibility.

The last two amendments we made you wouldn't even call our amendments.

LEGISLATOR FERRETTI: Minority

Leader, you know the process.

MINORITY LEADER DERIGGI-WHITTON: But you wouldn't even call them. You wouldn't even have a hearing on them. So, to be honest with you, I've been here for a while, and obviously if you're just going to throw out our amendments and not even call them, then that's not the way to go. So what we're doing right now is we're putting on the record that we're not supporting this budget, which, again, he promised to give tax breaks. That was what the County Executive ran his campaign on. We all remember him walking down the streets and neighborhoods saying he's going to fix assessment and give tax breaks. Well, he hasn't done that.

And again, if it weren't for him holding on to the opioid funding, we wouldn't have that $3 million even that's being discussed. So I think there's so many opportunities. In the past, you never regarded our amendments; this is how we decided to do it this time. It's

all on the record. It's all -- I'll wait for you since you're the one I'm addressing -- It's all on the record. We've all had our concerns, and no one is suggesting any type of cut for non mandated funding or any type of tax increase. But we have been here long enough to know that budgets like this, like it did in the Mangano era, is what causes it. We're happy to join with you to try to manage the budget, but it's really going to have to be a major overhaul in my opinion.

LEGISLATOR FERRETTI: So I'm not sure exactly why you didn't propose amendments, whether it was you felt it was not our problem to fix or because you didn't think we'd call it. However, in the past, we've called every one of the amendments that --

MINORITY LEADER DERIGGI-WHITTON: The last two budgets, I'm telling you, you did not.

LEGISLATOR FERRETTI: I don't

interrupt you.

MINORITY LEADER DERIGGI-WHITTON: I'm telling you, you did not.

You did interrupt me.

PRESIDING OFFICER KOPEL: Everyone stop. One at a time.

LEGISLATOR FERRETTI: NIFA, the reality is, is a political body that wants to do everything in their power to force this Body to raise property taxes, and so do you guys. We have not done it and we will continue to not do it.

MINORITY LEADER DERIGGI-WHITTON: If you had called our amendments in the last two budgets, we would have considered it, but that was not working. You did not call our amendments.

LEGISLATOR FERRETTI: We voted them down.

MINORITY LEADER DERIGGI-WHITTON: No, you did not. No. You never voted them. Don't listen to other people and go on the record saying the wrong thing.

LEGISLATOR FERRETTI: You're talking

about the ones you filed late.

MINORITY LEADER DERIGGI-WHITTON: No, no, they were never late. They were never late. You guys are jumping at straws. I understand why. The truth of the matter is, you never called our amendments. That did not work. So this was the venue -- the way that we decided to go. And I think it was a very professional, well thought -- we spent a lot of time on this as far as, look, we have a lot of concerns. Everyone has a lot of concerns, not just us. So I think you really have to go back and take a look at ways we can readjust our financial priorities. It's really been almost embarrassing to see how it's been in the last two years. And it's time to really get rid of all the parties and focus on what our constituents need.

LEGISLATOR FERRETTI: These are all just talking points that we've heard for the last year. There was not party nonsense. The reality is you propose no

amendments to this budget. And the reason why is because it's a fiscally sound budget. Because if it wasn't, you would propose amendments and you haven't.

MINORITY LEADER DERIGGI-WHITTON: It's a mess. It's a mess.

LEGISLATOR FERRETTI: Instead -- I'm not done.

Instead, you're sitting up here saying other municipalities are raising property taxes, we should too; and we're not going to do it.

MINORITY LEADER DERIGGI-WHITTON: No one ever said that, John. Now you're completely being dishonest. We are basically ringing the bell that that is a possibility in the future if the correct cuts and the correct management and the correct priorities are not taken. Just like Mangano did, we had to cut children's lunches and everything else. So the bottom line is, I don't want to see us go back to those days. This budget is very risky and it's opening the door

for that type of situation again. But again, there is a lot of waste.

And what you just said is true. We have we've been filing amendments. We've been talking about everything that we've been concerned about; totally on deaf ears. Nobody has taken any of our suggestions over the last two years. So, you know, you stand here and you say, why didn't you do it again? Well, you know what? What do they say insanity is, to keep doing the same thing over and over again and it doesn't work. If you're not going to call our amendments, we're not going to waste our time with them. We're going to do it this way, which is I think is the most official, most productive, effective way to do it, which is we made our points clear, you know what they are, and now we can vote. We're ready.

PRESIDING OFFICER KOPEL: Okay.

We're going to hear from Budget Director Andy Persich. If any of you have any questions and I'm sure that the

Minority is going to suggest specific ways in which we can improve these things, not just, you know, waste, fraud and so forth. Mr. Persich is here, and by all means, make your comments.

By the way, let the record note that Legislators Walker and Pilip are here.

MR. PERSICH: Good morning. Andy Persich, Office of Management and Budget. I am here to field any questions, but I just want to give a little historical perspective from where I sat, because we've all been through the good and the bad in this financial roller coaster that we've been on.

We've used fund balance in the past, I can tell you that much, in the budget. Merely, fund balance is a placeholder. It's not a use. You put it in there as a revenue source. If sales tax comes in higher, for argument's sake, the $30 million, then I wouldn't have to use fund balance. But it's a placeholder. And when you have it, which we never had before,

with the reserve size and everything else, we should probably use some of that strategically. If I used all 220 some odd million of the federal funds in one shot, I would be concerned. I would tell you, yes. But in our plan, we strategically placed it out there because we thought if things start hitting the headwinds, which economies have cycles and I've spoken about it here. It goes up; It goes down. The housing market right now is chugging, not moving the way I would like it to move because the transactional volume I get in revenue, it helps the budget. It's not there because prices are so high, interest rates are high. So we're not getting that. But when rates drop again you will spur that. Hopefully, it will be declining pricing. But at this point I don't know if that's going to happen. So that's one of the things.

The other thing too is that it's an accepted protocol in municipal government to use fund balance. It really is. I

mean, people have talked about it. I've worked for other municipalities where I've put it in the budget. Not that it was used, it's merely a placeholder. A budget is merely a plan. The day it gets adopted, it becomes obsolete. So from the time it happened, things have changed. Covid hit. I mean, we didn't predict that. That was an unrealized event that was, I would say, very, very straining on the budget. But going forward, because we've taken those surpluses, which -- I don't want to get into the NIFA debate, because I can tell you that their reports over the past seven years have predicted deficits when we finished with high surpluses. We strategically placed money in reserves for the rainy day funds. You can't just let them sit there and collect dust. We have to use them at some point, because the state comptroller will opine to say, you have too many high reserves.

Now, we're not using reserves, which is the fallback. We're using a small

amount of fund balance of what we have. So to that degree, there are risks with every budget. There's risk on both sides. We've increased the expenditure side mostly in the direct assistance arena, which is where it's been. We've cut some overtime because we have to. We have to rein that in. It can't keep projecting up. I would also think that some of these new classes that we keep bringing on, which has been the topic of conversation, especially in corrections. Corrections, was challenging because we had no contract. Now that we have labor peace with COBA, I think going forward you will see that we will start trending down. There's a lot of things happening in the Jail. The Jail has a lot of, I will say, construction going on, which I personally didn't know until I spoke to them over there. It requires a lot more attention and overtime until that is fixed. Meaning they're fixing the roof. You need to have security. Stuff like that. These are

unforeseen things that happen. Once that's corrected and we fix some of the other buildings and they can move around the inmates, I think it would be a better run facility, but at this point, it's not. They're putting cameras in. So I think they're making corrective actions.

I speak to the Police Commissioner frequently on his overtime. We have to rein it down a little bit. We're trying to. There's different things that we have to do. We're working through that. But there are anomalies that occur. I can't predict the future. I have to plan and adjust the budget as needed. That's why I come to you with this budget. What will happen is we will be making probably modifications every quarter like we always do, if things change, which is not an uncommon thing. I come to you, I tell you what's going to happen.

As it stands right now, this budget, as I said before, the robust surpluses we've had for the past four years, which

we've parked away and put it in strategic places, is the path to the future. And that's why we've received bond upgrades. I can't control what people bring in as far as the revenue side. The expense side, I do have a little bit more control of it, but some things are mandated expenses that I can't control.

And we're working through some of the issues out there. Health insurance is a big risk right now. I'm letting everybody know, we're working through that. But going forward, it's going to be a challenge for us considering what the premiums are coming in at. I don't think it's us. I think it's every other municipality. But we've put money in places to offset that. When you have surpluses, that's what you're supposed to do.

So while this is a skinny budget, is what I would say, it's still fiscally sound and it will be managed. And we have some tools that we use here. We look at

every expense. I approve a lot of things. I personally look at certain expenses over a certain dollar threshold to make sure it makes fiscal sense. Same thing with new hires. Same thing with everything else that goes on. Always looking for opportunities to save money. Maybe when rates drop again, there'll be a debt restructuring that we'll be able to do. I mean, there's a lot of things that we have out there. So as far as the condition of the budget and the plan, I think it's in a good place.

With the GAAP thing. We are compliant with the Charter. There was a statement made at the NIFA meeting the other day which says we're not compliant. We are compliant with the Charter. The budget has to be sent to us balanced. The GAAP thing, having been an accountant, I can only tell you, while they may say that the revenue source is not GAAP eligible, I would argue the fact is that you're only GAAP compliant when the

results come in from the subsequent year. So next year, if we were negative, that's actual because it's a plan. It's not a result. There's been arguments on both sides of that. But you have to keep that in mind. If my budget was so perfect and we landed every expense where it needed to be in every revenue, I'd give myself glowing accolades, but that's not the case here. I know that's not reality. But that's really what they're saying, is it has to be perfect. And that's not what happens. Yes, we did lowball sales tax this year. We didn't put an increase in because the County Executive and the Administration felt that, look, it's a little risky if we go 2-2 1/2, but if it does come in better, then there's no need for the use of fund balance, right? Because I have an additional revenue stream. I have stresses on the expense side that I do believe can be a challenge for me, but we will manage through it. We have things that we can do to keep things

under control and we've proven it. I mean, we proved it during Covid and past and forward now with this Administration.

I'm here to field any other questions. But I just wanted to let you guys know that that's where this budget was formulated out of.

PRESIDING OFFICER KOPEL: All right. I guess as the military would say, no plan ever survives first contact. It's a plan. It's going to change. It will change.

MINORITY LEADER DERIGGI-WHITTON: That's exactly what we're saying.

PRESIDING OFFICER KOPEL: But I'm calling on somebody else. Please wait until then.

Deputy Presiding Officer McKevitt.

LEGISLATOR MCKEVITT: Thank you, Mr. Persich.

There were statements this morning regarding the operation of the opioid fund and the interest with that fund and where that money goes. Can you just

please describe how that fund operates and where that interest money actually winds up?

MR. PERSICH: That money, to my knowledge, and I have researched this, Minority Leader, it's gone into the opioid fund.

MINORITY LEADER DERIGGI-WHITTON: I don't --

PRESIDING OFFICER KOPEL: Minority Leader, would you turn off your mic, please?

LEGISLATOR MCKEVITT: Ms. Minority Leader, I have the floor. Minority Leader I have the floor. Excuse me. I have not interrupt you once today. Excuse me. I have the floor. I'm going to ask him a question, ask him to respond. You can go and you can give your response to it all day long. I've sat in 30 hour sessions in my life. I'll be here at two in the morning, I don't care, but I have the floor. I have the respect for him to answer to my question. You may ask

questions all day long if you wish. Thank you.

MR. PERSICH: Legislator McKevitt, the money stays in the opioid fund. That usually gets moved systematically throughout the year. I don't know if it's done at year end, but it has to stay in the fund. It's restrictive reserve. From what I understand, finance principles with the Comptroller's Office, the money has to stay in there.

LEGISLATOR MCKEVITT: So after that statement that that balance net interest is being used actually to justify the surplus in the budget; is that an accurate statement?

MR. PERSICH: No, we're not using opioid funds to balance the budget. We have operational. I would say the operating budgets are showing as surplus for many reasons, and it's varying from expenses and revenue sides of it, but it doesn't use the opioid funds to balance it.

LEGISLATOR MCKEVITT: Thank you very much.

MR. PERSICH: Thank you.

LEGISLATOR MCKEVITT: I'm finished.

PRESIDING OFFICER KOPEL: Okay. Anyone else? Minority Leader, please go ahead.

MINORITY LEADER DERIGGI-WHITTON: Thank you.

I don't know why there's any reason to ever raise our voices up here.

(Whereupon, crosstalk.)

MINORITY LEADER DERIGGI-WHITTON: Andy, the $4 million that the opioid money received is in the income chart which is part of the budget, correct?

MR. PERSICH: No. Because now there's restrictions with the state comptroller with certain things. The opioid fund is in its own fund. It's segregated out. And there is an investment income line. If you look, historically, there's money that goes in there. It doesn't get rolled into the

operating budget. The Comptroller, when she folds her numbers in, does it that way. I do not. She has different reporting requirements than I do.

MINORITY LEADER DERIGGI-WHITTON: Because the Comptroller -- basically there's $92 million in the opioid funds. We got about $4 million in interest. So when you look at the numbers, if you look at the Comptroller's report, it still says $92 million in opioids and then I think it's close to $4 million in the income. So it is separate in the report. Whether or not you use that money, that is part of the budget. So when we're talking about a budget we take all of the numbers, and that is where we have a surplus or and that's exactly the same number is what the interest is. That was my only point. That's true. Can we use it? No. But is it used to show a surplus. Yes. Because it's coming out of that line.

MR. PERSICH: I will say on the

financial statement side that the Comptroller reports on, they merge all these reserves into one number. I do not. I operate on the five, six with the Sewer District. That's what I report on. I have to do monthly reports to NIFA and to all the reporting agencies and the oversight agencies here.

The question is, we don't know -- like when we show surpluses, what we know, we don't go crazy when we get a sales tax check in, we have to stay the line. And we're consistent until we know when we get closer to the end of the year, which is not until February or March when we start knowing where final results are, then we have a better picture. But for me to say, oh, we have an extra $15 million of surplus, I would argue that, no, we need to be cautious because we have sales tax checks that come in the subsequent years.

MINORITY LEADER DERIGGI-WHITTON: Andy, I'm not going to keep you. I

understand that your job is difficult. I've been here through the Laura Curran days with you, and you used to get beaten up quite a lot, and I understand. But I want to just reiterate that we do rely on the Comptroller and her report and that's really the entity that the Legislature relies on and the way that it was proposed to us. And the same thing with Independent Review Board, with Maurice Chalmers. We depend on those reports which do have the income as part of the budget. That's all that it is. And it happens to be the same number as the surplus, which is why I brought it up. And I'm sorry this is taking so much time. I'm not going to stay on it, but it is interesting.

The other thing, I know you said you spoke with Commissioner Ryder, but I don't know where this almost 30% decrease, how that number came up. You're expecting our police officers to -- what is happening that we're not seeing that

is going to allow them to save -- and you don't even have to answer this -- to save 30% on overtime. But I can tell you that the number of people I've spoken to are not at all happy with being in that position. Not at all. Because there's no real reason for anyone to think that's going to happen. Again, I think we're putting them in a difficult situation asking them to patch this budget that way and that was my concern.

So we have a number of concerns, but I'm happy to hear what the Presiding Officer said. I agree with him on that. We'll see what what comes down the road.

LEGISLATOR SOLAGES: Thank you, Presiding Officer.

Good morning, Andy.

MR. PERSICH: Good morning.

LEGISLATOR SOLAGES: You're an accountant, so how could you justify not using GAAP accounting principles in formulating this budget?

MR. PERSICH: Again, I am an

accountant and it is formulated on a GAAP basis; it is.

LEGISLATOR SOLAGES: That's like a lawyer that doesn't use Robert's Rules of Order. I mean, how could you justify this budget and you have not used GAAP accounting principles to justify it? How can you, sir?

MR. PERSICH: As I stated before, I don't believe that the NIFA statute when it says GAAP compliant is right, because it's a budget and a budget is not based on --

LEGISLATOR SOLAGES: You're just changing the rules to justify your outcome.

MR. PERSICH: I don't believe that GAAP says it should be based on a budget. GAAP says it needs to be based on actuals. When you look at the --

LEGISLATOR SOLAGES: Sir, we have a statement by NIFA stating that you have not adhered to basic GAAP principles of accounting. I am not an accountant, I'm

an attorney. But if I do not adhere to basic rules of the laws of the New York State Code, I cannot justify an outcome and make a particular legal argument. So, sir, I ask you again, we have to vote on this budget, and you do not use the basic metric to formulate a budget. How can you justify this, sir?

MR. PERSICH: I believe it is GAAP compliant, Legislator, and in the past NIFA has approved budgets with the use of fund balance in it. And they've used other revenue sources too, where --

LEGISLATOR SOLAGES: Sir, we have a state financial watchdog that is watching our finances.

PRESIDING OFFICER KOPEL: Mr. Solages, you're asking the same questions --

LEGISLATOR SOLAGES: Sir, I did not interrupt you. I'm justified in my questioning, sir. Did I interrupt you? Thank you.

PRESIDING OFFICER KOPEL: No, no,

no. Wait a minute. I'm running this meeting, not you.

LEGISLATOR SOLAGES: You've given the floor to me, and now you're trying to ask for it back. That's without any justification, sir --

PRESIDING OFFICER KOPEL: All right, listen, what I'm telling you is we're not going to have the same question 15 times. He's answered the question.

LEGISLATOR SOLAGES: He has not answered the question satisfactorily.

PRESIDING OFFICER KOPEL: Ask him another question. He's answered it as satisfactorily as he's going to. If you don't like it, you can vote against it.

LEGISLATOR SOLAGES: Because your standard is low here. But not for me, sir.

PRESIDING OFFICER KOPEL: That's fine. Move on please.

LEGISLATOR SOLAGES: Sir, in the Third Legislative District, we have now the new edition of the Belmont Park

Retail Village. We have new stores like Prada, Dior. In Valley Stream, another part of the Third Legislative District we have the new Green Acres Mall that's putting billions of dollars back into the community. Third District is doing its part to help increase the sales tax of Nassau County. Our sales tax, according to your budget, has remained flat. What can we do to help the sales tax so that we don't resort to an increase in the property tax, just like the Town of Hempstead did, with 12% property tax increase?

MR. PERSICH: To answer that question, Legislator Solages, we took a conservative approach on sales tax. We've had debates in this chamber many times about sales tax, which for me is an unknown. The fact that we did it the way we did it gives me a little bit more breathing room in that. And I will say the Administration has done things to generate economic activity here. We're

seeing some of it because our sales tax is holding strong. To that degree, I would say that, you know, yes, sales tax is the single largest component of that. It's one of the things that oscillates. But for the most part it's been on a steady trajectory. And trends will show you that consistently goes up. It doesn't go up at rapid pace, but you'll get bumps depending upon if there's a recession or something else. So we foresee some economic headwinds next year. I don't see it happening probably till the second or third quarter, because I think the way Wall Street is performing, I think it's going to be a bump. But I think once we get past that, the second half of next year is going to be challenging for us. So we monitor it very closely. I can tell you all the agencies and oversight agencies with me, we get the checks. It's it's like watching the stock market go up and down pretty much consistently where we patterned it is not overly aggressive

this year and next year it's ultra conservative. But if we're on the plus side of it, it gives us more breathing room for what we have as far as revenue.

LEGISLATOR SOLAGES: Thank you, Andy.

MR. PERSICH: Thank you.

LEGISLATOR SOLAGES: And again, I with all due respect, I don't think your budget is skinny. I think it's fat. Not P-H-A-T, F-A-T. A lot of dead weight. Thank you very much.

MR. PERSICH: Thank you.

PRESIDING OFFICER KOPEL: Legislator Drucker.

LEGISLATOR DRUCKER: Thank you, Presiding Officer. Andy, thank you. My question will be a little bit easier.

You articulated or exceeded that every budget has risks. I'm wondering if you could expand on that. What do you anticipate the risks that are going to be stated about this budget? And how do you intend to address those risks?

MR. PERSICH: Well, just for your knowledge how we do things in the Budget Office is we start the year out with the budget and everything else. As we get through the year, as we progress, as we move along, we see risk and opportunities in different areas. As I stated, the budget is obsolete the day it happens. Covid hit, we had no protection. We didn't have fund balance. All the things we get. Fast forward, rewind. Now if we had the position we had now, would we have done some of the things we did? The answer would be, no. But to that degree is I've stated on the record that my few areas of concern is overtime, I would agree with you based on historical trends, but I have to hold the feet to the fire in order to rein in expenses. I've overstaffed a little bit, so I'm hoping to get a benefit of that. The same thing in Corrections. I think Corrections, as I said, there's some anomalies that were not factored in when

we started doing construction on the building. But once that's complete, he will have more flexibility in moving inmates around and he can move his staffing around.

The other thing I am concerned about, which I stated earlier, is health insurance. Health insurance is rocketing. I don't know what the NYSHIP rates are going to be. We have an issue with CSEA, but we're working through that.

LEGISLATOR DRUCKER: How are you working through? Because that's going to be a big number.

MR. PERSICH: We're going to get there. We're going to try and solve the issue with CSEA. And I think that we've put projections in there that we think are going to be conforming on some of the rates that are coming out there. And we will make adjustments.

LEGISLATOR DRUCKER: That's where you lose me because I'm not a numbers guy. So you're saying we'll get there.

But how do you think you'll get there. It's going to be millions of dollars.

MR. PERSICH: Get there with what? You mean with CSEA or with --

LEGISLATOR DRUCKER: With your office and budget.

MR. PERSICH: Part of the thing is, is what we're doing is we're exploring all options as far as health insurance goes, which is we were going to look at self-insurance. We are going to look at other carriers, because the more I dig deeper in with the State and how NYSHIP is handled, it's really not the best plan. It's a good plan for everybody else. But some of the things that they do, as far as rate structure, I wouldn't say it's fair to municipalities. That's one thing. So another thing is, is that, we've painfully have asked the labor unions to contribute a portion of their base salary for that. So that's offset some of the increases. So that's helped us, the collective bargaining agreements.

When we go into the next round of collective bargaining in 2026, we will reevaluate what we're going to do as far as health insurance and contributions. But those are the things we look forward to. Remember, most of the contracts terminate in '26, so we will reevaluate at that point. So we're not there yet. And I would imagine that in 2026 when the contract ends, historically, we do get run off of a lot of employees leaving at that point. But we do manage every expense. We manage the revenues. We look. We get Moody's reports on sales tax. We analyze those. We don't use their numbers because it's more of a global, regional thing that we have to look at. But we look at trends. We look at the housing market, which is a big generator. We look at all our revenues. And again, we look at expenses on the other side. There may be an opportunity for debt restructuring next year, which may yield savings to me. We did a debt defacement

last year that saved us over $20 million. We took money from surplus and helped us in the next five years as far as buying down debt. And there are some requirements within certain local finance laws that we have to spend down some of the fund balance. So we do have to do certain things. The Comptroller will look negatively on us if our fund balance is too high, so we have to manage that.

But as far as the operation of the budget, I personally have the approval path on hiring and everything else. Not that I'm being controlling, but I challenge we're needed, but I also know certain areas have immediate needs. I would never start in DSS and withhold social workers or anything else. I don't hold positions back in critical areas. Other ones I will challenge them on. I look at the expenses, I challenge overtime, I challenge a purchase if need be. That's why when you look at the budget, you'll see that a lot of the

stuff really didn't increase. It was mostly in the direct assistance world from what we're seeing, which could be an indicator of what's coming down the path, which usually that's a lead indicator. Meaning that if Social Services is going up a little bit, means that maybe there's some headwinds in the economy because we have more people needing public assistance. We manage the budget very carefully. My staff and I look at everything. As known here, my answer is no to everything. And if you want it, you got to challenge me for it. That's my M.O., but that's what I do to each department head. So they're challenged.

LEGISLATOR DRUCKER: So you're confident then? You're saying that this budget is prepared to handle the anomalies that come your way with the jail and the infrastructure improvements there, health insurance situation, other anomalies that come down the road. You think that this budget is adequately

funded to prepare for that?

MR. PERSICH: Yes, I do at this point.

LEGISLATOR DRUCKER: Now, NIFA talked about the 2025 budget is projected to have $207.4 million total operating deficit based on GAAP, and the Administration has chosen to use $222 million in American Rescue Plan Act funds. Can you explain that discrepancy?

MR. PERSICH: I will gladly explain that to you. What I would say is, NIFA has a job to do and it's supposed to address risk. Now, I think this is one of the highest risks. But I will go back historically. In 2019, they said we were going to finish with a $59 million deficit; we finished with $102 million. In 2020, they projected a $48 million deficit; we produced the $75 million surplus. In 2021, a -111 million; 545 million on the plus.

LEGISLATOR DRUCKER: Well, that's ARPA funding.

MR. PERSICH: Nope. That was not. That didn't come into play. We haven't even used ARPA yet. In 2022, they projected $148 million deficit; we finished with a $321 million surplus. In 2023, $44 million deficit, $241 million surplus. This year. They're projecting 49; we have opportunity of approximately between 30 and 50 million surplus.

So I will say we have a proven track record with this Body and this Administration. The monies that we did get, we put away, we didn't spend it. That's the key thing here. We did not spend that money. We put it into reserves for times when times were bad, because this Body knows when it's bad and you got no money, you got to start cutting services, which is not what we want to do, because we're already at the thin line as far as head count and what we can afford.

LEGISLATOR DRUCKER: You stand by the principle of it's perfectly

acceptable to use fund balance in budgeting, that it's done all the time. And if we're going to be continuing to do that in the years ahead, just to beat some of these challenges, you're okay with that?

MR. PERSICH: I am perfectly okay with it. What are our options? We're going to put the money in the bank and just watch it grow, or are we going to spend it? We're strategically planning on how we're going to spend the money that we have. I may not spend it, which would be a good thing, which means that we've done it. But if I need it, it's there as a resource as opposed to going back to the old days, borrowing for tax certs, termination pay; all the things that NIFA has told me I can't do. We've adhered to those rules and we've produced surpluses, and we will continue to produce them because that's part of the job. We have some flexibility in other pieces of the operating budget with certs

and judgments and claims, because we've built up a healthy reserve. But as it gets depleted, it gets put back in for the subsequent year to meet the needs. So we are dwindling down. What we've done, we've taken the liability side of the balance sheet in the County and dropped it by over a half $1 billion, and we will continue to do that. We've let things sit out there. We're now paying forward for the sins of the past, and that's the fiscally prudent way to achieve fiscal stability.

LEGISLATOR DRUCKER: Thank you, Andy.

MR. PERSICH: Thank you.

PRESIDING OFFICER KOPEL: Legislator Davis.

LEGISLATOR DAVIS: Good morning.

MR. PERSICH: Good morning. How are you?

LEGISLATOR DAVIS: I just want to have a little clarity here. So in terms of the budget, if I understand what

you're saying correctly, there are variables in the budget, right?

MR. PERSICH: Yes.

LEGISLATOR DAVIS: And it would be fair to say that among those variables, at least two of those variables are over time, and probably even a larger variable is healthcare; is that right?

MR. PERSICH: Health insurance, yes.

LEGISLATOR DAVIS: So with regard to the overtime aspect of it, is part of your budget projection as are right now, is it predicated on a 30% reduction from Police Department; is that right?

MR. PERSICH: Yes.

LEGISLATOR DAVIS: In terms of, you spoke about trends a little while ago, and I just wanted to do that with overtime. And let's take a sample, let's say the last say 3 or 4 years, 2021 as an example, do you recall there the budget regarding overtime?

MR. PERSICH: Yes.

LEGISLATOR DAVIS: Was that budget

target achieved?

MR. PERSICH: It went over.

LEGISLATOR DAVIS: 2022.

MR. PERSICH: It went over the budgeted number.

LEGISLATOR DAVIS: 2023.

MR. PERSICH: We're trending now a little higher again, I would say it's projected to be over.

LEGISLATOR DAVIS: I'm just trying to figure out. I understand and I'm not I'm really not trying to be difficult with you, but the trend has been that whatever the budget is, if I heard it correctly during the hearings, it certainly is larger. I'm not going to say double, but certainly significantly more, double digits for sure in the millions, right?

MR. PERSICH: It has the potential to be, but --

LEGISLATOR DAVIS: It has been. I'm not talking about potential. I'm talking about what actually has happened. Am I

being fair with that question?

MR. PERSICH: We have exceeded the budgeted target in the previous years for overtime.

LEGISLATOR DAVIS: And now you have a budget that projects a 30% reduction. I know that you were asked a question about this, and I'm not really sure of what the answer is, given the trend, how do you anticipate realistically that it's going to be reduced 30% when the trend has always been that it's even more than what it's projected to be?

MR. PERSICH: Legislator, if I could just take it down a path, there's certain things that happen, whatever it is in the public safety world, I am not a police officer, nor am I the police commissioner, nor do I want to speak for him. I only sit on the other side of it and have to manage the budget. I will say back when Hurricane Sandy hit, all the time went through the roof. We managed through that. It ticked up and everything

else. And then it dropped. If you look back, it dropped a little bit. We didn't get to the taste of where it was. I would say now because the head count in the rank and file of the PBA, which is mostly on patrol, we've given him more resources and I'm giving him more officers to mitigate overtime. If he's short roll call, he's got events, whatever it needs, younger new officers who are a little bit cheaper than, I would say, the existing senior officers. So that's the plan. The plan is, is I have to manage that. If I'm giving you additional officers over the head count during the year, which is what I've been doing with classes, I would expect somewhere down the line it should start leveling out. Is 50 the right number? Look, it's a plan. If I put 100, I could spend 120. I think we have to be fiscally conservative when we present these numbers and have department heads manage to it. Now, there's other areas within the police department where

there's opportunities. Termination pay could be lower because we're not going to have an exodus. I don't see that happening. The advent of the 401 A when we when we presented that, which is a new tax deferral for county workers, has created a trend when people will retire, which is July, August; that arena. We're not seeing the terminations drop is much. But this opportunity in the budget to save money there. Meaning that we put a number in there and it may not do it. That may offset the overtime. There's other things within sight of that. There's vacancies for non-essential things. We hold the vacancies over so we can manage those numbers, that's what we can do.

LEGISLATOR DAVIS: And that's presumably what you do every budget.

MR. PERSICH: Yes.

LEGISLATOR DAVIS: And every budget for the last 3 or 4 years that hasn't manifested itself. And in fact, it's

actually been an an increase over the projection.

MR. PERSICH: Yes. In that one specific area. Yes. But we've outperformed in other areas.

LEGISLATOR DAVIS: My question really is regarding overtime at this point.

My second question is regarding healthcare. Now that's really conceivably a budgetary time bomb; is that right?

MR. PERSICH: It clearly is. We have taken appropriate steps to --

LEGISLATOR DAVIS: I want to just drill down on that a little bit. Now, I heard that you have a concept or an idea about that area; is that right?

MR. PERSICH: Yes. I'm not an expert in the health insurance arena.

LEGISLATOR DAVIS: I understand that, but as of today, you actually don't have a particular plan in place.

MR. PERSICH: We do have a plan in place. The budget includes escalators

within the budget for health insurance. Take CSEA out of the equation for now --

LEGISLATOR DAVIS: That's a big thing to take out of the budget.

MR. PERSICH: You have to take it out because because the one thing that we have to all attest to is, is that the CSEA contract contains certain financial incentives that were tied to the health insurance. That's what it was. These were very, very helpful. So we're working with them to try and navigate a path that's amicable to both sides. Are we going to land perfectly? No. But there has to be some savings in order to achieve what we've given out as far as increases to them. So we have to hold our feet to the fire as does the Union too. So that part of it we're working on.

The other part of it is we've put escalators in there for the plans that we have out there, roughly between 4 and 6%, which is kind of where we see the trend going. NYSHIP, I don't know yet. It

magically comes out the end of November because they have experienced ratios and everything else. But I do understand in health insurance is a thing called IBRE, incurred before recorded expenses. It's a term of art. But they have a problem, I think, projecting some of what the premium should be. We will probably get those numbers in the next few weeks, I would imagine. But then we will be able to know where the budget is. But at this point we had escalators built in there. We do have a little bit of flexibility in the fringe benefit line with certain things. Also we're looking at options to mitigate any risk that we may have with with health insurance.

LEGISLATOR DAVIS: And those options, those are concepts right now right?

MR. PERSICH: We are planning and enlisting a healthcare consultant for us. It's coming before the Legislature I would imagine within the next few weeks.

I don't know the status of the RFP, nor do I want to comment on it. But that being said, we've solicited an RFP for somebody to help us with that endeavor, maybe plan redesigns, maybe going to a third party, maybe going to a self-insurance, maybe looking at a supermarket type of thing.

LEGISLATOR DAVIS: But what I'm getting at is that's a variable within the variable, right?

MR. PERSICH: Yes.

LEGISLATOR DAVIS: Let's just assume both of these variables trend the way they have been over the last several years, you indicated that there's an offset; is that right?

MR. PERSICH: Yes. We'll have to manage the budget. If the number comes in higher than what we need, then we'll have to modify based on what we have. But remember, there's some cushions in the numbers as far as vacancies and people and everything else and other arenas

where we may have overshot the runway as far as an estimate because things like gasoline is down. A classic example. That's something that we budgeted probably in the 3.50 range. And it's probably under 2.25 what we're paying. So there's opportunities there. There's other opportunities too, as I said. Rates drop, we have the ability to debt restructure and save money that way. It's a fluid situation, Legislator, is what I would say. And as I said stated earlier, today's budget is obsolete tomorrow.

LEGISLATOR DAVIS: Thank you.

MR. PERSICH: That's just the way it is. That's what we're here to do. We manage. We have oversight between many agencies. Sometimes I'm wrong. I'm not perfect. But we do manage to the number.

LEGISLATOR DAVIS: Thank you.

MR. PERSICH: Thank you.

PRESIDING OFFICER KOPEL: Legislator Giuffre.

LEGISLATOR GIUFFRE: Sure. Good morning, Mr. Persich.

MR. PERSICH: Good morning.

LEGISLATOR GIUFFRE: So, if I understand you, we talked about generally accepted accounting principles. I'm not an accountant, but I do have my own business. And I know the difference between a budget and a financial report. Financial reports look back and based on actual numbers; is that fair to say?

MR. PERSICH: You're absolutely right.

LEGISLATOR GIUFFRE: Okay. So if I understand you correctly, generally accepted accounting principles really apply to financial reporting, not directly to budgeting.

MR. PERSICH: If I may qualify, financial results. Meaning that I have to financially report. Again, I'll go back to my original statement, if my budget was spot on, I finished with a balanced budget every year, right? I

would have no surpluses. I wouldn't have this, I wouldn't say a problem, position we're in if that were the case.

LEGISLATOR GIUFFRE: Okay. It's fair to say GAAP, generally accepted accounting principles, focus on historical financial data, actual transactions.

MR. PERSICH: Correct.

LEGISLATOR GIUFFRE: Okay. So a GAAP principles guide financial reporting once the budget year is over, you're looking back. They really don't directly apply to the preparation of a budget; is that fair to say?

MR. PERSICH: Yes.

LEGISLATOR GIUFFRE: Okay. Thank you. Nothing further.

MR. PERSICH: Thank you.

PRESIDING OFFICER KOPEL: Anyone else?

LEGISLATOR SOLAGES: If I may, just, you know, a back and forth with Andy on questions that I asked before. So the

counselor raised questions, I'm entitled please to raise --

PRESIDING OFFICER KOPEL: By all means.

LEGISLATOR GIUFFRE: Redirect.

LEGISLATOR SOLAGES: Yes, redirect. Thank you.

But it does affect the credibility of the report; is that correct, sir?

MR. PERSICH: I don't believe so. We've used it in the past. It's been it's been a budgetary plug in past years. I know we did it in 2008 when I was here. I can tell you that we used it. We used the sewer fund balance and put it into the general fund. And it's been other years that historically that we've appropriated fund balance in the budget.

LEGISLATOR SOLAGES: Whether we have the benefit of hindsight, looking back for a report instead of a preparation, it's still a standard that must be used in order to produce accurate results. Would you say that, sir? Is that fair?

MR. PERSICH: A budget is not based on actual budget, is merely a plan, is what I would say. The performance of the budget is driven by how the operating results happen. We adhere to GAAP. We're not not adhering to GAAP. I just think there's a misnomer in the world that said, because NIFA made this statement that that is true in fact, no. Am I a CPA? No.

LEGISLATOR SOLAGES: So a state financial board that has a lot of credibility, doesn't know what they're talking about; is that what you're saying?

MR. PERSICH: I'm not saying that at all, Legislator. Please don't -- I have the ultimate respect for that staff over there. I will say that much. But as I stated earlier, some of their forecasts that they've projected in the budgets have turned the other way into a significant dollar figure. So I don't agree with their statement. GAAP

compliance -- we need to be GAAP compliant for credibility with rating agencies and everything else. I didn't spend the fund balance. I want to make that point very clear. It's not spent, it's merely a placeholder. If we have a balanced budget. We put it out there. If sales tax comes in and expenses down, we have the opportunity not to touch that money. So that at the end of the year, the Comptroller will tell you we would be GAAP compliant then.

LEGISLATOR SOLAGES: Thank you.

MR. PERSICH: Thank you.

PRESIDING OFFICER KOPEL: Thank you, Andy.

MR. PERSICH: Thank you.

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PRESIDING OFFICER KOPEL: Okay, now we have a period of public comment. And as always, public comment is limited to three minutes and that will be timed so you can watch the clock over there.

I understand Ms. Mereday has to run, so we're going to ask her to come and speak to us first.

MS. MEREDAY: Good morning. Thank you, Presiding Officer.

Just sitting here -- first of all, I appreciate the energy from those of you who are speaking clearly, representing the interests of those of us who cannot make the accommodations for the outrageous time periods that are set up for such important activities, such as a budget hearing. At the last meeting, waiting over an hour with many of those who had to leave because they had to get to those assignments to take care of the most vulnerable in our communities, our children, our elders.

It saddens me that we're sitting

here talking about a budget that does not reflect the diversity, the interest and the needs of this auspicious county. I'm very saddened by that. I'm also saddened by the fact that to have to hear the discussion that the minority side did not propose amendments, things of that nature. When I have attended these meetings and I pick up all of the papers from the various committees, and there are blank pages. The fact that there doesn't seem to be any opportunities for residents, community leaders to speak to the issues that are impacting our towns and villages, the minority communities, small businesses, veterans, social services, blank pages. Trees suffered for the paper that gets wasted on a monthly basis for the blank spaces that are sitting there. Those blank spaces represent hardworking residents who have to work two and three jobs and still not make enough money, for residents who have to take on situations that are not

comfortable for them, whether it's a GAAP principle situation, a backroom deal, those interests are not being represented here. And that saddens me greatly.

Our veterans are suffering. I proposed information, given this Body resources, contacts as it pertains to our our veterans. The University hospital, I looked at that budget, the 400 plus pages in the minutes, few seconds that I have available and I saw the same nine people hard working people at Veterans Services. We haven't made a change there. We have not increased any resources or funding to address the resources that are coming out of the PAC bill, federal dollars.

We're getting into November now. The ARPA funds, the opioid funds, again, the suicide rate for our young people is equaling us for passing that of our veterans, and we still sit here and do nothing. But the hallmark of Nassau County's new agenda is a casino that most of you seem to support for various

reasons -- I still can't understand it -- but the fundamental bedrock of what we need in this county is not being addressed by this budget. Maybe a *Newsday* investigation may get to the heart of the matter. I'm not sure, but I'm very disappointed. Thank you for my time.

PRESIDING OFFICER KOPEL: Okay. Thank you. Heidi Puccio.

MS. PUCCIO: Hi. First and foremost, I'd like to thank the legislators for the budgeted increase this past year.

My name is Heidi Puccio, and I've been a related service provider working with preschool children for over 14 years. I chose to enter this field as opposed to going into the public sector, because I really felt like I could make a difference in the lives of these children. I love what I do, but because of the limited increases in salary, I'm now being faced with a difficult situation. Many of my colleagues have left the field or are leaving the field

due to the exorbitant amount of paperwork, limited pay, and high cost of living. I'm asking for a cost of living increase in order to continue to provide the services to the children that need it most, and are presenting with the deficits that impact their lives. The preschool years are the most important years for development, and without these services, the gaps in learning will be greater, it will take additional time to remedy and have a negative impact on their future. This program is at risk, and we need your support to help us continue to provide the services to children that need it most. Thank you.

LEGISLATOR MCKEVITT: Thank you. Next we have David Tellerman.

MR. TELLERMAN: Good morning, everybody. Again I'm David Tellerman and I am the Director of New York Therapy where we specialize in providing preschool special education related services including speech therapy,

occupational therapy, and physical therapy. This past year, my colleagues and myself were here to discuss the significant crisis preschool special education is facing, particularly the stagnant reimbursement rates that had remained unchanged for 27 years. This situation has led to a shortage of therapists, with many leaving the field, leaving hundreds of preschool special education children without their legally mandated services.

I have had the privilege to meet with many of you regarding this issue. Thanks to your support, Nassau County increased the reimbursement rate to $50 per session. I sincerely appreciate your assistance. However, this increase does not sufficiently make up for 27 years of unchanged rates. The current rate still falls short of retaining existing therapists and attracting new ones, leaving preschool special education in crisis.

Currently, the average reimbursement rate for related services across New York State is $61, meaning Nassau County's rate is $11 below this average, a 22% gap. Many counties have recognized the need to increase their rates to remain competitive and ensure that children receive the services that they need. Our nearest neighbor, Westchester County, currently has a reimbursement rate of $73.50 per session. As we move forward, it's crucial that we address the remaining challenges in the related services sector. We propose to increase the rate to the state average of $61. To achieve this, we request your support for a cost of living adjustment of 11% each year for the next two years, to be added to the new preschool related services contract, which renews this July of 2025. This adjustment would help agencies retain and recruit providers ultimately ensuring that children received a special education services they deserve.

As you know, we have been addressing the same crisis in Suffolk County. In speaking with them, they recognize something needs to be done. They have made the recommendation in their new budget for an 11% increase per year for the next two years, with subsequent cost of living increases, so we don't find ourselves in the same position in the future. It is imperative that we get to the rate to the state average of $61 in order to get preschool special education children their services.

Thank you once again for your support. I would be happy to discuss this matter further with any of you at your convenience. Thank you again. Have a nice day.

PRESIDING OFFICER KOPEL: Dimitrios Giouzepis.

MR. GIOUZEPIS: Good morning, esteemed members of the Nassau County Legislature. My name is Demetrius Giouzepis, and I serve as the assistant

director of Preschool For Metro Therapy. We also provide essential speech, occupational, and physical therapies to preschoolers across Nassau County, helping them overcome developmental delays that stand as barriers to their academic and personal success.

Research clearly shows that intervening early in a child's development significantly improves their long term outcomes, leading to a decrease in the need for costly support services later in life and ultimately saving taxpayer dollars -- talking about the budget. So this work isn't just life changing for children. It's also a sound financial investment for our community.

First, thank you for your recent approval of the $5 increase. This was a much needed first step in addressing a funding gap that has gone unaddressed for 27 years. As they say, how do you eat an elephant? One bite at a time.

So we've taken the first bite. But

our work is far from over. Our goals now are threefold. To retain the dedicated providers we have who continue leaving for jobs that allow them to make a livable wage to attract new professionals into this field, a vital need as providers are leaving faster than we can bring new ones in and most critically to preserve the program itself so no child is left waiting for legally mandated services they are entitled to.

While we're grateful for the increase, it only scratches the surface. It doesn't begin to reflect the true cost of living on Long Island, one of the top three most expensive areas in the nation. To make meaningful progress, we are asking for your continued support and approving an 11% increase each year for the next few years, until we reach at least the state average. This structured approach can bring sustainable change. I'm excited to report that Suffolk County is adding this recommendation to their

budget proposal, with subsequent cost of living adjustments to avoid this problem in the future.

Let's invest in the people who support our youngest and most vulnerable. With your continued commitment, we can ensure every child receives the services they are entitled to. Setting them on a path toward a brighter future. Thank you for your time and your support.

PRESIDING OFFICER KOPEL: Okay. Thank you. Filio Fandaros.

MS. FANDAROS: My name is Filio Fandaros, and I've been an occupational therapist for over 20 years. Again, I'd like to thank you for the first increase that we've gotten in over 27 years. That really has been very helpful. It's still very difficult to take into consideration of the high cost of living here on Long Island and continues to put a lot of financial pressure on us as therapists. Most of our vulnerable kids are in their homes, so we do have to travel to them

all the time. That rate doesn't help cover our driving back and forth our mileage, all of the damages to our cars. We also have to then go home and work on those reports about those children, write about those children, and that all that time is not reimbursable. Only those 30 minutes with that child is reimbursable.

Unfortunately, we also have a lot of things that we have to do in our job that's not compensated. According to Part 200 of New York State Regulations, we are mandated to attend initial meetings, CPSC meetings for all these children that we service, those meetings are not reimbursable either. They can run from a half hour to over an hour and a half at times, which results in me canceling children that I would get paid to see, but I can't see them.

Providing services to children is my life's passion. I love what I do, which is why I'm still doing it, but it is

making it very hard. Research does show that addressing children at this age could save us future dollars in their education. I would love supporting these children despite the low rates, but please help us continue to bring younger students in younger therapists in to help continue. Some of us old timers who can afford to kind of stay there because our spouses make money, I can still do what I do, but most of the young girls can't afford to buy a home or continue doing the jobs that they do. Thank you again. And please help us out.

PRESIDING OFFICER KOPEL: Okay. Thank you. Dr. Michael Grossfeld.

DR. GROSSFELD: Thank you. I want to thank the Legislature for providing an increase this year. We really appreciate it. And I appreciated the fact that I was able to work with the director of preschool services for Nassau County and also the commissioner of health and also people in the Minority and the Majority

in the Legislature and Mr. Muscarella in Mr. Blakeman's Administration. I appreciate the support because I know to get the increase, we needed support across the board and we got it. And thank you, you're the first legislative body in 27 years to do it. You deserve applause for that.

But as my colleagues mentioned, the state average for the session in New York state is about $61. Nassau County is at around $50 at this point, and we are having trouble attracting more providers speech pathologist, physical therapist, occupational therapist, to work with these toddlers with 3 to 5 who need to be worked with. Science shows that if you work with these children before the age of five, there's much more progress than after the age of five. And there's also a higher cost to the County, research also shows that for every dollar you spend between 3 and 5, you spend between $5 and $7 from kindergarten through high school.

So it's in the County's interest. I know it's an additional cost, but it's in the county's interest to spend those dollars in the preschool at the preschool level. So I ask you to please follow other counties steps in approving a COLA of 11% in this budget year and 11% next year. That will get us in two years to $61, and some type of appropriate COLA after that, so that we don't go decades again having to lose all these therapists, not treat all these children and have waiting lists. It's just not appropriate.

So I want to thank you for your current support and I hope for your future support. Thank you very much.

PRESIDING OFFICER KOPEL: Okay. Thank you. This concludes public comment.

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PRESIDING OFFICER KOPEL: We have a vote to close the hearing. Motion is made by Deputy Presiding Officer McKevitt and seconded by Alternate Deputy Presiding Officer Ferretti.

All those in favor of closing the hearing, please say, "Aye".

(Whereupon, all members of the Full Legislature present respond in favor with, "Aye".)

PRESIDING OFFICER KOPEL: Opposed?

(Whereupon, no verbal response.)

PRESIDING OFFICER KOPEL: The hearing is closed.

We'll now proceed to some votes. Ordinance number 59, which is to adopt the budget for the County Legislature for the for Nassau County for 2025, beginning January 1st and December 31st, and to appropriate revenues for said budget.

Motion is made by Deputy Presiding Officer McKevitt, seconded by Minority Leader DeRiggi-Whitton. Any questions?

(Whereupon, no verbal response.)

PRESIDING OFFICER KOPEL: Okay. All those in favor of the Legislative Budget, please say, "Aye".

(Whereupon, all members of the Full Legislature present response in favor with, "Aye".)

PRESIDING OFFICER KOPEL: Opposed?

(Whereupon, no verbal response.)

PRESIDING OFFICER KOPEL: That is unanimous. Which is 18 to zero.

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PRESIDING OFFICER KOPEL: Ordinance 57, which is to adopt the Nassau County budget for 2025 beginning January 1st, ending December 31st, to appropriate revenues and the total amount of monies to be raised by taxation money.

Motioned by Deputy Presiding Officer McKevitt and seconded by Alternate Presiding Officer Ferretti.

All those in favor of this ordinance, please say, "Aye'.

PRESIDING OFFICER KOPEL: Aye.

LEGISLATOR MULLANEY: Aye.

LEGISLATOR GIUFFRE: Aye.

LEGISLATOR STRAUSS: Aye.

LEGISLATOR PILIP: Aye.

LEGISLATOR GIANGREGORIO: Aye.

LEGISLATOR MCKEVITT: Aye.

LEGISLATOR GAYLOR: Aye.

LEGISLATOR FERRETTI: Aye.

LEGISLATOR WALKER: Aye.

LEGISLATOR GOETZ: Aye.

LEGISLATOR KENNEDY: Aye.

PRESIDING OFFICER KOPEL: Opposed?

LEGISLATOR BYNOE: Nay.

LEGISLATOR DRUCKER: Nay.

LEGISLATOR SOLAGES: Nay.

LEGISLATOR MULE: Nay.

LEGISLATOR DAVIS: Nay.

MINORITY LEADER DERIGGI-WHITTON: Nay.

PRESIDING OFFICER KOPEL: All right, so that vote is 12 to 6.

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PRESIDING OFFICER KOPEL: Ordinance 58, fixing tax rates, levying taxes for the 12 month 2025 fiscal year beginning of January 1st, ending December 31st, on taxable properties.

Motioned by Deputy Presiding Officer McKevitt, seconded by Minority Leader DeRiggi-Whitton.

All those in favor of this ordinance, please say, "Aye'.

PRESIDING OFFICER KOPEL: Aye.

LEGISLATOR MULLANEY: Aye.

LEGISLATOR GIUFFRE: Aye.

LEGISLATOR STRAUSS: Aye.

LEGISLATOR PILIP: Aye.

LEGISLATOR GIANGREGORIO: Aye.

LEGISLATOR MCKEVITT: Aye.

LEGISLATOR GAYLOR: Aye.

LEGISLATOR FERRETTI: Aye.

LEGISLATOR WALKER: Aye.

LEGISLATOR GOETZ: Aye.

LEGISLATOR KENNEDY: Aye.

PRESIDING OFFICER KOPEL: Opposed?

LEGISLATOR BYNOE: Nay.

LEGISLATOR DRUCKER: Nay.

LEGISLATOR SOLAGES: Nay.

LEGISLATOR MULE: Nay.

LEGISLATOR DAVIS: Nay.

MINORITY LEADER DERIGGI-WHITTON: Nay.

PRESIDING OFFICER KOPEL: So we have 12 to 6.

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PRESIDING OFFICER KOPEL:

Resolution 178, which is to adopt the Multi Year Financial Plan for fiscal years 2025 through 2028, as required by Section 310 of the county government law and financial policies included.

Motioned by Deputy Presiding Officer McKevitt, seconded by Alternate Deputy Presiding Officer Ferretti.

All those in favor of this ordinance, please say, "Aye'.

PRESIDING OFFICER KOPEL: Aye.

LEGISLATOR MULLANEY: Aye.

LEGISLATOR GIUFFRE: Aye.

LEGISLATOR STRAUSS: Aye.

LEGISLATOR PILIP: Aye.

LEGISLATOR GIANGREGORIO: Aye.

LEGISLATOR MCKEVITT: Aye.

LEGISLATOR GAYLOR: Aye.

LEGISLATOR FERRETTI: Aye.

LEGISLATOR WALKER: Aye.

LEGISLATOR GOETZ: Aye.

LEGISLATOR KENNEDY: Aye.

PRESIDING OFFICER KOPEL: Opposed?

LEGISLATOR BYNOE: Nay.

LEGISLATOR DRUCKER: Nay.

LEGISLATOR SOLAGES: Nay.

LEGISLATOR MULE: Nay.

LEGISLATOR DAVIS: Nay.

MINORITY LEADER DERIGGI-WHITTON: Nay.

PRESIDING OFFICER KOPEL: Twelve to six. Thank you.

Motion to adjourn by Deputy Presiding Officer McKevitt, seconded by Mr. Ferretti.

All those in favor of adjourning, please say, "Aye".

(Whereupon, all members of the Full Legislature present respond in favor with, "Aye".)

PRESIDING OFFICER KOPEL: Any opposed.

(Whereupon, no verbal response.)

PRESIDING OFFICER KOPEL: Thank you.

(Whereupon, the Full Legislature meeting is adjourned)

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C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

County of Nassau)

I, KAREN LORENZO, a Notary Public for and within the State of New York, do hereby certify:

That the above is a correct transcription of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 2024.

Karen Lorenzo

Karen Lorenzo

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