

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
PRESIDING OFFICER

FINANCE COMMITTEE

RICHARD NICOLELLO,  
CHAIRMAN

1550 Franklin Avenue  
Mineola, New York

May 5, 2014  
3:37 p.m.

REGAL REPORTING SERVICES  
516-747-7353

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

RICHARD NICOLELLO  
Chairman

VINCENT MUSCARELLA (Not Present)  
Vice-Chair

DENISE DUNNE (Sitting in for Vincent Muscarella)

ROSE MARIE WALKER

MICHAEL VENDITTO

DAVID DENENBERG  
Ranking

DELIA DeRIGGI-WHITTON

ELLEN BIRNBAUM

WILLIAM J. MULLER, III  
Clerk

LIST OF SPEAKERS

GREG STEPHANOFF . . . . . 9  
MAURICE CHALMERS. . . . . 13

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2 CHAIRMAN NICOLELLO: I call the Finance  
3 Committee to order.

4 I ask Mr. Muller, if you would please  
5 call the roll.

6 CLERK MULLER: Legislator Birnbaum?

7 LEGISLATOR BIRNBAUM: Here.

8 CLERK MULLER: Legislator DeRiggi-  
9 Whitton?

10 LEGISLATOR DeRIGGI-WHITTON: Here.

11 CLERK MULLER: Ranking Member,  
12 Legislator Denenberg? He's here.

13 Legislator Venditto?

14 LEGISLATOR VENDITTO: Here.

15 CLERK MULLER: Legislator Walker?

16 LEGISLATOR WALKER: Here.

17 CLERK MULLER: Legislator Dunne,  
18 substituting for Vice Chair Muscarella?

19 LEGISLATOR DUNNE: Here.

20 CLERK MULLER: Chairman Nicoletto?

21 CHAIRMAN NICOLELLO: Here.

22 CLERK MULLER: We have a quorum.

23 CHAIRMAN NICOLELLO: Thank you, sir.

24 Item 158-2014 -- and all references of  
25 items will be to 2014. But Item 158-2014 is a

2 resolution authorizing the county executive to  
3 execute a grant agreement between the County of  
4 Nassau, acting on behalf of the County Department  
5 of Parks, Recreation, and Museums and the Irish  
6 American Society of Nassau, Suffolk and Queens.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRMAN NICOLELLO: Moved by Legislator  
10 Dunne, seconded by Legislator Walker.

11 Any discussion?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 All in favor signify by saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item carries unanimously.

20 Items 165, 166, 167, 168, 169, and 170.

21 165 and 166 are resolutions to authorize the  
22 transfer of appropriations heretofore made within  
23 the budget for the year 2014.

24 167, 168, 169, and 170 are ordinances  
25 supplemental to the annual appropriations

2 ordinance in connection with the District  
3 Attorney's Office, the Office of Management and  
4 Budget, and the Fire Commission.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR VENDITTO: Second.

7 CHAIRMAN NICOLELLO: Moved by Legislator  
8 Walker, seconded by Legislator Venditto.

9 Any discussion?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All those in favor signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Those items carry unanimously.

18 Item 171-2014 is a resolution providing  
19 for the issuance of a warrant directing the  
20 treasurer of the County of Nassau to pay to the  
21 supervisors of the several towns and to the  
22 treasurers of the several villages and cities  
23 within the County of Nassau, the sums as  
24 apportioned by the County Legislature based on a  
25 report filed by the county treasurer and the

2 county clerk, showing deposits from mortgage  
3 taxes for the quarter beginning January 1, 2014.

4 LEGISLATOR DUNNE: So moved.

5 CHAIRMAN NICOLELLO: Moved by Legislator  
6 Dunne.

7 LEGISLATOR WALKER: Second.

8 CHAIRMAN NICOLELLO: Seconded by  
9 Legislator Walker.

10 Any discussion on this item?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 All those in favor signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 That item carries unanimously.

19 Item 173-2014 is a resolution authorizing  
20 the county executive to execute a grant agreement  
21 between the County of Nassau, acting on behalf of  
22 the department of Parks, Recreation, and Museums,  
23 and the Agricultural Society of Nassau, Queens,  
24 and Suffolk Counties.

25 LEGISLATOR DUNNE: So moved.

2 LEGISLATOR VENDITTO: Second.

3 CHAIRMAN NICOLELLO: Moved by Legislator  
4 Dunne, seconded by Legislator Venditto.

5 Any discussion?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 All in favor signify by saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 That item carries unanimously.

14 Item 174-2014 is an ordinance  
15 supplemental -- I'm sorry -- an ordinance  
16 amending Ordinance Number 535-1989 in relation to  
17 fees for services relating to police vehicles,  
18 impounded vehicles, and other towing.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR WALKER: Second.

21 CHAIRMAN NICOLELLO: Moved by Legislator  
22 Dunne, seconded by Legislator Walker.

23 Any discussion on this item? Legislator  
24 Denenberg.

25 LEGISLATOR DENENBERG: Is there anyone

2 to answer?

3 CHAIRMAN NICOLELLO: Should we start off  
4 with Mr. May? Nope. We have Sergeant Stephanoff  
5 and Mr. May.

6 SERGEANT STEPHANOFF: Good afternoon.  
7 Sergeant Greg Stephanoff from the police.

8 LEGISLATOR DENENBERG: The fee increases  
9 here, can you explain what the increases are and  
10 why we're increasing these fees?

11 SERGEANT STEPHANOFF: The fee increases  
12 are -- we're increasing the towing. There's  
13 towing for passenger cars, and commercial cars  
14 are towed at a higher rate because of the size of  
15 the vehicle. We're also increasing the storage  
16 fees that the towing companies, when they store  
17 vehicles that are impounded for us.

18 They're being increased just so the  
19 companies can stay more competitive and cover  
20 their expenses for the services that they're  
21 providing when they impound for us.

22 LEGISLATOR DENENBERG: These are outside  
23 companies that are doing the impounding?

24 SERGEANT STEPHANOFF: Yes.

25 LEGISLATOR DENENBERG: So the fees will

go to these companies?

SERGEANT STEPHANOFF: Yes.

LEGISLATOR DENENBERG: So these are fees that we actually pay out?

SERGEANT STEPHANOFF: No. No. We're not paying. We pay -- we generally impound --

LEGISLATOR DENENBERG: Well don't -- go ahead. I'm sorry. Finish.

SERGEANT STEPHANOFF: We generally impound for arrests. Like certain arrests, we need to impound vehicles, or if we need to safeguard a vehicle for an investigation. If we choose to impound the vehicle for our investigation, then most times we pay the fees and then the car is released to the owner. If, subsequent to an arrest, we impound a vehicle for, let's say, DWI and the car gets released back to the person, they'll pay the impound fees.

LEGISLATOR DENENBERG: So either way the fees are going -- so either the county pays the fees or the constituent, Nassau County resident or it could be, I guess, an out-of-county resident, pays the fees directly?

SERGEANT STEPHANOFF: Yes.

1                   LEGISLATOR DENENBERG:     Okay.    So by  
2  
3 ordinance we need to establish what the rates  
4 that companies that do business with the county  
5 can charge?

6                   SERGEANT STEPHANOFF:     Yes.    Because  
7 these are cars -- these are not voluntary tows.  
8 These are cars that we deemed that we're going to  
9 impound, the police department, and we contract  
10 with the companies.   That will come --

11                   LEGISLATOR DENENBERG:     And if we don't  
12 raise the rates we might not be able to secure  
13 these contracts to have towing companies and  
14 impound lots available?

15                   SERGEANT STEPHANOFF:     Yes.

16                   LEGISLATOR DENENBERG:     Are these  
17 competitive with, let's say, Queens and Suffolk  
18 Counties?

19                   SERGEANT STEPHANOFF:     From the work that  
20 legal bureau did putting this together, it  
21 appears we're lower than Suffolk and New York  
22 City.   We didn't go as high as they did.

23                   LEGISLATOR DENENBERG:     If the county  
24 gets the money directly from the resident or  
25 taxpayer or non-resident, for that matter, if the

1 county is getting the money directly, that's  
2 because we already paid the company?

3 SERGEANT STEPHANOFF: No. It's  
4 determined, when the car is released it is  
5 determined who is going to pay. If the car is  
6 released and it's not impounded for our purpose,  
7 like an investigation, the car gets released to  
8 the owner and the owner goes and picks it up  
9 directly from the tow company and pays the fee.  
10 We don't collect it on the tow company's behalf.

11 LEGISLATOR DENENBERG: Do the fee  
12 increases affect our contracts with tow companies  
13 or it just move forward at this point?

14 SERGEANT STEPHANOFF: It's going to move  
15 forward. The next time it's rebid, the zones  
16 will be rebid.

17 LEGISLATOR DENENBERG: I know Mr.  
18 Chalmers is in the audience. I don't know if you  
19 could answer this. Maybe just get back to this  
20 committee what the overall effect of these fee  
21 increases are, in terms of how much more revenue  
22 it brings in. I'm assuming, though, indeed, it's  
23 revenue neutral to the county, right? It's not  
24 going to -- I'm trying to find out if this would  
25

1 end up costing the county money or bring in  
2 revenue to the county. Since it's outside tow  
3 company or impound lots, I would assume that it  
4 certainly doesn't bring in any more revenue to  
5 the county. I'm just concerned that it could  
6 cost us revenue. If someone doesn't pay, are we  
7 still liable then to the impound lot or the tow  
8 company.  
9

10 MR. CHALMERS: I don't believe we are.  
11 The revenue here is -- actually, the only revenue  
12 we collect is from the franchise fee from the tow  
13 truck companies. The revenues that are collected  
14 are collected directly by the outside vendor.  
15 And this here, from what I understand, is  
16 allowing them to charge different fees. The  
17 county doesn't collect any of those fees.

18 LEGISLATOR DENENBERG: So it's revenue  
19 neutral to the county.

20 MR. CHALMERS: Correct.

21 LEGISLATOR DENENBERG: And it won't cost  
22 us more?

23 MR. CHALMERS: What the police  
24 department hopes to do is by letting the company  
25 charge a higher fee, they are hoping that they

2 get more competition from the tow truck companies  
3 and then maybe they could collect a couple more  
4 dollars from the franchise fees.

5 LEGISLATOR DENENBERG: Okay. And in  
6 each event, meaning in each fee, we're at or  
7 lower than what it would be in Suffolk or Queens?

8 SERGEANT STEPHANOFF: From the legal  
9 bureau analysis, when they put this together, New  
10 York City was charging more for the tows and  
11 Suffolk County was charging a little bit more for  
12 the tows than we are. We didn't go higher than  
13 they did.

14 LEGISLATOR DENENBERG: But we would  
15 still be able to get competitive bidding?

16 SERGEANT STEPHANOFF: Yeah. They  
17 determined that these were competitive rates to  
18 cover the tow company's expenses, so we could get  
19 good companies in to perform a service for us for  
20 our impounds.

21 LEGISLATOR DENENBERG: Thank you very  
22 much.

23 SERGEANT STEPHANOFF: Thank you.

24 CHAIRMAN NICOLELLO: Legislator Walker.

25 LEGISLATOR WALKER: Just to clarify for

1 myself. The only time the county would ever have  
2 to pay the fee, say, we kept the car that maybe  
3 was involved in an investigation or something  
4 and, therefore, we couldn't give it back to the  
5 person who owned the car, so then we would be  
6 responsible for that. If that person -- I'm  
7 going to say, say a stolen vehicle and it was in  
8 an accident or whatever the case, and we had to  
9 keep that vehicle for a period of time.

11 SERGEANT STEPHANOFF: Yeah. If we need  
12 the car for evidence for a case, like we're  
13 involved in a case and the car would be evidence  
14 so we're safeguarding it for change of evidence  
15 and so that it upholds in court, that's when we  
16 pay.

17 I looked up last year, in 2013 we paid  
18 under I believe it was under \$50,000 for all of  
19 our impounds that we kept vehicles for evidence.  
20 It wasn't a large amount of money.

21 LEGISLATOR WALKER: Right. And every  
22 other one is the responsibility of the person  
23 who, you know, had their car impounded.

24 SERGEANT STEPHANOFF: Yes.

25 LEGISLATOR WALKER: Okay. Thank you.

CHAIRMAN NICOLELLO: Legislator  
Birnbaum.

LEGISLATOR BIRNBAUM: The first part of  
this, the oil change, lubrication, and  
transmission services, are those for the police  
cars?

SERGEANT STEPHANOFF: I think they might  
be. I --

LEGISLATOR BIRNBAUM: Is it two separate  
things?

SERGEANT STEPHANOFF: haven't seen. I  
think it's in the ordinance, because we can use  
that. We generally do our repairs at fleet.

LEGISLATOR BIRNBAUM: That's what I  
would think.

SERGEANT STEPHANOFF: There might be an  
instance where we had a car or we had to do a  
brake test and something had to be done  
mechanically to the car maybe just to get it to  
do a brake test or if we need to use somebody for  
oil service, it's in the ordinance. I think it's  
always been in the ordinance. But we have a  
fleet service that does fully service our cars.

LEGISLATOR BIRNBAUM: I don't know if

2 you know this or Mr. May. When was the last time  
3 the fees were raised?

4 LEGISLATOR DENENBERG: It says 1-77-09,  
5 right?

6 LEGISLATOR BIRNBAUM: '09?

7 SERGEANT STEPHANOFF: Yeah.

8 LEGISLATOR BIRNBAUM: Okay.

9 CHAIRMAN NICOLELLO: Thank you. Thank  
10 you, Sergeant.

11 SERGEANT STEPHANOFF: Thank you.

12 CHAIRMAN NICOLELLO: Any other  
13 questions?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Item carries unanimously.

22 Items 176 and 177 are resolutions to  
23 authorize the transfer of appropriations  
24 heretofore made within the budget for the year  
25 2014.

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR WALKER: Second.

4 CHAIRMAN NICOLELLO: Moved by Legislator  
5 Dunne, seconded by Legislator Walker.

6 Any discussion?

7 (No verbal response.)

8 Any public comment?

9 (No verbal response.)

10 All in favor signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Those two items carry unanimously.

15 Items 178, 179, 180, 181, 182, and 183  
16 are all ordinances supplemental to the annual  
17 appropriation ordinance in connection with the  
18 District Attorney's Office, Fire Commission,  
19 Health Department, and Traffic Safety Board.

20 LEGISLATOR VENDITTO: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRMAN NICOLELLO: Moved by Legislator  
23 Venditto, seconded by Legislator Walker.

24 Any discussion?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 All in favor signify by saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Those items carry unanimously.

9 Item 184-2014, a resolution authorizing  
10 the county executive to execute a grant agreement  
11 between the County of Nassau, acting on behalf of  
12 the district attorney's office, and MADD-Long  
13 Island.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR DUNNE: Second.

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

18 Any discussion on this item?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 All in favor signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

2 That item carries unanimously.

3 Last item for today is 191, which is a  
4 resolution to authorize the transfer of  
5 appropriations heretofore made within the budget  
6 for the year 2013.

7 LEGISLATOR VENDITTO: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRMAN NICOLELLO: Moved by Legislator  
10 Venditto, seconded by Legislator Walker.

11 Do we have any discussion on this item?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 All those in favor signify by saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 That item carries unanimously.

20 Legislator Walker makes a motion to  
21 adjourn, seconded by Legislator Dunne.

22 All in favor of adjourning say aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

2 The committee stands adjourned.

3 (Whereupon, the Finance Committee

4 adjourned at 3:50 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 state:

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 30th day of May, 2014.

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FRANK GRAY