

1. Public Notice 4-11-22 And 4-25-22

Documents:

[4-11-22 AND 4-25-22.PDF](#)

2. 4/25 Leg Calendar

Documents:

[4-25-22.PDF](#)

3. 4/25 Resolutions

Documents:

[PROPOSED RES. 52-22.PDF](#)
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[PROPOSED RES. 87-22.PDF](#)

4. 4/25 Local Law

Documents:

[PROPOSED LL-22.PDF](#)

5. 4/25 Ordinances

Documents:

[PROPOSED ORD. 27-22.PDF](#)
[PROPOSED ORD. 23-22.PDF](#)
[PROPOSED ORD. 24-22.PDF](#)
[PROPOSED ORD. 25-22.PDF](#)
[PROPOSED ORD. 26-22.PDF](#)

6. Full Legislative Session, 04-25-22

Documents:

[FULL LEGISLATIVE SESSION, 04-25-22.PDF](#)

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE NASSAU COUNTY LEGISLATURE WILL HOLD COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, APRIL 11, 2022 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, APRIL 25, 2022 STARTING AT 1:00 PM FOR PRESENTATIONS AND PUBLIC COMMENT, AND AT 2:00 PM FOR THE LEGISLATIVE CALENDAR IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1st FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

FULL LEGISLATIVE SESSION.....1:00 PM

COMMITTEES	TIME
RULES	1:00PM
PUBLIC SAFETY	1:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	1:00PM
TOWNS, VILLAGES AND CITIES	1:00PM
ECONOMIC AND COMMUNITY DEVELOPMENT, LABOR AND TRANSPORTATION COMMITTEE	1:00PM
PUBLIC WORKS AND PARKS	1:00PM
HEALTH AND SOCIAL SERVICES	1:00PM
GOVERNMENT SERVICES AND OPERATIONS	1:00PM
MINORITY AFFAIRS	1:00PM
VETERANS	1:00PM
SENIOR AFFAIRS	1:00PM
FINANCE	1:00PM

MICHAEL C. PULITZER
Clerk of the Legislature

Dated: APRIL 4, 2022
Mineola, NY

As per the Nassau County Fire Marshal's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 200 people. Attendees will be given an opportunity to sign in to address the Legislature. On Committee Meeting days, Public comment will be limited to Agenda items. Public comment on any item may also be emailed to the Clerk of the Legislature at LegPublicComment@nassaucountyny.gov and will be made part of the formal record of this Legislative meeting.

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>

LEGISLATIVE CALENDAR

NASSAU COUNTY LEGISLATURE

FOURTH MEETING

FOURTH MEETING OF 2022

MINEOLA, NEW YORK

APRIL 25, 2022

PRESENTATIONS/PUBLIC COMMENT 1:00PM

LEGISLATIVE CALENDAR 2:00PM

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EVERY LEGISLATIVE MEETING IS STREAMED LIVE ON

<http://www.nassaucountyny.gov/agencies/Legis/index.html>

1. **HEARING ON PROPOSED LOCAL LAW NO.-2022**

A LOCAL LAW TO AMEND SECTION 3-2.3 OF THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO THE SPECIAL REVENUE FUND CREATED PURSUANT TO THIS SECTION. 120-22(CE)

2. **VOTE ON PROPOSED LOCAL LAW NO. -2022**

A LOCAL LAW TO AMEND SECTION 3-2.3 OF THE NASSAU COUNTY ADMINISTRATIVE CODE IN RELATION TO THE SPECIAL REVENUE FUND CREATED PURSUANT TO THIS SECTION. 120-22(CE)

3. **ORDINANCE NO. 23-2022**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE HEALTH DEPARTMENT. 86-22(OMB)

4. **ORDINANCE NO. 24-2022**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF THE DISTRICT ATTORNEY. 87-22(OMB)

5. **ORDINANCE NO. 25-2022**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF MANAGEMENT AND BUDGET. 105-22(OMB)

6. **ORDINANCE NO. 26-2022**

AN ORDINANCE SUPPLEMENTAL TO AN APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF MANAGEMENT AND BUDGET. 121-22(OMB)

7. **ORDINANCE NO. 27-2022**

AN ORDINANCE SUPPLEMENT TO THE ANNUAL APPROPRIATION ORDINANCE AND TO TRANSFER APPROPRIATIONS HERETOFORE MADE WITHIN TO RECONCILE THE COUNTY'S FINANCIAL RECORDS FOR THE BUDGET YEAR OF 2021. 122-22(OMB)

8. **RESOLUTION NO. 52-2022**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, AS SET FORTH IN THE ACTION ENTITLED *DOVER GOURMET CORPORATION V. COUNTY OF NASSAU, ET AL.*, INDEX NO. 612941/2019 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 99-22(AT)

9. **RESOLUTION NO. 53-2022**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PETITIONER LONG ISLAND LIGHTING COMPANY D/B/A LIPA, A WHOLLY OWNED SUBSIDIARY OF THE LONG ISLAND POWER AUTHORITY, A CORPORATE MUNICIPAL INSTRUMENTALITY OF THE STATE OF NEW YORK, ORGANIZED AND EXISTING PURSUANT TO THE PUBLIC AUTHORITIES LAW OF NEW YORK PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 104-22(AT)

10. **RESOLUTION NO. 54-2022**

A RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT AND STIPULATION OF SETTLEMENT BY AND BETWEEN THE COUNTY OF NASSAU AND THE NASSAU COUNTY SHERIFF'S CORRECTION OFFICERS BENEVOLENT ASSOCIATION, INC. ("COBA"), LOCAL 830 OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, A.F.S.C.M.E., LOCAL 1000, A.F.L.-C.I.O. ("CSEA"), DETECTIVES ASSOCIATION, INC., OF THE POLICE DEPARTMENT OF THE COUNTY OF NASSAU, INC. ("PBA") AND THE SUPERIOR OFFICERS ASSOCIATION OF THE POLICE DEPARTMENT OF THE COUNTY OF NASSAU, INC. ("SOA"). 119-22(CE)

11. **RESOLUTION NO. 55-2022**

A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK TO ENACT AND THE GOVERNOR TO APPROVE AN ACT TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW IN RELATION TO ESTABLISHING A DEATH BENEFIT FOR FIRE MARSHALS EMPLOYED BY NASSAU COUNTY. 131-22(LE)

12. **RESOLUTION NO. 56-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF PLANDOME IN RELATION TO A PROJECT TO PROCURE SELF-CONTAINED BREATHING APPARATUS BOTTLES AND A NEW DISPATCH STATION FOR THE VILLAGE FIRE DEPARTMENT. 93-22(CE)

13. **RESOLUTION NO. 57-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE BALDWIN FIRE DISTRICT IN RELATION TO THE PURCHASE OF PORTABLE INCIDENT COMMAND POSTS. 94-22(CE)

14. **RESOLUTION NO. 58-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE EAST MEADOW FIRE DISTRICT IN RELATION TO THE PURCHASE OF EMERGENCY MEDICAL SERVICE EQUIPMENT. 95-22(CE)

15. **RESOLUTION NO. 59-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF FARMINGDALE IN RELATION TO A PROJECT TO PROCURE AND INSTALL NEW FLOORING. 96-22(CE)

16. **RESOLUTION NO. 60-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE PORT WASHINGTON POLICE DEPARTMENT IN RELATION TO A PROJECT TO PROCURE A MESSAGE TRAILER. 97-22(CE)

17. **RESOLUTION NO. 61-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH SANITARY DISTRICT # 2 IN RELATION TO A PROJECT TO PROCURE A DUSTLESS SANDBLASTER. 98-22(CE)

18. **RESOLUTION NO. 62-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE LEVITTOWN PUBLIC SCHOOL DISTRICT IN RELATION TO A PROJECT TO UPGRADE AND INSTALL NEW AUDIO AND VIDEO EQUIPMENT AND RELATED ITEMS. 100-22(CE)

19. **RESOLUTION NO. 63-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE SOUTH FARMINGDALE FIRE DISTRICT IN RELATION TO THE PURCHASE OF EMERGENCY COMMUNICATIONS EQUIPMENT. 103-22(CE)

20. **RESOLUTION NO. 64-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE NORTH MERRICK UNION FREE SCHOOL DISTRICT IN RELATION TO A PROJECT TO PROCURE AND INSTALL NEW PLAYGROUND EQUIPMENT AT THREE ELEMENTARY SCHOOLS. 107-22(CE)

21.. **RESOLUTION NO. 65-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE INCORPORATED VILLAGE OF EAST HILLS IN RELATION TO A PROJECT TO RENOVATE AND REHABILITATE A BUILDING ON VILLAGE PROPERTY. 109-22(CE)

22 **RESOLUTION NO. 66-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE WOODMERE FIRE DISTRICT IN RELATION TO THE PURCHASE OF EMERGENCY EQUIPMENT. 110-22(CE)

23. **RESOLUTION NO. 67-2022**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE GLEN COVE SCHOOL DISTRICT IN RELATION TO A PROJECT TO UPGRADE AND INSTALL PLAYGROUND EQUIPMENT. 111-22(CE)

24. **RESOLUTION NO. 68-2022**

A RESOLUTION CONFIRMING THE APPOINTMENT OF RONALD J. ROSENBERG AS A MEMBER OF THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES. 130-22(LE)

25. **RESOLUTION NO. 69-2022**

A RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM P. STRIS AS A MEMBER OF THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES. 129-22(LE)

26. **RESOLUTION NO. 70-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF JOHN ARDITO TO THE ASSESSMENT REVIEW COMMISSION. 112-22(CE)

27. **RESOLUTION NO. 71-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF FLORESTANO GIRARDI TO THE ASSESSMENT REVIEW COMMISSION. 113-22(CE)

28. **RESOLUTION NO. 72-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF LAURA MONFILETTO TO THE ASSESSMENT REVIEW COMMISSION. 114-22(CE)

29. **RESOLUTION NO. 73-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF MARC STONE TO THE ASSESSMENT REVIEW COMMISSION. 115-22(CE)

30. **RESOLUTION NO. 74-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF ROCCO TOTINO TO THE ASSESSMENT REVIEW COMMISSION. 116-22(CE)

31 **RESOLUTION NO. 75-2022**

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE'S APPOINTMENT OF MURRAY FORMAN TO THE NASSAU COUNTY PLANNING COMMISSION. 117-22(CE)

32. **RESOLUTION NO. 76-2022**

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE'S APPOINTMENT OF REID SAKOWICH TO THE NASSAU COUNTY PLANNING COMMISSION. 118-22(CE)

33. **RESOLUTION NO. 77-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF WILLIAM P. STRIS TO THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO SECTION 6306 OF THE EDUCATION LAW. 123-22(CE)

34. **RESOLUTION NO. 78-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF RONALD J. ROSENBERG TO THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO SECTION 6306 OF THE EDUCATION LAW. 124-22(CE)

35. **RESOLUTION NO. 79-2022**

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE'S APPOINTMENT OF KHANDAN SHARONA KALATY TO THE NASSAU COUNTY PLANNING COMMISSION. 125-22(CE)

36. **RESOLUTION NO. 80-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF WILLIAM H. ROCKENSIES TO THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY. 126-22(CE)

37. **RESOLUTION NO. 81-2022**

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF REGINALD A. SPINELLO TO THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY. 127-22(CE)

38. **RESOLUTION NO. 82-2022**

A RESOLUTION TO ACCEPT A GIFT OFFERED BY THE NASSAU COUNTY POLICE DEPARTMENT FOUNDATION TO THE NASSAU COUNTY POLICE DEPARTMENT. 72-22(PD)

39. **RESOLUTION NO. 83-2022**

A RESOLUTION TO ACCEPT A GIFT OFFERED BY THE HICKSVILLE FIRE DISTRICT TO THE NASSAU COUNTY POLICE DEPARTMENT. 106-22(PD)

40. **RESOLUTION NO. 84-2022**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022. 88-22(OMB)

41. **RESOLUTION NO. 85-2022**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022. 91-22(OMB)

42. **RESOLUTION NO. 86-2022**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022. 92-22(OMB)

43. **RESOLUTION NO. 87-2022**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET YEAR 2022. 108-22(OMB)

NOTICE IS HEREBY GIVEN that the Nassau County Executive has executed the following personal service contracts, copies of which are on file with the Office of the Clerk of the Nassau County Legislature. These contracts are listed for informational purposes only.

County of Nassau acting on behalf of Housing and Homeless Services and Option for Community Living, Inc. RE: CDBG 47th. \$90,000.00. ID# CQHI21000051.

County of Nassau acting on behalf of Housing and Homeless Services and ACDS. RE: CDBG 47th. \$54,525.00. ID# CQHI21000059.

County of Nassau acting on behalf of Housing and Homeless Services and COPAY, Inc. RE: CDBG 47th. \$20,000.00. ID# CQHI21000042.

County of Nassau acting on behalf of Housing and Homeless Services and Spectrum Designs Foundation. RE: CDBG 47th. \$50,000.00. ID# CQHI21000040.

County of Nassau acting on behalf of Housing and Homeless Services and Mill Neck Services, Inc.. RE: CDBG 47th. \$45,000.00. ID# CQHI21000015.

County of Nassau acting on behalf of Housing and Homeless Services and North Shore Child & Family Guidance Association. RE: CDBG 47th. \$25,000.00. ID# CQHI21000030.

County of Nassau acting on behalf of Housing and Homeless Services and Long Island Conservatory of Music. RE: CDBG 47th. \$85,000.00. ID# CQHI21000061.

County of Nassau acting on behalf of Housing and Homeless Services and Nassau County Land Bank Corporation. RE: HOME. \$150,000.00. ID# CQHI21000069.

County of Nassau acting on behalf of Housing and Homeless Services and Peaceful Minds, Inc. (dba FJC). RE: CDBG. \$20,000.00. ID# CQHI21000063.

County of Nassau acting on behalf of Housing and Homeless Services and Nassau County Land Bank Corp. RE: HOME. \$150,000.00. ID# CQHI21000062.

County of Nassau acting on behalf of Housing and Homeless Services and The Interfaith Nutrition Network. RE: ESG 47th yr. \$100,000.00. ID# CQHI21000068.

County of Nassau acting on behalf of Housing and Homeless Services and Town of Hempstead. RE: CDBG 47th yr. \$3,095,000.00. ID# CQHI21000066.

County of Nassau acting on behalf of Housing and Homeless Services and Long Island Coalition for the Homeless. RE: ESG 47th year. \$68,600.00. ID# CQHI21000065.

County of Nassau acting on behalf of Housing and Homeless Services and Community Mainstreaming Associates, Inc. RE: CDBG-47th. \$46,000.00. ID# CQHI21000048.

County of Nassau acting on behalf of Housing and Homeless Services and Leadership Training, Inc. RE: CDBG 47th. \$55,000.00. ID# CQHI21000052.

County of Nassau acting on behalf of Housing and Homeless Services and City of Long Beach. RE: CDBG-47th. \$275,000.00. ID# CQHI210000232.

County of Nassau acting on behalf of Human Services and North Bellmore UFSD. RE: YDA Education. \$250,343.00. ID# CQHS21000081.

County of Nassau acting on behalf of Human Services and Family and Children Association. RE: YOUTH DEVELOPMENT. \$84,000.00. ID: CQHS21000082.

County of Nassau acting on behalf of Human Services and Cornell Cooperative Extension of NC. RE: OFA CORNELL CSE AMEND. \$25,000.00. ID: CLHS21000083.

County of Nassau acting on behalf of Human Services and Great Neck Senior Center. RE: OFA GREAT NECK FFCRA EXT. \$0.01. ID: CLHS21000063.

County of Nassau acting on behalf of Housing and Homeless Services and Village of Mineola. RE: CDBG 47th. \$260,000.00. ID: CQHI21000058.

County of Nassau acting on behalf of Human Services and Alexander S. Bardey MD PLLC.
RE: Forensic Services. \$ 116,900.00. ID: CLHS22000010.

County of Nassau acting on behalf of Human Services and Hispanic Brotherhood.
RE: OFA HISP FFCRA EXT. \$ 0.01. ID: CLHS21000064.

County of Nassau acting on behalf of Social Services and Circulo de la Hispanidad.
RE: Domestic Violence Non-Residential. \$5,435.00. ID# CLSS21000028.

County of Nassau acting on behalf of Human Services and East Rockaway UFSD.
RE: YDA-EDUCATION. \$54,766.00. ID# CQHS21000077.

County of Nassau acting on behalf of Housing and Homeless Services and Peace Valley Haven.
RE: ESG 46th Year. \$55,000.00. ID# CQSH20000114.

County of Nassau acting on behalf of Housing and Homeless Services and Long Beach Latino
Civic Association. RE: CDBG. \$20,000.00. ID# CQHI21000075.

County of Nassau acting on behalf of Housing and Homeless Services and Family and
Children's Association. RE: ESG 47th YR. \$125,000.00. ID#CQHI21000054.

County of Nassau acting on behalf of Board of Elections and All American Van Lines, Inc.
RE: Trucking Voting Machines 2020 and 2021 Elections. \$176,689.75. ID#CLEL21000001.

County of Nassau acting on behalf of Board of Elections and Super Express Service, Inc. d/b/a
The Moving Doctor. RE: Trucking Voting Machines 2020 and 2021 Elections. \$76,356.00.
ID#CLEL21000002.

County of Nassau acting on behalf of Human Services and Cornell Cooperative Extension of
NC. RE: OFA Cornell FFCRA Ext. \$.01. ID# CLHS21000061.

County of Nassau acting on behalf of Human Services and PurFoods, LLC dba Moms Meals.
RE: OFA Purefood/Moms Meal. \$200,000.00. ID# CLHS21000072.

County of Nassau acting on behalf of Human Services and Sid Jacobson Jewish Community
Center. RE: OFA Sid Jac FFCRA Ext. \$.01. ID# CLHS21000069.

County of Nassau acting on behalf of Human Services and Nassau Suffolk Law Services Comm.
Inc. RE: OFA NSLS FFCRA Ext. \$.01. ID# CLHS21000066.

County of Nassau acting on behalf of Housing and Homeless Services and Village of Great Neck
Plaza. RE: CDBG 47th YR. \$155,627.00. ID#CQHI21000034.

County of Nassau acting on behalf of Housing and Homeless Services and Village of Freeport.
RE: CDBG 47th YR. \$700,000.00. ID#CQHI21000049

County of Nassau acting on behalf of Housing and Homeless Services and Long Beach Reach, Inc. RE: CDBG 47th YR. \$75,000.00. ID#CQHI21000024.

County of Nassau acting on behalf of Housing and Homeless Services and Bethany House of Nassau County Corp. RE: ESG 47th YR. \$85,000.00. ID#CQHI21000067.

County of Nassau acting on behalf of Housing and Homeless Services and Village of Hempstead CDA. RE: CDBG 44th YR. \$.01. ID#CLHI21000026.

County of Nassau acting on behalf of Housing and Homeless Services and Long Beach Reach, Inc. RE: CDBG 47th YR. \$75,000.00. ID#CQHI21000024.

County of Nassau acting on behalf of Housing and Homeless Services and Village of Hempstead. RE: CDBG 47th YR. \$1,120,000.00. ID#CQHI21000055.

County of Nassau acting on behalf of Human Services and Herricks Community Fund. RE: OFA Herricks CF C-1. \$85,925.00. ID# CQHS22000004.

County of Nassau acting on behalf of Human Services and Family and Children's Association. RE: OFA FCA C-1. \$247,388.00. ID# CQHS22000020.

County of Nassau acting on behalf of Human Services and Long Island Crisis Center. RE: Youth Development. \$122,020.00. ID# CQHS22000014.

County of Nassau acting on behalf of Human Services and Nassau County Bar Association Assigned Counsel Defender Plan, Inc. RE: Indigent Legal Services. \$145,000.00. ID# CQBU21000009.

County of Nassau acting on behalf of Human Services and Dr. Anthony V. Santoro. RE: Forensic Services. \$122,590.00. ID# CLHS22000003.

County of Nassau acting on behalf of Human Services and Great Neck Senior Center. RE: OFA Great Neck B C-1. \$262,439.00. ID# CQHS22000003.

County of Nassau acting on behalf of Human Services and S.T.R.O.N.G. Youth Inc. Youth Development. \$138,000.00. ID# CQHS21000084.

County of Nassau acting on behalf of Housing and Homeless Services and All Thing Home Care, Inc. RE: CDBG 47th YR. \$25,000.00. ID#CQHI22000001.

THE NASSAU COUNTY LEGISLATURE

WILL CONVENE THE NEXT

COMMITTEE MEETINGS ON

MONDAY, MAY 9, 2022 at 1:00PM

AND

FULL LEGISLATURE MEETING ON

MONDAY, MAY 23, 2022 AT 1:00PM

PROPOSED RESOLUTION NO. 52 - 2022

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, AS SET FORTH IN THE ACTION ENTITLED *DOVER GOURMET CORPORATION V. COUNTY OF NASSAU, ET AL.*, INDEX NO. 612941/2019 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE.

WHEREAS, Dover Gourmet Corporation (the “Plaintiff”) commenced an action against the County of Nassau (the “County”), entitled *Dover Gourmet Corporation v. County of Nassau, et al.*, Index No. 612941/2019, alleging certain violations of its contractual rights, and the County has agreed to enter into a stipulation of settlement including an amendment to a License Agreement, attached hereto, with the Plaintiff in full settlement of all possible claims Plaintiff may have against the County in the above titled action; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said action and as a result thereof recommends that it be settled in accordance with the terms of the stipulation of settlement; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in accordance with the terms of the stipulation of settlement as indicated above; and be it further

RESOLVED, that the County Executive be and is hereby authorized to award and execute the aforementioned amendment to the License Agreement with Plaintiff, upon receipt of a Settlement Agreement and Limited Release; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this settlement is a “Type II” Action within the meaning of Section 617.5(c)(29) of 6 N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 53 - 2022

A RESOLUTION authorizing the County Attorney to compromise and settle the claims of Petitioner Long Island Lighting Company d/b/a LIPA, a wholly owned subsidiary of the Long Island Power Authority, a corporate municipal instrumentality of the State of New York, organized and existing pursuant to the Public Authorities Law of New York pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

WHEREAS, § 1020-a of the Public Authorities Law of the State of New York ("PAL") of Title 1-A of Article 5 of the PAL (the "LIPA Act") provides that assuring the provision of an adequate supply of electricity in a reliable, efficient and economic manner, and retaining existing commerce and industry in and attracting new commerce and industry to Nassau County, Suffolk County and the Rockaway Peninsula are matters of state concern; and

WHEREAS, PAL § 1020-p(1) provides that the operation of LIPA is primarily for the benefit of the people of the State of New York, for the improvement of their health, welfare and prosperity, and is a public purpose, and LIPA shall be regarded as performing an essential government function in carrying out the provisions of the LIPA Act; and

WHEREAS, PAL § 1020-kk provides that the LIPA Act, being necessary for the prosperity of the state and its inhabitants, shall be liberally construed to effect the purposes thereof; and

WHEREAS, PAL § 1020-p(2) provides that LIPA shall be required to pay no taxes nor assessments upon any of the property acquired or controlled by it or upon its activities in the operation and maintenance thereof or upon income

derived therefrom, providing that nothing therein shall prevent LIPA from entering into agreements to make payments in lieu of taxes ("PILOTs") with the governing bodies of municipalities as provided for in PAL § 1020-q; and

WHEREAS, Real Property Tax Law ("RPTL") § 412 provides that real property owned by public authorities enumerated in the public authorities law shall be entitled to such exemption as may be provided therein; and

WHEREAS, PAL § 1020-f(h) confers upon LIPA broad powers to make and execute agreements and contracts with any municipality; and

WHEREAS, PAL § 1020-g(k) empowers LIPA to enter into contractual arrangements with municipalities with respect to the construction, improvement, rehabilitation, ownership and/or operation of generating facilities; and

WHEREAS, PAL § 1020-f(r) confers broad powers upon LIPA to enter into agreements to purchase power from any private entity or any other available source, and PAL § 1020-f(h) gives LIPA the authority to make and execute agreements necessary or convenient in the exercise of its statutory powers and functions, and PAL § 1020-g(j) gives LIPA the power to cooperate with and to enter into contractual arrangements with private utility companies or public entities; and

WHEREAS, the County determines the annual assessments of real property located within the County for the purpose of imposing real property taxes for the County, the towns, the special districts and all but one of the school districts within the County; and

WHEREAS, LIPA filed applications for correction of assessment with ARC and/or commenced proceedings pursuant to RPTL Article 7 seeking judicial review of the County's assessments for its real property at the Glenwood Landing power plant identified as 1/20/Q/41 (Acct. No. 2030301485); 1/20/Q/41 (Acct. No. 2030301486A); 1/20/Q/41 (Acct. No. 2035301485); 1/20/K/4A (Acct. No. 3030001015); 1/20/K/4A (Acct. No. 3030001015A); 1/20/K/5A (Acct. No. 2030301480); 1/20/K/5A (Acct. No. 2030301480A); 1/21/M/585 (Acct. No. 3030001040); 1/21/F/4 (Acct. No. 3030001019); 1/21/M/35 (Acct. No. 3030001020); 1/21/M/35 (Acct. No. 3035001021A); 1/21/M/35 (Acct. No. 3030001020A); 1/21/M/35 (Acct. No. 3035001020A) (hereinafter "Glenwood Landing") for the tax years 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20, 2020/21 and 2021/22 (the "Glenwood Proceedings"). Glenwood Landing is owned by National Grid Generation LLC ("National Grid") and its output is wholly committed under contract to LIPA under an Amended and Restated Power Supply Agreement dated as of October 10, 2012 (the "PSA"), under which LIPA is responsible for all its costs, including property taxes.

WHEREAS, the steam units at Glenwood Landing were decommissioned and demolished in approximately 2012 and the only remaining generation assets at the site currently consist of two gas turbines of approximately 55 MW each and one gas turbine of approximately 16 MW, and associated parcels; and

WHEREAS, Petitioners filed applications for correction of assessment with ARC and/or commenced proceedings pursuant to RPTL Article 7 seeking

judicial review of the County's assessments for its real property at the E.F. Barrett power plant identified as 031/43/E/2 (Acct. No. 1035031430 and 1035031430A); 031/43/E/2 (Acct. No. 1035031431A); 011/43/E/4 (Acct. No. 1030011100); 031/43/E/12 (Acct. No. 1030031435); 031/43/52/6 (Acct. No. 1030031450); 1/43/52/33 (Acct. No. 1030031445); 031/43/167/14 (Acct. No. 1030031455); 031/43/169/127 (Acct. No. 1030031466); 031/43/170/15 (Acct. No. 1030031470); 031/43/171/15 (Acct. No. 1030031475); 031/43/175/1 (Acct. No. 1030031495); 031/43/176/12 (Acct. No. 1030031500); 031/43/404/11 (Acct. No. 1030031490); 031/43/404/12 (Acct. No. 1030031485); 031/43/404/13 (Acct. No. 1030031480); 031/43/404/13 (Acct. No. 1030031480A); 43/399/204 (Acct. No. 1030011116A); 43/399/204 (Acct. No. 1035011115 and 1035011115A); 43/399/287 (Acct. No. 1030011120); 43/399/288 (Acct. No. 1030011125) (hereinafter "Barrett") that were applied for the tax years 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20, 2020/21 and 2021/22 ("the Barrett Proceedings"). Barrett is owned by National Grid and its output is wholly committed to LIPA under the PSA, and LIPA is responsible for all its costs, including property taxes; and

WHEREAS, Barrett consists of two steam turbine units of approximately 175 MW each, seven combustion turbine units of approximately 18 MW each, and four combustion turbine units of approximately 42 MW each ("Barrett" and, collectively with Glenwood, the "Subject Properties"); and

WHEREAS, LIPA's Glenwood Proceedings and Barrett Proceedings are

collectively identified by Index Numbers 411617/10; 407870/11; 407871/11; 407872/11; 403513/12; 403514/12; 403515/12; 402823/13; 402824/13; 402825/13; 402785/14; 402786/14; 402787/14; 402500/15; 402533/15; 402537/15; 403739/16; 403754/16; 403757/16; 403760/16; 403222/17; 403225/17; 403226/17; 403227/17; 402338/18; 402347/18; 402348/18; 402354/18; 403044/19; 403045/19; 403046/19; 403047/19; 401264/20; 401265/20; 401266/20; 401267/20; 401534/2021; 401535/2021; 401537/2021 and 401538/2021. National Grid has similarly commenced proceedings pursuant to RPTL Article 7 seeking judicial review of the County's assessments for Glenwood Landing and Barrett. These proceedings are identified by Index Numbers 402110/2005; 402123/2005; 402124/2005; 401517/2006; 401596/2006; 408737/2007; 408774/2007; 408790/2007; 408791/2007; 403145/2008; 403158/2008; 403185/2008; 408703/2009; 411616/2010; 411617/2010; 402982/2013; 402983/2013; 402984/2013; 402271/2014; 402341/2014; 402354/2014; 402526/2015; 402527/2015; 402528/2015; 403969/2016; 403970/2016; 403978/2016; 403979/2016; 403111/2017; 403169/2017; 403171/2017; 403172/2017; 403173/2017; 404025/2018; 404026/2018; 404027/2018; 404028/2018; 404029/2018; 403602/2019; 403604/2019; 403608/2019; 403768/2019; 402344/2020; 402345/2020; 402347/2020; 402348/2020; 401938/2021; 401939/2021; 401940/2021; 401944/2021 and 401941/2021 and which have been or will be assigned to LIPA; and

WHEREAS, the Subject Properties are under contract to LIPA which pays all costs associated with the plants, controls how and when they are bid into the New York Independent System Operator ("NYISO") Market"); and LIPA is financially responsible for the electricity generated by the Subject Properties, as denoted in the NYISO Load & Capacity Data Report (Gold Book) as the financially responsible party; and as a result of such control, the Subject Properties are exempt from payment of property taxes under PAL 1020-p(2); and

WHEREAS, the Parties seek to avoid the expense and risk associated with litigating the Barrett Proceedings, the Glenwood Proceedings, and the corresponding proceedings brought by National Grid to challenge the assessments on the Subject Properties for tax years 2009/10 through 2021/22 (the "Proceedings"); and, therefore, the Parties have agreed to dismiss, with prejudice these proceedings, pursuant to the terms and conditions contained herein; and;

WHEREAS, it is the Parties' intention in fully and finally resolving the Proceedings, and permanently eliminating the County's potential refund liability, to gradually reduce the annual payments through the 2026/27 school and 2027 general tax years as provided for in Schedule A, A-1, A-2 and A-3 of stipulated agreement; and

WHEREAS, the Parties acknowledge that any property owned or controlled by LIPA is statutorily entitled to an exempt designation on the assessment rolls by the Assessor, pursuant to Real Property Tax Law §412 and Nassau County Administrative Code § 6-7.0; and

WHEREAS, the County Attorney has caused an investigation and analysis

to be made of the said action and as a result thereof recommends that it be settled based on assessed values as set forth above and referenced in Schedule A, A-1, A-2, and A-3; and now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said actions based on the assessed values with direct assessments that will produce payments to County, towns, school districts and special districts as set forth in and referenced in Schedule A, A-1, A-2, and A-3; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this settlement is a "Type II" Action within the meaning of Section 617.5(c)(29) of 6 N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO.

54 -2022

A RESOLUTION Approving a Memorandum of Agreement and Stipulation of Settlement by and between the County of Nassau and the Nassau County Sheriff's Correction Officers Benevolent Association, Inc. ("COBA"), Local 830 of the Civil Service Employees Association, A.F.S.C.M.E., Local 1000, A.F.L.-C.I.O. ("CSEA"), Detectives Association, Inc., of the Police Department of the County of Nassau, Inc. ("DAI"), the Police Benevolent Association of the Police Department of the County of Nassau, Inc. ("PBA") and the Superior Officers Association of the Police Department of the County of Nassau, Inc. ("SOA").

RESOLVED, that the attached Memorandum of Agreement and Stipulation of Settlement by and between the County of Nassau and the Nassau County Sheriff's Correction Officers Benevolent Association, Inc. ("COBA"), Local 830 of the Civil Service Employees Association, A.F.S.C.M.E., Local 1000, A.F.L.-C.I.O. ("CSEA"), Detectives Association, Inc., of the Police Department of the County of Nassau, Inc. ("DAI"), the Police Benevolent Association of the Police Department of the County of Nassau, Inc. ("PBA") and the Superior Officers Association of the Police Department of the County of Nassau, Inc. ("SOA") is hereby ratified.

PROPOSED RESOLUTION NO. 55- 2022

A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK TO ENACT AND THE GOVERNOR TO APPROVE AN ACT TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW IN RELATION TO ESTABLISHING A DEATH BENEFIT FOR FIRE MARSHALS EMPLOYED BY NASSAU COUNTY

RESOLVED, that the Nassau County Legislature pursuant to Section Two of Article IX of the Constitution of the State of New York, hereby requests the Legislature to enact and the Governor to approve the following bills:

S. 8584

A. 9738

ENACTED: “AN ACT” to amend the retirement and social security law, in relation to establishing a death benefit for fire marshals employed by Nassau County.

PROPOSED RESOLUTION NO. 56 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF PLANDOME IN RELATION TO A PROJECT TO PROCURE SELF-CONTAINED BREATHING APPARATUS BOTTLES AND A NEW DISPATCH STATION FOR THE VILLAGE FIRE DEPARTMENT

WHEREAS, the County of Nassau (the “County”) and the Village of Plandome (the “Village”) are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the Village is interested in undertaking a project to procure self-contained breathing apparatus bottles and a new dispatch station for the Village Fire Department in furtherance of the County Fire Mutual Aid Plan (the “Project”); and

WHEREAS, the County and the Village believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the Village, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a "Type II Action" within the meaning of Part 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 57 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE BALDWIN FIRE DISTRICT IN RELATION TO THE PURCHASE OF PORTABLE INCIDENT COMMAND POSTS.

WHEREAS, the County of Nassau (the “County”) and the Baldwin Fire District (the “District”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into inter-governmental agreements; and

WHEREAS, it is in the best interests of the County and District to enter into an inter-municipal agreement to purchase portable incident command posts that will enable the District to better respond to natural and man-made disasters; and

WHEREAS, the District has agreed to accept funds from the County in furtherance of this purchase; and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize inter-municipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid purchase; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 58 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE EAST MEADOW FIRE DISTRICT IN RELATION TO THE PURCHASE OF EMERGENCY MEDICAL SERVICE EQUIPMENT.

WHEREAS, the County of Nassau (the “County”) and the East Meadow Fire District (the “District”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into inter-governmental agreements; and

WHEREAS, it is in the best interests of the County and District to enter into an inter-municipal agreement to purchase emergency medical service equipment for the District; and

WHEREAS, the District has agreed to accept funds from the County in furtherance of this purchase; and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize inter-municipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid purchase; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 59 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF FARMINGDALE IN RELATION TO A PROJECT TO PROCURE AND INSTALL NEW FLOORING

WHEREAS, the County of Nassau (the “County”) and the Village of Farmingdale (the “Village”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts (“Project”); and

WHEREAS, the Village is interested in undertaking a project to procure gear racks, a washer and dryer, new flooring, OSHA/NFPA approved laundry tracking system and related items for public safety; and

WHEREAS, the County and the Village believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said amended agreement with the Village, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 60 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE PORT
WASHINGTON POLICE DEPARTMENT IN RELATION TO A PROJECT TO
PROCURE A MESSAGE TRAILER

WHEREAS, the County of Nassau (the “County”) and the Port Washington Police Department, a Police District (the “District”), are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the District is interested in undertaking a project to procure a message trailer to collect data for traffic studies and provide important messages to County residents (the “Project”); and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, said Project is a "Type II Action" within the meaning of Part 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
AN INTER-MUNICIPAL AGREEMENT WITH SANITARY DISTRICT #2 IN
RELATION TO A PROJECT TO PROCURE A DUSTLESS SANDBLASTER

WHEREAS, the County of Nassau (the “County”) and the Sanitary District #2 (the “District”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into intergovernmental agreements; and

WHEREAS, the District is interested in undertaking a project to procure dustless sandblaster for the District for County residents (the “Project”); and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 62– 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE LEVITTOWN PUBLIC SCHOOL DISTRICT IN RELATION TO A PROJECT TO UPGRADE AND INSTALL NEW AUDIO AND VIDEO EQUIPMENT AND RELATED ITEMS

WHEREAS, the County of Nassau (the “County”) and the Levittown Public School District (the “District”) are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the District is interested in undertaking a project to upgrade and install new audio and video equipment and related items at Division Avenue High School (the “Project”); and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, said Project is a "Type II Action" within the meaning of Part 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE SOUTH
FARMINGDALE FIRE DISTRICT IN RELATION TO THE PURCHASE OF
EMERGENCY COMMUNICATIONS EQUIPMENT.

WHEREAS, the County of Nassau (the “County”) and the South Farmingdale Fire District (the “District”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into inter-governmental agreements; and

WHEREAS, it is in the best interests of the County and District to enter into an inter-municipal agreement to purchase emergency communications equipment for the District; and

WHEREAS, the District has agreed to accept funds from the County in furtherance of this purchase; and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize inter-municipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid purchase; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 64– 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE NORTH MERRICK UNION FREE SCHOOL DISTRICT IN RELATION TO A PROJECT TO PROCURE AND INSTALL NEW PLAYGROUND EQUIPMENT AT THREE ELEMENTARY SCHOOLS

WHEREAS, the County of Nassau (the “County”) and the North Merrick Union Free School District (the “District”) are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the District is interested in undertaking a project to procure and install new playground equipment at each of the District’s three elementary schools (the “Project”); and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, said Project is a "Type II Action" within the meaning of Part 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 65 – 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE INCORPORATED VILLAGE OF EAST HILLS IN RELATION TO A PROJECT TO RENOVATE AND REHABILITATE A BUILDING ON VILLAGE PROPERTY

WHEREAS, the County of Nassau (the “County”) and the Incorporated Village of East Hills (the “Village”) are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the Village is interested in undertaking a project to renovate and rehabilitate a building on Village property located at 209 Harbor Hill Road, East Hills, which is leased and fully occupied by the County Police Department (the “Project”); and

WHEREAS, the County and the Village believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the Village, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a "Type II Action" within the meaning of Part 617.5(c)(2) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE WOODMERE FIRE
DISTRICT IN RELATION TO THE PURCHASE OF EMERGENCY EQUIPMENT.

WHEREAS, the County of Nassau (the “County”) and the Woodmere Fire District (the “District”) are authorized, pursuant to Article 5-G of the General Municipal Law to enter into inter-governmental agreements; and

WHEREAS, it is in the best interests of the County and District to enter into an inter-municipal agreement to purchase emergency equipment for the District; and

WHEREAS, the District has agreed to accept funds from the County in furtherance of this purchase; and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize inter-municipal cooperation with respect to the mutual covenants set forth in the proposed Agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid purchase; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County said Project is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 67– 2022

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE GLEN COVE
SCHOOL DISTRICT IN RELATION TO A PROJECT TO UPGRADE AND INSTALL
PLAYGROUND EQUIPMENT

WHEREAS, the County of Nassau (the “County”) and the Glen Cove School District (the “District”) are authorized, pursuant to Article 9, Section 1 of the New York State Constitution and Article 5-G of the General Municipal Law, to enter into intergovernmental agreements; and

WHEREAS, it is in the best interests of the County to share resources in the undertaking of municipal projects and other purposes through joint projects or programs with other municipalities and districts; and

WHEREAS, the District is interested in undertaking a project to upgrade and install playground equipment (the “Project”); and

WHEREAS, the County and the District believe it to be in the best interest of the taxpayers of their respective municipalities to authorize intermunicipal cooperation with respect to the mutual covenants set forth in the proposed agreement, on file with the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Nassau County Legislature authorizes the County Executive to execute the said agreement with the District, in relation to the aforesaid Project; and be it further

RESOLVED that pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. section 0101 *et seq.* and its implementing

regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, said Project is a "Type II Action" within the meaning of Part 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

PROPOSED RESOLUTION NO. 68-2022

CONFIRMING THE APPOINTMENT OF RONALD J. ROSENBERG AS A MEMBER
OF THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, New York State Education Law §6306 authorizes the Nassau County Legislature to appoint members to the Nassau Community College Board of Trustees; and

WHEREAS, the term of Trustee John DeGrace ended June 30, 2018; NOW,
THEREFORE BE IT

RESOLVED, the Nassau County Legislature hereby appoints Ronald J. Rosenberg to the Nassau Community College Board of Trustees to replace John DeGrace for a term ending June 30, 2025.

RESOLVED, this Resolution is effective immediately.

PROPOSED RESOLUTION NO. 69 -2022

CONFIRMING THE APPOINTMENT OF WILLIAM P. STRIS AS A MEMBER OF
THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, New York State Education Law §6306 authorizes the Nassau County Legislature to appoint members to the Nassau Community College Board of Trustees; and

WHEREAS, the term of Trustee Edward Powers ended June 30, 2021; NOW,
THEREFORE BE IT

RESOLVED, the Nassau County Legislature hereby appoints William P. Stris to the Nassau Community College Board of Trustees to replace Edward Powers for a term ending June 30, 2028.

RESOLVED, this Resolution is effective immediately.

PROPOSED RESOLUTION NO.

70 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S
APPOINTMENT OF JOHN ARDITO TO THE ASSESSMENT REVIEW
COMMISSION.**

WHEREAS, Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of John Ardito to fill a vacant position as Commissioner on the Assessment Review Commission previously held by Jeremy May, pursuant to section 203 of the Nassau County Charter, section 6-40.1 of the Administrative Code, and section 523-b of the Real Property Tax Law, for a term ending on June 30, 2026; and

WHEREAS, said appointment and the salary of the commissioner are subject to confirmation by this Legislature; now therefore, be it

RESOLVED, the appointment of John Ardito to fill a vacant position as Commissioner on the Assessment Review Commission previously held by Jeremy May, for a term ending on June 30, 2026, and who will receive an annual salary of \$15,000, is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 71 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S
APPOINTMENT OF FLORESTANO GIRARDI TO THE
ASSESSMENT REVIEW COMMISSION.**

WHEREAS, Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Florestano Girardi to fill a holdover position on the Assessment Review Commission currently held by Gregory Carman Jr., pursuant to section 203 of the Nassau County Charter, section 6-40.1 of the Administrative Code, and section 523-b of the Real Property Tax Law, for a term ending on June 30, 2023; and

WHEREAS, said appointment and the salary of the commissioner are subject to confirmation by this Legislature; now therefore, be it

RESOLVED, the appointment of Florestano Girardi to fill a holdover position on the Assessment Review Commission currently held by Gregory Carman Jr., for a term ending on June 30, 2023, and who will receive an annual salary of \$15,000, is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO.

72 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S
APPOINTMENT OF LAURA MONFILETTO TO THE ASSESSMENT
REVIEW COMMISSION.**

WHEREAS, Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Laura Monfiletto to fill a holdover position on the Assessment Review Commission currently held by Frank L. Gatto, pursuant to section 203 of the Nassau County Charter, section 6-40.1 of the Administrative Code, and section 523-b of the Real Property Tax Law, for a term ending on June 30, 2026; and

WHEREAS, said appointment and the salary of the commissioner are subject to confirmation by this Legislature; now therefore, be it

RESOLVED, the appointment of Laura Monfiletto to fill a holdover position on the Assessment Review Commission currently held by Frank L. Gatto, for a term ending on June 30, 2026, and who will receive an annual salary of \$15,000, is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 73 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S
APPOINTMENT OF MARC STONE TO THE ASSESSMENT REVIEW
COMMISSION.**

WHEREAS, Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Marc Stone to fill a holdover position on the Assessment Review Commission currently held by Richard Gutierrez, pursuant to section 203 of the Nassau County Charter, section 6-40.1 of the Administrative Code, and section 523-b of the Real Property Tax Law, for a term ending on June 30, 2024; and

WHEREAS, said appointment and the salary of the commissioner are subject to confirmation by this Legislature; now therefore, be it

RESOLVED, the appointment of Marc Stone to fill a holdover position on the Assessment Review Commission currently held by Richard Gutierrez, for a term ending on June 30, 2024, and who will receive an annual salary of \$15,000, is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO.

74 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S
APPOINTMENT OF ROCCO TOTINO TO THE ASSESSMENT
REVIEW COMMISSION.**

WHEREAS, Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Rocco Totino to fill a holdover position on the Assessment Review Commission currently held by Scott Davis, pursuant to section 203 of the Nassau County Charter, section 6-40.1 of the Administrative Code, and section 523-b of the Real Property Tax Law, for a term ending on June 30, 2025; and

WHEREAS, said appointment and the salary of the commissioner are subject to confirmation by this Legislature; now therefore, be it

RESOLVED, the appointment of Rocco Totino to fill a holdover position on the Assessment Review Commission currently held by Scott Davis, for a term ending on June 30, 2025, and who will receive an annual salary of \$15,000, is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 75 – 2022

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE’S APPOINTMENT OF MURRAY FORMAN TO THE NASSAU COUNTY PLANNING COMMISSION.

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WHEREAS, the Honorable Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Murray Forman to replace Richard Shaper on the Nassau County Planning Commission, pursuant to Sections 203 and 1601 of the Nassau County Charter for a three-year term; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now therefore, be it

RESOLVED, that the appointment by the County Executive of Murray Forman to serve on the Nassau County Planning Commission for a term expiring three years from the date of adoption of this resolution is hereby confirmed; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE’S APPOINTMENT OF REID SAKOWICH TO THE NASSAU COUNTY PLANNING COMMISSION.

WHEREAS, the Honorable Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Reid Sakowich to replace Jerome Blue on the Nassau County Planning Commission, pursuant to Sections 203 and 1601 of the Nassau County Charter, for a three-year term; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now therefore, be it

RESOLVED, that the appointment by the County Executive of Reid Sakowich to serve on the Nassau County Planning Commission for a term expiring three years from the date of adoption of this resolution is hereby confirmed; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO.

77 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S
APPOINTMENT OF WILLIAM P. STRIS TO THE NASSAU
COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO
SECTION 6306 OF THE EDUCATION LAW**

WHEREAS, pursuant to Section 203 and of the Nassau County Charter and Section 6306 of the Education Law, Bruce Blakeman, County Executive has transmitted to this County Legislature written notification of the appointment of William P. Stris to the Nassau Community College Board of Trustees replacing Edward Powers whose previous term ended June 30, 2021, for a term ending June 30, 2028; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now, therefore, be it

RESOLVED, that the appointment by the County Executive of William P. Stris to the Nassau Community College Board of Trustees replacing Edward Powers for a term ending June 30, 2028 is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 78 - 2022

**A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S
APPOINTMENT OF RONALD J. ROSENBERG TO THE NASSAU
COMMUNITY COLLEGE BOARD OF TRUSTEES PURSUANT TO
SECTION 6306 OF THE EDUCATION LAW**

WHEREAS, pursuant to Section 203 and of the Nassau County Charter and Section 6306 of the Education Law, Bruce Blakeman, County Executive has transmitted to this County Legislature written notification of the appointment of Ronald J. Rosenberg to the Nassau Community College Board of Trustees replacing John DeGrace, whose previous term ended June 30, 2018, for a term ending June 30, 2025; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now, therefore, be it

RESOLVED, that the appointment by the County Executive of Ronald J. Rosenberg to the Nassau Community College Board of Trustees replacing John DeGrace for a term ending June 30, 2025 is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

A RESOLUTION CONFIRMING THE COUNTY EXECUTIVE’S APPOINTMENT OF KHANDAN SHARONA KALATY TO THE NASSAU COUNTY PLANNING COMMISSION.

WHEREAS, the Honorable Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Khandan Sharona Kalaty to replace Sean Sallie on the Nassau County Planning Commission, pursuant to Sections 203 and 1601 of the Nassau County Charter, for a three-year term; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now therefore, be it

RESOLVED, that the appointment by the County Executive of Khandan Sharona Kalaty to serve on the Nassau County Planning Commission for a term expiring three years from the date of adoption of this resolution is hereby confirmed; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S APPOINTMENT OF WILLIAM H. ROCKENSIES TO THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, the Honorable Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of William H. Rockensies to the Nassau County Industrial Development Agency replacing Anthony Simon, pursuant to Section 203 of the County Government Law of Nassau County and General Municipal Law Section 922; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now therefore, be it

RESOLVED, that the appointment by the County Executive of William H. Rockensies to the Nassau County Industrial Development Agency is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE’S APPOINTMENT OF REGINALD A. SPINELLO TO THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, the Honorable Bruce Blakeman, County Executive, has transmitted to this Legislature written notification of the appointment of Reginald A. Spinello to the Nassau County Industrial Development Agency replacing Lewis Warren, pursuant to Section 203 of the County Government Law of Nassau County and General Municipal Law Section 922; and

WHEREAS, such appointment is subject to confirmation by this Legislature; now therefore, be it

RESOLVED, that the appointment by the County Executive of Reginald A. Spinello to the Nassau County Industrial Development Agency is hereby confirmed effective immediately; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this appointment is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO.

82– 2022

A RESOLUTION TO ACCEPT A GIFT OFFERED BY THE NASSAU COUNTY POLICE DEPARTMENT FOUNDATION TO THE NASSAU COUNTY POLICE DEPARTMENT.

WHEREAS, the Nassau County Police Department Foundation has presented to the Nassau County Police Department a gift in the form of redevelopment and refurbishment of the Nassau County Safety Town located in Eisenhower Park valued at an approximate amount of \$110,000.00; and

WHEREAS, the said donation will be utilized by the Nassau County Police Department to continue to engage with the local community by providing important traffic and street safety education to children; and

WHEREAS, the Nassau County Police Department deems the acceptance of such a gift to be in the best interest of the County of Nassau; now therefore, be it

RESOLVED, that the said gift is gratefully accepted and the County Executive is hereby authorized to direct the Nassau County Police Department to accept the donation and to use the donation in furtherance of the Department's mission.

PROPOSED RESOLUTION NO.

83– 2022

A RESOLUTION TO ACCEPT A GIFT OFFERED BY THE HICKSVILLE FIRE DISTRICT TO THE NASSAU COUNTY POLICE DEPARTMENT.

WHEREAS, the Hicksville Fire District has presented to the Nassau County Police Department a gift in the form of two ambulances valued collectively at approximately \$5,000.00; and

WHEREAS, the ambulances will be repurposed by the Nassau County Police Department for use by its Emergency Ambulance Bureau; and

WHEREAS, the Nassau County Police Department deems the acceptance of such a gift to be in the best interest of the County of Nassau; now therefore, be it

RESOLVED, that the said gift is gratefully accepted and the County Executive is hereby authorized to direct the Nassau County Police Department to accept the donation and to use the donation in furtherance of the Department's mission.

PROPOSED RESOLUTION NO. 84 – 2022

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022

WHEREAS, the County Executive, by communication dated March 24, 2022 addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2022; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW-22000012 as follows:

BOARD TRANSFER NO. 22000012

FROM:			
	HEGRTA491FSA (21)-AA98Z	Health Department - Grant Fund – Salaries	\$2,140.00
	HEGRTA491FSA (21)-DD498	Health Department – Grant Fund – General Expenses	\$2,910.00
	<u>TOTAL</u>		\$5,050.00
TO:			
	HEGRTA491FSA (21)-AB10F	Health Department - Grant Fund – Fringe Benefits	\$5,050.00
	<u>TOTAL</u>		\$5,050.00

and;

WHEREAS, the said transfer is known as BTCW-22000013 as follows:

BOARD TRANSFER NO. 22000013

<u>FROM:</u>			
	HEGRTHVX5NYS (21)-AB10F	Health Department – Grant Fund – Fringe Benefits	\$3,227.00
	HEGRTHVX5NYS (21)-DD498	Health Department – Grant Fund – General Expenses	\$200.00
	<u>TOTAL</u>		\$3,427.00
<u>TO:</u>			
	HEGRTHVX5NYS(21)-AA97Z	Health Department – Grant Fund – Salaries	\$3,427.00
	<u>TOTAL</u>		\$3,427.00

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of appropriations heretofore made within the budget for the year 2022, as hereinabove set forth; and be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and,

accordingly, is a class of actions which does not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 85– 2022

**A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022**

WHEREAS, the County Executive, by communication dated March 28, 2022 addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2022; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW22000016 as follows:

BOARD TRANSFER NO. BTCW22000016

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	PD-GRT-9791-FED-DD498	Police Department – Grant Fund – General Expense	\$ 200,000.00
	TOTAL		\$ 200,000.00
<u>TO</u>	PD-GRT-9791-FED-DE547	Police Department – Grant Fund – Contractual Services	\$ 200,000.00
	TOTAL		\$ 200,000.00

and;

WHEREAS, the said transfer is known as BTCW22000017 as follows:

BOARD TRANSFER NO. BTCW22000017

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	PD-GRT-9791-FED-LX62C	Police Department – Grant Fund – Transfer to Capital	\$ 347,057.00
	TOTAL		\$ 347,057.00
<u>TO</u>	PD-GRT-9791-FED-DE547	Police Department – Grant Fund – Contractual Services	\$ 347,057.00
	TOTAL		\$ 347,057.00

and;

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of appropriations heretofore made within the budget for the year 2022, as hereinabove set forth; and be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and,

accordingly, is a class of actions which does not have a significant effect on the environment; and
no further review is required.

PROPOSED RESOLUTION NO. 86– 2022

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2022

WHEREAS, the County Executive, by communication dated March 28, 2022 addressed to the County Legislature, has advised that a transfer of appropriations heretofore made has been requested in order to provide funds to meet certain expenditures authorized within the budget for the year 2022; and

WHEREAS, the transfer has been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BTCW22000014 as follows:

BOARD TRANSFER NO. BTCW22000014

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	FB-PDH-1000-AB10F	Police Headquarters – Fringe Benefits	\$ 250,000.00
	BU-GEN-1720-AB10F	Office of Management and Budget – Fringe Benefits	\$ 650,000.00
	TOTAL		\$ 900,000.00
<u>TO</u>	CL-GEN-1100-BB197	County Clerk – Equipment	\$ 200,000.00
	RM-GEN-1000-BB197	Records Management – Equipment	\$ 200,000.00
	PD-PDH-1500-DD497	Police Headquarters – General Expenses	\$ 250,000.00
	PW-GEN-0320-DD497	Public Works – General Expenses	\$ 250,000.00
	TOTAL		\$ 900,000.00

and;

WHEREAS, the said transfers of appropriations are recommended by the County Executive in said communication and are within the scope of Section 307 of the County Government Law of Nassau County; now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfers of

appropriations heretofore made within the budget for the year 2022, as hereinabove set forth; and
be it further

RESOLVED that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this budget transfer is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is a class of actions which does not have a significant effect on the environment; and no further review is required.

PROPOSED RESOLUTION NO. 87 -2022

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS
HERETOFORE MADE WITHIN THE BUDGET YEAR 2022

WHEREAS, §115 of the County Government Law of Nassau County requires that the funds appropriated for the County Legislature in the Annual Budget shall be allocated to the Majority and Minority in the proportion that the Majority members will bear to nineteen (19) and the proportion that the Minority members will bear to nineteen (19) as of the commencement of the fiscal year for which the budget is adopted; and

WHEREAS, this transfer is necessary to comply with the requirements of §115 of the County Government Law of Nassau County; and

WHEREAS, the said transfer is known as BTCW220000003 as follows:

Board Transfer No. 03 (BTCW220000003)

	<u>CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>FROM</u>	LE-GEN-1000-AA98Z	Legislature Minority – Salaries & Wages	320,316
	TOTAL		320,316
<u>TO</u>	LE-GEN-1500-AA97Z	Legislature Majority – Salaries & Wages	320,316
	TOTAL		320,316

now, therefore, be it

RESOLVED, that the County Legislature does hereby authorize the said transfer of appropriations heretofore made within the budget for the year 2022, as hereinabove set forth; and be it further

RESOLVED, that this resolution may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said resolution without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said resolution is passed by the affirmative vote of a majority of said Legislature; and be it further

RESOLVED, it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

PROPOSED LOCAL LAW NO. -2022

A LOCAL LAW TO AMEND SECTION 3-2.3 OF THE NASSAU COUNTY
ADMINISTRATIVE CODE IN RELATION TO THE SPECIAL REVENUE FUND
CREATED PURSUANT TO THIS SECTION.

BE IT ENACTED, by the County Legislature of the County of Nassau, as follows:

Section 1. Section 3-2.3 of the Nassau County Administrative Code, as added by
Local Law No. 12-2020, is amended to read as follows:

§ 3-2.3. Allocation, Deposit, and Authorized Disposition of Moneys in Excess of
the 2021 Adopted Budget.

A special revenue fund is hereby established, to commence concurrently with the
2021 budget, to which all sales tax revenues collected by the County that are in excess of
the adopted 2021 Nassau County budget shall be deposited except as provided herein and
to which any budgeted funds in any budget line that become surplus as a result of the
receipt of federal aid to address the COVID-19 pandemic shall be deposited.

Sales tax revenues received by the County that exceed \$1,023,879,834 shall be
deposited by the County Treasurer in such special revenue fund upon the final closure of
the 2021 fiscal year. Notwithstanding the foregoing, (i) the County shall not transfer any
amounts into such special revenue fund to the extent such funds are required by law to be
applied for other purposes such as part-County sales tax allocations and local government
assistance programs and (ii) sales tax revenues received by the County and used to fund
appropriations for the 2021 fiscal year for any or all the purposes specified in the
succeeding paragraph shall not be deposited into such special revenue fund.

The use of this special revenue fund will be to fully or partially fund tax certiorari
settlements and judgments (including those arising under Real Property Tax Law

(“RPTL”) Article 18), principal and interest payments on debt issued in 2021 or later to pay tax certiorari settlements and judgments (including those arising under RPTL Article 18), claims against the County by the Nassau Health Care Corporation, claims relating to the Fair Labor Standards Act, payment and/or prepayment of non-pension post-employment benefits, longevity payments, other general litigation, to fund expenses due to the loss of budgeted state aid, and to pay for unbudgeted COVID-19 response costs in the event that no federal COVID-19 assistance funds remain available to pay for such costs, and shall be restricted for any other purpose.

§ 2. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the amendment of the Nassau County Administrative Code in relation to a special revenue fund is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which does not have a significant effect on the environment; and no further review is required.

§ 3. This local law shall take effect immediately.

PROPOSED ORDINANCE NO. 27 - 2022

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE AND TO TRANSFER APPROPRIATIONS HERETOFORE MADE WITHIN TO RECONCILE THE COUNTY'S FINANCIAL RECORDS FOR THE BUDGET YEAR OF 2021

WHEREAS, it has been determined that certain transfers are needed to close the fiscal year of 2021; and

WHEREAS, the County Executive, by communication dated April 8, 2022, addressed to the County Legislature, has advised that transfers of appropriations heretofore made and a supplemental appropriation are required; and

WHEREAS, this transfer and supplemental appropriation have been reviewed and approved by the Office of Management and Budget and the Office of the County Executive; and

WHEREAS, the said transfer is known as BT-Year End 2021 as follows:

BOARD TRANSFER- YEAR END 2021

General Fund:

BTCW21000069

	CODE	DESCRIPTION	AMOUNT
FROM	AT GEN 1100 – AA98Z	County Attorney – Salaries, Wages & Fees	\$178,238.93
	AT GEN 1100 – BB198	County Attorney – Equipment	\$3,254.02
	AS GEN 1100 – DD498	Office of Assessment – General Expenses	\$497,245.88
	TOTAL		\$678,738.83
TO	AT GEN 1100 – DD497	County Attorney – General Expenses	\$62,076.58
	AT GEN 1100 – DE547	County Attorney – Contractual Services	\$116,162.35
	AT GEN 1100 – DE547	County Attorney – Contractual Services	\$3,254.02
	AT GEN 1100 – DE547	County Attorney – Contractual Services	\$497,245.88
	TOTAL		\$678,738.83

BTCW21000071

	CODE	DESCRIPTION	AMOUNT
FROM	HS GEN 1500 – AA98Z	Human Services – Salaries, Wages & Fees	72,999.75
	HS GEN 1100 – BB198	Human Services – Equipment	26,172.03
	HS GEN 1601 – DE548	Human Services – Contractual Services	295,951.10
	TOTAL		395,122.88
TO	HS GEN 1502 – DD497	Human Services – General Expenses	395,122.88
	TOTAL		395,122.88

BTCW21000065

	CODE	DESCRIPTION	AMOUNT
FROM	BU GEN 1770 – 87987	Office of Mgt & Budget – Other Suits & Damages	11,105,503.73
	BU GEN 1720 – AB10F	Office of Mgt & Budget – Fringe Benefits	2,919,802.69
	BU GEN 1760 – AB10F	Office of Mgt & Budget – Fringe Benefits	2,100,000.00
	BU GEN 1770 – HF597	Office of Mgt & Budget – Interdepartmental Charges	1,758,773.92
	BU GEN 1100 – AA98Z	Office of Mgt & Budget – Salaries, Wages & Fees	226,707.38
	BU GEN 1000 – AA98Z	Office of Mgt & Budget – Salaries, Wages & Fees	338,334.62
	BU GEN 1720 – AA98Z	Office of Mgt & Budget – Salaries, Wages & Fees	594,553.77
	BU GEN 1740 – 67967	Office of Mgt & Budget – Bar Assoc NC Public Defender	1,021,674.67
	BU GEN 1500 – DE548	Office of Mgt & Budget – Contractual Services	237,201.98
	BU GEN 1000 – DE548	Office of Mgt & Budget – Contractual Services	674,687.49
	BU GEN 1500 – AC97F	Office of Mgt & Budget – Workers Compensation	171,312.71

	BU GEN 1500 – BB198	Office of Mgt & Budget – Equipment	2,500.00
	BU GEN 1770 – NA9NA	Office of Mgt & Budget – NCIFA Expenditures	160,000.00
	BUGEN 1770 – HH598	Office of Mgt & Budget – Interfund Charges	11,863.30
	BU GEN 1500 - 93993	Office of Mgt & Budget – Insurance on Buildings	5,250.00
	BU GEN 1770 – DD498	Office of Mgt & Budget – General Expenses	1,306.89
	BU GEN 1500 – DD498	Office of Mgt & Budget – General Expenses	20,325.00
	BU GEN 1300 – DD498	Office of Mgt & Budget – General Expenses	28,292.00
	AS GEN 1100 – 87987	Office of Assessment – Other Suits & Damages	12,942,761.86
	TOTAL		34,320,852.01
TO	BU GEN 3100 – AA97Z	Office of Mgt & Budget – Salaries, Wages & Fees	8,397,286.00
	BU GEN 1730 – JA600	Office of Mgt & Budget – Reserve for Contingencies	994,366.00
	BU GEN 1800 – L2222	Office of Mgt & Budget – Transfer to Grant Fund	953,517.00
	BU GEN 1800 – L7777	Office of Mgt & Budget – Transfer to Covid Fund	798,426.94
	BU GEN 1730 – GA625	Office of Mgt & Budget – Local Government Assistance	23,177,256.07
	TOTAL		34,320,852.01

BTCW21000064

	CODE	DESCRIPTION	AMOUNT
FROM	CS GEN 1250 – AA98Z	Civil Service – Salaries, Wages & Fees	2,790.90
	TOTAL		2,790.90
TO	CS GEN 1200 – BB197	Civil Service – Equipment	2,790.90
	TOTAL		2,790.90

BTCW21000073

	CODE	DESCRIPTION	AMOUNT
FROM	PB GEN 1310 – DD498	Probation – General Expenses	31,300.87
	TOTAL		31,300.87
TO	PB GEN 1400 – DE547	Probation – Contractual Services	31,300.87
	TOTAL		31,300.87

BTCW21000074

	CODE	DESCRIPTION	AMOUNT
FROM	CC GEN 1320 – DE548	Correctional Center – Contractual Services	149,592.40
	TOTAL		149,592.40
TO	CC GEN 1540 – DF557	Correctional Center – Utility Costs	149,592.40
	TOTAL		149,592.40

BTCW21000076

	CODE	DESCRIPTION	AMOUNT
FROM	EL GEN 2000 – DE548	Board of Elections – Contractual Services	273,703.28
	TOTAL		273,703.28
TO	EL GEN 2000 – BB197	Board of Elections - Equipment	273,703.28
	TOTAL		273,703.28

BTCW21000077

	CODE	DESCRIPTION	AMOUNT
FROM	HE GEN 3100 – BB198	Health Department - Equipment	2,409.10
	TOTAL		2,409.10
TO	HE GEN 3100 – DE547	Health Department – Contractual Services	2,409.10
	TOTAL		2,409.10

BTCW21000066

	CODE	DESCRIPTION	AMOUNT
FROM	PW GEN 1010 – AA98Z	Dept of Public Works – Salaries, Wages & Fees	3,302.02
	TOTAL		3,302.02
TO	PW GEN 1100 – BB197	Dept of Public Works - Equipment	3,302.02
	TOTAL		3,302.02

BTCW21000067

	CODE	DESCRIPTION	AMOUNT
FROM	PW GEN 1050 – AA98Z	Dept of Public Works – Salaries, Wages & Fees	100,000.00
	TOTAL		100,000.00
TO	PW GEN 1100 – DG90E	Dept of Public Works – Various Direct Expenses	100,000.00
	TOTAL		100,000.00

BTCW21000068

	CODE	DESCRIPTION	AMOUNT
FROM	PW GEN 0240 – AA98Z	Dept of Public Works – Salaries, Wages & Fees	1,386,977.58
	TOTAL		1,386,977.58
TO	PW GEN 0152 – DE547	Dept of Public Works – Contractual Services	1,337,204.71
	PW GEN 0150 – DF557	Dept of Public Works – Utility Costs	49,772.87
	TOTAL		1,386,977.58

BTCW21000070

	CODE	DESCRIPTION	AMOUNT
FROM	SS GEN 1000 – HF597	Social Services - Interdepartmental Charges	484,577.00
	TOTAL		484,577.00
TO	PW GEN 0320 – HF597	Dept of Public Works - Interdepartmental Charges	256,061.00
	PW GEN 0644 – HF597	Dept of Public Works - Interdepartmental Charges	228,516.00
	TOTAL		484,577.00

BTCW21000072

	CODE	DESCRIPTION	AMOUNT
FROM	PW GEN 0642 – DD498	Dept of Public Works – General Expenses	11,846.95
	TOTAL		11,846.95
TO	PW GEN 0640 – DE547	Dept of Public Works – Contractual Services	11,846.95
	TOTAL		11,846.95

BTCW21000075

	CODE	DESCRIPTION	AMOUNT
FROM	SS GEN 6100 – SS698	Social Services – Recipient Grants	1,202,641.87
	TOTAL		1,202,641.87
TO	SS GEN 6100 – WW847	Social Services - Emergency Vendor Payments	1,192,076.97
	SS GEN 6300 – WW847	Social Services - Emergency Vendor Payments	10,564.90
	TOTAL		1,202,641.87

BTCW21000078

	CODE	DESCRIPTION	AMOUNT
FROM	EM GEN 1000 – AA98Z	Emergency Management – Salaries, Wages & Fees	115,564.26
	AS GEN 1100 – DD498	Office of Assessment – General Expenses	38,087.25
	TOTAL		153,651.51
TO	EM GEN 1100 – DD497	Emergency Management – General Expenses	153,651.51
	TOTAL		153,651.51

BTCW21000079

	CODE	DESCRIPTION	AMOUNT
FROM	PK GEN 3100 – AA98Z	Dept of Parks & Recreation – Salaries, Wages & Fees	1,385,603.38
	PK GEN 3110 – DD498	Dept of Parks & Recreation – General Expenses	141,944.31
	PK GEN 3210 – DD498	Dept of Parks & Recreation – General Expenses	17,823.81
	TOTAL		1,545,371.50
TO	PK GEN 3410 – DE547	Dept of Parks & Recreation – Contractual Services	1,545,371.50
	TOTAL		1,545,371.50

BTCW21000081

	CODE	DESCRIPTION	AMOUNT
FROM	HI GEN 1400 – HH598	Office of Housing & Develop – Interfund Charges	198,726.35
	TOTAL		198,726.35
TO	HI GEN 1400 – AA97Z	Office of Housing & Develop – Salaries, Wages & Fees	198,726.35
	TOTAL		198,726.35

BTCW21000082

	CODE	DESCRIPTION	AMOUNT
FROM	CA GEN 1100 – DD498	Consumer Affairs – General Expenses	16,260.89
	TOTAL		16,260.89
TO	CA GEN 1400 – AA97Z	Consumer Affairs - Salaries, Wages & Fees	16,260.89
	TOTAL		16,260.89

BTCW21000088

	CODE	DESCRIPTION	AMOUNT
FROM	BU GEN 1770 – HD59F	Office of Mgt & Budget – Debt Service Chargebacks	120,000,000.00
	TOTAL		120,000,000.00
TO	BU GEN 1800 – LF615	Office of Mgt & Budget – Transfer to RCF Fund	30,000,000.00
	BU GEN 1800 – L3333	Office of Mgt & Budget – Transfer to Litigation Fund	70,000,000.00
	BU GEN 1800 – L5555	Office of Mgt & Budget – Transfer to BIF Fund	20,000,000.00
	TOTAL		120,000,000.00

BTCW21000089

	CODE	DESCRIPTION	AMOUNT
FROM	LE GEN 1500 – AA98Z	Legislature – Salaries, Wages & Fees	168,582.69
	LE GEN 1500 – BB198	Legislature – Equipment	6,903.00
	LE GEN 1500 - DD498	Legislature – General Expenses	6,478.77
	TOTAL		181,964.46
TO	LE GEN 1500 – L6666	Legislature –Transfer to EBF Fund	181,964.46
	TOTAL		181,964.46

BTCW21000090

	CODE	DESCRIPTION	AMOUNT
FROM	LE GEN 1000 – AA98Z	Legislature – Salaries, Wages & Fees	121,340.13
	LE GEN 1000 – BB198	Legislature – Equipment	964.00
	LE GEN 1000 - DD498	Legislature – General Expenses	3,638.15
	TOTAL		125,942.28
TO	LE GEN 1000 – L6666	Legislature –Transfer to EBF Fund	125,942.28
	TOTAL		125,942.28

Fire Commission Fund:**BTCW21000084**

	CODE	DESCRIPTION	AMOUNT
FROM	FC FCF 1300 – DE548	Fire Commission – Contractual Services	92,847.00
	FC FCF 1100 – DE548	Fire Commission – Contractual Services	30,783.00
	FC FCF 1200 – AA98Z	Fire Commission – Salaries, Wages & Fees	549,345.78
	FC FCF 1400 - AA98Z	Fire Commission – Salaries, Wages & Fees	242,762.30
	FC FCF 1100 - AA98Z	Fire Commission – Salaries, Wages & Fees	84,233.57
	FC FCF 1500 - AA98Z	Fire Commission – Salaries, Wages & Fees	71,092.56
	FC FCF 1400 – BB198	Fire Commission - Equipment	13,577.57
	FC FCF 1300 – BB198	Fire Commission - Equipment	7,729.83
	FC FCF 1100 – BB198	Fire Commission - Equipment	3,495.49
	FC FCF 1200 – BB198	Fire Commission - Equipment	879.98
	FC FCF 1100 – DD498	Fire Commission – General Expenses	38,541.40
	FC FCF 1400 – DD498	Fire Commission – General Expenses	25,000.00
	FC FCF 1500 – DD498	Fire Commission – General Expenses	22,960.46
	FC FCF 1300 – DD498	Fire Commission – General Expenses	9,695.02
	FC FCF 1200 – DD498	Fire Commission – General Expenses	8,191.51
	FB FCF 1000 – AB10F	Fire Commission – Fringe Benefits	452,669.82
	FC FCF 1100 – HD59F	Fire Commission – Debt Service Chargebacks	161,506.10
	TOTAL		1,815,311.39
TO	FC FCF 1000 – HF597	Fire Commission - Interdepartmental Charges	92,847.00
	FC FCF 1000 – LB611	Fire Commission - Transfer to General Fund	1,722,464.39
	TOTAL		\$1,815,311.39

Police Headquarters Fund:**BTCW21000080**

	CODE	DESCRIPTION	AMOUNT
FROM	FB PDH 1000 – AB10F	Police Department Headquarters – Fringe Benefits	3,538,842.69
	PD PDH 1500 – AA98Z	Police Department Headquarters – Salaries, Wages & Fees	4,275,663.12
	PD PDH 1500 – DF558	Police Department Headquarters – Utility Costs	1,051,702.74
	PD PDH 1500 – DD498	Police Department Headquarters – General Expenses	290,238.63
	PD PDH 1572 – DD498	Police Department Headquarters – General Expenses	126,023.06
	PD PDH 1100 – AC97F	Police Department Headquarters – Workers Compensation	541,591.78
	PD PDH 1000 – HF597	Police Department Headquarters - Interdepartmental Charges	516,997.00
	PD PDH 1484 – BB198	Police Department Headquarters – Equipment	414,059.50
	PD PDH 1153 – HD59F	Police Department Headquarters – Debt Service Chargebacks	10,050,049.05
	TOTAL		\$20,805,167.57
TO	PD PDH 1100 – LB611	Police Department Headquarters – Transfer to General Fund	20,805,167.57
	TOTAL		\$20,805,167.57

Police District Fund:**BTCW21000083**

	CODE	DESCRIPTION	AMOUNT
FROM	PD PDD 2490 – DE548	Police Department District – Contractual Services	26,325.16
	PD PDD 2572 – DE548	Police Department District – Contractual Services	150,000.00
	PD PDD 2500 – DE548	Police Department District – Contractual Services	251,000.00
	PD PDD 2600 – DE548	Police Department District – Contractual Services	36,262.73
	PD PDD 2569 – DE548	Police Department District – Contractual Services	65,000.00
	PD PDD 2554 – DE548	Police Department District – Contractual Services	74,000.00
	PD PDD 2485 – DE548	Police Department District – Contractual Services	\$31,200.08
	TOTAL		\$633,787.97
TO	PD PDD 2485 – AA97Z	Police Department District – Salaries, Wages & Fees	501,881.30
	PD PDD 2568 – DF557	Police Department District – Utility Costs	131,906.67
	TOTAL		\$633,787.97

BTCW21000085

	CODE	DESCRIPTION	AMOUNT
FROM	PD PDD 2485 – DE548	Police Department District – Contractual Services	49,489.92
	PD PDD 2495 – BB198	Police Department District - Equipment	876.61
	PD PDD 2493 - BB198	Police Department District - Equipment	1,450.00
	PD PDD 2492 - BB198	Police Department District - Equipment	2,200.00
	PD PDD 2490 – BB198	Police Department District - Equipment	5,460.00
	PD PDD 2547 – BB198	Police Department District - Equipment	6,000.00
	PD PDD 2498 - BB198	Police Department District - Equipment	6,235.15
	PD PDD 2491 - BB198	Police Department District - Equipment	12,837.00
	PD PDD 2487 – BB198	Police Department District - Equipment	18,250.00
	PD PDD 2568 – BB198	Police Department District - Equipment	19,045.00
	PD PDD 2554 – BB198	Police Department District - Equipment	25,000.00
	PD PDD 2485 – BB198	Police Department District - Equipment	65,701.24
	PD PDD 2400 – BB198	Police Department District - Equipment	103,070.00
	PD PDD 2573 – BB198	Police Department District - Equipment	129,548.61
	PD PDD 2000 - AC97F	Police Department District – Workers Compensation	1,228,814.88
	FB PDD 1000 – AB10F	Police Department District – Fringe Benefits	146,695.57
	TOTAL		\$1,820,673.98
TO	PD PDD 2600 – HF597	Police Department District - Interdepartmental Charges	1,616,807.00
	PD PDD 2569 – DD497	Police Department District – General Expenses	203,866.98
	TOTAL		\$1,820,673.98

Debt Service**BTCW21000086**

	CODE	DESCRIPTION	AMOUNT
FROM	DS DSV 1000 – GG578	Debt Service - Principal	20,643,020.66
	TOTAL		\$20,643,020.66
TO	DS DSV 1000 - 88989	Debt Service – NIFA Set Asides/ Expense of Loans	20,643,020.66
	TOTAL		\$20,643,020.66

COVID Response Fund

BTCW21000087

	CODE	DESCRIPTION	AMOUNT
FROM	ES COV 1000 – AC97F	Covid Response Fund – Workers Compensation	81,609.54
	TOTAL		\$81,609.54
TO	ES COV 1000 – BB197	Covid Response Fund – Equipment	81,609.54
	TOTAL		\$81,609.54

and

WHEREAS, the said transfer of appropriations and supplemental appropriation is recommended by the County Executive in said communication and is within the scope of Section 307 of the County Government Law of Nassau County; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. The County Legislature does also hereby authorize the said transfer of appropriations heretofore made in order to close fiscal year 2021, as hereinabove set forth; and

§2. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BACO21000002

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
\$1,272,500.65	Disputed Assessment Fund – Revenue	DAF	BUDAF8000	LB611	1,272,500.65
	TOTAL:				1,272,500.65

BACO21000001

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
\$362,162,703	General Fund	GEN	BUGEN1800	L8888	362,162,703
	TOTAL:				362,162,703

BACO21000003

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
\$798,427.00	COVID Response Fund	COV	ESCOV1000	AA97Z	735,016.95
		COV	ESCOV1000	BB197	63,410.05
	TOTAL:				798,427.00

BACO21000004

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
\$60,094.14	COVID Response Fund	COV	ESCOV1000	BB197	60,094.14
	TOTAL:				60,094.14

§3. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing

Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§4. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§5. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 23 –2022

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Health Department.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated March 24, 2022, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
58,350	New York State Department of Health	GRT	HE	AA	42,119
		GRT	HE	AB	15,711
		GRT	HE	HH	520

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 24 –2022

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Office of the District Attorney.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated March 24, 2022, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BADA22000001

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
5,551	Federal Forfeiture	GRT	DA	DD	5,551

BADA22000002

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
887,495	Federal Forfeiture	GRT	DA	BB	200,000
		GRT	DA	DD	687,495

BADA22000003

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
146,526	Civil Forfeiture	GRT	DA	DE	146,526

BADA22000004

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
244,556	Civil Forfeiture	GRT	DA	DE	244,556

BADA22000005

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
304,694	Civil Forfeiture	GRT	DA	DE	204,694
		GRT	DA	HH	100,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 25 – 2022

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Office of Management and Budget.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated March 30, 2022, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
1,000,000	American Rescue Plan	ARP	ES	DE	1,000,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section

617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 26 – 2022

AN ORDINANCE supplemental to an appropriation ordinance in connection with the Office of Management and Budget.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated April 8, 2022, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

BABU22000004

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
362,162,703	Excess Sales Tax Revenue	EST	BU	L3	362,162,703

BABU22000005

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
362,162,703	Excess Sales Tax Fund	LIT	BU	87	208,000,000
		LIT	BU	87	84,162,703
		LIT	BU	AA	15,215,587
		LIT	PD	AA	28,217,086
		LIT	PD	AB	6,567,327
		LIT	PD	87	20,000,000

BABU22000006

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
50,000,000	2021 Surplus Funds	LIT	BU	AA	39,031,293
		LIT	BU	AB	10,968,707

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

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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, April 25, 2022
1:23 P.M.

1

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

7

8 LEGISLATOR HOWARD KOPEL

9 Deputy Presiding Officer

10 7th Legislative District

11

12 LEGISLATOR DENISE FORD

13 Alternate Presiding Officer

14 4th Legislative District

15

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

25

1
2 LEGISLATOR DEBRA MULE
3 5th Legislative District
4
5 LEGISLATOR C. WILLIAM GAYLOR III
6 6th Legislative District
7
8 LEGISLATOR JOHN GIUFFRE
9 8th Legislative District
10
11 LEGISLATOR MAZI MELESA PILIP
12 10th Legislative District
13
14 LEGISLATOR DELIA DERIGGI-WHITTON
15 11th Legislative District
16
17 LEGISLATOR JAMES KENNEDY
18 12th Legislative District
19
20 LEGISLATOR THOMAS MCKEVITT
21 13th Legislative District
22
23 LEGISLATOR LAURA SCHAEFER
24 14th Legislative District
25

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2 LEGISLATOR JOHN FERRETTI, JR.

3 15th Legislative District

4

5 LEGISLATOR ANDREW DRUCKER

6 16th Legislative District

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8 LEGISLATOR ROSE WALKER

9 17th Legislative District

10

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 the meeting to order and ask
4 Legislator DeRiggi-Whitton to lead us in the
5 Pledge of Allegiance. Please rise everyone.
6 Thank you very much.

7 Mike could you call the roll
8 please?

9 MR. PULITZER: Thank you
10 Presiding Officer. Roll call. Deputy
11 Presiding Officer Howard Kopel.

12 LEGISLATOR KOPEL: Here.

13 MR. PULITZER: Alternate Deputy
14 Presiding Officer Denise Ford.

15 LEGISLATOR FORD: Here.

16 MR. PULITZER: Legislator Siela
17 Bynoe.

18 LEGISLATOR BYNOE: Here.

19 MR. PULITZER: Legislator Carrie
20 Solages.

21 LEGISLATOR SOLAGES: Here.

22 MR. PULITZER: Legislator Debra
23 Mule.

24 LEGISLATOR MULE: Here.

25 MR. PULITZER: Legislator C.

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2 William Gaylor III.

3 LEGISLATOR GAYLOR: Present.

4 MR. PULITZER: Legislator John

5 Giuffre.

6 LEGISLATOR GIUFFRE: Here.

7 MR. PULITZER: Legislator Mazi

8 Pilip.

9 LEGISLATOR PILIP: Here.

10 MR. PULITZER: Legislator Delia

11 DeRiggi-Whitton.

12 LEGISLATOR DERIGGI-WHITTON:

13 Here.

14 MR. PULITZER: Legislator James

15 Kennedy. We'll come back.

16 Legislator Thomas McKevitt.

17 LEGISLATOR MCKEVITT: Here.

18 MR. PULITZER: Legislator Laura

19 Schaefer.

20 LEGISLATOR SCHAEFER: Here.

21 MR. PULITZER: Legislator John

22 Ferretti.

23 LEGISLATOR FERRETTI: Here.

24 MR. PULITZER: Legislator Arnold

25 Drucker.

1 Full - 4-25-22

2 LEGISLATOR DRUCKER: Here.

3 MR. PULITZER: Legislator Rose
4 Marie Walker.

5 LEGISLATOR WALKER: Here.

6 MR. PULITZER: Legislator Joshua
7 Lafazan.

8 LEGISLATOR LAFAZAN: Here.

9 MR. PULITZER: Legislator Steven
10 Rhoads.

11 LEGISLATOR RHOADS: Present.

12 MR. PULITZER: Minority Leader
13 Kevan Abrahams.

14 LEGISLATOR ABRAHAMS: Here.

15 MR. PULITZER: Presiding Officer
16 Richard Nicolello.

17 LEGISLATOR NICOLELLO: Here.

18 MR. PULITZER: We have a quorum
19 sir.

20 LEGISLATOR NICOLELLO: Thank you
21 very much. As is our custom, our first order
22 of business is going to be our presentations
23 to the top cops. The public comment will
24 follow the presentation to top cops. If you
25 intend to make a comment, please submit a slip

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2 to the clerk's office, to the table in the
3 front, and you will be called when we do call
4 the public portion of the meeting.

5 To start things off with the top
6 cops presentation I'd like to invite the PBA
7 president Tom Shevlin.

8 MR. SHEVLIN: Good afternoon
9 everybody. Thank you for having us. I hope
10 everybody is having a great day.

11 On March 11, 2022 at approximately
12 three p.m. police officer Ryan Patterson of
13 the First Precinct was driving off-duty on
14 Hicksville Road in Massapequa when he observed
15 a two car auto accident. One of the vehicles,
16 a white Ford sedan, immediately ignited and
17 within moments the front end was engulfed in
18 fire.

19 Officer Paterson stopped to render
20 assistance. Upon approaching the burning
21 vehicle he observed that the driver was still
22 inside. Officer Paterson, with complete
23 disregard for his own personal safety and
24 well-being, gained entry to the front driver
25 side door where the occupant was located. He

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2 then engaged the occupant who was conscious
3 but disoriented. It quickly became apparent
4 that the driver was not able to get out of the
5 vehicle on his own.

6 At this time the fire that had
7 engulfed the front was now spreading to the
8 cabin. Officer Paterson knew he had seconds
9 to act before the fire consumed the interior
10 of the vehicle with the driver inside. After
11 multiple attempts he was able to pull the
12 driver from the vehicle and to safety.

13 The driver was treated at the scene
14 by Nassau County Police medics and transported
15 to NUMC for further medical treatment.

16 For his courage, swift action and
17 dedication to serving others, the PBA is proud
18 to honor Ryan Paterson, legislative top cop
19 for April 2022.

20 Before Ryan speaks, I just wanted
21 to point out the fact that this shows
22 everybody that we are police officers 24-7.
23 Ryan is off-duty and pulls over to help
24 another citizen, a community member. He
25 risked his own life even when he's not getting

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2 paid. That's what we're all about. We are
3 police officers and we risk our lives every
4 day on duty and off duty for all of you, our
5 community and our neighbors. Thank you.

6 MR. PATERSON: My family and I
7 would just like to thank you for this
8 prestigious award. For recognizing my actions
9 as well as all my fellow brothers and sisters
10 officers on the job. Thank you.

11 LEGISLATOR NICOLELLO: Legislator
12 Walker.

13 LEGISLATOR WALKER: Officer
14 Paterson, I just want to thank you and
15 congratulate you on doing this and saving one
16 of our residents when, like it was you said,
17 that you were off duty and you saw an
18 emergency situation and that is just what's in
19 your mind. You're a police officer 24 hours a
20 day. We want to say this, that other
21 residents might stop and help too, might not
22 be a police officer, but for you this is just
23 part of what you do day in and day out 365
24 days a year 24 hours a day.

25 And I look at you and to me you're

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2 a very young officer. And I think to have
3 that strength and to have that knowledge of
4 what you should do all the time it's there in
5 your heart and that's what you're going to
6 do.

7 So I thank you so much. You saved
8 this man's life. Sometimes we put things and
9 we say oh no, I was there. I could get him
10 out. But literally, if you did not do that
11 within minutes that car was totally engulfed.
12 If he was able to still get out of that car
13 the disaster that would have been to that
14 man. Thank you so much for doing this, for
15 saving this man's life and we have a citation
16 here for you signed by all of us on the
17 legislature.

18 And again, thank you to all our
19 officers because I know that that's what you
20 are, officers 24 hours a day 365 days a year.
21 God bless you all.

22 MR. SHEVLIN: I just wanted to
23 mention that he's the proud son of our
24 recently retired first vice president of the
25 PBA Peter Paterson.

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2 LEGISLATOR NICOLELLO: Just
3 wanted to add one thing. I think most of us
4 are fearful of fire. In particular in that
5 situation where it's encroaching on you,
6 coming towards you. The fact that you had the
7 courage to insert yourself and to continue to
8 do what you had to do to get him out as the
9 fire came closer and closer is truly
10 astonishing. Wonderful job.

11 Pete, you have to be very proud of
12 your son there. Congratulations guys.

13 What we will do is we will do the
14 presentations for the DAI and SOA next and
15 then we'll call you up for the citation.

16 Superior Officers Association
17 president Rick Frassetti.

18 MR. FRASSETTI: Good afternoon.
19 I'm Ricky Frassetti, president of the Nassau
20 County Police Department Superior Officers
21 Association.

22 Presiding Officer Nicoletto,
23 legislators thank you for taking the time to
24 honor our top cops today. I have to say it's
25 a real fitting day to follow the PBA and

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2 president Shevlin because our incident also
3 involves an off-duty incident.

4 So, as you realize, the SOA does
5 not present every month as we are supervisors
6 and our job is to do just that, supervise.
7 But this month is extraordinary. We are here
8 to honor sergeant Jimmy Lee, a 28-year veteran
9 of the NYPD and Nassau County Police
10 Department.

11 On March 23rd at approximately 2:30
12 in the afternoon Sergeant Lee was off duty
13 walking on the boardwalk in Rockaway Beach,
14 Queens. Sergeant Lee observed a subject
15 firing a gun towards the beach. Sergeant Lee
16 then immediately called 911 giving a detailed
17 description of the subject and what the
18 subject was wearing and his location while
19 continuing to follow the subject at a safe
20 distance and all the while keeping the 911
21 operator updated on the continuance location
22 of the subject.

23 The subject continued to fire
24 numerous times towards the beach.
25 Unfortunately, the police cars passed by and

1 Full - 4-25-22

2 responded to the wrong location. At one point
3 the 911 operator tells Sergeant Lee that she
4 is going to hang up and Sergeant Lee orders
5 her not to hang up and stay on the line with
6 him. Sergeant Lee then directs the operator
7 to have the police cars respond to specific
8 locations so they can surround the subject and
9 trap him in.

10 At this point Sergeant Lee now
11 observes a pedestrian walking on the beach as
12 well as one riding a bike on the boardwalk,
13 and Sergeant Lee then observes the subject
14 firing again. It is then Sergeant Lee
15 realizes that the civilians are in danger and
16 makes the decision to put himself between the
17 civilians and the subject. He then decides he
18 has to take action to make sure these
19 civilians are safe.

20 Sergeant Lee, with his shield out
21 and his gun drawn, yells police, don't move.
22 Just as we are trained to do. The subject
23 then comes towards Sergeant Lee in an
24 aggressive manner. Sergeant Lee then with one
25 hand takes the subject and puts him against

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2 the boardwalk railing trying to control the
3 subject. All the while knowing that the
4 subject has a gun. The subject at one point
5 places his right hand in his pocket and
6 Sergeant Lee was certain that's where the gun
7 was. The subject then pulls out the gun and,
8 thank God, decides to toss it away.

9 The struggle continues and the
10 subject then breaks free and a few moments
11 later the NYPD shows up. And after a brief
12 foot pursuit they place the subject in
13 custody.

14 While that's happening Sergeant Lee
15 picks up the telephone that he was on and
16 tells the 911 operator to make sure that the
17 officers know that the gun was thrown away.
18 That there could be no accidental shooting.
19 To have the mind set to do that is just
20 unbelievable.

21 This whole incident lasted about
22 seven minutes. One minute is an eternity.
23 Seven minutes, I can't imagine what seven
24 minutes is like when you're fighting with
25 somebody, struggling with somebody who has a

1 Full - 4-25-22

2 gun.

3 I want to commend Sergeant Lee for
4 his brave actions while off duty and
5 unbelievable restraint. I spoke to Sergeant
6 Lee numerous times. I asked him how did he
7 restrain from shooting? I've been a police
8 officer a long time. There's no doubt in my
9 mind I probably would have fired my weapon.

10 Unfortunately, in today's day and
11 times, Sergeant Lee's comments to me was he
12 didn't want to be Monday morning quarterbacked
13 or second guessed. Sergeant Lee was in all
14 the rights to shoot this subject when he
15 pulled out that gun and he didn't. And I
16 still cannot believe that he was able to do
17 that. One split second and things could have
18 turned out very different.

19 At half of a -- not even, a tenth
20 of a second the subject could have shot
21 Sergeant Lee and we would have been attending
22 his funeral possibly. It is unbelievable how
23 he did this. And in my mind it's
24 mind-boggling.

25 I'd just like to note that Sergeant

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2 Lee was injured during this struggle but is
3 back to work full duty and Sergeant Lee is
4 also a first responder that spent many days
5 and hours after ground zero.

6 Thank you very much for taking the
7 time.

8 MR. LEE: First, I'd like to just
9 say thank you. Thank you for this prestigious
10 honor for myself in the presence of my
11 family. Thank you to the members of the
12 legislature for presenting me with this
13 honor. I also want to say thank you to God
14 that things worked out the way they did.
15 Thank you again to the SOA, the police
16 commissioner and thank you again.

17 LEGISLATOR NICOLELLO: Legislator
18 Ford then Legislator Solages.

19 LEGISLATOR FORD: Good
20 afternoon. President Frassetto you said it
21 best. It is a very sobering moment and
22 thought about what you went through that day.
23 The fact that you were able to size up a
24 situation with somebody with a gun and to be
25 able to follow yourself through with a phone

1 Full - 4-25-22

2 call to 911, to be able to get the police come
3 back all the while just keeping your eye on
4 this person and to make that split second
5 decision when you saw pedestrians, private
6 citizens, coming your way and to make that
7 choice that you were going to put yourself in
8 harm's way to protect them. It just is
9 really -- there are no words to say. You
10 truly, truly are a hero.

11 Somebody who has lived by I guess
12 this mantra that you knew as a police officer
13 what your duty would be. You are basically
14 that ultimate type of guy I guess. You just
15 underscore the professionalism, the dedication
16 and just so many wonderful attributes and
17 qualities that a police officer actually has.
18 I thank you very much for what you did and how
19 you helped saved people from maybe even
20 themselves losing. I can't even -- I'm just
21 so emotional because I can just only imagine.

22 You're right. I remember one time
23 sitting in something and waiting 30 seconds
24 for something to happen. You get so nervous.
25 So I can't imagine what seven minutes had been

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2 like when you were like in this type of
3 situation. The fact is that you yourself, as
4 well as officer Pete Paterson, did this on
5 your day off. It just goes to show you our
6 officers are always on. There is never a time
7 when you aren't.

8 Presiding Officer Nicoletto said
9 it's something about to take a look at fire
10 and you approach a situation like officer
11 Paterson did. But for you then to know, to
12 see somebody with a gun, not knowing the mind
13 set of that person, what they were going to
14 do, how they would respond to you really is
15 just a testimony to the quality and the type
16 of person that you are. And I thank you very
17 much for all that you do.

18 And yes, let us thank God that it
19 all worked out well. I'm sure that your
20 family is very happy. I can only imagine
21 probably afterwards they probably said to you
22 what, were you crazy? I'm very happy that it
23 all turned out well. I thank you for your
24 service and continue many, many good safe
25 years for you. Thank you very much.

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2 LEGISLATOR NICOLELLO: Legislator
3 Solages. He's on remote.

4 LEGISLATOR SOLAGES: I just want
5 to echo the sentiments by Legislator Ford. I
6 thank them for their bravery. Thank you.

7 LEGISLATOR NICOLELLO: One thing
8 I just took note of is obviously the
9 incredible courage that you showed. But to be
10 able to manage that situation while on the
11 phone with NYPD, while keeping track of the
12 suspect, while restraining yourself and making
13 sure that the civilians weren't harmed it's
14 just extraordinary. Truly heroic act.
15 Congratulations. We're all proud to honor you
16 today Sergeant Lee.

17 LEGISLATOR NICOLELLO: Arnie
18 Drucker. Legislator Drucker.

19 LEGISLATOR DRUCKER: Thank you
20 Presiding Officer. I just want to say one
21 thing. What resonates with me -- obviously
22 the heroism is amazing-- but what resonates
23 with me is your instincts are different than
24 ours. I'd like to think that we're all good
25 persons and we value human life and we do

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2 whatever we can to help people. But your
3 instincts to run into danger without a second
4 thought is what amazes me. I don't think I
5 have that instinct or matter of us have that
6 instinct but you do. And thank God you do
7 because you keep us all safe.

8 Every one of you in law enforcement
9 when you're trained you get these instincts
10 that never leave you. And that resonates with
11 me. I'm so proud and so fortunate on behalf
12 of all of us to have you protect us each and
13 every day. Thank you so much.

14 LEGISLATOR NICOLELLO: Thank you
15 very much. We will have you come up in a
16 couple of moments to take a photograph.

17 MR. LEE: Thank you again.

18 LEGISLATOR NICOLELLO: The one
19 other presentation we have is from the
20 Detectives Association, Inc. we have Mike
21 Maloney from the DAI.

22 MS. MALAHAME: Thank you
23 Presiding Officer Nicolello, Minority Leader
24 Abrahams and the full legislative body for
25 honoring detective lieutenant Bryan Kohlmier,

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2 detective Sean Burns and detective Christopher
3 Smith.

4 On Tuesday, March 15, 2022 at 0920
5 hours detectives Burns and Smith were inside
6 the fourth squad monitoring the police radio
7 while working their cases. At that time the
8 communications bureau dispatched an assignment
9 for an aided case, possible cardiac person not
10 breathing at Grant Park located at 1625
11 Broadway in Hewlett directly adjacent to the
12 Fourth Precinct station house.

13 After hearing the notification of
14 the assignment, detective lieutenant Kohlmier,
15 Burns and Smith quickly gathered medical PPE,
16 and a portable radio and the AED and proceeded
17 to Grant Park on foot.

18 Upon arrival at the scene, the
19 aided, a 73-year old male was lying on his
20 back not breathing with no pulse. Detective
21 Smith began CPR, performing chest compressions
22 on the aided. Detective Burns worked with
23 arriving police officers to apply the AED to
24 the aided. The aided was shocked once on
25 scene while detectives and officers were

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2 performing CPR. Detective lieutenant Kohlmier
3 assisted by interviewing witnesses and
4 gathering information on the circumstances of
5 the aided prior to his collapse. Including
6 obtaining his pedigree and medical history.

7 After the arrival of the police
8 ambulance, detectives assisted patrol with
9 securing the aided to the stretcher and
10 lifting the stretcher into the ambulance. The
11 aided was transported to South Nassau Hospital
12 for further treatment. Upon arrival at the
13 hospital it was determined that the aided
14 regained a normal heart rhythm and was able to
15 breath on his own.

16 Due to their alertness in
17 monitoring the patrol assignments over the
18 police radio and immediate actions, including
19 quickly rendering CPR to the aided, detective
20 Burns, detective Smith, detective lieutenant
21 Kohlmier used their training to save a life
22 and the aided is extremely grateful for their
23 response and I'm happy to say he's doing very
24 well still today. Thank you.

25 R. KOHLMIER: On behalf of myself

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2 and the two detectives with me we'd like to
3 thank you and we appreciate being honored
4 today.

5 MR. BURNS: I really appreciate
6 this award. Thank you very much. It means a
7 lot to myself and my family and I all the best
8 to the individual and his family.

9 MR. SMITH: It's a great honor to
10 be here. So thank you very much. And we had
11 a great outcome and we're pleased to hear that
12 the gentleman is doing just fine. Thank you.

13 LEGISLATOR NICOLELLO: Legislator
14 Gaylor.

15 LEGISLATOR GAYLOR: Thank you
16 Presiding Officer. Wow. There's a man who's
17 alive today that wouldn't be alive without the
18 heroic actions of three of our detectives.
19 There's a family who has a man who's alive is
20 grateful. There's a community in Nassau
21 County grateful knowing that our police
22 officers run to harm's way, run to where they
23 need to be to protect all of us. Situational
24 awareness. Outstanding.

25 To hear the call come in through

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2 the precinct, to grab the gear, to run -- it's
3 no short distance. Got to be a quarter mile,
4 a half mile, whatever it is. To run to the
5 scene. Come upon a man who is for all intents
6 and purposes dead, bring him back to life.
7 That's heroic. So the county owes you a debt
8 of gratitude. We're grateful for your
9 actions.

10 You definitely are, as well as
11 officer Patterson and sergeant Lee, dedicated
12 public servants who put your lives above
13 the -- at risk in order to protect all of
14 ours. So I thank you. Your decisive action
15 saved somebody and we won't forget that. You
16 guys are truly heroes and we won't forget
17 that. Thank you again.

18 LEGISLATOR NICOLELLO: We would
19 like to invite all the honorees to come up for
20 a presentation.

21 We are going to do things a little
22 bit out of out of order now. We will have the
23 public comment in a moment, but first we are
24 going to consider a motion to suspend the
25 rules. Why are we suspending the rules?

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2 Several items were filed within 17 days of the
3 legislature. So, in order to consider those
4 items today we need to suspend the rules of
5 the legislature.

6 The three items in particular are
7 two appointments to Nassau Community College
8 and a home rule message on behalf of the fire
9 marshal. So, I'm going to ask for a motion to
10 suspend the rules. Moved by Legislator
11 Walker. Seconded by Legislator Gaylor. Any
12 debate or discussion on suspending the rules?
13 Hearing none, all in favor signify by saying
14 aye. Those opposed? Carries unanimously.
15 The rules are suspended.

16 Now we will go back to public
17 comment. First slip I have is from Pat Boyle,
18 Coalition of Youth Service agencies.

19 MR. BOYLE: Hi everyone. I have
20 to say it because I'm feeling it. I know you
21 kind of see me coming back up here again and
22 again month after month and you must be saying
23 here he is to whine again about money. The
24 reason why I do it is because I kind of feel
25 that the legislature is an important cog in

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2 the wheel of government in Nassau County, and
3 I really want you to know what's going on.
4 I'm going to try to get younger people to come
5 here. I'm going to try to get other faces to
6 pop up. But we'll worry about that down the
7 road a little bit.

8 Let me give you a little bit of a
9 timeline about ARPA money. We were told in
10 May of 2021 that ARPA money was going to be
11 coming into the county and that it would
12 distributed amongst different persons. We
13 were told, as far as youth service agencies
14 were concerned, that we would receive a
15 request for that funding, and we did, in June
16 of 2021 and that decisions would be made. The
17 request at 20 percent of our contracts. Which
18 for some of us is a very substantial amount of
19 money and we were very happy to be able to get
20 that because our expenses had risen through
21 COVID so high.

22 I can just give you one example of
23 what happened to us was is that we went to a
24 virtual homework assistance program that had
25 other things going on with it. But we saw

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2 what was happening in the schools when they
3 had classrooms of 20 kids and one teacher
4 trying to teach the 20 kids. It was extremely
5 difficult. They really couldn't do it. What
6 we did was we did it individually or with two
7 kids at a time which meant hiring more workers
8 to do it and there was an expense involved.

9 So we were very happy to hear about
10 this ARPA money that was coming down because
11 it was perfect. It was COVID related, it was
12 all there.

13 In the beginning of June the
14 requests were put in. This was supposed to be
15 emergency money. It was supposed to move
16 quickly. But you all know that.

17 After we got it we were supposed to
18 receive the money in September of 2021. We
19 did not receive the money in September of
20 2021. And October went by, November went by
21 and December went by. We kind of knew that
22 that was going to happen with the change of
23 administration. Now we're in a new
24 administration and the time is still ticking
25 and we still haven't seen any of that money.

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2 Now we were told last week by both
3 the executive director of youth services and
4 also by people within county government that
5 all of our youth service agencies had to be
6 vetted first to find out whether or not they
7 should get this money.

8 Now, I know my agency has had a
9 contract with the county for 40 years. I
10 think we're doing what we're supposed to be
11 doing. People have come out to look at it and
12 do that. And the ARPA money that we were
13 going to receive was really kind of replacing
14 any increase that would come out of the
15 budget.

16 I'm sorry about the time. I'll end
17 with it in saying that we really need this
18 money and it's not moving. And the vetting
19 process now to us is just kind of a waste of
20 time. I mean, we're doing what we're supposed
21 to be doing. We've had people come to our
22 agencies and look at our agencies and see that
23 we're doing what we're supposed to be doing.

24 So, if there's anything that you
25 can do to get this ARPA money moving. The

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2 comptroller's office said they'll send it out
3 as soon as they get the opportunity to but
4 they're being told to hold it right now by the
5 administration.

6 We do have a meeting with the
7 deputy county executive for health and human
8 services scheduled for May 3rd. We're hoping
9 that we can get some more clarity there. But
10 I really do think the legislature could push a
11 little.

12 LEGISLATOR NICOLELLO: We have
13 been pushing on this. We have been following
14 up and we're looking for the same answers
15 you're looking for. May 3rd is next week. We
16 will be pushing on our end to get that funding
17 released and get it into your hands as soon as
18 possible.

19 MR. BOYLE: I appreciate that.
20 And I'll let John Giuffre know what goes on
21 with regard to the meeting with the deputy
22 county executive so that he can pass it along
23 to you. Thanks very much. Appreciate it.

24 LEGISLATOR NICOLELLO: Thomas
25 Watson from Wantagh.

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2 MR. WATSON: Hi everyone. I'm
3 Tom Watson from Wantagh, and I'm here to voice
4 my opposition to the Mount Sinai Medical
5 Center coming to the Wantagh Avenue location.
6 A lot of people in Wantagh don't think it's
7 the right location for such a large medical
8 center. I think to date there's about 700
9 people who have signed an online petition
10 against it. I personally think a popular
11 location would be something like the Sunrise
12 Mall, which is closing. That would be the
13 right location for something so large.

14 I'm looking forward to seeing the
15 Nassau County Planning Commission I think is
16 supposed to write a report on this issue. And
17 I think it will be a very important report
18 because such a report was very valuable I'd
19 say about ten years ago when Wantagh was
20 fighting a condo development. So, this Nassau
21 County Planning Commission report is going to
22 be very important to us. So, a lot of people
23 in Wantagh are really looking forward to
24 seeing it. I don't see how the Town of
25 Hempstead could be making any decisions on

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2 this until this report is available.

3 I know that Laura Curran is now on
4 the Mount Sinai board. I would think that
5 somebody could reach out to her and tell her
6 that a lot of people in Wantagh are against
7 this and see if she could nix this from her
8 position on the board.

9 I know this issue of Mount Sinai
10 coming to the Wantagh Avenue location has been
11 bubbling for about five years. So, Laura
12 Curran was on the board when this has been
13 bubbling. So she obviously knows it from two
14 perspectives. She was on this board and now
15 she's on the Mount Sinai board.

16 I know she knows Wantagh. She's
17 been to Wantagh many times and I think she
18 probably knows it's not the right location. I
19 hope she can use her influence on the board
20 also to nix this. So, I'm hoping somebody up
21 here can give her a call.

22 I just want to end at Wantagh is
23 not -- it's incorporated, so we don't have a
24 mayor. So, basically our mayors are you and
25 the Town of Hempstead. So, we do really rely

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2 on the county government and on the Town of
3 Hempstead government to sort of do right by
4 Wantagh and that's what I'm asking. I really
5 appreciate your attention.

6 LEGISLATOR NICOLELLO: Legislator
7 Rhoads.

8 LEGISLATOR RHOADS: Tom, first
9 off, I want to say thanks for coming and
10 discussing the topic here at the legislature.
11 A lot of times we don't get the opportunity to
12 hear about local zoning issues. Certainly not
13 ones of the importance of the Mount Sinai
14 project which has been bubbling since it was
15 South Nassau, their predecessor.

16 I share your concerns and I've
17 voiced those concerns as well. It's a project
18 that while we would love to see a medical
19 facility and there certainly is a need for it,
20 any time you have development like this it has
21 to be done with respect to and in conjunction
22 with the community that surrounds it. It's
23 not that it's a bad project. It's just not a
24 good project at this particular location given
25 the scope and size of it.

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2 So, I want to thank you for coming
3 here regardless of what side of the issue you
4 were on but I would still thank you for coming
5 here and voicing those concerns Tom. But the
6 concerns of the community need to be given
7 voice and I appreciate you coming down here to
8 make sure that happens.

9 MR. WATSON: Because, Legislator
10 Rhoads, I think the more I talk to people
11 about it and explain both sides, I think from
12 a fair perspective, I think I'm a fair person,
13 when people know the facts then they're
14 against it. When you just talk to somebody
15 who doesn't know the facts, yeah, oh, a
16 medical center, wouldn't that be great? But
17 when you explain everything to them and they
18 have all the facts, again, both sides, they
19 usually come out this is not the right thing
20 at that location.

21 LEGISLATOR RHOADS: That
22 location.

23 MR. WATSON: Exactly. Thank
24 you.

25 LEGISLATOR RHOADS: Thank you.

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2 LEGISLATOR NICOLELLO: Thank
3 you. Richard Clolery.

4 MR. CLOLERY: To the members of
5 the legislature, first of all, I would I like
6 to say thank you for helping me get on the
7 NICE bus mailing list. Because of this, I was
8 able to attend the TACB online that they were
9 hosting. For this I am grateful to the
10 legislature even though in the eyes of certain
11 party members I can be a pain in the rear
12 because of the issues that I bring up every
13 month.

14 From what I learned at the meeting
15 the state will theoretically help NIFA making
16 bus service to the state budget process to a
17 certain extent. Along with what whatever you
18 give to NICE.

19 They have also talked about
20 something called the NICE mini bus service
21 which through the app or new one a person can
22 call for a small bus in the areas that have
23 had their bus lines cut and allow them to go
24 to areas where there are bus service.
25 However, right now it's going through an

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2 experimental phase. Not unlike one under
3 Laura Curran -- the service that Laura Curran
4 advertised one day.

5 However, it's being used in an area
6 I don't live in. Which to me is not fair. We
7 as a county right now are dealing with high
8 gas prices. We need to find a way to increase
9 funding for the buses so that other people can
10 go to places where they do need or want to be
11 at.

12 We also need to find a way to
13 increase the number of areas the NICE bus
14 service can operate in. Especially along
15 routes that were cut. Which includes the
16 N-47, N-50 corridor and the N 73, 74 corridor
17 along Jerusalem Avenue north of Hempstead.

18 If you people truly care about the
19 state of Nassau County then please find a way
20 to increase funding for the buses. Thank
21 you. Have a good day.

22 LEGISLATOR NICOLELLO: Thank you
23 Richard.

24 MR. CLOLERY: Any questions?

25 LEGISLATOR NICOLELLO: No. We're

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2 good. I have two other slips, both of which
3 relate to the LIPA settlements. So, unless
4 you, Richard Schurin and Jessica Koenig, have
5 to leave early, I'll wait to call these when
6 we do the settlements. Is that all right with
7 you?

8 We will do the consent calendar.
9 We're going to call the nominations after the
10 consent calendar. The consent calendar is the
11 items that went through committees two weeks
12 ago and the Minority and Majority have agreed
13 that no further debate or discussion is needed
14 at this time on these items.

15 Item 3, Ordinance 23. Four,
16 Ordinance 24. Item five, Ordinance 25. Item
17 six, Ordinance 26. Item seven, Ordinance 27.
18 Item 11, Resolution 55. 12, Resolution 56.
19 13, Resolution 57. 14, Resolution 58. 15,
20 Resolution 59. 16, Resolution 60. 17,
21 Resolution 61. 18, Resolution 62. 19,
22 Resolution 63. 20, Resolution 64. 21,
23 Resolution 65. 22, Resolution 66. 23,
24 Resolution 67. 38, Resolution 82. 39,
25 Resolution 83. 40, Resolution 84. 41,

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2 Resolution 85. 42, Resolution 86. 43,
3 Resolution 87.

4 Those items are moved by Minority
5 Leader Abrahams. Seconded by Legislator
6 Ford. Any debate or discussion? Hearing
7 none, all in favor signify by saying aye.
8 Those opposed? They all carry unanimously.

9 We're going to the nominations
10 portion of the meeting at this point. So,
11 we're going to call items 27, 28, 29 and 30
12 together. These are resolutions to confirm
13 the county executive's appointment of
14 Florestano Girardi to the Assessment Review
15 Commission. Laura Monfiletto to the
16 Assessment Review Commission. Marc Stone to
17 the Assessment Review Commission. And Rocco
18 Totino to the Assessment Review Commission.

19 Moved by Legislator Giuffre.
20 Seconded by Legislator Gaylor. That puts
21 those items before us. I would like to invite
22 up Mr. Girardi, Ms. Monfiletto, Mr. Stone and
23 Mr. Totino.

24 MR. LEMOINE: Chris Lemoine from
25 the administration. Mr. Totino is running a

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2 few minutes behind. He's hoping to get here
3 as soon as possible. Sorry about that.

4 LEGISLATOR NICOLELLO: We will
5 hold him to vote later.

6 MR. LEMOINE: Thank you.

7 MR. GIRARDI: Good afternoon to
8 the county legislature. My name is Flo
9 Girardi. I would like to thank County
10 Executive Blakeman and the legislature for
11 considering me for appointment for the
12 Assessment Review Commission. I was born in
13 Queens. Raised in Oceanside. I'll try to
14 keep it brief.

15 After graduating Oceanside High
16 School I went to work at my father's dry
17 cleaning plant. We had two plants at the
18 time. One in Elmont and one in Queens at
19 Saint Albans. From there, in 1978, I opened a
20 plant in Wantagh. When my father retired back
21 in '84 I took over the plant in Elmont. And
22 at my peak I had a total of, between part time
23 and full time, 60 employees. At that time I
24 started to divest into real estate and over
25 the years I owned various commercial

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2 properties for multifamily, office, industrial
3 and retail establishments.

4 Being a landlord in the landlord
5 business the properties have various assessed
6 value. Various assessed rate of taxes. So I
7 have a little background in property taxes.

8 For the last six years I've been in
9 the Town of Hempstead IDA. I've been a member
10 there. I've been the chairman for the last
11 three years. And, as we all know, granting
12 PILOTs it gives me some experience in tax
13 abatements between sales tax, property tax to
14 various PILOTs that we've granted.

15 Other than that, I've been married
16 for 32 years. I have four children. And if
17 there's any questions, anybody has a question
18 that I can't answer I will be more than happy
19 to bluff.

20 LEGISLATOR NICOLELLO: Any
21 questions for Mr. Girardi? Thank you. Next is
22 Ms. Monfiletto.

23 MS. MONFILETTO: Good afternoon.
24 I'm Laura Monfiletto. Thank you for the
25 opportunity today to the legislature and to

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2 County Executive Blakeman. I grew up in
3 Elmont, New York. I went to Sewanhaka High
4 School where in my senior year my mom, who
5 also works in the guidance office, got a phone
6 call from an alumni and said looking for a
7 young student to come work for our title
8 insurance company as a report typist. My
9 mother said I have just the person for you and
10 I started my senior year in high school typing
11 title reports for a title insurance company.
12 At that point I didn't know what title
13 insurance was. And I worked through my two
14 years at Nassau Community College and wound up
15 working there for another four years.

16 The vice president of the company
17 then decided to open his own company and asked
18 me to go with him. I've been there since. So
19 I have 31 years experience in title
20 insurance. I've learned every aspect of the
21 business starting off as a typist. I learned
22 how to read titles, policies, closings, some
23 estate work. So, I'm very familiar with
24 taxes. Which is a big portion of the title
25 insurance.

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2 I have two children. One son that
3 goes to Kellenberg. He's a freshman. And my
4 daughter is a junior in Oceanside High
5 School. I live in Oceanside. And that's
6 about it. I thank you for the opportunity
7 today. I really appreciate it. You have any
8 questions?

9 LEGISLATOR NICOLELLO: Any
10 questions? We're good. Thank you.
11 Mr. Stone.

12 MR. STONE: Good afternoon. How
13 is everybody? My background, I live now in
14 Merrick. I grew up in Valley Stream. My
15 background is I owned a mortgage banking
16 company for over 20 years out on Long Island.
17 Grew it to have over 200 employees through
18 numerous states, 18 states throughout the
19 country. I'm very, very familiar with the
20 appraisal system dealing with Fannie May and
21 Freddie Mac and also selling loans to the FHA
22 and other governments and other banks such as
23 Chase and Citi.

24 So, the most important thing, aside
25 from the person qualifying, clearly is the

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2 collateral that we take in. Especially with
3 FHA loans where the borrower puts down as
4 little as three and a half percent. So we are
5 very, very critical of appraisals to make sure
6 they're not overblown, overvalued. I think
7 it's very important to recognize that the
8 appraisal process right now, and I'm still in
9 the mortgage banking business, you can have a
10 house -- my own situation, the house to my
11 right was sold for \$700,000. The house to the
12 left was sold for \$975,000. The \$700,00 had
13 no work done. The other one was new. But yet
14 the one to the right was paying over \$8,000
15 more in taxes than the one that was just built
16 out.

17 So, the appraisal issue, the value
18 issue, that's the experience I can bring. As
19 well as I was president of the Empire State
20 Mortgage Bankers Association and dealt with
21 many of the senators up in Albany. As well as
22 what's called the rickets from the New York
23 Department of Financial Services. So, I just
24 think it's time to look into this and see if
25 we can correct what I believe is unfairness.

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2 Any questions?

3 LEGISLATOR NICOLELLO: Okay,
4 thank you Mr. Stone. Thank you. I'll take a
5 motion to table the resolution nominating Mr.
6 Totino at this time. Moved by Legislator
7 Ferretti. Seconded by Legislator Schaefer.
8 All in favor of tabling that nomination
9 signify by saying aye. Those opposed? That's
10 tabled. Any debate or discussion on the three
11 nominees that are before us?

12 LEGISLATOR ABRAHAMS: Thank you.
13 First, I want to thank all three of you for
14 being willing to participate in the process
15 and be here today. I think obviously we're in
16 a time when individuals like yourselves -- I'm
17 talking. I know it's a little crazy when
18 wearing a mask.

19 Whenever we have individuals like
20 yourselves that want to participate in the
21 process that's always welcoming.
22 Unfortunately, our side is not going to be
23 able to affirm your confirmation today. It
24 has nothing to do with you in particular. It
25 has everything to do with the county executive

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2 not presenting to us a reassessment plan. In
3 a utopia, a perfect world, or even close to
4 one, we would like to see a reassessment plan
5 and hear your philosophical beliefs on
6 reassessment and be able to make a better
7 decision. The county executive has not
8 presented us a reassessment plan to date.

9 Also, in the assessor side of
10 things, not where you are with the Assessment
11 Review Commission, Robin Laveman, who's term
12 as acting assessor expired on April 11th. So,
13 it then feeds into the perception,
14 unfortunately the reality, that this
15 administration either has a plan and is not
16 being forthright with it by not presenting it
17 to the legislature or doesn't have a plan at
18 all. I would think that it would be more
19 prudent to be able to have a plan, review the
20 plan, hear from distinguished individuals like
21 yourselves and then be able to see how we want
22 to vote on your particular appointment.

23 To this date, the county executive
24 has not presented any plan. And the fact, as
25 I said before, Ms. Laveman's term as county

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2 assessor, which is on another side but it
3 addresses the issue of assessment, has
4 expired. So, we're concerned about the
5 direction, the transparency and how this
6 particular administration wants to move
7 forward. And from that standpoint, we're not
8 going to be able to support your confirmation.

9 If the county executive was to
10 present a plan to us and we had a chance to
11 review it and sit back and look into your
12 resumes in a little bit greater detail and
13 understand your philosophical beliefs on how
14 you would execute your duties as assessment
15 review commissioners, that's the more prudent
16 way to do it.

17 So I don't want you think that our
18 no vote is -- I'm sorry -- our vote not
19 affirming your confirmation is indicative of
20 you personally. It's more addressing the
21 county executive's lack of issue to address
22 our reassessment plan holistically for the
23 county. But thank you.

24 LEGISLATOR NICOLELLO: Any other
25 debate or discussion? Hearing none, all in

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2 favor signify by saying aye. Those opposed?

3 Passes by a vote of 11 to seven.

4 Congratulations to all three of you. Look

5 forward to your service in the assessment

6 review commission.

7 Legislator Kennedy was here before

8 and then he's no longer participating.

9 Next items are Nassau Community

10 College. These are items 24, 25 and 33 and

11 34. Which actually two separate resolutions

12 for each of these nominees appointing them to

13 Nassau Community College board of trustees.

14 But they are, 24 and 34 are resolutions

15 confirming the appointment of Ronald Rosenberg

16 as a member of the Nassau Community College

17 board of trustees. 25 and 33 are resolutions

18 confirming the appointment of William Stris as

19 a member of the Nassau Community College board

20 of trustees.

21 Motion by Legislator McKeivitt.

22 Seconded by Legislator Pilip. Those

23 nominations are before us. Mr. Rosenberg,

24 Mr. Stris you want to join us at the podium.

25 First of all, you have to tell us

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2 what happened.

3 MR. ROSENBERG: I apologize for
4 the way I look. I just got out of the
5 hospital. I had a bad fall but I'm okay.
6 That's good news to some bad news to others.

7 I'm a lifelong resident of Nassau
8 County. I love Nassau County. Was born
9 here. South Nassau Communities Hospital.
10 Grew up on the north shore. I've had a
11 practice of law for the past 43 years. I
12 brought up three children. I have five
13 grandchildren. I can tell you if I knew the
14 grandchildren were this good I would have had
15 them first. I have paid for three college
16 educations, two law school education. And I'm
17 very involved in community affairs and Nassau
18 County in particular. I am honored that the
19 county executive has bestowed this appointment
20 nomination upon me and I hope to have your
21 approval.

22 LEGISLATOR NICOLELLO: Any
23 questions for Mr. Rosenberg? Legislator
24 Drucker.

25 LEGISLATOR DRUCKER: Thank you

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2 Presiding Officer. Mr. Rosenberg, thank you
3 for coming down today. Your reputation as an
4 attorney precedes you and I'm very impressed.
5 But as a former trustee on the board of
6 trustees of Nassau Community College, that
7 institution holds a special place for me. I
8 have real concerns about its current state of
9 affairs and what's going on there. And just,
10 in fact, over the past three or four days I've
11 received a couple of phone calls, more than a
12 couple, from board members, from
13 administrators, from union people, all
14 decrying a movement there that is afoot to
15 dismantle the entire board and replace them
16 entirely with one that is more politically
17 aligned. And that concerns me a great deal.

18 I have been in touch with the
19 college now for a while trying to come up with
20 initiatives to address the declining
21 enrollment. The problems they have in
22 retention. Their economic difficulties. So,
23 I feel like the college might be sliding
24 backwards now. We have a person in charge, no
25 president right now. It's in a state of

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2 flux. And I'm concerned that members, new
3 members of the board are going to present
4 themselves with an apolitical agenda that's
5 only intent on improving and trying to get
6 this college to survive the obstacles that
7 it's facing right now. That really concerns
8 me.

9 When I was on the board we were on
10 probation with Middle States. We were in
11 jeopardy of losing our accreditation. One of
12 the foremost criticisms that Middle States had
13 of Nassau Community College in those days was
14 political intrusion. Political intrusion was
15 something that disturbed SUNY, it disturbed
16 Middle States and it seems to be permeating
17 the school again and that concerns me a great
18 deal.

19 Number one, I'd like to be assured,
20 Mr. Rosenberg, that you are going in there
21 with the expectation and skill set that is
22 going to allow you to serve in that capacity
23 in an apolitical fashion. Can you assure us
24 of that?

25 MR. ROSENBERG: I can assure

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2 you. And I did leave out in my presentation I
3 represent Five Towns College who had a similar
4 situation with the leadership of Five Towns
5 College and the Middle States' evaluation. I
6 successfully represented them through that
7 evaluation and they got nothing but high
8 approval since then. So, I've been through it
9 once before. I've been through it
10 successfully. And I see no reason why I can't
11 do it again. Whatever I will do I will do it
12 to the best of my ability without
13 partisanship.

14 LEGISLATOR DRUCKER: Are you
15 aware, Mr. Rosenberg, that the strategic plan
16 at the college expired on 12-31-21?

17 MR. ROSENBERG: I was not aware
18 of that.

19 LEGISLATOR DRUCKER: The
20 strategic plan that they had expired. Right
21 now the college is without a strategic plan.
22 I'd like to know what you plan -- how would
23 you advance a strategic plan with the college
24 concerning the problems they have in retention
25 and recruitment, diversity and inclusion? Can

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2 you talk about that a little bit?

3 MR. ROSENBERG: Obviously I'm not
4 prepared to discuss something I have not been
5 briefed on. I have not been appointed. I am
6 not familiar with it. But it's like any other
7 case that I handle, any other matter that I
8 litigate or transaction that I handle. I will
9 get all the relevant information together, get
10 all the right people assembled and I will
11 address the problem like I did as I mentioned
12 before, Five Towns College, and I have no
13 doubt that I will be successful in that
14 endeavor.

15 LEGISLATOR DRUCKER: Do you have
16 any ideas right now on how you want to improve
17 retention and recruitment and diversity?

18 MR. ROSENBERG: I do not have any
19 biases going into it. I have to first get all
20 the facts. I don't act, both in my practice
21 of law and myself personally, I don't act on
22 half knowledge or incomplete knowledge. I
23 first must get a grasp of all the facts and
24 knowledge of the entire situation before I can
25 start to make an assessment of how I think it

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2 should be addressed. Any attempt to do so now
3 would be pure guesswork and I would not do
4 that as a matter of course.

5 LEGISLATOR DRUCKER: Do you
6 believe that politics has no position on the
7 board of trustees?

8 MR. ROSENBERG: Correct.

9 LEGISLATOR DRUCKER: You would
10 not be vulnerable to any political pressures
11 that might be placed upon you?

12 MR. ROSENBERG: Never have in the
13 43 years of practicing law have I allowed
14 politics to affect my judgement. I do the
15 best for my clients. And this time my client
16 will be college and I'll do my best for the
17 college without any partisanship or any
18 influence from outside forces.

19 LEGISLATOR DRUCKER: I like that
20 answer. What do you believe is the most
21 important duty of a trustee?

22 MR. ROSENBERG: To do his best
23 job to promote the college, to improve the
24 college and to get the best education that
25 college can afford to our students.

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2 LEGISLATOR DRUCKER: Okay.

3 That's all I have. Thank you very much
4 Mr. Rosenberg.

5 MR. ROSENBERG: My pleasure.
6 Anyone else?

7 LEGISLATOR NICOLELLO: Any other
8 questions for Mr. Rosenberg? Thank you.
9 Mr. Stris.

10 MR. STRIS: My name is Bill
11 Stris. I spent my public career in teaching.
12 My wife is also a teacher. We're retired. I
13 live in Valley Stream. I have been a board
14 member for 30 years. It's an honor to be a
15 long trustee. I have the honor of shaping the
16 Nassau Community College. I thank you for
17 this.

18 LEGISLATOR NICOLELLO: Any
19 questions? Thank you Mr. Stris. Any
20 questions?

21 LEGISLATOR FORD: Good afternoon
22 and welcome. Thank you very much for wanting
23 to take on this position and Mr. Rosenberg you
24 as well. Just stay sitting because I hope you
25 feel better. Very brave to come from that to

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2 here.

3 I too I do love Nassau Community
4 College. I had the opportunity, along with
5 the presiding officer and some of our other
6 fellow legislators, to take a tour of one
7 element of the school, which is the theater
8 and live production and all that.

9 I have to say that the college is
10 very blessed with a very vibrant and engaged
11 faculty. They understand their needs and are
12 willing to fight for it. They're willing to
13 advocate for it. And they have found partners
14 with many of us here on the legislature. I
15 look forward to working with both of you in
16 looking to see what we can do to help Nassau
17 County to stay in existence and even to
18 thrive.

19 We know that enrollment is down.
20 So, I'm sure if we all put our collective
21 minds together we may come up with some pretty
22 good ideas on maybe changing some things, the
23 way that maybe some of the courses are given.
24 But I just want to make sure that this fine
25 institution continues to be able to provide

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2 good quality education.

3 My daughter and my son both had the
4 opportunity to attend. My son decided to
5 spend four years there only because he needed
6 college credits. He knew he was going into
7 civil service. But he found that the
8 environment and the classes, just everything
9 about Nassau Community College satisfied him.
10 He was very happy there. My daughter spent a
11 year preparing to go away to a private
12 school. It's a great place. I look forward
13 to working with you and to making sure that
14 Nassau Community College will be the premier
15 college throughout the United States. Thank
16 you.

17 LEGISLATOR NICOLELLO: I just
18 want to echo what Legislator Ford just said.
19 We did have a tour about ten days ago.
20 Obviously the college is something that we in
21 the county have been very proud of for many,
22 many years. It offers an education to, a
23 phenomenal education, to so many students who
24 might not get that education otherwise. It is
25 a great competition to these four-year schools

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2 for someone who is interested.

3 But what it was was eye opening in
4 terms of some of the facilities and some of
5 the problematic needs and the faculty needs
6 that exist at the college. So, we're looking
7 to have some new ideas, some energy, some
8 fresh blood in there to hopefully shakes
9 things up a little bit and get us moving in
10 the right direction.

11 My understanding is that recently
12 there was a no-confidence vote by the entire
13 academic senate in a couple of the board
14 members. When you have an unanimous vote
15 there's something wrong there. So we need to
16 really go in there and preserve this school.
17 It's been said in that presentation that we
18 had many times it really is a gem in Nassau's
19 crown and we have to preserve it.

20 MR. STRIS: I'll do my best.

21 LEGISLATOR NICOLELLO: Legislator
22 Rhoads.

23 LEGISLATOR RHOADS: I had the
24 opportunity to participate as part of that
25 tour as well, and I've got to tell you the

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2 passion among the students and the passion
3 among the faculty for that institution is
4 outstanding. I found it interesting that as
5 part of that tour it was the faculty and it
6 was the students. There was not a single
7 member of the administration actually came out
8 to meet our delegation from the legislature
9 and I found that to be very strange.

10 We just heard today that it's an
11 institution without a president. That it's an
12 institution without a strategic plan. It's an
13 institution with declining enrollment. It's
14 an institution with concerns, as voiced by the
15 faculty, with concerns that we may be heading
16 back to a period where its accreditation may
17 be in jeopardy. If members of the legislature
18 are receiving calls from the existing board
19 that they're concerned there might be change
20 it sounds as though there should be change on
21 that board.

22 I'm hoping that both of you will be
23 proactive, passionate advocates for the
24 college that will help to be architects of
25 that change. Because this is an institution

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2 that deserves saving. This is an institution
3 that serves -- that should have at its focus
4 at every turn the students of Nassau County
5 that we serve.

6 I know from both of your
7 presentations, one is an accomplished
8 litigator and board member of Five Towns
9 College and yourself as an educator have that
10 passion. And I do share my colleagues'
11 concerns that politics should never be a part
12 of the running of that institution. And I
13 know that both of you will keep as your focus
14 the success of the institution and the
15 students that we serve and I'm looking forward
16 to working with you.

17 LEGISLATOR NICOLELLO: One slight
18 correction. We did have, before you joined us
19 Legislator Rhoads on the tour, Adrian Carrigan
20 from the administration was there and then
21 later on there was somebody from buildings and
22 grounds.

23 MR. ROSENBERG: I just want to
24 correct the record, I was not a board member
25 of Five Towns College. I was an attorney.

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2 LEGISLATOR RHOADS: Thank you.

3 LEGISLATOR NICOLELLO: Legislator
4 Mule.

5 LEGISLATOR MULE: Thank you
6 Presiding Officer. I certainly echo all of my
7 colleagues' concerns and wishes for the Nassau
8 Community College. This comment really is not
9 towards the candidates. I keep hearing about
10 this tour and I do not believe that anyone
11 from our side was invited to a tour. So, I'd
12 like to put it on the record that if something
13 like this happens in the future that we at
14 least receive an invitation. Thank you.

15 LEGISLATOR NICOLELLO: It was
16 arranged by the faculty. Actually, they
17 invited me and then a couple of legislators
18 joined in. But I would reach out to the
19 president. She would be thrilled to have as
20 many legislators as possible to go on that
21 tour. Whenever you have the time they'll
22 bring you over there and see exactly what we
23 saw.

24 LEGISLATOR MULE: Okay. Thank
25 you. I guess it's just a general comment just

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2 to make sure that we receive invitations that
3 have gone out.

4 LEGISLATOR NICOLELLO: Legislator
5 Drucker you wanted to add something?

6 LEGISLATOR DRUCKER: Just a
7 couple of things Mr. Stris. Thank you for
8 being here too. I'm not going to make you
9 answer all of the tough questions I asked Mr.
10 Rosenberg but I'm hoping that you have similar
11 answers.

12 Just to comment briefly, quickly on
13 Legislator Ford's comment. The college has a
14 tremendous course handbook. The variety of
15 courses that they offer is outstanding. The
16 problem they have is purely economic and they
17 don't have enough faculty. They're scrambling
18 to have faculty members teach these courses.
19 Aside from the declining enrollment and
20 retention problems. So, I'm hoping that you
21 have fresh ideas. As Legislator Rhoads said,
22 we welcome fresh ideas. But it has to be
23 ideas that are geared towards the
24 sustainability of this college.

25 From what I'm hearing, the pathway

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2 that the college is on now does not bode well
3 for its ability to stay open. I'm concerned
4 about that and I hope you appreciate that as
5 well.

6 In your career so far in education
7 you were on the board is that it, in Valley
8 Stream?

9 MR. STRIS: Yes. In Valley
10 Stream.

11 LEGISLATOR DRUCKER: In all of
12 your years in Valley Stream did you feel any
13 sort of political pressure at times?

14 MR. STRIS: Yes.

15 LEGISLATOR DRUCKER: How did you
16 respond to that?

17 MR. STRIS: I did my best. I
18 explained what my position was and I stuck to
19 it.

20 LEGISLATOR DRUCKER: Would you
21 describe what type of political pressure you
22 received?

23 MR. STRIS: People wanted jobs in
24 the school system. So I referred them to the
25 superintendent and that was it.

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2 LEGISLATOR DRUCKER: They tried
3 to use your influence to obtain employment?

4 MR. STRIS: That's right.

5 LEGISLATOR DRUCKER: Do you have
6 any particular ideas on how you think the
7 college should be heading right now?

8 MR. STRIS: No, I don't have any
9 idea. I will listen. I will listen to my
10 fellow trustees and come up with a plan.

11 LEGISLATOR DRUCKER: Thank you.

12 LEGISLATOR NICOLELLO: Legislator
13 DeRiggi-Whitton.

14 LEGISLATOR DERIGGI-WHITTON: Hi.
15 I also want to thank both of you for trying to
16 help with this college that we all do care
17 about. I agree with my colleagues that the
18 number one issue we have has been money. I
19 think you know or you'll find out that there's
20 a formula and the county is supposed to give a
21 certain percentage. And, unfortunately, the
22 county has, up until very recently, has been
23 very strapped financially. Right now we're
24 sort of in good position. So, I think it
25 might behoove you to take a look at that

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2 formula and put pressure on the county to give
3 a little bit more than they have to this point
4 because the money is available. That's my two
5 cents.

6 LEGISLATOR NICOLELLO: Thank you
7 Mr. Stris. Appreciate it. Thank you
8 Mr. Rosenberg.

9 Any further debate or discussion on
10 the two nominations? If not, all in favor
11 signify by saying aye. Those opposed? It
12 passes by a vote of 11 votes in the
13 affirmative and seven abstentions.
14 Congratulations guys.

15 Now, actually, we're going back.
16 My understanding is that Mr. Totino is here.
17 We're going to ask for a motion to untable by
18 Legislator Rhoads. Seconded by Legislator
19 Giuffre. All in favor of untabling that
20 nomination signify by saying aye. Those
21 opposed? So now that's before us. Mr. Totino
22 you want to come up. Be well John.

23 MR. TOTINO: Good afternoon
24 Presiding Officer Nicoletto and members of the
25 county legislature. I just want to first say

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2 I apologize for my tardiness. I appreciate
3 you temporarily tabling this resolution. I
4 had a deposition that went a lot longer than
5 it should have gone.

6 LEGISLATOR NICOLELLO: It wasn't
7 with Mr. Rhoads because I know he's here.

8 MR. TOTINO: That being said, as
9 you are all aware, I have been appointed by
10 our county executive to the Nassau County
11 Assessment Review Commission pending your
12 confirmation. Which I hopefully will get
13 today. Just wanted to come in, introduce
14 myself, give you a little background and
15 answer any questions you may have.

16 First things first. I'm a lifelong
17 Nassau County resident. Originally from Glen
18 Cove, the good city of Glen Cove, where I
19 still currently reside and am a homeowner. I
20 am a trial attorney by trade. I work for
21 Geico staff counsel that also our offices are
22 in Nassau County. I've been a trial attorney
23 for about six years now. On the side I do
24 dabble in land use law and residential
25 closings as well.

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2 In the past couple I've been on the
3 city zoning board for about two years and also
4 became a city councilman for two years shortly
5 thereafter.

6 I'm excited for the opportunity to
7 be helping the county of Nassau with the
8 assessment review commission. I look forward
9 to making a contribution to ARC. That's it.
10 If you have any questions I'll be happy to
11 answer them.

12 LEGISLATOR NICOLELLO: Any
13 questions? Legislator DeRiggi-Whitton.

14 LEGISLATOR DERIGGI-WHITTON: I
15 just want to say that I have had the pleasure
16 of working with Ron Totino. I have complete
17 respect for him. He's a straight-up person.
18 He'll tell you if he agrees with you. He
19 tells you if he doesn't agree with you. You
20 left out that you just got engaged.

21 MR. TOTINO: I did. I apologize
22 for that. I just got engaged.

23 LEGISLATOR DERIGGI-WHITTON:
24 Three weeks ago. But any way, Rocco, this is
25 a challenge but I have faith in you that

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2 you're going to address it and I look forward
3 to working with you.

4 MR. TOTINO: Thank you. Thank
5 you so much. Thank you to everybody on the
6 legislature. I appreciate it.

7 LEGISLATOR NICOLELLO: Any other
8 questions, debate or discussion? Hearing
9 none, all in favor signify by saying aye.
10 Those opposed? It passes by a vote of 12
11 votes in the affirmative and six votes in the
12 negative. So, it's 12 votes in the
13 affirmative, six abstentions and it passes.
14 Congratulations Mr. Totino.

15 Next appointments are to the
16 planning commission. We have items 31, 32.
17 31 and 32 I'll call right now. These are
18 resolutions to confirm the county executive's
19 appointments of Murray Forman and Reid
20 Sakowich to the Nassau County Planning
21 Commission.

22 Moved by Legislator Ferretti.
23 Seconded by Legislator Gaylor. Those two are
24 before us.

25 But in the mean time, so we can

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2 consider all these together, we do have an
3 emergency item, which is 125 of '22. A
4 resolution to confirm the Nassau County
5 executive's appointment of Khandan Sharona
6 Kalaty to the Nassau County Planning
7 Commission. We need a motion to establish an
8 emergency. Moved by Legislator Walker.
9 Seconded by Legislator Ferretti. Any
10 discussion or debate on the emergency?

11 LEGISLATOR ABRAHAMS: We were
12 under the impression before we provide votes
13 for the emergency that someone was going to
14 come up and justify the need for the emergency
15 from the administration.

16 MR. LEMOINE: Chris Lemoine from
17 the administration. The original item as
18 filed had a mistake in it. It referenced that
19 Ms. Kalaty would be replacing Sean Sallie.
20 That was a mistake. Ms. Kalaty is going to be
21 filling an open seat on the planning
22 commission. We apologize for any confusion
23 and thank you for the courtesy.

24 LEGISLATOR NICOLELLO: Chris,
25 currently are there enough members on the

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2 planning commission to have a quorum?

3 MR. LEMOINE: Yes.

4 LEGISLATOR NICOLELLO: Any other
5 debate or discussion? Hearing none for the
6 emergency, all in favor signify by saying
7 aye. Those opposed? The emergency is
8 established.

9 So, I will call the item, 125 of
10 '22. A resolution confirming the county
11 executive's appointment of Khandan Kalaty to
12 the Nassau County Planning Commission.

13 Moved again by Legislator
14 Ferretti. Seconded by Legislator Giuffre. So
15 now all three of those appointments are before
16 us. You want to come up? How are you doing
17 Reid. Who wants to go first?

18 MS. KALATY: Hi. My name is
19 Khandan Kalaty. I would like to first of all
20 thank the county executive and all the
21 legislators for considering me for appointment
22 to the planning board commission.

23 I was born in Iran. I migrated to
24 the United States in 1981. I went to school
25 and I got married and I have, skipping a few

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2 decades, I have three children, four
3 grandchildren. I'm working currently at the
4 board of elections. I also am one of the 15
5 elected members of the UMJCA central board in
6 Great Neck. That's the Persian Jewish
7 community in Great Neck. We have a very stout
8 system. We have a central board and many
9 committees that are conducted underneath. I
10 am very dedicated to community work. We have
11 many meetings and we make a lot of decisions.

12 I'm also a member of the public
13 affairs committee in my community. Which we
14 try to keep a good relationship with all
15 public officials. That's about it. I'm
16 hoping to be able to use my experience and
17 serve the county.

18 LEGISLATOR NICOLELLO: Thank
19 you. Any questions for Ms. Kalaty? No.
20 Thank you.

21 MR. FORMAN: Good afternoon. My
22 name is Murray Forman. Thank you to County
23 Executive Blakeman and to the legislature for
24 considering my appointment this afternoon to
25 the Nassau County Planning Commission. I've

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2 been a resident of Nassau County for the past
3 25 years. My highest degree is a masters of
4 business administration from Columbia
5 University. I'm a lifelong mergers and
6 acquisitions practitioner. Mostly in the area
7 of what you would call today private equity.

8 Currently my area of focus is in
9 health care, real estate, in the operation and
10 ownership primarily of skilled nursing
11 facilities throughout the United States. I am
12 also active in the community having been the
13 long-serving president of the Lawrence Union
14 Free School District for the past 15 years.

15 I look forward to bringing my
16 broad-based business development and community
17 service experience to my post on the Nassau
18 County Planning Commission. I will entertain
19 any questions that you might have.

20 LEGISLATOR NICOLELLO: Legislator
21 Drucker.

22 LEGISLATOR DRUCKER: Thank you
23 Presiding Officer. Hello Mr. Forman. How are
24 you?

25 MR. FORMAN: Fine. Thank you.

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2 LEGISLATOR DRUCKER: Thank you
3 for being here. Couple of questions. I've
4 been given some information. I was given some
5 articles concerning major issues of Medicaid
6 fraud and breach of fiduciary duties brought
7 against you. Specifically a press release
8 from the FBI from 2010. Indicates that the
9 federal government accused you of involvement
10 in a multimillion dollar Medicaid fraud
11 scheme. Is that true?

12 MR. FORMAN: Unfortunately,
13 anybody who's been in the health care business
14 has from time to time been subject to claims
15 that are brought by what is called ketan,
16 which is basically a bounty system where the
17 individual people can bring a cause of
18 action. That specific item that you referred
19 to, if you read the rest of the press release,
20 was settled without the admission of any
21 guilt. So, there's really nothing to say
22 clearly. I deny all claims and it never
23 proceeded.

24 LEGISLATOR DRUCKER: But you
25 agreed to settle the claim by paying \$14

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2 million to settle those charges?

3 MR. FORMAN: That is not
4 correct. I was part of a group that was, as I
5 said, it was subject of what they call a ketan
6 action. And again, if you read the press
7 release in detail again, I personally did not
8 pay one penny towards that settlement.

9 LEGISLATOR DRUCKER: But you were
10 involved in that settlement though?

11 MR. FORMAN: Yes. Similarly, as
12 allegations were made I was involved in the
13 settlement. But, again, I did not pay one
14 penny towards the settlement.

15 LEGISLATOR DRUCKER: But the
16 allegations didn't go further because it was
17 settled?

18 MR. FORMAN: The allegations did
19 not go further because they were unfounded.

20 LEGISLATOR DRUCKER: But yet
21 somebody paid \$14 million to settle those
22 allegations?

23 MR. FORMAN: Somebody did.

24 LEGISLATOR DRUCKER: Do you know
25 who it was that paid \$14 million?

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2 MR. FORMAN: That's confidential.

3 LEGISLATOR DRUCKER: You can't
4 share that with us?

5 MR. FORMAN: Cannot.

6 LEGISLATOR DRUCKER: How many
7 years ago did that happen?

8 MR. FORMAN: That was settled in
9 excess of 12 years ago.

10 LEGISLATOR DRUCKER: That's not a
11 matter of public record who the individuals
12 were?

13 MR. FORMAN: The entities if you
14 read the press release are a matter of public
15 record.

16 LEGISLATOR DRUCKER: That's what
17 I thought.

18 You were also involved in a nursing
19 home problem in which a bankruptcy court
20 findings, they found a diversion of assets, a
21 sham company was created to divert assets to
22 avoid paying \$1 billion in wrongful death
23 judgments. Do you know anything about that?

24 MR. FORMAN: Again, that too was
25 a litigation brought by some very aggressive

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2 plaintiffs attorneys, which unfortunately is
3 also a risk of the nursing home business, and
4 that too was settled without any adverse
5 finding.

6 LEGISLATOR DRUCKER: One man's
7 trash is another man's treasure as they say.
8 But you call it the risk of being in the
9 nursing home or health care business. But
10 you're still obligated to conform yourself to
11 legal activities, correct?

12 MR. FORMAN: That is correct.
13 And as I stand here today I am not implicated
14 in any of the type of activities that you are
15 speaking about.

16 LEGISLATOR DRUCKER: The
17 bankruptcy court findings I think named you in
18 those findings.

19 MR. FORMAN: Again, those were
20 allegations. Those were not findings. Those
21 were not entered into the judgements.

22 LEGISLATOR DRUCKER: Can you talk
23 about the genesis of what those claims or
24 allegations were about?

25 MR. FORMAN: Again, very

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2 aggressive plaintiff attorneys looking for a
3 source of payment for some, again, what I
4 would say were very aggressive claims. And
5 again, there's probably not enough time here
6 today to really go into the whole story.

7 LEGISLATOR DRUCKER:

8 Notwithstanding aggressive litigators, you
9 escaped unscathed?

10 MR. FORMAN: Again, I would say
11 that there were no adverse findings. So that
12 is correct.

13 LEGISLATOR DRUCKER: I have
14 nothing further of this witness.

15 LEGISLATOR NICOLELLO: Anyone
16 have any other questions for Mr. Forman?

17 Okay. Reid.

18 MR. FORMAN: Anything else?

19 LEGISLATOR NICOLELLO: No.

20 You're good for now.

21 MR. FORMAN: Thank you so much.

22 MR. SAKOWICH: Thank you. My
23 name is Reid Sakowich. I am a lifelong
24 resident of the Village of New Hyde Park.
25 I've been a proud graduate of New Hyde Park

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2 public schools starting at New Hyde Park Road
3 School, New Hyde Park High School. I am
4 currently the owner of a plumbing company.
5 I'm a licensed master plumber, Sakowich
6 Plumbing. I'm also a partner in the In It New
7 Hyde Park, a family-run company business that
8 my family owns.

9 Currently I'm the chairman of the
10 fire commission in the New Hyde Park fire
11 district. I am an ex-chief in the New Hyde
12 Park fire district. I am married with two
13 children, a young lady and my son. I look
14 forward to serving Nassau County and in trying
15 to get them to proceed in a great direction.

16 LEGISLATOR NICOLELLO: Thank
17 you. Before I open it up to questions, I've
18 known Reid for probably 30 years or longer. I
19 actually knew his father as well before him.
20 Both Reid and his two brothers, one of whom
21 was a New York City fire fighter and the other
22 whom also served as commissioner and their
23 father having been active in serving our
24 community for not just decades, we're talking
25 50, 60, 70 years that they've been giving back

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2 to the community. You would be an excellent
3 addition to serving the county.

4 Any other questions or discussion?
5 Thank you Reid. We're good. Any debate or
6 discussion before we vote?

7 LEGISLATOR ABRAHAMS: I just want
8 to further expound on my colleague Legislator
9 Drucker's points in regards to Mr. Forman. It
10 sounds like Mr. Forman gave some clarity in
11 terms of the issue at hand but I really would
12 want to hear, and I would respectfully request
13 that that appointment be tabled, I really want
14 to hear from the administration as to whether
15 or not they were concerned or even aware of
16 some of the stuff that occurred some 12 years
17 ago and were they comfortable with those
18 responses. It seems like a very large issue.

19 I understand Mr. Forman had
20 indicated that he didn't pay anything towards
21 the \$14 million. But obviously he was cited
22 and there's some concerns here with the FBI.
23 I would think I would want to hear from the
24 administration to get a little bit more
25 clarity. I'm just concerned we don't start to

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2 set a precedent that we're just going to look
3 past this kind of stuff without hearing from
4 the administration when we hear something on
5 the floor that references Medicaid fraud.

6 Which I understand in that
7 business, as Mr. Forman indicated, a lot of
8 people are investigated in regard to that.
9 But it just seems like the county has a
10 history of stuff like this happening. And it
11 has happened in previous administrations. It
12 just seems logical to me that rather than just
13 rushing to pass it through, it just seems
14 logical that we at least hear from the
15 administration to make sure that they're
16 still -- I would like to know if they're
17 aware. We discovered it by doing a Google
18 search because we didn't get a chance to
19 interview Mr. Forman. But I just want to make
20 sure that they're aware.

21 So, either someone come up or we
22 table it or we discuss it another time. But
23 to me it just seems a little imprudent to move
24 forward after hearing what we just heard and
25 to find out that they still want to be able to

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2 move forward.

3 LEGISLATOR NICOLELLO: There's
4 members of the administration here, they're
5 upstairs. Nobody has approached us and said
6 we're withdrawing this nomination. So that's
7 really not an issue. If you want to make a
8 motion to table you can ahead and do so. You
9 need a second.

10 LEGISLATOR ABRAHAMS: I don't
11 know if Chris Lemoine is still in the back.
12 I'm not too sure if he -- he may not be able
13 to comment on it. I don't know if he's able
14 to comment on what we just heard. I would
15 like to start with whether or not the
16 administration was aware. If the
17 administration was aware then we can go there
18 and maybe he can't comment on that part. But
19 I would at least like to know, Chris, if you
20 don't mind coming up. He may say he doesn't
21 know, which is fine. That's okay.

22 LEGISLATOR NICOLELLO: Chris, why
23 don't you come to the microphone and tell us
24 whether or not the administration is
25 withdrawing this nomination?

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2 MR. LEMOINE: Presiding officer.

3 MR. LEMOINE: We are not
4 withdrawing the item. You heard from
5 Mr. Forman. He explained the factors around
6 the matters that were brought up. So, at this
7 time we're not withdrawing it.

8 LEGISLATOR ABRAHAMS: We just
9 want this to be clear, you were aware before
10 it was presented to us today of the concerns
11 of Mr. Forman?

12 MR. LEMOINE: I was not aware.

13 LEGISLATOR ABRAHAMS: Not you
14 particularly but the administration.

15 MR. LEMOINE: The administration
16 obviously has the background on Mr. Forman and
17 was more than happy to present him for the
18 nomination today.

19 LEGISLATOR ABRAHAMS:
20 Understand. No further questions. We don't
21 need to table.

22 LEGISLATOR NICOLELLO: We are
23 going to have a vote on the three
24 nominations. All in favor of these three
25 nominations signify by saying aye. Those

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2 opposed? Passes by a vote of 11 to seven.

3 They pass.

4 Last two nominations we have today
5 are items 36 and 37. Resolutions 80 and 81.
6 These are resolutions to confirm the county
7 executive's appointment of William Rockensies
8 and Reginald Spinello to the Nassau County
9 Industrial Development Agency.

10 Moved by Legislator Ford. Seconded
11 by Legislator Walker. Those two nominations
12 are before us. Come on up.

13 MR. ROCKENSIES: Good afternoon
14 everyone. I'm Bill Rockensies. Thank you for
15 inviting me here today for a confirmation.
16 Thank you to Bruce Blakeman for nominating me
17 I believe you have my resume but I'll just
18 give a brief synopsis.

19 I'm a civil engineer. I graduated
20 from Manhattan College. I have a license to
21 practice engineering in the state of
22 New York. Formally 30 years of service in
23 municipal government working for the Village
24 of Freeport, Town of Hempstead as their
25 engineer for the town. I was a commissioner

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2 of engineering.

3 In those roles I did a lot of,
4 obviously, project design. But also involved
5 in site plan reviews both residential and
6 commercial. Subdivision work. So I'm very
7 familiar with zoning and planning and that
8 sort of thing.

9 Currently I work for a private
10 engineering firm on Long Island, H2M. Been
11 there over five years. I feel that my
12 background could help the board. My
13 services.

14 I am a lifelong resident of Nassau
15 County. I live in West Hempstead with my
16 wife. I raised my kids in West Hempstead.
17 Two of them have owned houses in Nassau
18 County.

19 If anybody has any questions I'm
20 here. I look forward to hopefully serving in
21 this roll.

22 LEGISLATOR NICOLELLO: Any
23 questions for Mr. Rockensies? All right.

24 MR. SPINELLO: Good afternoon.
25 I'm Reggie Spinello. I want to thank the

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2 county executive for the nomination and the
3 opportunity to speak here in front of all of
4 you. I was a councilman for two years in Glen
5 Cove. I was also the mayor for four years for
6 the City of Glen Cove. Also during that time
7 I was the chair of the IDA, the CDA and the
8 local economic development corp.

9 One of the things that we did that
10 was really tremendous for the City of Glen
11 Cove we had a revitalization. It was a
12 property that was many years in the making.
13 We revitalized 56 acres on the waterfront. It
14 was a billion dollar public-private
15 partnership with RXR. It created about 1,000
16 jobs. About \$58 million in salaries. And
17 because of the jobs and everything going
18 forward with it and overtime it will -- had
19 \$50 million more dollars of spending into the
20 local economy.

21 We set it up, it was interesting,
22 it was called a PIF, which is a pilot
23 incremental financing. The city was
24 responsible for the infrastructure. There was
25 a bond floated for that. The city was able

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2 to, during the sale of the property, we
3 collected \$15 million for the sale of the
4 property. Which paid off the HUD loan to the
5 county. We had \$10 million in fees that
6 helped us to turn a \$5 million deficit in the
7 City of Glen Cove into a surplus when I left.

8 Additionally, we were able to
9 revitalize the downtown. We put together a
10 mixed use project in the middle of downtown.
11 146 rental units. And I think it's about
12 5,000 square feet of retail. So, I'm familiar
13 with IDAs and how they work.

14 I look forward to the opportunity
15 to serve the county. I think it's a very
16 important thing. I think IDAs are very
17 important. I think sometimes they're
18 misunderstood. But I also think it's
19 important that they be transparent and explain
20 how they're doing everything. With things
21 going on in New York and people leaving, I
22 think it's important that IDA take a role in
23 actually maintaining residents here, bringing
24 new ones in and creating job opportunities so
25 that we can keep people here.

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2 If you have any questions.

3 LEGISLATOR NICOLELLO: Thank you
4 Reggie. Legislator Ferretti.

5 LEGISLATOR FERRETTI: Thank you
6 Presiding Officer. Good afternoon gentlemen.
7 Thank you and congratulations. I served on
8 the Town of Hempstead IDA for a couple of
9 years before I was a legislator. One of the
10 things we did in the Town of Hempstead IDA was
11 we put in place a policy that required any
12 PILOT proposal that notification go out to the
13 elected representatives, the local elected
14 representatives in that municipality. While I
15 don't believe that policy has been implemented
16 in the county IDA, I do recall when the
17 appointments to the IDA were made a couple of
18 years back that I did ask that nevertheless
19 even though it's not a policy that that be
20 done.

21 I'm asking for myself, that I
22 specifically be notified of any IDA PILOT
23 proposal in the 15th Legislative District.
24 But I'm sure my colleagues would agree that
25 they would want to be notified as well. That

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2 has happened. I have been notified any time.
3 Would you agree to ensure that we are notified
4 of any PILOT proposal prior to it being voted
5 on?

6 MR. SPINELLO: Yes. In Glen Cove
7 we did that actually. This was a tax
8 deviation. So we had to present it to each
9 affected tax jurisdiction. We came and
10 presented to the county also. And rather than
11 just a straight PILOT where the IDA would
12 approve it, because it was a tax deviation we
13 needed the approval of each of the four taxing
14 districts. We needed the city, the school,
15 the county and the library. And we sent the
16 information to all of them. It was a very
17 complicated deal. And all of them had their
18 attorneys look at it and eventually all of
19 them approved it.

20 LEGISLATOR FERRETTI: I
21 understand that there's legal requirements to
22 notify the taxing municipality. I'm saying
23 specifically to me. I want an email being
24 alerted that there's a proposed PILOT in the
25 15th Legislative District. Fair enough?

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2 MR. SPINELLO: Fine. Absolutely.

3 LEGISLATOR FERRETTI: Thank you.

4 LEGISLATOR DERIGGI-WHITTON: I
5 think that goes for all of us. We're all very
6 concerned about PILOTs and recently so.

7 LEGISLATOR WALKER: Did anyone
8 else have anything? Steve.

9 LEGISLATOR RHOADS: Mayor, first
10 of all, thank you for agreeing to take on this
11 responsibility. And actually from both of the
12 nominees. What do you view as being the
13 proper function of the IDA?

14 MR. ROCKENSIES: I would say to
15 help with the economic growth of the county.
16 To help bring in businesses. Help keep
17 businesses. I think it's important, I think
18 small businesses need IDAs to help them where
19 ever possible. I think it's to help the
20 economic growth of the county.

21 LEGISLATOR RHOADS: Mr.
22 Spinello?

23 MR. SPINELLO: As I had mentioned
24 some of my thoughts, I also believe it's
25 important that the IDAs, depending on the

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2 project, we need also affordable housing.
3 With some of these IDA projects, like the one
4 at the waterfront, there's about a ten percent
5 component for affordable they call it
6 workforce housing. But you have to make sure
7 that housing is 120 or 100 to 120 percent of
8 AMI. You want it to be where other people can
9 get there. So it should go from like 60
10 percent up to 80 percent. Get those kind of
11 people involved in it.

12 The project downtown there were so
13 many people. Ten percent of it was lottery
14 and some of those apartments down there are 60
15 to 80 percent. Which is much more really
16 helping somebody out. Because if you take
17 100, 120 percent of AMI it's like a regular
18 worker making 70, 80, \$90,000 a year. So that
19 really doesn't benefit the people that need
20 it. That's a component and I think it's
21 important.

22 LEGISLATOR RHOADS: Thank you. I
23 appreciate it. With respect to -- what would
24 be your I guess basis of evaluating a
25 particular project? What's your philosophy on

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2 that? In other words, what are you looking
3 for in your evaluation of specific projects?
4 What's your thought process?

5 MR. SPINELLO: You need to have
6 some community benefit. It's got to benefit
7 the community in certain ways. Obviously
8 you'll take a piece of property -- like with
9 the waterfront. There were no taxes for 30
10 years on that property. So, new revenue
11 stream. More revenue. And you hope -- and
12 some of these projects that IDAs do
13 unfortunately a lot of them are rental units
14 and then when the numbers go to everyone it
15 doesn't look that good because the number of
16 jobs created, how many jobs have you created
17 in a rental unit? You have four or five
18 workers. That's it.

19 So, I think you have to look at
20 everything as whole and you have to see what
21 the needs of the community are. Especially
22 downtowns. If we're going to maintain people
23 we need feet on the ground in downtowns.
24 Downtowns need people walking around at
25 night. City of Glen Cove unfortunately we're

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2 probably closed at five o'clock. You don't
3 want a nine to five downtown. Those kind of
4 things that can keep people around and
5 spending money in the local economy I think
6 that's important for an IDA.

7 LEGISLATOR RHOADS: I appreciate
8 it. Thank you for your insights.

9 LEGISLATOR NICOLELLO: Thank
10 you. Any other questions?

11 LEGISLATOR SCHAEFER: I don't
12 have a question just a comment. I've gotten
13 to know both of you over the years. I know
14 Bill. In my other life as an attorney I've
15 dealt with you at the Town of Hempstead in
16 land use issues. I'm just very happy to see
17 you both here for this today. It gives me a
18 lot of confidence moving forward with the IDA.

19 LEGISLATOR NICOLELLO: Legislator
20 Drucker.

21 LEGISLATOR DRUCKER: Thank you
22 Presiding Officer. Mr. Spinello, I just have
23 one question for you. This is just to
24 piggyback a little bit on what Legislator
25 Rhoads had elicited from you about how your

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2 philosophy is that these PILOTs should benefit
3 the community at large.

4 In my district Amazon built this
5 tremendous last mile destination facility.
6 I'm sure you've seen them now. They're
7 cropping up all over Long Island and heard
8 about them. Although this was a blighted area
9 and it was not on the tax rolls for 40 years
10 or more, so I certainly welcomed a development
11 project that conformed to the zoning there and
12 provided a tax -- put them on the tax rolls.
13 But they applied for a PILOT. And I
14 vehemently opposed it because if there was any
15 other company in the world that is less in
16 need of a PILOT it's Amazon. But yet,
17 nonetheless, they got one. I'd like to know
18 how you feel about something like that that
19 would come across your desk as a member of
20 IDA.

21 MR. SPINELLO: I think that the
22 way they evaluate these projects for the IDA
23 is it may not be the size of the company and
24 what they have, it's the amount of investment
25 they want to make in that piece of property

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2 and the return that they're going to get from
3 it. If it's feasible for them with those
4 particular numbers. And that's why they do
5 the studies. They do the economic impact
6 studies to see if that's the case.

7 LEGISLATOR DRUCKER: In this
8 particular case I think Amazon was playing a
9 little bit of a game of poker with the
10 community saying that if they didn't get the
11 tax PILOT they were going to withdraw from the
12 project. This particular property was perfect
13 for them. It was a vast swap of land. The
14 project did not require any major excavation.
15 It was a two-story building. It didn't
16 require a lot of disturbance of the ground, of
17 the soil. Which certainly that was concerning
18 to the residents. And we had the Department
19 of New York State DEC on premises every single
20 day making sure that they did comply with the
21 regulations.

22 So, they built it according to
23 specs, according to zoning, but why in God's
24 name did they need a PILOT? This was not a
25 major investment on their part. It was a

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2 two-story structure that required minimal
3 excavation. And their allegation that if they
4 didn't get the PILOT they're going to build it
5 elsewhere. I said well, good luck. Go find
6 another property like this one. They didn't.
7 But they didn't have to go look.

8 I just would like to know your
9 comments. You mentioned the investment has to
10 be commensurate with the return. Well, I
11 don't think the investment was commensurate
12 with the return of a PILOT here. I wonder
13 about your thoughts on that.

14 MR. SPINELLO: I mean, I can't
15 answer. I mean, people like PILOTs and people
16 don't like PILOTs and that's very
17 understandable. Because the measuring stick
18 is, the measuring stick should be the amount
19 of taxes that the property is generating
20 versus, okay, future taxes. But there's the
21 but-for theory. That but for the incentive
22 they wouldn't get their return on investment.

23 So, I understand what you're saying
24 and sometimes companies are greedy and that's
25 where IDAs have to make decisions and say no.

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2 But PILOTs don't lower taxes.

3 PILOTs slow the rate of growth for a PILOT.

4 But a PILOT never takes what the taxes are and
5 lowers them. The theory is that they grow at
6 a slower rate over time so that whoever's
7 project they get to absorb and make the money
8 back.

9 LEGISLATOR DRUCKER: But the
10 reduction in taxes at the early stages that a
11 PILOT offers that gap is made up by the
12 taxpayers, the residents, and there better be
13 a return of investment there for the
14 community. There better be a clawback if they
15 don't comply with what you're talking about.
16 The IDA puts these specifications on community
17 improvements or benefits to the community.
18 Well, you know what? I don't believe you can
19 ever paint it with a broad brush and say I
20 either like PILOTs or I don't like PILOTs.
21 Every PILOT should be evaluated on its own
22 merits. But I just wanted to know your
23 philosophy in following up with Legislator
24 Rhoads if you had a philosophy vis-a-vis a
25 company like Amazon?

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2 MR. SPINELLO: Amazon hasn't come
3 to Glen Cove and I doubt they will. Every
4 project, like you said, has to be looked at on
5 its own merits and see what type of benefit it
6 is for their community. I don't think you can
7 paint it with a broad brush. I don't think
8 there's one set formula that works for
9 everyone.

10 LEGISLATOR DRUCKER: Thank you
11 very much.

12 LEGISLATOR NICOLELLO: Legislator
13 Rhoads.

14 LEGISLATOR RHOADS: Just again,
15 one additional question. Obviously in Nassau
16 County and county projects we have prioritized
17 the use of union labor. What's your view on
18 either requiring or strongly encouraging the
19 use of union labor with respect to these
20 projects?

21 MR. SPINELLO: I mean, as far as
22 what we did in the city was, the public
23 amenities, which were the city's
24 responsibility that we bonded for, that was
25 union. That had to be union. When it came to

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2 the private piece of it that became between
3 the union and RXR.

4 LEGISLATOR FORD: But it doesn't
5 guarantee that union labor will be used on
6 these projects and I think I understand what
7 Legislator Rhoads -- I didn't mean to take
8 over from you Steve.

9 MR. SPINELLO: I mean, I think
10 union labor should be used on things. But in
11 our particular case there was a whole field
12 and those are the things that sort of get
13 negotiated. That could be negotiated in the
14 beginning. We had that as the participation
15 plan. We also had 20 percent local hiring for
16 the project. We had things like that that all
17 went into it.

18 LEGISLATOR FORD: But when you
19 look at the issue of PILOTs, and I agree with
20 you, every PILOT should be looked at
21 independently and evaluated on its own basis
22 as to what the project is and what the
23 investment is and what it will bring back to
24 the community. But I think that my concern,
25 and it may be shared by some of my fellow

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2 members up here, that when you look at PILOTs,
3 even though you're claiming that it doesn't
4 take away from the taxes, it does stop the
5 growth of taxes on that property because --

6 MR. SPINELLO: It slows the
7 growth.

8 LEGISLATOR FORD: It slows it
9 down. It could be 20 years, 15 years.

10 So, when you look at that that is
11 something any increases will be borne by the
12 tax paying base. Because as increases --
13 their increases will stay flat. It can
14 fluctuate even higher for residents. I think
15 sometimes when we look at the fact that a
16 developer is going to get a benefit in the
17 form of a PILOT that we look at perhaps maybe
18 they should advocate toward either a project
19 labor agreement utilizing union labor because
20 in almost all the cases those union members
21 will be local residents.

22 So, that investment would be that
23 they will then be hiring and bringing in
24 people who actually live in the community or
25 close to that community and that they will

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2 spend their money within that community.

3 So, when you go to nonunion without
4 having an apprenticeship program that is
5 required in place the developers then can
6 bring people from out of state. That's where
7 we lose even more so.

8 That is I think why -- and I'm
9 sorry for jumping on your question, I'll give
10 it back to you -- but that is why I say that
11 the IDA has to seriously look at and petition
12 New York State to start changing this and
13 require a certain percentage. If an IDA -- if
14 somebody's getting a PILOT payment of a
15 certain percentage of the project it must be
16 mandated that they either sign a PLA or
17 utilize all union labor so we can be assured
18 that the local people are working it.

19 MR. SPINELLO: We had an
20 apprenticeship also. And minority business.

21 LEGISLATOR RHOADS: Legislator
22 Ford, you certainly covered the topic and the
23 rational for the question. So I appreciate
24 that. Thank you.

25 LEGISLATOR NICOLELLO: Thank

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2 you. Any other questions? Any debate or
3 discussion? Thank you both. Reggie, Bill.
4 All in favor signify by saying aye. Those
5 opposed? Passes again by a vote of 11 in the
6 affirmative and seven negative.

7 Those are all the appointments that
8 we have. The next item we have is item 10
9 Resolution 54. A resolution approving a
10 memorandum of agreement and stipulation of
11 settlement by and between the county and the
12 Nassau County Sheriff's Correction Officers
13 Benevolent Association, Local 830 of the Civil
14 Service Employee Association, the Detectives
15 Association, Inc. and the Superior Officers
16 Association of the county of Nassau.

17 Motion by Legislator Schaefer.
18 Seconded by Legislator Walker. That's before
19 us. Peter.

20 MR. BEE: Good afternoon members
21 of the legislature. My name is Peter Bee and
22 I am a principal in the law firm of Bee, Ready
23 Fishbein, Hatter and Donovan. With me today
24 is my law partner Bill DeWitt. We had
25 previously spoken to several of your

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2 committees on this topic but for the benefit
3 of those of you who may have missed the
4 legislative presentation we were asked to
5 assist the county in resolving what has been
6 referred to as the longevity dispute. A
7 long-standing dispute between the county and
8 its several unions. Five of them
9 specifically.

10 By way of background, each of the
11 county's union collective bargaining
12 agreements calls for compensation to be paid
13 in a number of different categories not just
14 base pay. There is base pay. There are
15 provisions for night shift differential.
16 Holiday pay. A variety of different
17 categories.

18 Back in 2011 you will recall that
19 NIFA imposed a wage freeze and that freeze
20 covered essentially all categories of pay. In
21 2014 that freeze was lifted with respect to
22 most categories of pay as a result of
23 agreements between the unions and the county,
24 which were approved by NIFA. That wage freeze
25 lasted right through 2014 when those

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2 agreements were executed with the county and
3 approved by NIFA.

4 However, those agreements left
5 longevity frozen and, therefore, the county
6 continued to pay longevity at the frozen
7 dollar amounts which were then in place in
8 2014 and which had been frozen since 2011.
9 That longevity pay basically provided for a
10 certain amount of money to be paid based on
11 years of service with the county.

12 When the 2014 agreements expired in
13 2017 the unions took the position that
14 longevity was fully restored and no longer
15 frozen. The county took the contrary position
16 and, as such, since 2018, longevity has
17 remained at those frozen rates and the topic
18 was put into litigation. The matter was
19 litigated through the courts with the ultimate
20 disposition that the courts directed that the
21 resolution be the result of binding
22 arbitration. Preparations were made fairly
23 recently to go into binding arbitration.

24 However, prior to the arbitration
25 taking place, the current county executive

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2 suggested the possibility that the parties
3 attempt to mediate the dispute and that was
4 done with the assistance of a retired New York
5 State Supreme Court judge, Justice George
6 Silver. The results of those mediations was
7 that the parties did reach an agreement. The
8 mediation was successful and the outcome of
9 that mediation is before you today.

10 It provides, in short, that
11 employees will get only one half of the
12 additional monies retroactive to January of
13 '18 that they would have gotten had the
14 unions won the arbitration. And only 72.22
15 percent of the frozen longevity formula going
16 forward starting in January of '22.

17 It further provides for a ceiling
18 or cap of 32 years of service for the
19 accumulation of additional years of service
20 towards longevity pay. While the retroactive
21 portion of the settlement reflected a 50-50
22 risk assessment of going into arbitration, the
23 going forward portion of the settlement is a
24 prospective structural change significantly
25 reducing the longevity formula that were in

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2 effect previously.

3 If any member of the legislature
4 has any questions we'd be happy to answer
5 whatever we can.

6 LEGISLATOR NICOLELLO: Just
7 wanted to confirm what you just said. The
8 matter's been referred to binding
9 arbitration?

10 MR. BEE: Yes, sir.

11 LEGISLATOR NICOLELLO: Once it
12 goes to binding arbitration there's no
13 appeals, no court that's going to intervene.
14 Essentially what the arbitrator rules is going
15 to be what the county will be stuck with?

16 MR. BEE: That is essentially
17 correct.

18 LEGISLATOR NICOLELLO: Over the
19 years the county's history of binding
20 arbitration has not been good.

21 MR. BEE: Well, there are of
22 course two kinds of arbitration. There's both
23 interest arbitration and grievance
24 arbitration. This was ordered into grievance
25 arbitration. An arbitrator is not bound by

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2 traditional rules of evidence. He is not
3 bound by many of the rules of law that would
4 apply in a court. And, therefore, there is a
5 risk that an arbitrator would reach a result
6 that you or I might feel was not the proper
7 remedy based on the documents before us.
8 Notwithstanding a potentially erroneous
9 result, the courts are very unlikely to
10 overturn it in the absence of irrationality.

11 LEGISLATOR NICOLELLO: Any other
12 questions for Mr. Bee? Thank you Peter.

13 MR. BEE: Thank you very much for
14 your time and attention. Appreciate it.

15 LEGISLATOR NICOLELLO: Like to
16 ask Maurice to come up for a moment.

17 MR. CHALMERS: Maurice Chalmers,
18 Office of Legislative Budget Review.

19 LEGISLATOR NICOLELLO: You took a
20 look at the longevity deal?

21 MR. CHALMERS: Yes, we did. We
22 came up with a number that is pretty close to
23 their number. Our estimation was about 106.7
24 million versus their number.

25 LEGISLATOR NICOLELLO: Did you

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2 also take a look at the possible exposure if
3 this matter is not resolved?

4 MR. CHALMERS: We were asked
5 about that this morning and we looked at it.
6 If this was resolved not in the county's favor
7 we would lose that 50 percent discount that
8 we're getting on the retro, the 72.2 cap going
9 forward and the 30 year cap that this deal is
10 offering. By doing that, the cost would be an
11 additional \$81.1 million we estimate.

12 LEGISLATOR NICOLELLO: I noticed
13 in your report that you had indicated that
14 Mr. Dellaverson had been negotiating contracts
15 for the county but was not involved in this
16 settlement, correct?

17 MR. CHALMERS: That's correct.

18 LEGISLATOR NICOLELLO: Do you
19 know how much Mr. Dellaverson has been paid to
20 date?

21 MR. CHALMERS: I believe it was
22 \$925,000.

23 LEGISLATOR NICOLELLO: So,
24 Mr. Dellaverson's fees as of now paid by NIFA
25 with Nassau County taxpayer money is almost a

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2 million dollars?

3 MR. CHALMERS: That is correct.

4 LEGISLATOR NICOLELLO: He's

5 continuing to be paid \$25,000 a month?

6 MR. CHALMERS: That is correct.

7 LEGISLATOR NICOLELLO: So,

8 here's, I mean, it's not for you really, but I
9 believe NIFA needs an oversight board. This
10 is a no-bid contract. They appointed him.
11 There's little oversight and we're going to be
12 seeking copies of the hours and time sheets
13 that he's put in for almost a million
14 dollars. They make almost all their decisions
15 in executive session. They come out and it's
16 a pro forma vote. There's no public comment.
17 I mean, it's astonishing that a governmental
18 body in the state of New York can get away
19 with this. But they do. I'll get off my soap
20 box.

21 Any other questions for
22 Mr. Chalmers? Any other debate or discussion
23 on the longevity payment settlement? If not,
24 all in favor signify by saying aye. Those
25 opposed? It carries unanimously.

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2 We move to item number nine which
3 is the settlement with LIPA. It's a
4 resolution authorizing the county attorney to
5 compromise and settle the claims of petitioner
6 Long Island Lighting Company doing business as
7 LIPA and the county of Nassau pursuant to the
8 county law, the county government law and the
9 Nassau County administrative code.

10 Is anyone here from the
11 administration on this? Motion by Legislator
12 Ferretti. Seconded by Legislator Schaefer.
13 So, it's before us. Mr. Vincelette.

14 MR. VINCELETTE: Good afternoon.
15 I'm Dan Vincelette. I am trial counsel to
16 Nassau County for the Long Island Power
17 Authority tax certiorari proceedings.
18 Previously we provided a summary to the
19 legislature on April 11th that highlighted the
20 litigation that's before the court and the
21 proposed settlement.

22 To recap, a trial is scheduled
23 before Judge DeStefano in Nassau County
24 Supreme Court on May 30th. Appraisal reports
25 have been filed, exchanged by the experts of

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2 the representative parties. Both respective
3 experts have valued the Barrett and Glenwood
4 Landing plants significantly below the
5 indicated market values for the years at
6 issue, which are 2015 through 2019.

7 If this were to proceed to trial,
8 the indicated reductions for the plants are in
9 the range of about 70 to 80 percent over that
10 course of years. So it would be a very, very,
11 very significant refund to the county in
12 hundreds of millions of dollars. Seven
13 hundred, \$800 million.

14 In addition to the refunds which
15 would be paid with interest and cost, the tax
16 revenue from those properties would be
17 significantly reduced based upon a reduced
18 assessment found by the court.

19 What is before you is a settlement
20 that has been negotiated that basically
21 sets -- well, first and foremost, it waives
22 refunds from the county to Long Island Power
23 Authority and National Grid. It sets a
24 payment plan, a guaranteed payment plan over a
25 course of six years that is about 46 percent

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2 of the current tax payments. Provides a glide
3 path to the affected school districts. And it
4 also provides for an extension. The power
5 service agreement is supposed to terminate in
6 2028. If that agreement is extended then the
7 settlement it would be extended as well. The
8 payments would remain the same even if assets
9 were to be retired or removed.

10 That is the settlement that is
11 before this legislature. If you wish me to
12 recap further or answer any questions that are
13 before us glad to entertain.

14 LEGISLATOR NICOLELLO: Just to
15 highlight a couple of points you just said.
16 Assuming that the exposure includes the 2005,
17 2006, 2007, 2008 cases the possible exposure
18 to the county is in the range of 750 million
19 to \$800 million?

20 MR. VINCELETTE: That is correct.

21 LEGISLATOR NICOLELLO: We have
22 indication from the office of budget review
23 that if it was in that range the debt service
24 for the county would approximately be \$100
25 million a year?

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2 MR. VINCELETTE: Yes.

3 LEGISLATOR NICOLELLO: You
4 indicate the glide path and that after five
5 year LIPA will be paying 53.5 percent of what
6 it's paying now?

7 MR. VINCELETTE: That is correct.

8 LEGISLATOR NICOLELLO: In terms
9 of the glide path, the first year, in terms of
10 percentages what will LIPA be paying?

11 MR. VINCELETTE: I don't
12 believe --

13 LEGISLATOR NICOLELLO: Just an
14 approximate number.

15 MR. VINCELETTE: I have it in
16 millions. I believe the first year's payment
17 I believe is \$42 million from the current --
18 that can't be right.

19 LEGISLATOR NICOLELLO: I guess in
20 general terms the percentage will be higher
21 and it will stop, over the course of five
22 years will go down to the 53.5 percent?

23 MR. VINCELETTE: Right.

24 LEGISLATOR NICOLELLO: With
25 respect to the appraisals that have been

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2 submitted to date in terms of E.F. Barrett,
3 what was LIPA's proposal in their appraisal?
4 What would the reduction be for Barrett?

5 MR. VINCELETTE: E.F. Barrett has
6 an indicated market value for the years at
7 issue between \$578 million and \$503 million.
8 LIPA's appraisal report came in 2015 at \$371.2
9 million and in the last year, 2019, at \$27.8.
10 A significant reduction.

11 The county's appraisal for those
12 years in the earliest year, 2015, came in at
13 \$299 million. Which is approximately \$70
14 million less than LIPA's appraisal report. In
15 the final year the county's report came in at
16 \$93.5 million. Which while higher than LIPA's
17 is still significantly lower than the \$500
18 million.

19 LEGISLATOR NICOLELLO: Generally
20 the court will be deciding between those two
21 appraisals?

22 MR. VINCELETTE: That is correct.

23 LEGISLATOR NICOLELLO: And with
24 respect to at least Glenwood Landing the
25 county's appraisal is even lower than LIPA's?

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2 MR. VINCELETTE: Yes, it is.

3 LEGISLATOR NICOLELLO: If the
4 county goes to trial on this action and loses
5 there's no glide path, correct?

6 MR. VINCELETTE: There is no
7 glide path. What will happen is the
8 reductions refunds will occur. Refunds will
9 be ordered with interest and then the
10 assessment will be set at the lower number.

11 LEGISLATOR NICOLELLO: That will
12 be immediate? We're not talking about five
13 years from now?

14 MR. VINCELETTE: That is
15 correct. It will be immediate.

16 LEGISLATOR NICOLELLO: Those
17 percentage reductions are substantially
18 higher, greater reductions than under this
19 glide path?

20 MR. VINCELETTE: Correct.

21 LEGISLATOR NICOLELLO: And there
22 are no other appraisals out there? The court
23 is simply going to be considering between one
24 or the other appraisal that's substantially
25 worse than this deal is negotiated?

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2 MR. VINCELETTE: The court is
3 limited to the two appraisal reports that have
4 been filed and exchanged.

5 LEGISLATOR NICOLELLO: In other
6 words, the school districts are going to be
7 hit with these tremendous reductions
8 immediately?

9 MR. VINCELETTE: Correct.

10 LEGISLATOR NICOLELLO: Any other
11 questions for Mr. Vincelette? Legislator
12 DeRiggi-Whitton.

13 LEGISLATOR DERIGGI-WHITTON:
14 Thank you Presiding Officer. Look, I just
15 have in my mind this has been going on for ten
16 years in my district. LIPA. LIPA has also --
17 their revenue has gone up tremendously in the
18 last ten years. My district, as well as
19 Island Park, has suffered environmental losses
20 that we don't even know yet. LIPA has a
21 hold-harmless letter saying they're not going
22 to be responsible for any environmental
23 cleanup in my district. I can't understand
24 how that's even imaginable knowing just little
25 things that I know. Including the fact that

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2 right near LIPA was supposedly one of the
3 biggest fishing spots because the water was so
4 hot. Who knows what type of radioactive or
5 whatever type of materials caused the water to
6 be so hot in that area? It drew all the fish
7 there. So we have no idea what the
8 environmental impact is.

9 I just have a couple of things that
10 are still bothering me. Look, if the school
11 districts are doing okay I'm happy about
12 that. I'm concerned about the residents.

13 Number one, LIPA is a utility. We
14 have two separate assessment categories for
15 utilities, correct?

16 MR. VINCELETTE: Yes.

17 LEGISLATOR DERIGGI-WHITTON:

18 Number three and number four. So, when one of
19 those members of those groups is reduced, like
20 LIPA is, which we can get into that whole
21 story because I don't know how they're being
22 reduced just because they found a way to use
23 less space basically to do their business.
24 But that's another whole problem.

25 How is it that the homeowners are

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2 being affected with what I'm hearing is going
3 to be almost \$200 a month, believe it or not,
4 within the five years of an increase in school
5 taxes? How is it that homeowners who are not
6 those three or four class how are they getting
7 hit with this increase?

8 MR. VINCELETTE: We don't have
9 exact figures but what we have shared in the
10 past is that LIPA does have separate
11 agreements with the two school districts with
12 respect to direct payments. The thought is
13 that the payments that are paid to North Shore
14 and to Island Park school districts will help
15 soften the blow if you will.

16 No one knows what the tax levy for
17 the school districts is going to be or what
18 the rates are going to be. So we have to
19 project that. But based on those estimates it
20 does get absorbed across the four classes.
21 Plus with the direct payments coming from LIPA
22 that should help to soften the blow if you
23 will.

24 LEGISLATOR DERIGGI-WHITTON: I
25 had a problem with that from day one because

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2 Northport got \$14 million I believe, which is
3 tremendous. I forget. Got to be four times
4 what North Shore. And I apologize I don't
5 know exactly how many more it is for Island
6 Park? But we can go through this again like
7 during committees. Island Park is getting hit
8 even harder in my opinion because not only is
9 their average income for the area much less
10 but they're also getting hit percentage-wise
11 probably more than North Shore. And they're
12 still producing a lot of energy from there.

13 I don't understand how LIPA is
14 getting this tax break. I understand that
15 there seems to be this risk that everyone is
16 concerned about and it's because they knocked
17 down a building. I get it. They knocked down
18 a building. But they're still producing the
19 same amount of energy. They're still making
20 the same profit. They're still a monopoly.
21 We have no place to go other than LIPA. I can
22 go on.

23 I think it's hurting my
24 constituents not only with the school district
25 because what happens in year six? God knows

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2 what's going to happen in year six when
3 there's no more benefit from the settlement.
4 We're going to get clocked as the most
5 professional word I can think of without
6 saying a bad word.

7 So, the other thing that I'm
8 concerned about I know they wanted to settle
9 this for a while. It's one of the reasons --
10 I understand it's part of the reason we have
11 oversight from the state. I get it. We have
12 to get rid of this burden of this lawsuit. I
13 understand that. However, when the prior
14 administration tried to do this we were told
15 that we couldn't do a PILOT with the North
16 Shore anyway because LIPA does not own the
17 property. They still don't own the property.
18 National Grid owns the property. There's no
19 doubt. There's never been a question.

20 So, in the presentation that was
21 provided to us during committees PILOT I think
22 was used I think I counted eight times. Now
23 you're changing it to some specific usage that
24 we use for sewer tax saying that that's what
25 we're going to be using now. I want you to

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2 explain to me number one, has it ever been
3 used before? And number two, how is it
4 different from a PILOT?

5 MR. VINCELETTE: A direct
6 assessment, which is being used, has been used
7 for assessment purposes for say zombie houses
8 or properties that are taken off the roll as a
9 direct tax if you will. It has not been used
10 in the compromise or settlement of tax
11 certiorari proceedings.

12 The way it is different from a
13 PILOT is that in the calculation of the school
14 tax rate and the school aid formula that value
15 gets counted in the bucket as far as the
16 formula for school aid and for school taxes.

17 LEGISLATOR DERIGGI-WHITTON: Do
18 you think that this could be challenged in a
19 court of law?

20 MR. VINCELETTE: Anything can be
21 challenged.

22 LEGISLATOR DERIGGI-WHITTON: I
23 think it might be. What would be your defense
24 in saying -- how did we use this? How do we
25 put the utility in the same category as a

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2 sewage pipe?

3 MR. VINCELETTE: It's a direct
4 assessment. It's not specific to sewage
5 pipes. And again, this is consistent with the
6 real property tax law and with the Nassau
7 County administrative code. That's how it's
8 being compromised.

9 LEGISLATOR DERIGGI-WHITTON: I
10 think it's going to be tough to defend from
11 what I'm being told. First of all, even the
12 fact that PILOT was used by LIPA so many
13 times. They think it's a PILOT. The legality
14 of just that in I mind is a real question.

15 Again, we want to save the county
16 money but if we're not doing something that
17 will stand up in court, if it's challenged, I
18 don't know how much money we're actually
19 saving the county.

20 Again, as someone who represents
21 this district, the school district might be
22 okay for a couple of years. They're going to
23 get very hard when this is over. It's very
24 temporary Band Aid maybe you could say. Right
25 now we're saying it's a glide path. It's

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2 going to come in pretty hard that sixth year
3 no matter what you say. I'm hearing \$200 a
4 month. That was an estimate actually from
5 prior administration and I believe it. It
6 fits in just me looking at the calculations.

7 LIPA is a utility. I understand
8 the risk to the county. But I think a lot of
9 judges would take a look at this and say hey,
10 you know what? You're still making the same
11 amount of energy. You maybe found a more
12 effective way of doing it, great, but you're
13 still making the same profit and you still
14 have environmental impacts -- I forget the
15 exact percentage that Island Park is still
16 producing but it's still a tremendous amount.

17 I remember when we looked at a
18 house in Glenwood Landing before I was
19 married. There's was a beautiful house near
20 the water. I couldn't understand why it
21 didn't sell. It was near a LIPA plant. And
22 in the backyard there was a wire like ten
23 inches wide wire buzzing that went right by
24 the house. Our residents have been exposed to
25 all of this. They're going to be continuing

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2 to be exposed, especially in the Island Park.
3 And we're all afraid that a judge is going to
4 look at it and say oh LIPA, you knocked down a
5 building so you're entitled to have a \$700 tax
6 cut. Congratulations. Maybe because my
7 father was a judge I have more faith in judges
8 to take a real look at the evidence than
9 this.

10 I understand the risk and I
11 understand mitigating the risk. But at some
12 point when are we going to stand up to these
13 utilities? When are we going to say you come
14 into our area, you don't even live in this
15 area, you make a tremendous amount of money,
16 you take advantage of our area environmentally
17 and, you know, we're not doing anything to
18 stop you. I think it's morally wrong, and I'm
19 glad that the schools have five years to get
20 ready for the hit but the hit's still coming.
21 And the environmental impact. We don't even
22 have a study. We don't even know what that's
23 going to be. Great. Maybe you get this
24 lawsuit off the books, congratulations, but
25 it's at a big cost in my opinion.

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2 LEGISLATOR NICOLELLO: Legislator
3 Ford.

4 LEGISLATOR FORD: I'm just going
5 to follow up with Legislator DeRiggi-Whitton.
6 When I look at the Island Park School
7 District, I know it's been over ten years this
8 has been hanging over our heads. And, you
9 know, I had a problem in the previous
10 administration and I just don't understand why
11 we carried this forward. That when they
12 negotiated a settlement with LIPA, when you
13 look at this, that they provide the same
14 percentage reduction to all of the school
15 districts that are involved in this. Despite
16 you had cited these four school districts and
17 we're going to try to soften the blow.

18 But I can never understand how you
19 would reduce Island Park to the same level as
20 Glenwood Landing when Island Park still has
21 the Barrett. The building has not been
22 demolished. Not one piece of equipment has
23 been taken out of it. It's basically an
24 eyesore within the neighborhood. Which the
25 people have to live with in close proximity.

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2 There are some environmental
3 concerns as it draws fresh water to cool the
4 engines and stuff like that.

5 Why didn't you look at this and say
6 maybe it would be fairer if we took a look at
7 what was on the property and what we were
8 looking to achieve to help LIPA with their
9 reduction? I had expressed this a while ago
10 about changing this. Why didn't you take a
11 look at this?

12 MR. VINCELETTE: We tried to
13 negotiate the best deal we could for both
14 properties. The thing with the Glenwood
15 Landing property was that the structure came
16 down but the roll was frozen at the time I
17 believe. It came down 2012 while the
18 assessment roll was frozen. We believe that
19 the values that we negotiated at the end were
20 the best that we could do for the two
21 properties.

22 LEGISLATOR FORD: But you said
23 it, there was no building there. There's
24 nothing there. When you look at Glenwood
25 Landing nothing. When you look at Island Park

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2 there you go. You have this big, big -- and
3 the fact is that it still is generating
4 electricity. It is still a viable power plant
5 that is generating for hundreds of thousands
6 of homes. All right? It will still be used.
7 That location will still be used. It's not
8 going away. It will still be used by LIPA and
9 whatever energy company is going to come with
10 them or after them or whatever. Because
11 Equinor is planning on building a wind farm
12 off of Long Beach Island and it's their
13 intention to run the cables from that wind
14 farm up into the area of the Barrett.

15 We also have our Bay Park Sewage
16 Treatment Plant, which is now -- it used to
17 generate its own electricity but to make it
18 more stable they invested 10 or \$20 million in
19 putting two new feeder cables so that it's
20 stable, the power supply for the Bay Park
21 sewage treatment plant. So we know that the
22 power plant is there.

23 But I just don't understand when we
24 look at this, both the north and the south
25 shore it's not apples to apples, it's apples

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2 to oranges.

3 So, what's going to happen is when
4 I look at this and I got to thank you,
5 Maurice, for providing me with this
6 information. But when I look at the
7 difference in what these school districts are
8 going to be impacted based on their school
9 district, the number of residents and we're
10 like, maybe Glenwood Landing might see a
11 difference of like say \$1,000. Maybe
12 Oceanside will see a change of \$1,000. But
13 Island Park will go up maybe about \$2,000 or
14 \$2,500. So there is -- there really isn't --
15 the comparison on the value of the plants is
16 not consistent with the needs of the school.

17 I know Island Park is a much
18 smaller school district but it also has 43
19 percent of their students get free lunch.
20 Which is something that is not considered by
21 New York State either. Because had New York
22 State Education Department would take a look
23 at maybe poverty levels in the various schools
24 throughout the state maybe they'd change their
25 formula the way they're handing down school

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2 aid and then maybe Island Park would actually
3 get its fair share or rightful share to be
4 able to stay in existence.

5 But have you looked at other or has
6 anyone in the administration looked at other
7 opportunities to soften the blow for Island
8 Park? I know Legislator DeRiggi-Whitton and I
9 had tried to float an idea of like maybe
10 trying to establishing a PILOT through the
11 county that maybe can help offset. Has that
12 ever been considered? We talked about that
13 right, Delia?

14 LEGISLATOR DERIGGI-WHITTON:
15 Unfortunately, on the north shore we can't do
16 a PILOT because LIPA doesn't own the property.

17 LEGISLATOR FORD: I guess LIPA
18 doesn't own the property. I think it's
19 National Grid that owns the property down in
20 Island Park.

21 The direct assessment, all right, I
22 was under the impression that by changing it
23 from a PILOT to a direct assessment that it
24 would make it more palatable for the school
25 district, but in essence it really doesn't.

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2 The taxes on the property paid by LIPA will be
3 frozen, set at a certain rate, correct?

4 MR. VINCELETTE: That's correct.

5 LEGISLATOR FORD: Maybe Michelle
6 can explain. Will direct assessment, will
7 this impact the formula that the state may use
8 in order to award state aid to the school
9 district?

10 LEGISLATOR NICOLELLO: I think
11 it's the property tax cap that gets impacted
12 when there's a PILOT.

13 MS. SPARA: Michelle Spara,
14 deputy assessor. Regarding the PILOT, I'm not
15 an expert on how they deal with their tax
16 cap. It's our understanding that it is a
17 factor in their tax cap. That's why the
18 county, after doing research in consultation
19 with the county attorney's office, has
20 determined that the direct assessment would
21 not impact them and they would be able to
22 lower their levy by the amount of these
23 payments. Should the school district choose
24 to do that. We don't know if they're going to
25 do that but the assumption is they would do

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2 that. That would lessen the blow to the
3 residents.

4 LEGISLATOR FORD: On the
5 projections that we have received on, you
6 know, like, when you look at the glide path
7 and I guess basically maybe based on what
8 somebody is paying in school taxes currently
9 and then with this glide path, the increases
10 that we see they're usually -- you would
11 incorporate the basic two percent increase?

12 MS. SPARA: Correct.

13 LEGISLATOR FORD: But this
14 currently includes the current state aid. It
15 doesn't include any increase in any school aid
16 on this, correct?

17 MS. SPARA: That is correct. If
18 they receive more state aid then their levy
19 would reduce even more. It also doesn't
20 include the direct payment that is outside of
21 the glide path schedule. So this is almost a
22 worst case scenario because the numbers change
23 from even Friday.

24 LEGISLATOR FORD: Would we be
25 able to get like maybe -- I know you can't do

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2 it today -- but I'd like to see overall
3 because I'd like to -- I guess the county
4 executive to send something out to the
5 residents to explain --

6 MS. SPARA: Yes.

7 LEGISLATOR FORD: I know it's
8 after the fact. I'd like to see so that we
9 can have a better understanding as we move
10 forward with something like this.

11 LEGISLATOR NICOLELLO: Michelle,
12 while you're there, Legislator DeRiggi-Whitton
13 has a question.

14 LEGISLATOR DERIGGI-WHITTON: Can
15 you explain to me -- I was told originally
16 when I met with the assessment office, I'm not
17 sure if you were there and it was probably
18 about nine years ago, not to worry about
19 school taxes or anything going up because
20 LIPA's a utility and they get assessed by
21 usage or production rather. How the heck is
22 this happening that we're giving them such a
23 huge reduction just based on a building? No,
24 no, wait. I'd like to hear it from the
25 assessment department rather than the county

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2 attorney. I understand his thoughts.

3 MS. SPARA: Unfortunately, I'm
4 not a utility assessor. So I do not have the
5 expertise to answer that question.

6 LEGISLATOR DERIGGI-WHITTON: Let
7 me ask you another question then. Class three
8 and four are for utilities and commercial,
9 correct?

10 MS. SPARA: Correct.

11 LEGISLATOR DERIGGI-WHITTON:
12 Normally when an entity that is involved with
13 one of those groups, like Verizon or whoever,
14 leave or whatever happens, the other
15 businesses in that class three and four pick
16 up the difference, correct?

17 MS. SPARA: No.

18 LEGISLATOR DERIGGI-WHITTON:
19 Explain how that works.

20 MS. SPARA: It depends on what
21 the removal is. In this particular case this
22 is a physical removal out of class three and
23 four. So that amount that they would share,
24 that amount of the pie so to speak, the class
25 share, gets distributed equally to the

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2 remaining classes. In this case that would be
3 classes one and two.

4 LEGISLATOR DERIGGI-WHITTON:

5 That's exactly contrary to what I was told
6 like eight or nine years ago when I was with
7 the mayor of Sea Cliff at the time. Because a
8 building is knocked down it is now going to
9 class one and two?

10 MS. SPARA: If a building was
11 knocked down in class three and class four it
12 would equally distribute to classes one and
13 two.

14 LEGISLATOR DERIGGI-WHITTON: So
15 how does that work for the south shore, for
16 Island Park?

17 MS. SPARA: Exactly the same way.

18 LEGISLATOR DERIGGI-WHITTON: Did
19 you knock down any buildings, Denise? Did you
20 have any buildings being knocked down?

21 LEGISLATOR FORD: No. Island
22 Park, the Barrett is still the same building.
23 Right?

24 MS. SPARA: The valuation aspect
25 of it would be different. And in this

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2 particular instance, it's going to be a direct
3 assessment. So, it's going to be a removal as
4 taxable value from the assessment roll.

5 LEGISLATOR DERIGGI-WHITTON: Even
6 though a building wasn't knocked down?

7 MS. SPARA: Correct.

8 LEGISLATOR DERIGGI-WHITTON: So
9 the reason it's happening on the north shore
10 is because a building was knocked down?

11 MS. SPARA: It's being handled
12 exactly the same way. All of these properties
13 are going to be removed from the taxable
14 portion of the roll. That's considered a
15 physical removal, a quantity removal from
16 those classes and that's why the share will be
17 equally distributed to classes one and two.

18 LEGISLATOR DERIGGI-WHITTON: It
19 does sound like a PILOT. But the other thing
20 is, I don't understand, again, maybe I just
21 have it -- I've had it in my mind for so long
22 that the commercial and utility are completely
23 separate from residential.

24 MS. SPARA: They are separate as
25 far as being in separate classes. However,

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2 you have to look at the community as a whole.
3 You can't just look at one class by itself.
4 Something that happens in one class will
5 affect the other classes. The school district
6 still needs the exact same amount of levy. So
7 if class three and four are not paying that
8 same amount classes one and two are going to
9 pick up the difference.

10 LEGISLATOR DERIGGI-WHITTON: I
11 was told that the fact that LIPA was knocking
12 down the building that Verizon, National Grid
13 and I believe it was Optimum was going to be
14 picking up the slack. How much did they pick
15 up?

16 MS. SPARA: I don't have an
17 answer to that question. We did not look at
18 the other utility properties.

19 LEGISLATOR DERIGGI-WHITTON: So
20 the other utility properties didn't have to
21 pick up? Do you know if they had to pick up
22 anything?

23 MS. SPARA: We did not look at
24 the other utility properties.

25 LEGISLATOR DERIGGI-WHITTON: So

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2 class three and four didn't have to absorb any
3 increase, only the residential?

4 MS. SPARA: We did not look at
5 the other utility properties.

6 LEGISLATOR DERIGGI-WHITTON: I
7 don't understand that because I've been told
8 again, I don't know, I'm not an expert like
9 you are and I appreciate -- I'm sorry to have
10 you in this position. It's not your fault.
11 It's just that you're here representing the
12 department.

13 So, we don't know how much like of
14 an increase Verizon or National Grid or
15 Optimum or all those other members of class
16 three and four are absorbing?

17 MS. SPARA: Correct. We did not
18 look at the other utility properties. We
19 looked specifically at these properties that
20 are in question.

21 LEGISLATOR FORD: So, what it is
22 though within the district, within Island Park
23 school district, when you shifted over for the
24 class one and class two to pick up the taxes,
25 if you shifted it also to any utilities it

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2 would only be utilities in the school
3 district?

4 MS. SPARA: Correct. On the
5 school side. We're not talking about general
6 taxes.

7 LEGISLATOR FORD: But the county
8 would be -- it would be shifted -- if you
9 shifted it to three and four does the county
10 portion?

11 MS. SPARA: No. The shift would
12 be the same way. It's just that when you're
13 talking about the county it's a very large
14 county compared to a school district.

15 LEGISLATOR FORD: But the school
16 portion taxes of the taxes would stay within
17 the school regardless of it's a utility,
18 private home or business, correct?

19 MS. SPARA: Correct.

20 LEGISLATOR NICOLELLO: Doesn't it
21 happen every year that shifts take place
22 between the different classes?

23 MS. SPARA: Yes.

24 LEGISLATOR NICOLELLO: If there's
25 a massive reduction in commercial property in

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2 Nassau County then it gets shifted to the
3 other classes, correct?

4 MS. SPARA: Correct.

5 LEGISLATOR NICOLELLO: We have
6 several individuals who are here to speak.
7 Two slips are in. Again, thank you for your
8 patience. You've been waiting here since we
9 started the meeting. Richard Schurin.

10 MR. SCHURIN: Thank you for the
11 opportunity to speak again. Just to clarify
12 some things that I've heard. It's kind of
13 frustrating that the county is not up on these
14 things. They can't answer these questions
15 clearly to me. Obviously every business,
16 every residence, every utility in Island
17 Park's taxes are going to go up because of
18 this. As you noted, Mr. Nicoletto, the tax
19 levies are going to stay the same. Every
20 residence, every business is going to have to
21 absorb this.

22 I know I spoke about this before
23 but I want to give a little bit more flavor as
24 to what's been going on in Island Park for the
25 last decade.

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2 A decade ago the school came to the
3 community and said we're faced with a
4 tsunami. It's potentially catastrophic to the
5 district. Many people, community-minded
6 people like myself and the civic association
7 and Denise was involved, we did what we
8 could. We protested. Hundreds of students
9 wrote cards that our library director here
10 engineered to all of our legislators. To
11 Albany. To LIPA. We protested at the plant
12 in the pouring rain. This is five, six years
13 ago. We went to LIPA board meetings. The
14 chamber of commerce president, myself, library
15 president, other people we waited hours to
16 speak directly to Mr. Falcone and others to
17 tell them what the impact that their action
18 was having on us.

19 Our school district spent money,
20 they increased the money to be spent for our
21 attorneys and we hired a lobbyist and we did
22 all of this. I went to the Town of Hempstead
23 meetings. I came to this meeting. This is
24 maybe the third or fourth time I've been to
25 this meeting asking for help. And here we

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2 are. You all failed. It was a failure. We
3 didn't get the help. This is a political
4 question. LIPA is a political entity. Okay?
5 Their board members are appointed by Albany.
6 We could have made a difference. But it
7 didn't work. It's a failure.

8 As a result, everyone in my
9 community is going to pay hundreds if not
10 thousands of dollars more in five years
11 certainly. And the glide path you talk about
12 it's going to get progressively worse. Many
13 of them can't afford it. They literally can't
14 afford it. They're going to be forced to
15 move. Okay?

16 I'm active in the school and I'm
17 very proud of the little tiny school district
18 that we have. We have an elementary school
19 and a middle school. And we send our children
20 to -- we pay tuition to Long Beach High
21 School. I think we're the smallest school
22 district on Long Island. But we provide a
23 real quality education for children. It's one
24 of the reasons that I, me and my wife raised
25 our family there. It's a great little tiny

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2 school district. Okay? But it's always a
3 question of what we can do.

4 I think we have a \$48 million
5 budget and LIPA pays like 45 percent of that.
6 So, you take away 50 percent of that 43
7 percent contribution. The school district
8 isn't going to be able to provide the same
9 services. My children, thank God, are
10 graduating now and we benefitted from a great
11 school district. But there's so many families
12 now that have moved in because Island Park is
13 an affordable community who have young
14 children and their children are going to
15 suffer as a result of this.

16 This is what politicians are
17 supposed to do. You're supposed to look out
18 for our interests. And we've had a ten year
19 warning and we did everything could. As I
20 said, hundreds of students, hundreds of little
21 kids wrote letters to everyone. Please help
22 us. Please help us. We spent hours. I
23 probably spent 500 hours working on this with
24 other people. Chamber of commerce, the civic
25 association. Yet here we are.

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2 I just saw that the county attorney
3 evidently has some information about what it's
4 going to cost the residents of Island Park and
5 shared it with you all. But somehow we don't
6 have that information. Residents don't know.
7 At least the last administration had a
8 presentation to us. And literally hundreds of
9 people went. We filled the whole Lincoln
10 Orens Middle School and asked questions all
11 the way into the night. We weren't satisfied
12 but at least you heard us. And at least you
13 had a presentation and we knew what it was
14 going to cost us.

15 And all sorts of people that I
16 hadn't seen in many, many years came out.
17 Simple people. People who care about their
18 community. They had an opportunity to be
19 heard. They at least got to see what was
20 going to impact them. You don't even have the
21 respect to have a community forum for us.
22 Nothing. You're just going to vote right
23 now. You're going to push this through.

24 I also heard the county attorney
25 say the trial isn't until the end of the

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2 month. You have another meeting before the
3 end of the month. You could have a community
4 meeting in Island Park. Chairman, why won't
5 you have a community meeting in Island Park?
6 Can you answer that?

7 LEGISLATOR NICOLELLO: We have
8 urged the administration to have community
9 meetings but it's not the legislature's
10 prerogative to hold a meeting in the
11 community. We have had full meetings here in
12 which the public is invited to it. You are a
13 member of the public.

14 MR. SCHURIN: Are you asking
15 right now in this public forum the county to
16 please have a community meeting in Island
17 Park?

18 LEGISLATOR NICOLELLO: No, I'm
19 not asking. I'm responding to your question.

20 MR. SCHURIN: Well, I'm asking
21 you. Will you ask?

22 LEGISLATOR NICOLELLO: I'm
23 responding to your question.

24 MR. SCHURIN: Will you ask?

25 LEGISLATOR NICOLELLO: At this

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2 point we're voting on this today. Time's up.
3 If they want to have a meeting afterwards then
4 they can go ahead and do so.

5 MR. SCHURIN: Will you table this
6 to allow the community to have an opportunity
7 to see?

8 LEGISLATOR NICOLELLO: I'm
9 telling you that time is up. We're voting on
10 this today.

11 MR. SCHURIN: Why is time up?

12 LEGISLATOR NICOLELLO: Because
13 the trial is imminent.

14 MR. SCHURIN: You have another
15 legislative meeting scheduled before the
16 trial.

17 LEGISLATOR NICOLELLO: What's
18 going to change in a month?

19 MR. SCHURIN: You're going to
20 show respect to the people that are impacted
21 by this. You're going to tell us how it's
22 going to impact us. You're going to give them
23 an opportunity to tell you how they're
24 impacted by it. You don't care?

25 LEGISLATOR NICOLELLO: No. I

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2 didn't say that. We had our hearings.
3 They're open to the public. The public can
4 come here and speak. The administration has
5 chosen not to do a forum in the community.
6 But at this point for our purposes it's on for
7 a vote today and we're going to vote on it.

8 MR. SCHURIN: As the legislative
9 leader, as president of this body, you're
10 happy that the county executive is not
11 providing a forum for the community?

12 LEGISLATOR NICOLELLO: I'm not
13 commenting on that. But I'm telling you this,
14 we have been actively advocating for more for
15 the school district for years. We have tried
16 in every possible way to gain more from the
17 state, from LIPA, from where ever source we
18 could but time has run out, sir. Time has run
19 out.

20 And Mr. Schurin, if this case is
21 not settled you're not looking at a glide
22 path, you're not looking at a few percentage
23 points decrease in the first year. You're
24 looking at 70, 80 percent. You want to talk
25 about devastation?

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2 MR. SCHURIN: We've known this
3 for decades. We don't need you to tell us.
4 We live it. We know it. Our school district
5 told us ten years ago, the impact.

6 LEGISLATOR NICOLELLO: Legislator
7 Ferretti.

8 LEGISLATOR FERRETTI: Thanks
9 Presiding Officer. Just responding to some of
10 Mr. Schurin's comments. Before attacking this
11 current administration, the reality is, this
12 was decided when the prior administration gave
13 the Village of Island Park and Glenwood
14 Landing a going away gift before they left
15 which was an appraisal that tied the hands of
16 the county and this administration.

17 If this is not approved today we're
18 going to be sending in Mr. Vincelette for a
19 trial. It's not going to be walking into a
20 gunfight with a knife, it's going to be
21 walking into a gunfight with your hands tied
22 together and your feet tied together and the
23 result to Island Park and Glenwood Landing is
24 certainly going to be more devastating than
25 what we are seeing now.

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2 So I don't have a lack of
3 compassion. Nobody wants your taxes to
4 increase. But the reality is the fate of this
5 situation was decided -- I mean, how do you go
6 into court where your evidence is worse than
7 the evidence for LIPA? How do you expect Mr.
8 Vincelette to go in --

9 MR. SCHURIN: I can answer your
10 question, sir. The answer to your question
11 is, every single person has known for ten
12 years the assessments were going to be very,
13 very low. It's not a secret. The assessment
14 that the county put in evidently before they
15 left is no secret. Everyone knew. Every
16 smart person. Our county attorney knew that
17 we were under the gun and that the assessments
18 were going to come in low. Nothing new
19 happened. Okay? Nothing new happened. You
20 can try to push the blame. I understand it's
21 your political strategy to do that. But those
22 of us who have been involved, who know, it's
23 complete nonsense.

24 LEGISLATOR FERRETTI: Sir, I talk
25 in reality. The reality is the evidence is

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2 going to be put before a jury in court and the
3 evidence on behalf of the county in this trial
4 would be worse than the evidence put forth by
5 LIPA for our position. I don't know how as an
6 attorney I would expect to win a case like
7 that. You're an attorney as well. Would
8 you?

9 MR. SCHURIN: No one expects to
10 win the case. It's a political question.

11 LEGISLATOR FERRETTI: Hold on a
12 second. You came in here and talked about
13 this administration and their lack of having a
14 meeting and you praised the prior
15 administration for having a meeting.

16 MR. SCHURIN: I didn't praise
17 them.

18 LEGISLATOR FERRETTI: You did.
19 The prior administration, whose tied our hands
20 and has put us in this position today.

21 MR. SCHURIN: If you bothered to
22 go to the meeting that I was at you would know
23 that I attacked that administration just as
24 much if not more than I attacked this
25 administration. I'm the same way. I met with

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2 them privately and I attacked them privately
3 too. This is not a political question. It's
4 a community begging for help and not getting
5 it.

6 LEGISLATOR FORD: Richard, just
7 two seconds. While I understand why they are
8 looking to settle this because of the county
9 guarantee, we understand that. But yes, the
10 school district, Island Park is going to
11 suffer more than the other school districts
12 and more than any other community. We know
13 that. We tried to get whatever way we could
14 get some more money to be able to -- I think,
15 let me just -- and we only got this today. So
16 it's not like I could have shared it.

17 But if need be, if I have to send
18 something out myself -- but like based on, and
19 I'm just going by whatever the number is, like
20 say currently if somebody's paying in '21-22
21 their taxes were 4827 at the end of this, by
22 '26-27, based on -- but it's -- it would be
23 like say they would end up, based on these
24 calculations with a two percent increase every
25 year in school taxes. They built this in to

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2 show it more realistically. Somebody would
3 then be paying 7549.

4 MR. SCHURIN: Almost double.

5 LEGISLATOR FORD: That's
6 without -- but that is with -- but even if --
7 but if they didn't remove it, but they were
8 saying that they showed with the increases and
9 everything with the PILOT I guess the same
10 amount in '26-27 would be 5602. So, it would
11 like 775 more. In this one it would be \$2,700
12 more a year that somebody would be paying in
13 school taxes. This number does not -- we're
14 try to get better numbers for you -- but this
15 number does not include state aid.

16 MR. SCHURIN: It goes from four
17 to seven is that what you said with this
18 settlement?

19 LEGISLATOR FORD: I don't have my
20 other glasses on. I apologize. So it would
21 be like, say, this is just an example. 4827,
22 it would go up to 7549.

23 MR. SCHURIN: With the
24 settlement?

25 LEGISLATOR FORD: With the

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2 settlement. But that being said, we have
3 to -- you know, we fought Richard. We were in
4 every kind of weather we fought. We fought to
5 get the Barrett repowered. When they were
6 looking about repowering that would have been
7 something that would save the community, it
8 wasn't done. That was changed.

9 Now we have to look to see what
10 else can we bring and we will advocate to
11 bring whatever we can to that Barrett.
12 Because that plant isn't going anywhere. I
13 want it to be cleaned up and I want it to
14 bring in so that the assessment will go up and
15 Island Park will see a reduction in their
16 property taxes that they have to pay because
17 of an increase. We also have to look at
18 commercial development.

19 But that being said, you have to
20 realize, Mr. Randazzo and Dr. Rabino both of
21 them said that Island Park School District has
22 always been shortchanged on state aid always.
23 No, no.

24 MR. SCHURIN: It's more
25 percentage of our tax base. Even if you

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2 quadrupled it it wouldn't make a difference.

3 LEGISLATOR FORD: State aid
4 offsets property taxes but I'll let you know.
5 We will be in touch with this.

6 LEGISLATOR NICOLELLO: We have
7 other speakers. Ms. Koenig from the Island
8 Park public library.

9 MS. KOENIG: Jessica Koenig from
10 the Island Park library.

11 MS. KOENIG: So, to start out
12 with, if you want I can actually explain what
13 happens on the tax cap form because I do it
14 for the library.

15 LEGISLATOR NICOLELLO: That would
16 be helpful.

17 MS. KOENIG: So, I'm going to
18 give you an example. If we collect \$1.4
19 million in taxes of which LIPA is paying
20 something like \$650,000, but because that's
21 taxes, our two percent that we're permitted to
22 ask for is \$28,000. Just a straight two
23 percent. If that were to turn into a PILOT,
24 so if \$600,000 was now a PILOT, we'd have to
25 subtract that right off the top. \$1.4 million

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2 minus \$600,000. Now we're only allowed to ask
3 for two percent on \$800,000. So, where we
4 were allowed to ask for \$28,000 now two
5 percent is only \$16,000. That in a nutshell
6 is the tax cap issue.

7 So, what I wanted to say today is
8 that we want to make sure that the library is
9 included in the settlement. We did FOIL the
10 document which kindly the county attorney sent
11 us right away so we could see that the school
12 is listed. We are not specifically listed.
13 The school district would need to have
14 instructions of exactly what to forward to the
15 library. So if it's your anticipation that we
16 should get a portion of that -- right now we
17 get approximately four percent. I'm assuming
18 that that should continue. We get, actually
19 from Michelle Spara's office, a nice statement
20 that shows what the school gets and what the
21 library gets. We're hopeful that even, not
22 even just hopeful, we really need it to
23 continued to be that way with the direct
24 assessment. The same as it is with the
25 PILOT. That there's a statement that the

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2 school gets every year that shows what they
3 have to forward to us.

4 We're not allowed to collect our
5 own taxes. Everything goes through the school
6 district and comes to us. That was the first
7 thing I wanted to mention.

8 For us, it really would be great if
9 we could be included in one of these one-time
10 payments. Everybody is understanding that the
11 school district needs it. The library needs
12 it too.

13 We're very small. We're one of the
14 smallest libraries in the county. Our budget
15 is too small for us to have reasonably spend
16 the taxpayer money to take on litigation. So
17 we didn't.

18 We understand why school districts
19 have received most of the media attention in
20 these disputes and libraries have been kind of
21 lost in the shuffle. As you know, libraries
22 serve all members of the community. If there
23 were some kind of a payment that would come
24 our way it would go a long way to the
25 library. Libraries are very efficient. I

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2 also thought it would give some good PR to
3 LIPA and they could certainly use it.

4 Our library has stood the test of
5 time. We were one of the few libraries that
6 was very, very impacted by Superstorm Sandy.
7 Took us nine months to come back. And, as you
8 know our, community is coming back from it.

9 I think the other thing that was
10 mentioned on April 11th is that some monetary
11 relief should come to all of us from the state
12 and we are interested in that too and we may
13 be coming to you again for some support in
14 that kind of endeavor going forward.

15 We do feel a bit in the library
16 like we're collateral damage. That we're a
17 small entity among much larger entities with
18 larger concerns. We, of course, understand
19 why the settlement is happening but we're just
20 asking for your help. Thank you.

21 LEGISLATOR NICOLELLO: One quick
22 question for you. Any discussions between the
23 library and the school district about sharing
24 any of the payment that LIPA is going to be
25 making to the school district?

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2 MS. KOENIG: There hasn't been
3 discussion about that. I'm sure we could try
4 but, you know, they're a much larger entity.

5 LEGISLATOR NICOLELLO: I got you.

6 LEGISLATOR FORD: Michelle, I
7 know you've been so kind in the past in
8 providing the information for Mrs. Koenig to
9 be able to send the bill to the school so they
10 could get their payment. Under this direct
11 assessment formula will you still be able to
12 do that for them?

13 MS. SPARA: The receiver of taxes
14 is going to be actually receiving that direct
15 assessment because it's going to be part of
16 the tax warrant. So they're going to be
17 sending out a bill. They're also going to be
18 collecting that money and they disburse it to
19 the school district. It's the school
20 district's responsibility to disburse it back
21 to the library.

22 LEGISLATOR FORD: So there is
23 no -- because I know like I think on my school
24 tax in Long Beach there's like a school
25 portion and a line item. Is there a line

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2 item -- I'd have to check with Jeannine
3 Driscoll, right, to find out if there's a line
4 item on the bill so that they know?

5 MS. SPARA: I don't know that the
6 mechanics of that have been worked out as far
7 as creating a two-line item for the direct
8 assessment. That's something that we can
9 absolutely --

10 LEGISLATOR FORD: Can you look
11 into that? That will save Jessica a lot of
12 headache and trying to run after somebody to
13 pay her. You're going to take a hit. We're
14 going to try to work with you Jessica. You
15 are a very important library. I've been
16 there. Thank you very much.

17 LEGISLATOR NICOLELLO: Legislator
18 Bynoe.

19 LEGISLATOR BYNOE: Wouldn't it be
20 better that we bake that into the item? That
21 should be baked into the item so that there's
22 no --

23 LEGISLATOR NICOLELLO: I'm not
24 following.

25 LEGISLATOR BYNOE: It should be

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2 baked into the item that the school district
3 is responsible for paying to the library its
4 portion.

5 LEGISLATOR NICOLELLO: The only
6 thing that's before us is the settlement
7 between the county and LIPA as to the assessed
8 values and the settlement of a lawsuit. So
9 the school districts are settling their
10 separate lawsuits and receiving the monies
11 that LIPA is going to pay them. That's a
12 separate lawsuit, so we can't bake it in.

13 LEGISLATOR BYNOE: Right. Not
14 saying that we, the body, should do that but
15 we should have made sure that that was part of
16 the agreement with LIPA to make sure that all
17 parties were made whole.

18 LEGISLATOR FORD: No. Actually,
19 I did reach out to LIPA and the county and
20 because we do not directly fund schools or
21 libraries and LIPA said that the issue that
22 they have the school district took an action
23 against LIPA, the library did not. That's why
24 I couldn't get a separate payment from LIPA to
25 the Island Park library. I already looked

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2 into that.

3 LEGISLATOR BYNOE: Do we have
4 anything from the school saying?

5 LEGISLATOR FORD: No. That would
6 be up to the school. The school is the one
7 that took the action against LIPA. So, I will
8 mention it to the school district in the hopes
9 that they'll take a portion but I cannot
10 compel them to share any of the money that
11 they get with the library. It's sad, I know.

12 LEGISLATOR BYNOE: That's a
13 problem. A huge problem.

14 LEGISLATOR NICOLELLO: Councilman
15 D'Esposito.

16 MR. D'ESPOSITO: Thank you very
17 much and good afternoon everyone. Thank you
18 for having me. I think today there's an
19 opportunity for the legislature to table this
20 item. Seems that there's been questions
21 coming from the dais that are not being
22 answered. There's no specific numbers. There
23 seems to be a lot of answers saying we're look
24 into that and we'll get you, the legislature,
25 the information when we can.

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2 Today is the vote and today's vote
3 I understand comes as you need to make sure
4 that you look out for the county and you have
5 a fiduciary responsibility to do that. But I
6 think there's also an opportunity to hold off
7 a little bit. I'm not saying months. I'm not
8 saying years. But if we go back or the county
9 goes back into the courtroom when this trial
10 is planned and asks for an adjournment, I
11 really do not see a judge saying no. There's
12 been more action in this case over the last
13 month and a half than we've probably seen in
14 the last decade.

15 We should ask for an adjournment
16 until our argument, the argument of the Town
17 of Hempstead, the argument of the Village of
18 Island Park as to whether LIPA had the
19 authority to bring such a lawsuit absent
20 permission from the PACB board.

21 We mentioned the glide path a few
22 times. This is not a glide path. It's
23 literally driving the Jeep off of a cliff.

24 We also need more time. And again,
25 I'm not asking for months. I'm not asking for

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2 years. Because I understand that each one of
3 you have a responsibility for all 1.4 million
4 residents of this county and it's not all
5 about Island Park and it's not all about
6 Glenwood Landing. But we need some time and
7 we need help. We need help from every one on
8 this dais, whether you're a Republican or
9 Democrat, to put pressure on the state of
10 New York so that they can find funding to fill
11 in the gaps that are going to crush our school
12 district.

13 When you're all voting today I'm
14 asking you to do one thing. When you're
15 voting vote as if this was the community that
16 you grew up in. Vote as if this was the
17 community that you raised your children in.
18 That this is the place where they play Little
19 League or soccer or lacrosse. This is the
20 place that you're proud to call home. And
21 think about tabling the item until we can have
22 a conversation with the judge in the case and
23 ask for an adjournment.

24 There's more to be done. We've
25 moved the needle over the last month and a

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2 half going from a \$3.5 million one-time
3 payment to magically appearing \$9 million from
4 LIPA to the school district. \$9 million to a
5 school district that's going to be devastated
6 but have made the front page of Newsday twice
7 in the last seven days for paying executives
8 far over a million dollars who don't even live
9 on Long Island.

10 Yes, \$9 million is a lot of money
11 to all of us but to LIPA it's not. And
12 Mr. Presiding Officer, your comments in the
13 beginning of session talking about NIFA sounds
14 eerily similar to LIPA. As a matter of fact,
15 I don't think anybody from LIPA is even here
16 today. Which speaks volumes. It speaks the
17 same volumes that when we did have the
18 community meeting just before COVID they
19 literally sat on stage with no emotion as
20 resident after resident asked how they would
21 keep their local business open. How they
22 would continue to live in the home that they
23 bought from their parents, who bought from
24 their grandparents so they continue to raise
25 their kids in the village or community of

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2 Island Park.

3 Ladies and gentlemen, I'm simply
4 asking today to hold off. We have more to be
5 done and we've made significant movement over
6 the last month and a half. Give us the time
7 to make the difference and that's all I could
8 ask. Thank you very much for the time.

9 LEGISLATOR NICOLELLO: Thank you
10 councilman. Senator Al D'Amato.

11 MR. D'AMATO: Mr. Chairman,
12 members of the board, I will try,
13 notwithstanding that I've been known to
14 filibuster once in a while in the old days in
15 the senate and it's hard to break old habits.

16 Let me commend the board for taking
17 the time to courteously pay attention to those
18 who have spoken and raised their concerns with
19 respect to the proposed settlement.

20 Let me first say I don't know how
21 many of you may be aware, the Village of
22 Island Park and the Town of Hempstead were
23 granted an order that gives us the opportunity
24 hopefully to participate in the litigation
25 that is underway. I support Councilman

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2 D'Esposito's request to adjourn this not for a
3 month, not for a year but for several weeks.
4 Because there will be a hearing conducted by
5 Judge Vito DeStefano, who I believe is the
6 presiding judge in Nassau County and who this
7 matter with LIPA and the county is in front
8 of.

9 Larry Kelly and I are proceeding.
10 I very seldom have undertaken anything since I
11 left the Congress pro bono. But in this case
12 it's totally pro bono on behalf of our
13 community.

14 Anthony mentioned that the
15 so-called glide path was anything but that.
16 Imagine your taxes going from \$4,500 a year to
17 approximately \$9,000. And by the way, oh
18 we're giving you a glide path of five years.
19 So we'll only be raising your taxes just on
20 the basis of that and no other increased
21 expenditures \$1,000 a year. Do you really
22 think that's a glide path? What do you think
23 it does to the value of homes? What does it
24 do to the prospects of the community? It is
25 death and destruction.

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2 If you look at the lost income \$9
3 million, they lose more than \$9 million a year
4 and they're talking about oh, we're going to
5 give you a glide path of \$9 million. Come
6 on. Wake up.

7 Anthony gave you one example. The
8 LIPA officials. You got a guy who heads LIPA
9 who cares about himself building an empire.
10 Four officials getting paid as much as
11 \$325,000 a year. All of them live out of
12 state. Oh, but two of them got addresses in
13 Uniondale within the past three or four weeks
14 since it was exposed. Probably both of them
15 two women at Marriott renting a room there
16 supposedly.

17 This is who's running our utility
18 and we're standing by? I've spoken to the
19 governor about this incredible, ridiculous
20 board and this LIPA wanting to grab
21 everything.

22 By the way, our lawsuit is not
23 predicated on something that's rather
24 important. I want to bring it to you. There
25 never would have been a LIPA, we never would

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2 have had this situation had there not been a
3 promise made by the former governor, George
4 Pataki and made by the once head of LIPA at
5 the time, Richard Kessel. And both of them
6 promised at various organizational meetings
7 that they would never permit the reduction of
8 the tax payments from the generating
9 facilities. They would not have any
10 certioraris unless the local communities did
11 something that would occasion them to do
12 that. For example, tried to curtail their
13 activities etcetera. And none of the
14 communities did that.

15 Let's talk about the LIPA power
16 plant in Island Park. Barrett. It operates
17 at 39 percent capacity. It serves over
18 300,000 homes. It has been a polluter since I
19 was a kid and moved there quite a few years
20 ago. By the way, the coverage that Newsday
21 gives is not always very accurate. I'm not
22 88. I'm not 86. I'm 84. And I feel good.
23 And I'm happy to be in front of you. But I'm
24 not happy with these circumstances.

25 Let me say this to you. I

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2 understand the county's wanting to get rid of
3 this potential calamity. I do. But my God,
4 let's let the judge hear our motions in
5 person. We're talking about May 13th when the
6 answers have to be in. We're talking I
7 believe the 25th when the case begins. I want
8 to tell you something, we have a good case.
9 Because LIPA has started to deceive the
10 people. Not just when Falcone got there but
11 his predecessors blazed a path of corruption,
12 of lying, of thumbing their nose at the
13 courts.

14 Let me refer to a certain judge who
15 comes from the north shore. Up in your area.
16 That was Judge Dana Winslow. Did you ever
17 hear of that name? Did any of you ever hear
18 that Dana Winslow made an order? And let me
19 tell you what it was about.

20 LIPA wanted to come in and make
21 this acquisition. Judge Winslow said wait a
22 minute. You can't do that. This is a
23 contract over a million dollars. You have to
24 go to the PACB board. Guess what they did?
25 They discontinued that purchase. They didn't

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2 appeal the order. That is still the order of
3 the day and it is the law. They have broken
4 the law since that decision in 1999. Supreme
5 court decision by Judge Winslow. They have
6 not submitted any of their contracts.

7 You know the Caithness facility,
8 how it came about? It came about so they
9 could purchase offshore power that was
10 produced cheaper, not using the plant up in
11 the north shore. Reducing utilization of the
12 plant in Island Park. How did we create or
13 any of those plants create their problem?
14 No. They wanted more money.

15 By the way, none of those contracts
16 went before the PACB board. None of them.

17 We have a moral issue here. The
18 governor and the head of LIPA both with a
19 promise, it wasn't written. So now we're
20 going to get to that? What's morally right?
21 What's right? We can let them disregard and
22 we can say we look the other way and the
23 county's afraid they're going to get crushed.
24 I don't blame you for being concerned. Not at
25 all. I don't blame the present county

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2 executive. He inherited the situation. It's
3 been going on for years. Nobody's stood up.
4 Including the governor. I brought this to her
5 attention and she hasn't done a damn thing.
6 Nothing for the taxpayers of Long Island,
7 Suffolk County, Nassau County.

8 They want to build an empire. Yes,
9 build an empire for LIPA. And you guys vote
10 to continue this you know what you do? You
11 just strengthen Falcone. He's blackmailed
12 us. \$9 million. That isn't even half of one
13 year what Island Park would lose and we're
14 supposed to say oh, thank you, thank you.
15 Shove it. That's what I say. What? Are you
16 kidding?

17 Now, if you can't grant us two
18 weeks or three weeks, let LIPA know that
19 they're going to be in for a battle. Let that
20 court hearing be held on the 13th. Let us
21 participate and see what the judge says.
22 Because I'm telling you, I think we have a
23 very good chance to say all of the things you
24 have done LIPA without the PAC board
25 permission are illegal. Void. Ab initio.

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2 They don't want that argument to be raised.
3 Nobody's raised it. We put it in our
4 preliminary papers. The judge just signed the
5 order. I just got it last night. Which gives
6 us the ability to be heard. The opposition to
7 depose us.

8 Are we going to win? Will we be
9 heard? I think we will be if you give us the
10 time. Don't preclude us by saying oh, there's
11 a settlement. I'll tell you the first thing
12 that LIPA will do. Denise, listen to me.
13 First thing they'll do is say the county
14 settled. There's no lawsuit for Island Park
15 or the Town of Hempstead to come into. We
16 won't get the opportunity to put before the
17 court what Judge Winslow said. We won't get
18 the opportunity to say, all of us, I don't
19 want the county to pay a lot of money but you
20 will destroying Island Park.

21 A bunch of nonsense. A glide
22 path. Imagine you're paying \$4,500 a year in
23 school taxes on your house. You're one of the
24 lowest working income communities in all of
25 Long Island and your taxes go up to \$9,000?

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2 You think that's a glide path? I ask each and
3 every one of you.

4 I'm not telling you to derail the
5 settlement. I'm telling you to give us an
6 opportunity to be heard. Put the pressure on
7 LIPA. On that piece of crap who goes and
8 hires a million dollars worth of people and
9 they're going to tell us what to do and not
10 one of them lived on Long Island. He's an
11 arrogant SOB. Arrogant. And he's a liar. A
12 stranger to the truth.

13 Two years ago he promised me we're
14 going to build a gas facility in Island Park.
15 It will reduce because it will increase your
16 assessed valuation. Put it off he said for
17 three months. Comes in again with his
18 assistant. We'll put it in the beginning --
19 nothing.

20 Now, he's got nerve. You know what
21 he's done? He sent word to the, what is that
22 board that reduces, when you build something?
23 Your IDA. Went to the town IDA to know if
24 they could apply to the town IDA. He tried to
25 get some changes in their administrative code

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2 about four months ago and I found out.

3 This is a conniver. He doesn't
4 work for the benefit of the people. He is
5 hurting the taxpayers of Long Island. He runs
6 an empire that he wants bigger and he wants to
7 run all of the electricity here. Him. Number
8 one. LIPA. Take it away from the private
9 sector. We'll do better. If he does better
10 and that's an example of hiring four out of
11 state people paying them over a million
12 dollars a year, not one of them living here,
13 that is incredible.

14 And the governor should do
15 something. Wake up Hochul. But more
16 importantly here at home.

17 I'm asking you to do the right
18 thing. Put this over for three weeks. Put it
19 over. Let LIPA know that you just don't march
20 to their drum. That we follow the law. Let
21 the judge take a look at our arguments. Let
22 him hear our arguments and decide. Because
23 I'll tell you this, if we win the county
24 wins. Thank you. You have any questions? I
25 wouldn't if I were you.

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2 LEGISLATOR NICOLELLO: We're
3 going to take a five minute recess.

4 MR. D'AMATO: I'll give you for
5 the record the judge's decision with respect
6 to the --

7 LEGISLATOR NICOLELLO: You can
8 ask when we get back out. Five minute recess.

9 (Meeting was recessed at 4:48 p.m.)

10 (Meeting reconvened at 5:03 p.m.)

11 LEGISLATOR NICOLELLO: We are
12 back in session. Legislator Ford.

13 LEGISLATOR FORD: Presiding
14 Officer, I ask that we table this item until a
15 future date.

16 LEGISLATOR NICOLELLO: We have a
17 second?

18 LEGISLATOR DERIGGI-WHITTON:
19 Second.

20 LEGISLATOR NICOLELLO: Second on
21 the part of Legislator DeRiggi-Whitton.
22 There's no debate on the motion to table. All
23 in favor signify by saying aye. An aye vote
24 is to table. Opposed? Motion to table fails
25 by a vote of ten to eight. Before we have a

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2 vote on the item if any legislator wants to
3 speak and have a statement. Minority Leader
4 Abrahams.

5 LEGISLATOR ABRAHAMS: I didn't
6 know about the motion to table until it came
7 out to the floor. It's unfortunate that that
8 actually failed. But I just want to bring
9 this back home because what I've heard from
10 residents over the last several weeks as this
11 has been considered has been something that's
12 been more simplified.

13 When we're talking about settling a
14 case with LIPA, and I understand the
15 ramifications as it pertains to what the
16 county exposure is, I don't put all the fault
17 on County Executive Blakeman nor do I put all
18 the fault on County Executive Curran. I put
19 some on both administrations.

20 That being said, let's just
21 simplify this in terms of who we're talking
22 about. Are we talking about the same LIPA
23 that has had poor and shoddy service for the
24 last 20 some odd years that I experienced
25 through my residents in Baldwin, in Uniondale

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2 and Roosevelt? During Superstorm Sandy had
3 power for periods of weeks.

4 Are we talking about the same LIPA
5 that has raised rates to astronomical numbers
6 for decades before PSEG came into power? And
7 now what we are doing is the proverbial while
8 I have you down I'm going to kick you in your
9 teeth by saying to residents, not just in
10 Island Park and for the north shore, that
11 we're going to say to them today that even
12 though they did all this stuff to you, that
13 they provided poor service to you for the last
14 two years, they don't even have the respect to
15 be here today, and on top of it they raised
16 your rates, we're going to say to you today
17 that we're going to pass a settlement that
18 one, because it's in the best interests of the
19 county and then two, that takes them off the
20 hook.

21 So, I truly have a problem with us
22 protecting LIPA. And I think that's the most
23 egregious manner that we can talk about
24 today. Because ratepayers in Nassau County
25 have been getting kicked in the face by LIPA's

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2 rates for decades. I don't think anyone in
3 this room if I asked you who here likes LIPA,
4 no one is going to raise a hand.

5 But I think that speaks to all of
6 our public utilities. All of our public
7 utilities are despicable. There's very little
8 accountability from the water districts to the
9 public utilities in terms of LIPA or Verizon,
10 whoever, Altice, each and every one of them
11 have very little accountability to their
12 ratepayers. We've all seen our rates go up
13 and up and up.

14 I remember during Superstorm Sandy
15 I had residents that were without power for
16 two or three weeks. Some of them lost income
17 because of that. Where does that settlement
18 help them with this? They're getting off the
19 hook. This settlement is a sweetheart deal
20 for them. And I'm not cast aspirations on
21 County Executive Blakeman and I'm not casting
22 aspirations on County Executive Curran. I
23 said it's a shared responsibility on why we're
24 here today.

25 But ultimately, that guy that lost

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2 his power for several weeks, who helped him
3 pay for his mortgage when his power was out
4 and he probably had to lose his job because he
5 had to watch his kids? Or who helped that
6 business owner in Uniondale or Roosevelt when
7 they couldn't operate their business and lost
8 revenue for that period of time?

9 I bring that up because we're
10 talking about the same entity today. It's not
11 some other phantom entity we're talking
12 about. We're talking about the same guys that
13 have hurt our residents for decades. And the
14 best we can do is a sliding scale to the
15 future? I just feel like that is -- and I
16 understand the county executive's position in
17 regards to this but I just feel that's the
18 wrong message to send to our residents.
19 Residents that have paid and endured high
20 rates from this public utility for decades.
21 If you're a homeowner or a ratepayer in this
22 county you understand that LIPA has hurt you
23 for two decades if not more.

24 The bottom line is, we should be
25 doing more as the government watchdogs not

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2 just for the county. We want to make sure the
3 county's whole, of course. But for the people
4 that put us here. Ratepayers, homeowners they
5 deserve better. This settlement does not do
6 that for them.

7 So, we are going to vote no today
8 mainly for the reasons that I indicated before
9 but also because it does not do enough. We
10 are not doing enough in this settlement. And
11 if we need to sit back and get more time, I
12 heard from Senator D'Amato in regards to this
13 matter, I rather go the full length, to the
14 11th hour before I give this utility, which
15 has been shameful in its actions, have raised
16 rates, shoddy service, some type of a deal
17 that they think is fair. If anything, they
18 should be paying our ratepayers back
19 something. Who's thinking about them today?
20 Who's thinking about our homeowners today?
21 Thank you.

22 LEGISLATOR FORD: I too will be
23 voting no on this settlement because I believe
24 that the Island Park school district, as well
25 as Oceanside, needs to be protected even more

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2 so. The way that it was a blanket reduction
3 in assessment regardless of the school
4 district, they had a power plant and not a
5 power plant, I think has proven to be unfair
6 to Island Park because I think that maybe if
7 Glenwood Landing went lower we could have kept
8 a higher assessment for the Island Park school
9 district.

10 I understand why the county is
11 doing this. I think that I may not agree with
12 it but I do understand why they're doing
13 this. When you look at an \$800 million
14 liability, according to our independent budget
15 review, the exposure for all of our residents
16 of Nassau County could be about \$90 million a
17 year. So, everybody else and the other people
18 in the rest of my district would have to
19 absorb that cost.

20 You know, we need to go after our
21 state representatives and our governor. You
22 know, Legislator, Minority Leader I should
23 say, Abrahams did mention these public
24 utilities. LIPA has been out of control.
25 PSEG, Optimum and Verizon. Each and every

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2 single one of these utilities falls under the
3 jurisdiction of New York State. I have
4 reached out to the Public Service Commission
5 on various issues and, you know, lately they
6 have been responding.

7 I worked for a utility for 25
8 years. So, I know in the past when they used
9 to be a very a -- when the state was very
10 powerful and did an oversight on the utilities
11 they responded more prudently to the
12 residents, to businesses, to everybody here in
13 the jurisdictions that they served.

14 So, I think now -- and I will keep
15 reaching out to the county executive. So, I
16 see that DCE Walsh better get used to the fact
17 that I'm going to keep reaching out to him in
18 the hopes of trying to help the school
19 district find some magic ways.

20 But in the mean time, all of us,
21 all of us, I know you're going to vote no,
22 maybe you'll vote yes, but I'm asking all of
23 you to join me in going after Governor
24 Hochul. Going after our state
25 representatives. I have to give credit to

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2 then Assemblywoman Miller, who actually did
3 come up with a plan to try to make some relief
4 for the Island Park school district but could
5 not get it through the senate.

6 But I'm asking all of you because
7 we need to. This is a community of working
8 class people. I did not live there. I did
9 not grow up there but I know a lot of people.
10 I have relatives who now live in Island Park
11 and it is a gem of a community and it deserves
12 all the assistance that it can get. And I'm
13 hoping that you will join with me.

14 And I just ask for one thing.
15 Having been a telephone worker and spending
16 many years climbing telephone poles and
17 responding to all sorts of disasters, I just
18 want to put on record because I think it's
19 unfair to the workers that do that work. When
20 we say that you've been out of power, yes,
21 where we don't have power for three weeks, we
22 don't have power for three months, we don't
23 have power.

24 You know, unless you do that work
25 and you know the constraints and you know the

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2 safety considerations that have to be made by
3 people who do work out in the field then
4 you'll understand sometimes why it does take a
5 long time for your power to be restored. It's
6 not just a matter of flicking on a switch. A
7 lot of times it's a matter of clearing
8 debris. Clearing trees. Trying to get access
9 to rear poles. Highway poles. Poles that are
10 down.

11 These workers, every time we always
12 criticize them for not doing -- like, in our
13 minds, of not doing the job right. But unless
14 you climb a telephone pole, unless you know
15 exactly what it is, what it's like running
16 cable in the most extreme type of weather
17 conditions, then please, when you want to say
18 that we didn't have power just say that we
19 understand that the workers have their
20 constraints and they try their best but
21 sometimes it does take a long time. Don't
22 lump them in with the LIPA executives because
23 they're a completely different jurisdiction.
24 Okay?

25 LEGISLATOR ABRAHAMS: No

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2 disrespect Legislator Ford, but maybe you
3 misheard me. But I never mentioned the
4 workers.

5 LEGISLATOR FORD: But no, when
6 you said it takes three to four weeks.

7 LEGISLATOR ABRAHAMS: I was
8 talking about the LIPA administration.

9 LEGISLATOR FORD: I just want to
10 point out that it's different because the
11 workers are also the ones that are restoring
12 the power.

13 LEGISLATOR ABRAHAMS: I have
14 nothing but respect for the workers.

15 LEGISLATOR FORD: I just wanted
16 to be clear.

17 LEGISLATOR ABRAHAMS: It's
18 already clear coming from my mouth. I never
19 mentioned the workers. But that being said,
20 the administration did, LIPA administration,
21 let me make sure I'm clear, not the workers,
22 but they did a very poor job not just with
23 Superstorm Sandy but Isaias. There's multiple
24 storms that they were unprepared.

25 LEGISLATOR FORD: I'm not

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2 defending LIPA.

3 LEGISLATOR ABRAHAMS: But it
4 sounded like you just were to some degree.
5 What I'm saying is, the fact is that people
6 went without power for weeks. But it sounds
7 like we're talking about a different LIPA.

8 And I'm glad to see that you're
9 going to vote no. I wish there was somebody
10 else on your side that was going to vote no.

11 But that being said, people went
12 without power for weeks. And here we are
13 considering LIPA, of all the public utilities,
14 probably the worst one, here we are
15 considering LIPA for a settlement today which
16 they consider to be fair. Which I can't
17 believe that we would do anything that LIPA
18 would consider to be fair because that means
19 they think it's to their benefit.

20 I mean, think about what the
21 residents went through without power. This
22 has nothing to do with the workers. It
23 everything to do with the LIPA administration
24 handling and poorly executing a plan for
25 Superstorm Sandy. The reason why we have PSEG

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2 today folks is because they did such a shoddy
3 job with Superstorm Sandy. So, it's not just
4 me that's saying that. There's no one
5 criticizing the workers.

6 The fact remains we're still going
7 to vote for a settlement that gives shoddy
8 work, as well as an entity that raised rates
9 for decades. I just don't see the logic in
10 that.

11 Look, I understand the position the
12 county is in today. But that being said, I
13 from our standpoint, I cast blame on both
14 sides. Nor do I cast any blame totally on one
15 entity in terms of the administration.

16 But I think we can do better and I
17 think we should go forward with doing better
18 and challenge this up to the 11th hour. But
19 if we can't get another vote to do that then
20 that's okay.

21 LEGISLATOR NICOLELLO: I disagree
22 with one point that was made. Minority Leader
23 Abrahams indicated that LIPA is on the hook.
24 That's exactly 180 degree opposite. The
25 county is on the hook. You litigate cases and

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2 some cases are just you're going to lose.

3 That is this case. We battled with LIPA, the

4 county has, through different

5 administrations. And this case wound its way

6 through the court. It was adjourned. Public

7 meetings were held. But the county was always

8 going to lose the case. They're on the wrong

9 side of the case.

10 Because it comes down to what is

11 the value, assessed value of those plants?

12 When the county looked at those plants it

13 actually came up with lower values than LIPA.

14 So this was a loser. We were going to lose

15 this case. And we are at the point now we

16 have to face that reality. Just as they had

17 to face the reality in Suffolk County.

18 The exposure to county taxpayers by

19 all accounts is upwards of \$800 million. \$100

20 million a year for debt service to pay this.

21 More importantly, for the residents

22 of those districts, if we litigate this case

23 and lose, and we're going to lose because our

24 appraisals are even lower than LIPA's, the

25 immediate reduction in assessed value for that

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2 plant will be either 81 percent or 94
3 percent.

4 That means that in October, in the
5 Island Park school district, LIPA will be
6 paying 81 percent less than they were paying
7 now or 94 percent. Basically they were going
8 to wipe all almost the entire amount of money
9 that LIPA is paying to that district if we
10 litigate this case, which we're going to lose.

11 So, we have no alternative at this
12 point. We've battled this for years. It's up
13 for a vote now. If we don't do this we are
14 going to do a grave disservice to our county,
15 to the residents and it's time to vote.

16 LEGISLATOR ABRAHAMS: The message
17 is today -- I'm sorry Senator D'Amato.

18 MR. D'AMATO: May I make an
19 observation?

20 LEGISLATOR NICOLELLO: Yes.

21 MR. D'AMATO: I appreciate your
22 indulgence. I didn't ask you to put it on
23 after the court meets. You have at least
24 three weeks before the court meets. Maybe
25 longer.

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2 LEGISLATOR NICOLELLO: We
3 understand that Senator. It's our considered
4 opinion --

5 MR. D'AMATO: What I'm asking is
6 to give the court an opportunity to listen to
7 our argument. Because our argument, if indeed
8 LIPA violated the PACB law, which said every
9 contract over a million has to be approved by
10 PACB and it goes back to the Caithness matter
11 where they started to bring in the power from
12 outside so these plants did not have to be
13 utilized.

14 So, if I said put it on after the
15 case is scheduled you'd say senator, we have a
16 settlement, the county. I'm not asking you to
17 jeopardize that settlement. I'm asking you to
18 give the court an opportunity.

19 And to some of the members on the
20 board, I don't understand why you would not
21 give the court an opportunity to hear the
22 Island Park, Town of Hempstead case before the
23 court takes up your settlement. You still
24 don't lose that and if it wants to settle on
25 it. But why not give us the leverage to do

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2 better with the governor and with LIPA by an
3 adjournment? Adjourn it for two weeks.

4 LEGISLATOR NICOLELLO: Senator,
5 you made those arguments eloquently before.

6 MR. D'AMATO: But guess what? If
7 they're so eloquent and they fail then they
8 should be failing for a reason. Give me a
9 reason.

10 LEGISLATOR NICOLELLO: You want a
11 reason?

12 MR. D'AMATO: I'm not asking you
13 to jeopardize the county settlement because
14 they've entered into an agreement already with
15 the county. They can't rescind it. What I'm
16 asking you is to give the court an opportunity
17 to listen, I think it's May 13th, to listen to
18 Island Park and to the Town of Hempstead. It
19 does not interfere with the date, which I
20 think is May 22nd. What do you lose? What
21 are you jeopardizing? Why not put some
22 pressure on LIPA?

23 If they were the little choir boys,
24 if they did everything properly, if they
25 were -- fine. But I'm going to tell you,

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2 Billy Gaylor, I don't understand why you
3 wouldn't vote to give us an opportunity before
4 the court. Not jeopardizing the county
5 settlement. Give us a chance. Why don't you
6 put the pressure on LIPA for a change? You
7 like being blackmailed? That's what's going
8 on. You're marching to a drum. Some
9 political drum. What the hell drum is it?
10 Why won't you vote the right way? That's to
11 give us an adjournment for three weeks. I
12 don't understand it. You go ahead and vote.

13 LEGISLATOR NICOLELLO: We will.

14 MR. D'AMATO: But let me tell
15 you, if you vote not to give us an adjournment
16 you're failing the taxpayers. Certainly the
17 taxpayers of Island Park by not giving them an
18 opportunity. I didn't say back away from your
19 agreement. I didn't say that. If I said to
20 do that you'd say it's unreasonable. I say to
21 my Republican colleagues there, there's a time
22 to act for what's right. You just don't march
23 to a political drum. Thank you for your
24 indulgence.

25 LEGISLATOR NICOLELLO: Thank you

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2 Senator. It's time for a vote. All in
3 favor --

4 LEGISLATOR ABRAHAMS: I'm going
5 to request a roll call vote.

6 LEGISLATOR NICOLELLO: Sure.
7 Roll call vote.

8 MR. PULITZER: Thank you. Roll
9 call vote proceeding. Deputy Presiding
10 Officer Howard Kopel.

11 LEGISLATOR KOPEL: Yes.

12 MR. PULITZER: Alternate
13 Presiding Officer Denise Ford.

14 LEGISLATOR FORD: No.

15 MR. PULITZER: Legislator Siela
16 Bynoe.

17 LEGISLATOR BYNOE: On the motion
18 I'm going to vote no for the fact that I do
19 think there's more time necessary to make sure
20 that the agreements between our special
21 districts are baked and that they make sure
22 that they protect all the special districts.
23 If even one is left behind it would be a
24 crime. This is an opportunity for us to make
25 sure that we're doing our very best as

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2 fiduciaries to protect our special districts
3 as well as the county. So I'm voting no.

4 MR. PULITZER: Thank you.
5 Legislator Carrie Solages.

6 LEGISLATOR SOLAGES: I'm voting
7 no. I want there to be a proper chance of due
8 process for the residents of Island Park and
9 the Town of Hempstead to be heard. It would
10 not inure anyone just also to grant the
11 adjournment. I'm voting no.

12 MR. PULITZER: Thank you.
13 Legislator Debra Mule.

14 LEGISLATOR MULE: I will be a no
15 vote also for the reasons stated. We have the
16 time. It doesn't make sense to me to not
17 allow that process to go through. We still
18 have the opportunity to protect the people who
19 live in Island Park in particular. And still
20 protect the taxpayers in all of Nassau
21 County. I'm voting no.

22 MR. PULITZER: Thank you.
23 Legislator C. William Gaylor the Third.

24 LEGISLATOR GAYLOR: All right.
25 It's a difficult decision and the senator

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2 brings up some very compelling arguments. So
3 does Councilman D'Esposito as well as
4 everybody else. Looking at the overall bigger
5 picture to the county we got a certain
6 fiduciary responsibility that we're charged to
7 uphold. An obligation to preserve the
8 taxpayers precious resources where we can.
9 That's all the taxpayers of Nassau County.

10 You know, this agreement is really
11 a revocable agreement. It could be pulled by
12 LIPA tomorrow. It could be pulled by the
13 county tomorrow. I don't know. It's here
14 before us to be ratified and it gives us some
15 certain assurances of a resolution to a matter
16 that's been contentious for a decade. A
17 matter that's been discussed, debated in the
18 courts, out of the courts, in one
19 administration, in the second administration,
20 in the third administration now for ten
21 years. But it still comes back to what's best
22 for all of the residents in Nassau County. In
23 this case I think it's best if I vote yes in
24 the affirmative. That's my vote.

25 MR. PULITZER: Thank you.

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2 Legislator John Giuffre.

3 LEGISLATOR GIUFFRE: My vote is
4 yes.

5 MR. PULITZER: Thank you.
6 Legislator Mazi Pilip.

7 LEGISLATOR PILIP: I will vote
8 yes in order to protect the entire residents.

9 MR. PULITZER: Thank you.
10 Legislator Delia DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON: I
12 want to just give like a quick story of what
13 happened I think it was two years ago. I was
14 asked to go on a Zoom meeting with LIPA and
15 president or everyone called him Falcone was
16 on the call. Everyone introduced themselves.
17 It was the mayor of Sea Cliff at the time. I
18 was sitting in my backyard. It was during
19 COVID. So my husband and daughter were home.
20 I had already met with the administration and
21 expressed my concerns and was questioning
22 about the PILOT and questioning about the fact
23 that this settlement was going to affect our
24 residents for decades. For the rest of the
25 time they owned their homes. It's a major,

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2 major, major decision.

3 And Mr. Falcone said to me,
4 Legislator, I want you to really consider what
5 you're doing by going against this
6 settlement. Because if you continue to do so,
7 I'm going to take everything out of the north
8 shore Glenwood Landing plant and bring it in
9 through Northport and you'll have nothing.
10 And I said "Are you threatening me?" Because
11 I've been threatened a couple of times even in
12 the last week. And usually when somebody
13 threatens you they feel an insecurity.

14 At that moment some other person
15 came on the phone. And that's the problem
16 with Zoom, especially back then, you didn't
17 always know who was on the phone. He said
18 "No, no, no legislator. You're not being
19 threatened. LIPA's not threatening you. No,
20 no, no." I said "No, I think I was just
21 threatened." I said "You just told me if I
22 don't agree with it you're going to take
23 everything away from the north shore."

24 To make a long story short, I
25 finished the meeting because I hung up on them

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2 and I walked into my house and my husband said
3 "I don't know who you were yelling at but I'm
4 glad it wasn't me." So like, that's how they
5 were with me. They are bullies.

6 Look, I know, I see how nervous the
7 deputy county executive is right now. This is
8 checklist to help us get rid of NIFA. I get
9 it. We have to get rid of this liability. I
10 get it. But do we have to give them
11 everything they want? No.

12 I agree with Senator D'Amato. It's
13 been a pleasure to see you again. I'm so
14 impressed with how sharp you still are and how
15 strong you are and how you don't back down to
16 people that tried to bully you right 15
17 minutes ago. I appreciate it from my district
18 and from Island Park because, again, we're
19 going to go home today and it's over and
20 great. But it's going to impact these
21 families for generations to come. I'm sick
22 about it.

23 Because again, I feel this is a
24 company that's making more money than ever.
25 And, you know, it's just a real shame that

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2 we're -- I feel like we're bowing down. And
3 I'm a fighter. I was raised by a fighter. I
4 would fight. I would definitely fight this.
5 And I appreciate you taking your time to try
6 to motivate it. Unfortunately, it's very hard
7 to get anyone to break the ranks. So, you did
8 a good job and you tried but I haven't seen it
9 happen before. The odds were against you. So
10 I vote no for the settlement.

11 MR. PULITZER: Thank you. Is
12 James Kennedy available.

13 LEGISLATOR NICOLELLO: He's not
14 available, no.

15 MR. PULITZER: Okay. Legislator
16 Thomas McKevitt.

17 LEGISLATOR MCKEVITT: Yes.

18 MR. PULITZER: Thank you.
19 Legislator Laura Schaefer.

20 LEGISLATOR SCHAEFER: I vote yes.

21 MR. PULITZER: Thank you.
22 Legislator John Ferretti.

23 LEGISLATOR FERRETTI: Sorry, I'm
24 going to be a little bit longer. I think
25 there's been an attempt today, specifically by

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2 my colleagues on the other side of the aisle,
3 to paint this picture that somehow the
4 administration has negotiated a deal where the
5 county is bowing down. I think that's what
6 was said. Or that LIPA is getting everything
7 they want. It's just not reality.

8 The reality is that the evidence
9 submitted by the county, by the previous
10 administration, we will lose. At best they
11 will get an award I believe Mr. Vincelette
12 said between \$500 million and \$800 million.
13 At best. That's if they agree with the
14 previous county administration's numbers.
15 Every one of our residents, with the exception
16 of two legislators, will be on the hook for
17 that money.

18 The minority talked about rates,
19 the high rates of LIPA. I agree. Nobody
20 wants to pay high rates. Isn't it possible
21 that because they've been overpaying on these
22 plants for X amount of years that they
23 increased their rates as a result and that all
24 of our constituents in every district are
25 paying higher rates because of that?

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2 So, when you talk about LIPA rates
3 and then vote no on this settlement it's a
4 contradiction to me. It could very well
5 happen that in the event that this does not
6 pass that the rates will get even higher. So,
7 I don't really understand that.

8 I respect and I understand the
9 complaints about LIPA as an entity and I agree
10 with them. But I didn't hear anybody on the
11 other side of the aisle going after the state
12 when those things were happening. It's a
13 state utility. That's the reality of that.

14 So, again, I just want to kind of
15 drill home the fact that this is not a
16 winnable case. Every one of our residents
17 will lose. Island Park and Glenwood
18 Landing -- and look, I don't love the term
19 glide path either. But talk about a cliff.
20 If we were to lose it would be more
21 devastating than it is now. Nobody wants to
22 pay higher taxes. I have compassion for both
23 of those communities. We have to go to the
24 state and get more money for them to mitigate
25 this disastrous outcome. But we also have to

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2 do what's right for the entire county and that
3 is why I am voting yes.

4 MR. PULITZER: Thank you
5 legislator. Legislator Arnold Drucker.

6 LEGISLATOR DRUCKER: Thank you.
7 You know, my colleagues who are attorneys I'm
8 so impressed that you have a crystal ball and
9 you can predict the outcome of every single
10 trial because I wish I had that crystal ball
11 every time I went into court.

12 You know, I'm an attorney and I
13 believe in the rule of law and I believe in
14 democracy. And I want to thank Senator
15 D'Amato for educating me on the procedural
16 defects that LIPA faces that could carry the
17 day. We don't know. I think there's reason
18 to pause, not necessarily as the senator said
19 about waiting until after the court hearing,
20 but at least give us a few weeks time to just
21 pump the brakes a little bit.

22 I think that rule of law is
23 important and we have to respect that. Also,
24 LIPA is this behemoth that, I don't know, this
25 particular offer on its face also does nothing

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2 for the ratepayers. Are they offering any
3 sort of reduction to ratepayers to compensate
4 them for what has been going on for, as the
5 minority leader said, decades. Decades of
6 ineptitude. Decades of abject corruption.

7 I for one believe that there
8 shouldn't be a rush to judgement here.
9 Stranger things have happened in pretrial
10 conferences and maybe something can come out
11 of this that's a little bit better for Nassau
12 County taxpayers.

13 Yes, many times we're asked as
14 legislators when we go into executive session
15 and approved settlements that all of us, both
16 sides of the aisle, we don't like. Sometimes
17 we have to hold our noses and say yeah, we're
18 going to have to vote for this because it's
19 better for Nassau County to have to pay this
20 than pay something a lot larger later on.
21 That makes a lot of sense sometimes.

22 This one of those cases where I'm
23 not willing to hold my nose on. I want to
24 give it some more time to percolate and maybe
25 some better results can come out of this. So

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2 I'm going to vote no.

3 MR. PULITZER: Thank you
4 legislator. Legislator Rose Marie Walker.

5 LEGISLATOR WALKER: I guess I
6 would have to say, and I don't have a crystal
7 ball either, I look on the other side that
8 Legislator Drucker was looking on. I think
9 the result that if it wasn't beneficial to us
10 that it would hurt the residents so much
11 more. It would hurt all of our residents and
12 certainly hurt the residents in both of those
13 districts very, very much.

14 I'm going to vote yes, but I'm also
15 going to say I will do everything in my power
16 and continue to do everything in my power,
17 along with the rest of us, to petition the
18 state, to petition the governor to do what is
19 right too for both of these school districts.

20 MR. PULITZER: Thank you ma'am.
21 Legislator Joshua Lafazan.

22 LEGISLATOR LAFAZAN: Thank you,
23 and I appreciate all who came down to speak
24 today so passionately. This is something that
25 Legislator DeRiggi-Whitton and I have been

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2 working on together for a number of months if
3 not years now to protect the residents in
4 Island Park, to protect the residents in
5 Glenwood Landing and to do the right thing. I
6 vote no.

7 MR. PULITZER: Thank you.
8 Legislator Steven Rhoads.

9 LEGISLATOR RHOADS: Thank you
10 Mr. Clerk. We do have I guess different
11 opinions on what doing the right thing is. I
12 guess that's a question of our own individual
13 perspective.

14 This is not a rate case. This is
15 not a case about the quality of service. This
16 is a tax certiorari case. This is a case,
17 like so many others that come before us, where
18 we look at facts, look at evidence, look at
19 what we anticipate the court is going to see
20 in terms of evidence and make a decision as to
21 what's in the best interest of the county.

22 What we know, and I don't have a
23 crystal ball either, but what I do know is
24 that I have handled a ton of cases where you
25 have experts on both sides. And what I do

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2 know is that when you hire an expert who gives
3 you an opinion that not only agrees with the
4 other side but in fact says it's worse,
5 there's a great chance you're going to lose.
6 That's what I know. That's the situation that
7 we're in in this particular case.

8 I agree, LIPA is terrible. I agree
9 that the public service commission does very
10 little, if anything, to protect ratepayers.
11 I've been fighting with the public service
12 commission over New York American Water and
13 Liberty Water for the last -- how long have
14 I've been here? Seven years. Four years ago
15 they gave them a rate increase anyway. I
16 asked the governor to change the public
17 service commission. It never happened. We
18 changed the governor before we changed the
19 public service commission. That fight needs
20 to happen up in Albany.

21 But what's before us here is a
22 situation where if this settlement isn't
23 approved today LIPA could walk away from that
24 settlement tomorrow. Until both sides sign on
25 the dotted line, and effectively what we're

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2 doing today by ratifying the agreement is
3 signing on the bottom line, that agreement is
4 fully revocable. And if LIPA walks away from
5 that agreement, then Nassau County taxpayers
6 are likely on the hook for between five and
7 \$800 million in liability. That is money that
8 will be paid by every single taxpayer of
9 Nassau County. That is money that the
10 residents of Island Park and the residents of
11 Glenwood Landing, who I could not be more
12 sympathetic towards, but if they win that
13 judgement there is no five year phase in. It
14 happens immediately. Was it 87 or 94 percent,
15 whichever it was, increase immediately in
16 their tax liability.

17 So, the reasonable thing to me to
18 do and the responsible thing in my opinion to
19 do is to vote for this settlement today for
20 the assurance that one, we're avoiding this
21 liability on behalf of all Nassau County
22 residents. But providing a path even for the
23 residents in those individual districts to
24 have at least some phase in and at least some
25 relief instead of the threat of being

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2 immediately impacted by a case that we are
3 pretty confident we're not going to win. So I
4 vote in the affirmative.

5 MR. PULITZER: Thank you
6 legislator. Minority Leader Kevan Abrahams.

7 LEGISLATOR ABRAHAMS: Thank you
8 Mike. I've heard a lot of justification for
9 votes today which I guess it is what it is.
10 We have to justify why we vote yes. At the
11 same time we have to justify that this is a
12 different entity than the entity that has been
13 hurting ratepayers for the last God knows how
14 many decades. That being said, your voters
15 and your constituents don't see the
16 differentiation. They don't see the examples
17 that you're trying to make.

18 At the end of the day this is the
19 same LIPA that has given them shoddy service
20 and raised their rates. Granted, we
21 understand that that's not before us today.
22 Today is a tax certiorari case. But the
23 little guy had a chance to score a victory
24 today and you guys voted with the big entity.
25 That's the fact. The little guy could have

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2 won something today. Could have been one zero
3 for the little guy. Finally gets a chance to
4 stick it to the big guy.

5 In agreement with Senator D'Amato.
6 Everyone knows this case has to be settled but
7 we don't have to settle it today. We're
8 settling it because LIPA said that we have to
9 settle it today or we're backing away. That's
10 placating to LIPA. That's the point that I'm
11 making. That if LIPA says jump you guys are
12 asking how high.

13 So, clearly what's happening today
14 is that ratepayers don't matter. Constituents
15 don't matter. School districts, library
16 districts don't matter. LIPA matters. That's
17 the entity that matters. That's where we're
18 going wrong and that's where we're losing the
19 message. That the same entity that hurt your
20 constituents during countless super storm
21 after, they left them in the dark, literally
22 left them in the dark, is getting what they
23 want. Not just what they want but when they
24 want it. What kind of message does that say
25 about you guys? Not a good one. I vote no

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2 for the ratepayer.

3 MR. PULITZER: Thank you
4 legislator. Presiding Officer Richard
5 Nicoletto.

6 LEGISLATOR NICOLELLO: Our voters
7 and the residents of Nassau County are a lot
8 more intelligent than you give them credit
9 for. They understand the fact that there's a
10 potential exposure to the county of a billion
11 dollars. It's money that they have to pay.
12 Taxpayers have to pay. Even the residents in
13 the districts that are most prominently
14 affected they have more intelligence than
15 that. They can understand the numbers.

16 Steve talked generally about
17 experts. Let's look at what the experts are
18 saying. This is an assessment case. What's
19 the value of those plants? LIPA says Barrett
20 plant the value is \$28 million. Would be a 94
21 percent reduction in the taxes they pay.
22 Nassau County, they say it's \$94 million.
23 Which is an 81 percent reduction in taxes they
24 have to pay.

25 Glenwood Landing. LIPA says that

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2 the plant is worth \$40 million. 72 percent
3 reduction in taxes that LIPA will be paying to
4 that school district. Nassau County was
5 less. \$35 million. So, under Nassau County's
6 numbers a 76 percent reduction in the taxes
7 that we pay to those school districts. Those
8 are the numbers.

9 Again, we can rail about LIPA and
10 none of us like LIPA and they're the whipping
11 boy that we can talk about and all that
12 stuff. But our residents are smart. They
13 understand the numbers. They understand that
14 they don't want to pay another billion dollars
15 in county taxes to get nothing for it.

16 And the residents in the school
17 districts are smart and they understand that
18 at some point in the litigation you have to
19 decide whether you're going to settle it or go
20 forward. And in this case they understand if
21 you don't settle the reduction in taxes will
22 be devastating and immediate.

23 So, I have a lot of respect for the
24 residents of the county, apparently more than
25 you do and I think the residents will see this

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2 to be a good deal that it is for the county
3 residents and in fact for the school districts
4 is the best we're ever going to get. I vote
5 yes.

6 MR. PULITZER: Thank you. Final
7 count, ten yes, eight no.

8 LEGISLATOR NICOLELLO: Thank
9 you. The item passes.

10 We have two other items on the
11 agenda. Number one, a local law to amend
12 Section 3-2.3 of the Nassau County
13 Administrative Code in relation to the special
14 revenue fund created pursuant this section.

15 A motion to open the hearing?
16 Legislator Schaefer makes that motion.
17 Legislator Walker seconds the motion. The
18 hearing is now open. Andy, do you want to
19 speak to it?

20 MR. PERSICH: Andy Persich,
21 Office of Management and Budget. As I spoke
22 before in the committee meetings last week,
23 two weeks ago, I'm sorry, this just amends the
24 special uses for the special revenue fund to
25 broaden its uses for what we can spend the

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2 money on. And I'm here to take any questions.

3 LEGISLATOR NICOLELLO: More
4 specifically it will allow us to spend money
5 with respect to the longevity payment?

6 MR. PERSICH: It will give us
7 monies to fund the longevity payments. We
8 have some other litigation out there that it
9 would open up the horizons. There's Article
10 18 cases out there that are still looming.
11 Some other post-employment benefits that we
12 might be able to use the money for.

13 Again, this will help us on the
14 glide slope to get us out of the control
15 period is what the ultimate goal is by
16 spending down some of our -- or reducing some
17 of the liabilities that are on the county's
18 books that are unforeseen.

19 LEGISLATOR NICOLELLO: Any
20 questions? Motion to close the hearing?
21 Legislator Walker. Seconded by Legislator
22 Ford. All in favor of closing the hearing
23 signify by saying aye. Those opposed?
24 Carries unanimously.

25 Item two is a vote on the proposed

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2 local law to amend Section 3-2.3 of the Nassau
3 County Administrative Code in relation to the
4 special revenue fund created pursuant to this
5 section.

6 Motion by Legislator Giuffre.

7 Seconded by Legislator Ferretti. Any debate
8 or discussion on this local law? Hearing
9 none, all in favor signify by saying aye.
10 Those opposed? Carries unanimously.

11 Motion by Legislator Rhoads.

12 Seconded by Legislator Walker. All in favor
13 of adjourning signify by saying aye. Those
14 opposed? Carries unanimously.

15 (Meeting was adjourned at 5:46
16 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 first day of
May 2022.

FRANK GRAY