

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
ACTING PRESIDING OFFICER

FINANCE COMMITTEE

RICHARD NICOLELLO,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

October 7, 2013
1:53 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

RICHARD NICOLELLO
Chairman

VINCENT MUSCARELLA
Vice-Chair

ROSE MARIE WALKER

MICHAEL VENDITTO

DAVID DENENBERG
Ranking

JUDI BOSWORTH

DELIA DeRIGGI-WHITTON

WILLIAM J. MULLER III, Clerk

LIST OF SPEAKERS

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THOMAS KRUMPTER. 16
ROSEANNE D'ALLEVA. 43

CHAIRMAN NICOLELLO: Mr. Muller, would you call the roll, please?

CLERK MULLER: Legislator DeRiggi-Whitton?

CLERK MULLER: Legislator Bosworth?

LEGISLATOR BOSWORTH: Here.

CLERK MULLER: Ranking Member Denenberg?

LEGISLATOR DENENBERG: Here.

CLERK MULLER: Legislator Venditto?

LEGISLATOR VENDITTO: Here.

CLERK MULLER: Legislator Walker?

LEGISLATOR WALKER: Here.

CLERK MULLER: Vice Chair Muscarella?

LEGISLATOR MUSCARELLA: Here.

CLERK MULLER: Chairman Nicoletto?

CHAIRMAN NICOLELLO: Here.

CLERK MULLER: We have a quorum.

CHAIRMAN NICOLELLO: First four items all relate to the budget, the four-year plan, ordinance fixing tax rates, adoption of the budget and the legislative budget. I'm going to call these but we are going to be having hearings on these items this Wednesday, the 9th at one

2 o'clock and then the 16th at one o'clock. So,
3 basically what we're doing in this committee is
4 simply just moving it along to get it in position
5 where it can be voted upon for approval.

6 I call Item 409-2013, a resolution to
7 adopt the multi-year financial plan for fiscal
8 years 2014-2017, as required by Section 310 of
9 the County of Government Law of Nassau County.

10 410-2013 is an ordinance fixing the tax
11 rates and levying taxes for the 12-month 2014
12 fiscal year, beginning January 1, 2014, and
13 ending December 31, 2014.

14 411-2013 is an ordinance to adopt the
15 Nassau County budget for the 12-month 2014 fiscal
16 year, beginning January 1, 2014, and ending
17 December 31, 2014.

18 412-2013 is an ordinance to adopt a
19 budget for the County Legislature for the County
20 of Nassau for the 12-month 2014 fiscal year.

21 LEGISLATOR MUSCARELLA: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN NICOLELLO: Moved by Legislator
24 Muscarella, seconded by Legislator Walker.

25 Legislator Denenberg.

2 LEGISLATOR DENENBERG: Thank you. So,
3 in the interest of time, it's our understanding
4 that we'll save questions to the full legislative
5 hearings, which might be over different days, for
6 Public Safety as well as for Parks. The Minority
7 Leader, Kevan Abrahams, will make more of a
8 statement at Rules.

9 On the budget items, with the exception
10 of the legislative budget, at this point myself
11 and my colleagues are voting against these items
12 because, just briefly, we believe that the tax
13 cert backlog now would be put over \$350 million,
14 there continues to be reliance on a toilet tax
15 that's fictitious and won't ever come to pass,
16 there's continued reliance on dumping tax certs
17 onto local districts; in the meantime, the multi-
18 year plan has over \$350 million worth of
19 liability building up in tax certs, that's more
20 than three times than it was just a couple of
21 years ago. There is no appropriation for any
22 proposed PBA or other union deals, which would
23 make it almost impossible to be able to work out
24 any kind of a payment without - where there's no
25 money in the budget for lifting wage freezes.

2 There is excessive reliance on borrowing.
3 And again, police overtime now budgeted at 50
4 million in 2014, when police overtime in 2013's
5 coming in at over 63 million.

6 CHAIRMAN NICOLELLO: I thought we were
7 just teeing this up. If we want to get into a
8 debate on the budget, we can get into a debate.
9 I mean, we've done this for 18 years now and the
10 parties have basically cooperatively agreed to
11 tee things up to move them along and to have the
12 full hearings. You're getting into --

13 LEGISLATOR DENENBERG: In Finance -
14 sorry. Let me finish. In Finance and Rules the
15 ranking member always made a statement.

16 Finally, the budget makes no
17 appropriations for legal judgments or
18 settlements.

19 So, at this time we're going to reserve
20 our questions. But my caucus is voting no.

21 CHAIRMAN NICOLELLO: Okay.

22 LEGISLATOR DENENBERG: We're voting yes
23 on the legislative budget item.

24 CHAIRMAN NICOLELLO: We'll separate
25 those two.

2 LEGISLATOR DENENBERG: Thank you.

3 LEGISLATOR NICOLELLO: Just to conclude
4 your remarks. This is the fourth straight no tax
5 increase budget. The members of the minority
6 probably don't like a no tax increase budget.

7 LEGISLATOR DENENBERG: There's a toilet
8 tax and a tax cert tax; if you call those no
9 taxes, you're living in a fiction too.

10 CHAIRMAN NICOLELLO: All right. That
11 having been said.

12 Items 409, 410 - let me ask about public
13 comment first. Any public comment on these
14 items?

15 (No verbal response.)

16 I'll call 409, 410, and 411 first; all in
17 favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Passes by a vote of four to three.

22 Item 412-2013 is an ordinance to adopt
23 the budget for the County Legislature for the
24 County of Nassau for the 12-month 2014 fiscal
25 year.

2 Any other statements by legislators?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 All in favor --

7 LEGISLATOR DeRIGGI-WHITTON: Can I just
8 make one quick statement? I just submitted a
9 letter at our last meeting requesting that the
10 comptroller come down just to go over a number of
11 things, including what percentage has actually
12 been reimbursed by the Sandy cleanup. I'm
13 thinking it's somewhere around 50 percent and we
14 might have to make an adjustment to the budget
15 for the next year.

16 CHAIRMAN NICOLELLO: This item, however,
17 is the legislative budget.

18 LEGISLATOR DeRIGGI-WHITTON: True. But
19 I just wanted to include that into this
20 discussion. I would really appreciate if he
21 would come down and give us an update on that
22 before we vote on the budget.

23 CHAIRMAN NICOLELLO: Okay.

24 Any other comments?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 All in favor signify by saying aye.

5 (Aye.)

6 412-2013 passes unanimously.

7 Items 422, 423, 424, and 425-2013 -
8 actually, hold on a second. I'm going to call
9 Item 422-2013 by itself. It's a resolution to
10 authorize expansion of appropriations heretofore
11 made within the budget for the year 2013.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR MUSCARELLA: Second.

14 CHAIRMAN NICOLELLO: Moved by Legislator
15 Walker, seconded by Legislator Muscarella.

16 I understand there's an amendment in the
17 nature of a substitution, so we need to amend
18 this.

19 Do we have a motion to amend?

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR WALKER: Second.

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

24 Discussion on the amendment. The
25 amendment to this item corrects the funds

disbursed to the contractual expenses and general expenses lines from \$539,370 and \$143,000 to \$464,370 and \$218,000, respectively.

LEGISLATOR DENENBERG: What was the mistake, just the amount?

CHAIRMAN NICOLELLO: The amount.

Any other questions, comments?

LEGISLATOR DENENBERG: And this is our - may I ask a question, through the Chair?

CHAIRMAN NICOLELLO: Yes.

LEGISLATOR DENENBERG: Thank you. Mr. May, this is our annual required expenditure for station maintenance?

MR. MAY: Mr. John Butler from DPW to answer questions on this item.

MR. BUTLER: Good afternoon. John Butler, DPW.

This is actually just the surplus of the amount that we are required by New York State Law to submit for station maintenance. There was an amount that was leftover. The leftover amount we are using to do some additional traffic signal work. So there is no additional cost here, it's just moving from a surplus to an area of need.

2 LEGISLATOR DENENBERG: Okay. I'm having
3 trouble hearing you, but I think I heard you.
4 Thanks.

5 CHAIRMAN NICOLELLO: Thank you, Mr.
6 Butler.

7 Any other questions?

8 (No verbal response.)

9 Seeing no other questions, we have to
10 take a vote on the amendment. All in favor of
11 the amendment signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The item is amended.

16 Any questions on the item as amended?

17 (No verbal response.)

18 Any public comments?

19 (No verbal response.)

20 All in favor of the item, as amended,
21 signify by saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 The item, as amended, passes.

2 Items 423, 424, and 425-2013, which are
3 all ordinances supplemental to the annual
4 appropriation ordinance in connection with the
5 Department of Human Services.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR VENDITTO: Second.

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

10 Any questions or comments on this item?

11 (No verbal response.)

12 Any public comments?

13 (No verbal response.)

14 All in favor signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 Those item carry unanimously.

19 Item 426-2013 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 County Department of Parks, and the
23 Agricultural Society of Queens.

24 LEGISLATOR MUSCARELLA: So moved.

25 LEGISLATOR WALKER: Second.

2 CHAIRMAN NICOLELLO: Moved by Legislator
3 Muscarella, seconded by Legislator Walker.

4 Any questions on this item?

5 (No verbal response.)

6 This is the Long Island Fair, I believe.

7 This is hotel/motel monies.

8 Any public comments?

9 (No verbal response.)

10 All in favor signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 That item carries unanimously.

15 Item 432-2013 is an - let me back up.

16 Item 432-2013, 433-2013, 435-2013, 436-2013, 437-

17 2013, and 438-2013 are all ordinances

18 supplemental to the annual appropriation

19 ordinance in connection with the Health

20 Department, Department of Probation, Department

21 of Toxicology, Office of the County Executive,

22 and Police Department.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR VENDITTO: Second.

25 CHAIRMAN NICOLELLO: Moved by Legislator

2 Walker, seconded by Legislator Venditto.

3 Any questions on these items?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All in favor signify by saying aye.

8 (Aye.)

9 Those items pass unanimously.

10 I'm going to take a motion to suspend the
11 rules.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Moved by Legislator
15 Muscarella, seconded by Legislator Walker.

16 All in favor of suspending the rules
17 signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The rules are suspended.

22 We have Items 440, 441, 442, 443, 444,
23 445, and 447 on the addendum, which are
24 resolutions to authorize the transfer of
25 appropriations heretofore made within the budget

2 for the year 2013; and 445 and 447 are ordinances
3 supplemental to the annual appropriation
4 ordinance in connection with the Police
5 Department and Department of Public Works.

6 LEGISLATOR VENDITTO: So moved.

7 LEGISLATOR WALKER: Second.

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

10 Any questions on these items?

11 (No verbal response.)

12 Hearing no questions, any public comment?

13 (No verbal response.)

14 LEGISLATOR DENENBERG: I do have a
15 question. I'm sorry.

16 CHAIRMAN NICOLELLO: Which item or
17 items?

18 LEGISLATOR DENENBERG: 440.

19 CHAIRMAN NICOLELLO: Okay. Item 440,
20 Mr. May, is anyone here to speak about this?

21 MR. MAY: Yes. There is. We have First
22 Deputy Commissioner Tom Krumpter. I have mangled
23 his title, I apologize.

24 MR. KRUMPTER: Good afternoon. Before
25 you today is a board transfer for \$12 million on

1
2 Item 440. This transfers money from office of
3 management debt service charge backs police
4 headquarters contingency reserve and police
5 headquarters fringe benefits, and that office of
6 management and budget transferred the PDH and
7 police headquarter salaries, 1.5 million. It's
8 basically to cover shortfalls that are projected
9 in the headquarters budget specifically related
10 to headquarters overtime and headquarters
11 termination pay that was paid prior to the bond
12 ordinance being passed last week.

13 CHAIRMAN NICOLELLO: Before you ask your
14 question, Mr. Denenberg. Chief Deputy
15 Commissioner Krumpter - I think I messed that up
16 too.

17 COMMISSIONER KRUMPTER: It sounded
18 perfect.

19 CHAIRMAN NICOLELLO: In terms of the
20 overtime monies, may we expect any of those
21 monies -- let me back up. Are any of those
22 monies related to Hurricane Sandy?

23 COMMISSIONER KRUMPTER: Some of it is
24 the overflow of Hurricane Sandy. What happened
25 was Hurricane Sandy had virtually the vast

majority of the department working significant amount of overtime to the tune of probably somewhere in the neighborhood of \$18 million in the months of November and December and the end of October. What happened was a lot of people that were scheduled off, time was cancelled in the headquarters' divisions. They ended up taking additional time.

The other piece of this is in light of the incident in Boston, we have revamped our security. A lot of that type of overtime, specifically related to the Long Island Marathon and other major events that we've had, hits on those lines.

Additionally, detective division overtime is up for a myriad of reasons. There's been a significant amount of increase and activity in the narcotics unit and in the precinct squads, arrests in investigative overtime is up significantly.

It's a mixed bag. What it's not attributable to is the district side of the overtime, which is slightly up but not nearly as much as the headquarters side. District is more

1 easy to put your finger on, and that's
2 specifically related to light roll call overtime;
3 we're approximately 130, 140 head below where we
4 really need to be in order to manage that
5 overtime. We are in the process of getting a
6 class ready. With the pending contract with the
7 PBA, we will have - once that issue is resolved
8 we will have 150 people ready to go, at a
9 minimum, and that's off the current list. The
10 new list was just signed off on the Department of
11 Justice and we are starting to prepare that. But
12 we have a six month extension on the old list and
13 we have several hundred people, about 230 people
14 that are there.

16 CHAIRMAN NICOLELLO: Okay. Legislator
17 Denenberg.

18 LEGISLATOR DENENBERG: Now, you said
19 with the pending contract you expect that we'll
20 have 150 new hires in 2014, I would assume.

21 COMMISSIONER KRUMPTER: No. We're ready
22 to go. We'll be able to pull the trigger within
23 two weeks of that issue being resolved; whether
24 the contract is ultimately approved or rejected,
25 they will have 150 people ready to go.

1 The issue is under the contract those 150
2
3 people will save the county, over eight years,
4 \$45 million. There is significant savings baked
5 into that contract for new hires. We're just
6 holding off. There will come a point in time
7 where we will have to hire because you really are
8 going to need those people by next summer. If we
9 don't, we're going to be in the same position
10 that we are in right now.

11 LEGISLATOR DENENBERG: So the reason for
12 overtime being as high as we're seeing - there
13 are some projections that it would be \$63 million
14 by year's end is because of headcount being as
15 low as it is.

16 COMMISSIONER KRUMPTER: Yeah. When we
17 did the precinct consolidation the county was
18 designed to be staffed at a little over 2300
19 police officers. In essence, where we're at now
20 is we're at 2206, but included in that number are
21 35 members that are assigned to the police
22 academy in recruit training. Because we're
23 gearing up for a major academy, we have 25, 26
24 members assigned to the investigations unit. We
25 had, prior to this buildup we had eight or nine

1 people in that unit. So we're geared up to do a
2 lot of investigations in a short period of time
3 there. On top of that, we're also doing some
4 investigations for the jail and some other
5 agencies within the county that are all getting
6 ready to hire.
7

8 LEGISLATOR DENENBERG: This overtime -
9 I'm sorry.

10 COMMISSIONER KRUMPTER: Okay. In
11 essence, taking into the police academy where we
12 have people getting ready for a major academy
13 class, we're operating the department with a
14 little over 2100 when we need to be at or around
15 2300.

16 LEGISLATOR DENENBERG: Now, the amount
17 of overtime on the district side I would think
18 would be affected by the total number of
19 officers. We could argue whether consolidations
20 drove up overtime or not. But this is
21 headquarters, is it not?

22 COMMISSIONER KRUMPTER: Yes, it is.

23 LEGISLATOR DENENBERG: This transfer is
24 for headquarters.

25 COMMISSIONER KRUMPTER: Yep.

1
2 LEGISLATOR DENENBERG: So why is the
3 overtime in headquarters so high? As you said,
4 this isn't the district side, which to me would
5 matter consolidation, whether we had enough
6 officers. 150 people ready to go, as you say,
7 hopefully could drive down the overtime on the
8 districts side that we don't see a total of 63
9 million. But this, I'm looking at 12 million
10 almost -- or, as you said, directed towards
11 police headquarters.

12 COMMISSIONER KRUMPTER: And that, like I
13 said, was for two pieces. One, there was a
14 significant amount of termination pay that hit
15 the line prior to the bond ordinances paid - was
16 passed. As a result of that, that money, we
17 can't use the bond ordinance for that money. We
18 have to pay for that out of the operating funds
19 now. You can't go back and capture that. So
20 there's a shortfall in that.

21 The second piece of it is, you hit the
22 nail on the head, is related to overtime in the
23 headquarters side. And that's attributable --

24 LEGISLATOR DENENBERG: Why -- I'm sorry.

25 COMMISSIONER KRUMPTER: Well, what that

1 is attributed to is several items. One is that
2 that investigative overtime in the detective
3 division, even though crime is down in the
4 county, the nature of investigations are more
5 complex this year and that's resulted in an
6 increase in increased investigative overtime
7 specifically within the precinct squads and
8 narcotics, and homicide. We had some very high
9 profile investigations.
10

11 When you have a major incident that could
12 drive -- I'll give you an example. We had the
13 shooting in -- over by the Roosevelt Field Mall
14 last week, and that resulted probably -- we don't
15 have the final numbers in on that. But that cost
16 of that investigation with an incident like that
17 was several hundred thousand dollars. So when
18 you have high profile incidents, they end up
19 costing a significant amount of money to conduct
20 those investigations with all the units that are
21 required.

22 The other piece --

23 LEGISLATOR DENENBERG: But --

24 COMMISSIONER KRUMPTER: The other piece
25 of it is, there's a second piece, is that in

1 light of Sandy we had some additional overtime
2 that was unanticipated; obviously, we would hope
3 not to occur again this year. As a result of
4 people taking off a significant amount of time
5 and focusing their energies on dealing with
6 Sandy, that had a backlog that resulted in
7 overtime in the first quarter of the year.
8

9 The third piece of it is the, you know,
10 just when we have an event such as the Boston,
11 our risk assessment models change dramatically.
12 Where that overtime hits, in order to increase
13 the staffing, a big chunk of that overtime is
14 going to hit on the headquarters side. Whether
15 it's investigative overtime for special
16 investigation squad or tactical field services,
17 which is bureau of special operations, highway
18 patrol, they end up shouldering a brunt of that
19 type of detail.

20 So those are the reasons that we have
21 increased overtime this year. It is something
22 that we pay a significant amount of attention in
23 the police department.

24 LEGISLATOR DENENBERG: Well, things like
25 you had mentioned, like the Long Island Marathon

1 or even big events where crime happens, I would
2 assume every year there's going to be a Long
3 Island Marathon or some events that could drive
4 up overtime, so you would think that's why you
5 always budget some overtime.
6

7 I'm just concerned about such a big
8 transfer. Even if ten and a half is for
9 termination, we just bonded 30 million for
10 termination. So why did we bond if we have to
11 pay ten and a half?

12 COMMISSIONER KRUMPTER: Well it's not
13 ten and a half for termination; it's ten and a
14 half for termination and for overtime combined.
15 Any termination check that was cut before the
16 bond termination that was actually paid must be
17 covered out of the operating budget. You can't
18 use the bond for that termination pay.

19 LEGISLATOR DENENBERG: Then did we need
20 to bond for the full 30 million then? It doesn't
21 sound like we should have.

22 COMMISSIONER KRUMPTER: We absolutely
23 need to bond for that. The total we are in for
24 the county for this year is over \$18 million for
25 termination pay right now is what we have paid or

2 is pending at this point in time.

3 LEGISLATOR DENENBERG: But we just
4 bonded 30 million and we're saying that at least
5 part of ten and a half million has to come from
6 here, so I'm confused as to why.

7 COMMISSIONER KRUMPTER: You're going to
8 see -- and like we said over and over, you're
9 going to see a significant amount of separations
10 in this department of the next three years. We
11 are -- every day there are people coming in
12 making appointments. Several times a week we are
13 receiving people that are putting in their papers
14 to retire.

15 LEGISLATOR DENENBERG: Is any of this 12
16 million -- you just said that some of this in the
17 first quarter might still be Sandy related. Last
18 year we had \$64 - 14 million or 15 million was
19 Sandy related.

20 COMMISSIONER KRUMPTER: Yep.

21 LEGISLATOR DENENBERG: Of the 64 million
22 in overtime. This year, according to the Office
23 of Legislative Budget Review, we're going to be
24 at about 63 million --

25 COMMISSIONER KRUMPTER: That's a

1 projection which doesn't take into consideration
2 --
3

4 LEGISLATOR DENENBERG: Let me finish.
5 I've been patient. Come on, Commissioner.

6 COMMISSIONER KRUMPTER: Excuse me.
7 Sorry.

8 LEGISLATOR DENENBERG: Thanks.
9 So if we come in at 63, virtually none of
10 that was anticipated to be Sandy related or
11 reimbursable. You're telling me that some of
12 what we incurred in the first quarter this year
13 could be Sandy related. What have we put in, in
14 terms of reimbursement? Of this 12 million have
15 we put in for any of it for Sandy recovery?

16 COMMISSIONER KRUMPTER: It's indirect
17 from Sandy. It's not items that we can seek
18 reimbursement on because it's not directly
19 related to Sandy. What happens is when
20 detectives and units are focused on dealing with
21 Sandy, there's built up residual work that they
22 have to address once they're done dealing with
23 Sandy. So what happens is rather than that being
24 dealt with last November/December, they're taking
25 off more time, which results in some other light

1 roll call overtime, and then on top of that they
2 have investigative overtime that they have to
3 catch up on the cases that they didn't complete
4 the investigations on.
5

6 LEGISLATOR DENENBERG: So we can't put
7 in -- none of the overtime that we're looking at
8 in this transfer is going to be FEMA reimbursable
9 then.

10 COMMISSIONER KRUMPTER: I wouldn't say
11 none. There is some overtime in January that we
12 will be putting in for FEMA in the headquarters
13 side, but it's not a material amount.

14 LEGISLATOR DENENBERG: I'm concerned a
15 bit on the RMS system that's been - the computer
16 system.

17 COMMISSIONER KRUMPTER: So am I.

18 LEGISLATOR DENENBERG: I'm hearing
19 rumors that that's been driving up overtime
20 because of difficultly using that operational
21 system as opposed to the predecessor system. And
22 I also heard, and I could be wrong, that we're
23 moving away from it. Has RMS driven up overtime,
24 both in headquarters and district?

25 COMMISSIONER KRUMPTER: I'm going to

1 honestly tell you, while I can tell you exactly
2 how long it takes to process an arrest on the
3 RMS, I have no way of knowing how long it takes
4 to process an arrest on the Legacy system. So
5 right now it's taking approximately just around
6 three hours, on average, to process the arrest.
7 We are looking at other systems for a myriad of
8 reasons. Part of them is this system is
9 extremely difficult to use for a portion of the
10 department that does not use the system on a
11 regular basis, and the other part of it -- that's
12 the big part. The other part of it is in 2015 -
13 this system is based on a software called FoxPro.
14 After 2015 Microsoft will no longer support that
15 software. So at this point in time, the
16 Department has spent a lot of time this year
17 making sure that whatever system we look at or go
18 to in the future is a system that is appropriate
19 and is easily is easily used by the members.

21 We had a focus group with the members of
22 the PBA that have been very involved in the
23 committee, looking at one software on Friday, and
24 this week, on Thursday, they're looking at
25 another software that we're looking at. So we're

1 working with the unions and we are focusing on a
2 system that is more simple for a records
3 management system and then we will put an
4 analytical tool above that.
5

6 This particular system was a system that
7 was a rules based system designed for the
8 specific municipality. It became overly complex
9 for the average user to use.

10 As far as --

11 LEGISLATOR DENENBERG: My concern is --

12 COMMISSIONER KRUMPTER: running up
13 overtime, there is nothing that indicates that
14 system, in and of itself, is running up overtime.

15 LEGISLATOR DENENBERG: Well, based on
16 what you just told me, we transferred over to
17 RMS, or tried to at least in part, spent a lot of
18 money on it. I would like to know how much we
19 spent in total on RMS. And if we are now moving
20 away from it, that's really something that we
21 should all know about because we just recently
22 purchased that system.

23 COMMISSIONER KRUMPTER: We didn't just
24 recently purchase that system, Legislator
25 Denenberg. That system was purchased six years

ago.

LEGISLATOR DENENBERG: Right.

COMMISSIONER KRUMPTER: So it wasn't --

LEGISLATOR DENENBERG: That's fairly recent.

COMMISSIONER KRUMPTER: That system --

LEGISLATOR DENENBERG: That's pretty recent compared to the Legacy system.

COMMISSIONER KRUMPTER: The Legacy system was 12 years old when we replaced it.

LEGISLATOR DENENBERG: Correct. And we still use the Legacy at times, correct?

COMMISSIONER KRUMPTER: We are still using the Legacy in half the county, yes.

LEGISLATOR DENENBERG: Based on questions that I had - this goes about to around '09. Actually, this is from 2010. Processing an arrest with the Legacy system I was told by, I believe it was you, I'm pretty sure, was an hour and a half. So if RMS is three hours, I'm very concerned about it because I think that would drive up our overtime.

COMMISSIONER KRUMPTER: Legislator Denenberg, let me make this very clear. The

1 chief of the department and myself have
2 personally been working on this system to try to
3 make it work because we recognize the very same
4 thing that you recognize; Nassau County invested
5 a significant amount of money in this system and
6 to walk away without putting the best effort to
7 try to make this system work would not have been
8 in the best interest of the system. At the point
9 we currently are at, it's my opinion, as well as
10 the chief of the department's opinion, is that
11 we've gotten this system to work as well as we're
12 going to get it to work. There are just inherent
13 issues with this system.

14
15 We were very conscious that the county
16 invested a lot of money in this system six years
17 ago. It was neither myself nor anybody currently
18 in this police department that actually purchased
19 this system. So what we were left with was a
20 system that was paid for, that we owned, that
21 really we have to get away from the Legacy
22 System. The Legacy System is problematic. And
23 if you recall, my testimony was that we had no
24 real way of knowing how long it takes to do an
25 arrest because the system doesn't audit in that

1 way.

2
3 We estimate that an average arrest will
4 take an hour and a half. We also said there are
5 arrests that will take more than three hours.
6 This system is different in that the RMS system
7 actually do the case report and the arrest report
8 together, where the Legacy System, the police
9 officers are just doing the arrest report. So,
10 you're comparing, really, apples and oranges.
11 One you do both parts of an arrest, that the
12 newer system, and the older system, all that
13 you're doing is the arrest system, the case is
14 actually called in. So we've made a significant
15 number of steps to improve the system to make it
16 work until we can either identify a new system or
17 go forward from there.

18 LEGISLATOR DENENBERG: Commissioner,
19 thank you for your time. This is - a \$12 million
20 transfer, to me, is a significant transfer.

21 COMMISSIONER KRUMPTER: Absolutely is.

22 LEGISLATOR DENENBERG: To me, it shows,
23 once again, overtime is coming in significantly
24 over budget and this is the third straight year.

25 COMMISSIONER KRUMPTER: The third

straight year?

LEGISLATOR DENENBERG: Where overtime has come in significant over budget.

COMMISSIONER KRUMPTER: You're talking about last year where we received reimbursement that dropped the overtime below \$50 million?

LEGISLATOR DENENBERG: We budgeted 22; it came in at 49 --

COMMISSIONER KRUMPTER: Legislator, you are fully aware that there was a contingency fund that was set up for overtime that was offline, specifically targeting the overtime.

LEGISLATOR DENENBERG: That's still - we're talking about three of the highest years in a row ever --

COMMISSIONER KRUMPTER: That's absolutely not the case.

LEGISLATOR DENENBERG: That is the case.

COMMISSIONER KRUMPTER: Legislator Denenberg, last year and this year we have less hours than we did six, seven years ago where the overtime was \$62 million. It today's dollars that was over \$70 million. The department has aggressively managed overtime and has brought the

hours to aggressive lows.

We're operating a police department with 2200 police officers. And to sit there and say that overtime is up, yeah, it is up and that is because we're operating a department with 2200 police officers.

LEGISLATOR DENENBERG: I think you budgeted 42 million this year.

COMMISSIONER KRUMPTER: Yes, it was 42 million.

LEGISLATOR DENENBERG: And we're going to come in at 63. I'm just not going to compliment you on that.

COMMISSIONER KRUMPTER: I'm not saying you should compliment me. But I think you need to look at the causes rather than criticizing it from --

LEGISLATOR DENENBERG: I think the cause is a department that has been allowed to go through attrition to very, very low numbers. I think that the cause was a consolidation that's a failure. I think that the consolidation came in and we kept being told we're saving \$22 million -

2 COMMISSIONER KRUMPTER: By your own
3 admission, Legislator Denenberg --

4 LEGISLATOR DENENBERG: Let me finish
5 now. And instead of saving \$20 million, it's
6 cost us a tremendous amount in overtime, and
7 that's not even to look at the cost of -- I get
8 to look at a trailer at the Seventh Precinct
9 every single morning that we're not even using
10 because we were going to consolidate the First
11 into the Seventh and that required buying
12 trailers. So we're paying for a trailer that
13 we're not using. And I would question whether
14 it's ever been smart in the Second and the Sixth
15 or the Fourth and Fifth to have consolidation
16 where people are working out of trailers that the
17 taxpayers are paying for.

18 But the bottom line is this is a \$12
19 million transfer and my concern is that overtime
20 is this high. My concern also is with an RMS
21 System, which I could agree with you that we had
22 to go away from the Legacy System, and that we've
23 been working for six years, it sounds like, or at
24 least four trying to make this RMS System work.
25 We gotta get to the bottom of it because I think

1 that's driving up overtime, as well. That's my
2 concern. And I'm a legislator; I'm going to ask
3 the questions because I'm trying to understand
4 why we're spending so much taxpayer money on
5 overtime.
6

7 COMMISSIONER KRUMPTER: And there's a
8 projection -- let's start with a projection.
9 There is a projection of 62, \$63 million. There
10 is another projection at \$60 million in this
11 County, and there is another project that 58 to
12 60. So you have three projections, and we're
13 going to see how it plays out over the next three
14 or four months. That's the first thing.

15 By your own admission, you have stated in
16 this that the overtime related to headquarters
17 doesn't logically have anything to do, in this
18 particular board transfer it doesn't have
19 anything to do with the precinct consolidation.
20 This is the headquarters --

21 LEGISLATOR DENENBERG: You said that.

22 COMMISSIONER KRUMPTER: fund. No. You
23 said that you would expect the overtime to be on
24 the other side.

25 LEGISLATOR DENENBERG: Because you said

on the district side.

COMMISSIONER KRUMPTER: Yes.

LEGISLATOR DENENBERG: Right. So I was going with what you said.

COMMISSIONER KRUMPTER: Okay.

LEGISLATOR DENENBERG: So there headquarters, the commissioner's headquarters, I don't know how you're going to expect officers and commanding officers, and the districts to stay within budget if headquarters can't. To me, that would just go right to the commissioner on that. But I'm not asking any questions on that. You said its headquarters. The commissioner's office has not stayed within this budget, and that's what this transfer is about. On the district side, I guess we'll wait until that transfer comes up.

Where are we getting this money from, this \$12 million?

COMMISSIONER KRUMPTER: Debt service charge backs, contingency reserves, \$500,000, and fringe benefits. Due to attrition the fringe is coming in less. I can speak to the contingency reserve was actually put there for any overages.

As far as the debt service charge backs, you're going to have to get that answer from OMB.

LEGISLATOR DENENBERG: Okay. I have a question, Rich Nicoletto, on 442, which I don't think has anything to do with Commissioner Krumpster.

CHAIRMAN NICOLELLO: Commissioner, the RMS System you said was purchased six years ago?

COMMISSIONER KRUMPTER: Yes, I did.

CHAIRMAN NICOLELLO: Okay. And how much did we spend on that?

COMMISSIONER KRUMPTER: I don't recall the exact number. It was purchased with your CAD System. The CAD System went up pretty quickly and is operating fine. RMS, its intergraph was the company, and a portion of that was paid for out of a grant. But we have actually spent a significant amount of money training our people on this system. So I would actually have to get you those numbers. It's several million dollars.

CHAIRMAN NICOLELLO: Okay. You're looking at making a determination as to what to do going forward?

COMMISSIONER KRUMPTER: That's, in

1 essence, what we've been working on going
2 forward. The system is overly complex. If a
3 police officer makes a significant number of
4 arrests, they have no problem operating this
5 system. It really comes down to over half the
6 department that doesn't make multiple arrests
7 every month or an arrest every month and goes
8 several months between making an arrest, when
9 they are called to use that system when they make
10 an arrest it becomes, it's very complex if you
11 don't use the system regularly.

12
13 So what we're looking to do at this point
14 is that system has both your analytical tools in
15 it and it also has your records management
16 portion of it. It doesn't interface well. It's
17 a one-way interface where it will take
18 information in but it doesn't really push
19 information out. So the records management
20 system we're looking at at this point is a more
21 simple, a very basic records management tool,
22 records management system by itself. We're going
23 to look to do a layer above that, the analytical
24 tools we need. It's really going to be a
25 paradigm shift on how we look at software in this

1 department.

2
3 Like I've said, the chief of the
4 department and myself and the commissioner have
5 personally been very involved in this process
6 over the last several months, and we expect in
7 the next three or four weeks that we'll have
8 recommendations that we'll forward to the county
9 executive's office.

10 CHAIRMAN NICOLELLO: Okay. That was my
11 next question.

12 You also mentioned something about a
13 focus group involving the officers that have
14 actually been using the system.

15 COMMISSIONER KRUMPTER: As a matter of
16 fact, we did a focus group. Right now we're
17 looking at two record management systems; one is
18 manufactured by a company called - the two
19 systems that are the lead contenders, if you
20 would, one is made by Motorola and one is made by
21 a company called Timeron and it was actually
22 deployed in Long Beach. So as we are speaking
23 right now, there is a focus group with the
24 village chiefs. Rather than having 18, 19 record
25 management systems in the county, we're looking

1 at a single record management system that
2 everybody can use. So right now the chief of the
3 department, I was supposed to be at that meeting
4 - I'm here - is sitting with a focus group. On
5 top of that, we've set up focus group with
6 members of the PBA, the SOA, the DAI to get their
7 input. On both systems, on the 14th of this
8 month, will be sending a group of police officers
9 for the one system, total, to absolutely test the
10 system. We're going to train them and see what
11 kind of feedback we get for users of the system.

12 The idea here is to design a system, to
13 build a system that is not only better than the
14 system we're currently using but better than the
15 prior system. It's about getting the right
16 system. And then above that, we'll actually put
17 the analytical tools above that. We have a
18 company that we're looking at for that, and we're
19 pretty much where we gotta be for that. We're
20 just waiting for the records management piece.

21
22 CHAIRMAN NICOLELLO: Do you know if the
23 prior administration employed a similarly labroid
24 system to get input before purchasing RMS?

25 COMMISSIONER KRUMPTER: I wasn't

2 involved in the process so I'm unable to comment
3 about that.

4 CHAIRMAN NICOLELLO: Alrighty. Thank
5 you, Commissioner.

6 COMMISSIONER KRUMPTER: Have a good day.

7 CHAIRMAN NICOLELLO: I believe we have
8 questions on Item 442.

9 MS. D'ALLEVA: Rosenne D'Alleva, Office
10 of Management and Budget.

11 This is an item that basically is done
12 almost every calendar year to clean up the
13 salaries at the end of the year to avoid
14 shortfalls.

15 CHAIRMAN NICOLELLO: Just real quickly,
16 what are the major contributors to this item?
17 What departments?

18 MS. D'ALLEVA: There are several
19 departments listed here, and each individual
20 department has its own issues. For example, the
21 DA's office was an interest arbitration award
22 that was handed down after the budget was
23 presented.

24 CHAIRMAN NICOLELLO: So we had no
25 alternative but to pay that.

2 MS. D'ALLEVA: That's correct.

3 CHAIRMAN NICOLELLO: Are our public
4 works and parks departments represented in this?

5 MS. D'ALLEVA: Yes. Public works and
6 parks departments are represented in this, and
7 some of that has to do with, in terms of -- as
8 well, as people worked an extreme amount of time
9 during Sandy and they are taking a lot of time,
10 in terms of leave time so, therefore, overtime is
11 up. Seasonals, to fund seasonal is also up. So,
12 therefore, you know, there are some salary
13 shortfalls projected.

14 CHAIRMAN NICOLELLO: Any of the public
15 works or park department shortfalls or expenses
16 FEMA reimbursable?

17 MS. D'ALLEVA: At this time we've
18 already projected those reimbursements.

19 CHAIRMAN NICOLELLO: Okay. What does
20 that mean?

21 MS. D'ALLEVA: We've projected those
22 reimbursements so this would be net of that.

23 CHAIRMAN NICOLELLO: Okay. Legislator
24 Denenberg.

25 LEGISLATOR DENENBERG: Thank you.

2 Ms. D'Alleva, the transfer here that I'm
3 looking at would be for public works and for
4 parks, correct?

5 MS. D'ALLEVA: Well, there are several
6 other departments on the transfer list.

7 LEGISLATOR DENENBERG: I see 1.7 - I'm
8 sorry - you're right. 1.75 million for public
9 works and 1.13 million for parks is what I'm
10 looking at.

11 MS. D'ALLEVA: That's correct.

12 LEGISLATOR DENENBERG: Now, I just want
13 to address the public works 1.75 and the parks
14 1.1.

15 When I was looking at the OMB report, the
16 latest report we had for salaries within public
17 works was 27.972 being the adopted budget and the
18 July projections at that time, and this was done
19 in July, was 26.98, so we were projecting a
20 \$992,000 overage. Why do we need to transfer
21 money in if the projection is that we would come
22 in within budget?

23 MS. D'ALLEVA: Our September report will
24 basically show that we're reprojecting. Actually
25 DPW and Parks has done an extraordinary effort to

1 basically -- at this point in time we hadn't
2 determined how much was Sandy related and how
3 much wasn't. Now, at this point in time, we have
4 determined and cleaned up as much as we possibly
5 could project out to Sandy and how much actually
6 has to be absorbed within the general fund.

8 LEGISLATOR DENENBERG: So the \$992,000
9 variance that we were still reporting in August
10 is not accurate anymore? We're going to have an
11 underage and we think the underage is going to be
12 1.75 million?

13 MS. D'ALLEVA: Yes. There are several
14 reasons for that. There is also capital back
15 charges. Due to a delay in borrowing staffing
16 couldn't be back charged to capital, in addition
17 to larger than normal leave time taken.

18 LEGISLATOR DENENBERG: And then the
19 parks salary, 1.13, we had a variance, an overage
20 that was being predicted in August; that's also
21 been revised?

22 MS. D'ALLEVA: Yes.

23 LEGISLATOR DENENBERG: So we think we're
24 going to be 1.13 low and that's why we need to do
25 this transfer now?

2 MS. D'ALLEVA: Yes. Basically, the
3 season's over in terms of the high season in
4 terms of overtime during, you know, the summer.
5 We've re-projected for September.

6 LEGISLATOR DENENBERG: Just those two
7 items together, all set and told this ends up
8 being 6.145 million. Am I reading that right?

9 MS. D'ALLEVA: That's correct.

10 LEGISLATOR DENENBERG: How does that
11 affect our projected surplus?

12 MS. D'ALLEVA: Our projected surplus, I
13 believe we're still in the range of \$10 million.
14 There are other surpluses and variations to the
15 budget that are going to be addressed in the
16 September projection.

17 LEGISLATOR DENENBERG: In what lines is
18 that?

19 MS. D'ALLEVA: I believe sales tax will
20 be an additional five million. So we are
21 projecting a \$15 million surplus rather than a
22 ten.

23 LEGISLATOR DENENBERG: If we're at ten
24 and then we have to transfer 6.1 that would take
25 us down to four. If sales tax comes in another

2 five over that would take us back to nine.

3 MS. D'ALLEVA: Right. So I said \$10
4 million range.

5 LEGISLATOR DENENBERG: Okay. All right.
6 So when are we going to get the September
7 numbers, projections?

8 MS. D'ALLEVA: Our reports usually come
9 out on the 21st of the month.

10 LEGISLATOR DENENBERG: So October 21
11 we'll get September.

12 MS. D'ALLEVA: That's right.

13 LEGISLATOR DENENBERG: Okay. So we
14 should have that before this year's -- before the
15 budget hearings or at least the final budget
16 hearings?

17 MS. D'ALLEVA: Yes, within.

18 LEGISLATOR DENENBERG: Okay. Thank you,
19 Ms. D'Alleva.

20 CHAIRMAN NICOLELLO: Thank you, Ms.
21 D'Alleva.

22 Any other questions? Legislator DeRiggi-
23 Whitton.

24 LEGISLATOR DeRIGGI-WHITTON: When you
25 mentioned that we're projecting out the return

1 that we're getting from FEMA, at what percentage
2 are you projecting out?
3

4 MS. D'ALLEVA: It's not a percentage of
5 what we're projecting out. The departments, the
6 timekeepers in the departments actually went
7 through all the time slips and to make sure that
8 whatever was FEMA reimbursable was being charged
9 to FEMA, and now we will journal those charges to
10 the FEMA fund.

11 LEGISLATOR DeRIGGI-WHITTON: And what
12 percentage are you still anticipating to get
13 reimbursed based on what we've been reimbursed so
14 far?

15 MS. D'ALLEVA: According to the
16 declaration, we're basically saying 90 percent.

17 LEGISLATOR DeRIGGI-WHITTON: How much
18 has it been to date?

19 MS. D'ALLEVA: I believe we have about
20 51 million, 52 million in reimbursements so far.

21 LEGISLATOR DeRIGGI-WHITTON: Out of the
22 total expense of what?

23 MS. D'ALLEVA: Out of a total cash
24 expense of about 130 million.

25 LEGISLATOR DeRIGGI-WHITTON: So that's

1 about 40 percent, 35 percent, 40 percent, and
2 it's almost a year later.

3
4 MS. D'ALLEVA: But it all goes on,
5 again, the approval of the project worksheets and
6 then the final reimbursement from the Feds. So
7 they approve the project worksheet but then they
8 don't immediately reimburse you. There's a
9 number of queues that the project worksheet
10 actually goes through before you get
11 reimbursement.

12 LEGISLATOR DeRIGGI-WHITTON: And that's
13 pretty much in line with how we handled Irene and
14 everything else?

15 MS. D'ALLEVA: Yes.

16 LEGISLATOR DeRIGGI-WHITTON: However, in
17 those instances within a year we had a pretty --

18 MS. D'ALLEVA: No. Absolutely not.
19 With Irene I believe it took almost 18 months to
20 be fully reimbursed. And this is a much larger
21 storm.

22 LEGISLATOR DeRIGGI-WHITTON: I know.
23 But I'm just saying if it's only 40 percent, I
24 was hearing within a year we'd be reimbursed.

25 MS. D'ALLEVA: That's what we're hoping

1 for.

2
3 LEGISLATOR DeRIGGI-WHITTON: At this
4 point, right now the average is probably around
5 40 percent reimbursement. I'm wondering why -- I
6 understand that some of the timecards haven't
7 been approved until now. But have you been
8 notified of any other issues that the federal
9 government is looking into?

10 MS. D'ALLEVA: No. I think the
11 communication between the county and FEMA
12 personnel, state and FEMA personnel is an open
13 dialogue. We have very good communication with
14 them.

15 LEGISLATOR DeRIGGI-WHITTON: So you
16 don't feel that specific items are being
17 questioned?

18 MS. D'ALLEVA: No. There's a continuing
19 back and forth. They've been given all invoices,
20 everything for project worksheets and all the,
21 you know, what they need to make their decisions.

22 LEGISLATOR DeRIGGI-WHITTON: So out of
23 \$130 million that was spent already, the county
24 paid out, and we've been reimbursed about 40
25 percent, so let's say conservatively that's like

a \$70 million discrepancy; is that correct?

MS. D'ALLEVA: I don't believe there is a discrepancy. I think it's a timing issue --

LEGISLATOR DeRIGGI-WHITTON: So today we have --

MS. D'ALLEVA: in terms of when you do receive the 90 percent.

LEGISLATOR DeRIGGI-WHITTON: So as of today we haven't been reimbursed for about 75 million to date.

MS. D'ALLEVA: Correct.

LEGISLATOR DeRIGGI-WHITTON: How are we going -- where are we going to -- how are we going to fix that for the budget right now? Where is that money coming from to cover that?

MS. D'ALLEVA: In terms of?

LEGISLATOR DeRIGGI-WHITTON: To close out the year and everything. Is that going to affect our surplus?

MS. D'ALLEVA: Well, most of the 130 million was already accounted for in 2012. We already accrued for those expenditures.

LEGISLATOR DeRIGGI-WHITTON: Right.

MS. D'ALLEVA: Actually, I believe it

2 was like \$114 million of it.

3 LEGISLATOR DeRIGGI-WHITTON: With the
4 idea that it was temporary and it was going to be by
5 FEMA.

6 MS. D'ALLEVA: That's correct.

7 LEGISLATOR DeRIGGI-WHITTON: So now that
8 it hasn't for another whole year, how do you, in
9 an accounting way, show that?

10 MS. D'ALLEVA: It's just through cash
11 flow. We have the cash flow. We've been
12 covering it through cash flow.

13 LEGISLATOR DeRIGGI-WHITTON: So there's
14 \$140 million -

15 MS. D'ALLEVA: You have to remember we
16 have received \$52 million worth.

17 LEGISLATOR DeRIGGI-WHITTON: I
18 understand that. Which is about 30 or 40
19 percent.

20 Basically, my point is a year later we
21 still have only receive about 40 percent.

22 Thank you.

23 CHAIRMAN NICOLELLO: Any other questions
24 on Item 442?

25 (No verbal response.)

2 Thank you, Ms. D'Alleva.

3 MS. D'ALLEVA: Thank you.

4 CHAIRMAN NICOLELLO: Any public comment?

5 (No verbal response.)

6 Legislator Denenberg, do you want any of
7 these called individually or can I call them as a
8 group?

9 LEGISLATOR DENENBERG: You can call them
10 as a group.

11 CHAIRMAN NICOLELLO: Okay. We will call
12 all these items for a vote.

13 All those in favor signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The items carry unanimously.

18 A motion from Legislator Muscarella to
19 adjourn.

20 LEGISLATOR WALKER: Second.

21 CHAIRMAN NICOLELLO: Seconded by
22 Legislator Walker.

23 All in favor of adjourning signify by
24 saying aye.

25 (Aye.)

2 Those opposed?

3 (No verbal response.)

4 This committee is in adjournment.

5 (Whereupon, the Finance Committee
6 adjourned at 2:40 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 14th day of October, 2013.

FRANK GRAY