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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, September 9, 2013
7:46 P.M

ORIGINAL

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

RICHARD NICOLELLO,
Chairman

VINCENT MUSCARELLA,
Vice Chairman

ROSE MARIE WALKER (Substituted by
Howard Kopel)

MICHAEL VENDITTO (Substituted by
Dennis Dunne)

DAVID DENENBERG,
Ranking

JUDI BOSWORTH (Substituted by
Carrie Solages)

DELIA DeRIGGI-WHITTON

WILLIAM J. MULLER, III
Clerk of the Legislature

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LIST OF SPEAKERS

GREGORY MAY, Director
County Executive's Office.....0

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INSERTS

Incorporated Minutes:

By reference:	Page	8,	Line	21
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	Page	17,	Line	2
	Page	21,	Line	14

1 Finance Committee/9-9-13

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. I would note
4 for the record that Legislator Kopel will be
5 sitting in for Legislator Walker, and
6 Legislator Dunne will be sitting in for
7 Legislator Venditto. Can you call the roll,
8 please?

9 CLERK MULLER: Yes. Legislator
10 DeRiggi-Whitton?

11 LEGISLATOR DeRIGGI-WHITTON: Here.

12 CLERK MULLER: Legislator Solages
13 substituting for Legislator Bosworth?

14 LEGISLATOR SOLAGES: Here.

15 CLERK MULLER: Ranking Member
16 Denenberg?

17 LEGISLATOR DENENBERG: Here.

18 CLERK MULLER: Legislator Dunne
19 substituting for Legislator Venditto?

20 LEGISLATOR DUNNE: Here.

21 CLERK MULLER: Legislator Kopel
22 substituting for Legislator Walker?

23 LEGISLATOR KOPEL: Here.

24 CLERK MULLER: Vice Chairman
25 Muscarella?

1 Finance Committee/9-9-13

2 LEGISLATOR MUSCARELLA: Here.

3 CLERK MULLER: And Chairman

4 Nicoletto?

5 CHAIRMAN NICOLELLO: Here.

6 CLERK MULLER: We have a quorum.

7 CHAIRMAN NICOLELLO: We have a
8 quorum. So Items 353, 354, 355, 356, 357,
9 358, and 359 and 360, are ordinances
10 supplemental to the annual appropriation
11 ordinance in connection with the Police
12 Department, Department of Parks and
13 Recreation, Office of Housing and Community
14 Development and the Health Department.

15 May I have a motion?

16 LEGISLATOR DUNNE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Dunne, seconded by Legislator
20 Kopel. Do we have any questions from the
21 legislators?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

1 Finance Committee/9-9-13
2 saying aye.
3 (Aye.)
4 Those opposed?
5 (No verbal response.)
6 Those items carry unanimously.
7 The next items are 361 and 362 of
8 2013, both resolutions to authorize the
9 transfer of appropriations heretofore made
10 within the budget for the year 2013.
11 LEGISLATOR MUSCARELLA: So moved.
12 LEGISLATOR DUNNE: Second.
13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Dunne. Do we have any questions?
16 (No verbal response.)
17 Is there any public comment?
18 (No verbal response.)
19 All those in favor signify by
20 saying aye.
21 (Aye.)
22 Any opposed?
23 (No verbal response.)
24 Those items carry unanimously.
25 Items 363, 364, 365, 366, 367 and

1 Finance Committee/9-9-13
2 368 are ordinances supplemental to the
3 annual appropriation ordinance in connection
4 with the Police Department, Office of
5 Housing and Community Development, the
6 Correctional Center, and the Department of
7 Parks.

8 May I have a motion?

9 LEGISLATOR KOPEL: So moved.

10 LEGISLATOR DUNNE: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Kopel, seconded by Legislator
13 Dunne. Do we have any questions from the
14 legislators?

15 LEGISLATOR DENENBERG: Can we
16 just incorporate whatever record was in the
17 committee below, Public Safety or Public
18 Works as the case may be.

19 CHAIRMAN NICOLELLO: Incorporate
20 those by reference.

21 (Whereupon, please refer to the
22 minutes of the Public Works Committee dated
23 9-9-13 pertaining to Clerk Item 358 by
24 reference at page 5, line 12 to page 14,
25 line 7.)

1 Finance Committee/9-9-13

2 CHAIRMAN NICOLELLO: Any other
3 questions?

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 Hearing none, all those in favor
8 signify by saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Those items carry unanimously.

13 Items 369 and 370 of 2013 are
14 resolutions to authorize the transfer of
15 appropriations heretofore made within the
16 budget for the year 2013.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Dunne, seconded by Legislator
21 Muscarella. Do we have any questions?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 By the way, you gentleman don't

1 Finance Committee/9-9-13

2 have to stick around for this.

3 LEGISLATOR DENENBERG: Technically
4 they're right if they still call it in
5 Finance and Rules but I think we asked you
6 all the questions that we had.

7 CHAIRMAN NICOLELLO: Yes. And I
8 think there was an agreement that was read,
9 the committee chairman, that we had
10 exhausted our questions at this time. So
11 the items will be called in the committee
12 but they'll be no questions. Thank you,
13 gentlemen.

14 We're not done. No questions?
15 Any public comment?

16 (No verbal response.)

17 Hearing no public comment, all
18 those in favor of Items 369 and 370 signify
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Those items carry unanimously.

24 Item 371 of 2013 is a resolution
25 authorizing the county executive to execute

1 Finance Committee/9-9-13
2 a grant agreement between the County of
3 Nassau acting on behalf of the county
4 Department of Parks and the Hicksville
5 Gregory Museum.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR MUSCARELLA: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Dunne, seconded by Legislator
10 Muscarella. Any questions?

11 LEGISLATOR DENENBERG: I have a
12 question.

13 CHAIRMAN NICOLELLO: Legislator
14 Denenberg.

15 LEGISLATOR DENENBERG: Mr. May,
16 where is the source of the funding for this?

17 MR. MAY: The source is the Hotel
18 Motel. Clerk Item 371-13, Hotel Motel.

19 LEGISLATOR DENENBERG: So I had
20 asked some questions regarding the hotel
21 motel tax to Commissioner Foskey and, on
22 this, I just wanted the updated reports both
23 from Commissioner Foskey, he was doing an
24 updated report for this year, as well as a
25 county attorney's opinion, okay?

1 Finance Committee/9-9-13

2 MR. MAY: Yes. And, thank you, I
3 missed the hotel motel updated reports, but
4 I do have the county attorney opinion to get
5 to you guys, obviously to the chair.

6 LEGISLATOR DENENBERG: And I
7 would incorporate the minutes from the items
8 which I think they were in, the 358 and 359,
9 into this item which hadn't been called
10 earlier into 371.

11 CHAIRMAN NICOLELLO: That's a
12 first. Can we do that, incorporate them by
13 reference. I think we always incorporate
14 the minutes of the same item but I guess
15 it's fine.

16 LEGISLATOR DENENBERG: Same
17 questions, want me to repeat them?

18 CHAIRMAN NICOLELLO: No.

19 (Whereupon, please refer to the
20 minutes of the Public Works Committee dated
21 9-9-13 pertaining to Clerk Item 358 by
22 reference at page 5, line 12 to page 14,
23 line 7.)

24 CHAIRMAN NICOLELLO: Any further
25 questions on that?

1 Finance Committee/9-9-13

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor of Item 371 of
6 2013, signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 That item carries unanimously.

11 Item 374 of 2013 is the coliseum
12 lease, an ordinance making certain
13 determinations pursuant to State
14 Environmental Quality Review Act and
15 authorizing the county executive of the
16 County of Nassau to execute a lease by and
17 between the county and the Nassau Events
18 Center.

19 LEGISLATOR KOPEL: So moved.

20 LEGISLATOR DUNNE: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Legislator Kopel, seconded by Legislator
23 Dunne. Legislator Kopel moves that the
24 testimony be incorporated by reference in
25 this committee.

1 Finance Committee/9-9-13
2 (Whereupon, please refer to the
3 minutes of the Economic and Community
4 Development Committee dated 9-9-13
5 pertaining to Clerk Item 374-13 by reference
6 at page 5, line 4 through page 195, line
7 21.)

8 Is there any public comment?
9 (No verbal response.)
10 All those in favor signify by
11 saying aye.

12 (Aye.)
13 Any opposed?
14 (No verbal response.)

15 It's moved to Rules. Items 385,
16 387, 388, 389, 390 of 2013, the first one is
17 to increase the petty cash fund of the
18 Office of the District Attorney. That's
19 Item 385.

20 Items 387 is an ordinance
21 supplemental to the annual appropriation
22 ordinance in connection with the Health
23 Department.

24 388 and 389 and 390 are
25 resolutions to authorize the transfer of

1 Finance Committee/9-9-13
2 appropriations heretofore made within the
3 budget for the year 2013.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR MUSCARELLA: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Dunne, seconded by Legislator
8 Muscarella. Any questions on these items?

9 MR. MAY: Mr. Chairman, I just
10 wanted to point out on Clerk Item 389-13, is
11 a board transfer 35 of 13 in the amount of
12 \$10,000, we're going to be filing an
13 amendment on that item. There are some
14 errors on the staff summary and on the
15 ordinance.

16 CHAIRMAN NICOLELLO: Going to do
17 that between now and the Full Legislature?

18 MR. MAY: Yes, sir.

19 CHAIRMAN NICOLELLO: Any further
20 questions?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor of passing
25 this, signify by saying aye.

1 Finance Committee/9-9-13

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Those items carry unanimously.

6 Items 391, 393, 394 are

7 resolutions authorizing the County Executive
8 to execute a grant agreement between the
9 County of Nassau acting on behalf of the
10 parks department and West End Visual Arts
11 Artist's Guild, the Village of Rockville
12 Centre, and the Historical Society of the
13 Massapequas.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel.

19 LEGISLATOR DENENBERG: Same
20 request with respect to Items 358 and 359,
21 to incorporate the questions from the Public
22 Works Committee.

23 CHAIRMAN NICOLELLO: Okay,
24 incorporate by reference the questions from
25 the Public Works Committee.

1 Finance Committee/9-9-13
2 (Whereupon, please refer to the
3 minutes of the Public Works Committee dated
4 9-9-13 pertaining to Clerk Item 358 by
5 reference at page 5, line 12 to page 14,
6 line 7.)

7 CHAIRMAN NICOLELLO: Any other
8 questions or discussion?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor of passing
13 this, signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Carries unanimously.

18 Items 395 and 396 are resolutions
19 to authorize the transfer of appropriations
20 heretofore made with the budget for the year
21 2013.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR MUSCARELLA: Second.

24 CHAIRMAN NICOLELLO: Moved by

25 Legislator Dunne, seconded by Legislator

1 Finance Committee/9-9-13

2 Muscarella. Any questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 All those in favor signify by

7 saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 Carries unanimously. Items 401,
12 402 and 403 are resolutions authorizing a
13 federal aid project administered by the
14 State of New York, Department of
15 Transportation and authorizing the county to
16 participate in the nonfederal share of the
17 cost of construction and the cost of
18 construction supervision and inspection of
19 the project and authorizing the county
20 executive to execute an agreement on behalf
21 of the county, State Department of
22 Transportation.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/9-9-13
2 Legislator Dunne, seconded by Legislator
3 Kopel. Any questions on these three items
4 that went through Public Works earlier?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 Hearing none, all in favor
9 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Those items carry unanimously.

14 Motion to suspend the rules.

15 LEGISLATOR MUSCARELLA: So moved.

16 LEGISLATOR DUNNE: Second.

17 CHAIRMAN NICOLELLO: Legislator
18 Muscarella makes the motion to suspend the
19 rules, seconded by Legislator Dunne.

20 All those in favor of suspending
21 the rules signify by saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 The rules are suspended.

1 Finance Committee/9-9-13

2 Item 404 of 2013 is an ordinance
3 supplemental to the annual appropriation
4 ordinance in connection with the Department
5 of Forensic Genetics and Medical Examiner.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Dunne, seconded by Legislator
10 Kopel. Any questions on this item?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 Carries unanimously.

20 Item 405 of 2013 is a resolution
21 making certain determinations pursuant to
22 the State Environmental Quality Review Act
23 and authorizing the county executive on
24 behalf of the County to execute contracts of
25 sale between the County and ZK Associates,

1 Finance Committee/9-9-13
2 Incorporated and to execute all pertinent
3 documents therewith.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Dunne, seconded by Legislator
8 Kopel. This is the item with respect to the
9 First Precinct that was discussed earlier in
10 the Public Safety Committee. Legislator
11 Denenberg is going to move that the minutes
12 of the Public Safety Committee be
13 incorporated by reference.

14 (Whereupon, please refer to the
15 minutes of the Public Safety Committee dated
16 9-9-13 pertaining to Clerk Item 405-13 by
17 reference at page 19, line 8 to page 56,
18 line 23.)

19 CHAIRMAN NICOLELLO: Do we have
20 any other questions at this time?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/9-9-13
2 (Aye.)
3 Any opposed?
4 (No verbal response.)
5 That item carries unanimously.
6 CHAIRMAN NICOLELLO: Motion to
7 adjourn, please?
8 LEGISLATOR MUSCARELLA: So moved.
9 LEGISLATOR DUNNE: Second.
10 CHAIRMAN NICOLELLO: Motion by
11 Legislator Muscarella, seconded by
12 Legislator Dunne. All those in favor
13 signify by saying aye.
14 (Aye.)
15 Those opposed?
16 (No verbal response.)
17 The committee stands adjourned
18 and Rules is next.
19 (Whereupon, the Finance Committee
20 adjourned at 7:58 p.m.)
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C E R T I F I C A T E

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

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of September, 2013.

Frank Gray

FRANK GRAY