

NASSAU COUNTY LEGISLATURE

NORMA GONSLAVES,
PRESIDING OFFICER

GOVERNMENT SERVICES &
OPERATIONS COMMITTEE

HOWARD KOPEL,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

November 18, 2013
4:36 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

HOWARD KOPEL
Chair

DENISE FORD
Vice-Chair

FRANCIS BECKER

DENNIS DUNNE

WAYNE WINK
Ranking

DAVID DENENBERG

ROBERT TROIANO (Not Present)

DELIA DERIGGI-WHITTON (Sitting in for Robert Troiano)

LIST OF SPEAKERS

GREG MAY 4
DAN VALENTINO. 4

CHAIRMAN KOPEL: I will call the roll.

Legislator Ford?

LEGISLATOR FORD: Here.

CHAIRMAN KOPEL: Legislator Becker?

LEGISLATOR BECKER: Present.

CHAIRMAN KOPEL: Legislator Dunne?

LEGISLATOR DUNNE: Here.

CHAIRMAN KOPEL: Legislator Wink?

(No verbal response.)

CHAIRMAN KOPEL: Legislator Denenberg?

LEGISLATOR DENENBERG: Here.

CHAIRMAN KOPEL: Legislator DeRiggi-
Whitton substituting for Legislator Troiano?

LEGISLATOR DeRIGGI-WHITTON: Here.

CHAIRMAN KOPEL: We have a quorum.

We have one item, which is Item 473-13,
which is a local law to adopt the Super Storm
Sandy Assessment Relief Act.

Mr. May.

MR. MAY: We have Mr. Dan Valentino from
the Department of Assessment.

MR. VALENTINO: Hi. My name is Dan

Valentino. I'm a deputy county attorney assigned to the Nassau County Department of Assessment. This is our opt-in legislation to the Super Storm Sandy Assessment Relief Act. Governor Cuomo signed this bill on October 22. We have 45 days from that date to opt-in to this bill, which brings us to December 6, so this bill is timely.

This bill offers real property tax relief to certain homeowners who were affected by Super Storm Sandy.

Are there any questions?

LEGISLATOR FORD: Thank you very much.

CHAIRMAN KOPEL: Motion by Legislator Dunne, seconded by Legislator Becker.

LEGISLATOR FORD: I just want to say I'm really happy about this because -- my thanks to Governor Cuomo and of course the county executive for following up on this because it is very, very important for homeowners.

I know that the residents and I guess -- is it businesses as well or is this just residential property?

MR. VALENTINO: It includes businesses

as well.

LEGISLATOR FORD: Okay. Do they have to already -- I know that we did a drive where a lot of people sent in the property assessment forms that we were handing out, especially to those affected by Sandy. Do residents still -- do they still have an opportunity to fill out that form or is this going to be based on those that did it already?

MR. VALENTINO: Yes. They have 90 days from the governor's signature, assuming this bill is passed, to opt in, fill out an application, and sign up. So that brings you to January 21, so there is still time.

LEGISLATOR FORD: Can we get information so I could send it out? I know invariably, inevitably we always have people who forget. I still have a number of residents that are still not in their homes, so they don't always get their mail.

MR. VALENTINO: Sure.

LEGISLATOR FORD: If you could send me something, I really would appreciate it. I would

like people to take advantage of this as best as they can.

MR. VALENTINO: Glad to help in any way that I can.

LEGISLATOR FORD: I thank you.

CHAIRMAN KOPEL: Anyone else? Yes.
Legislator Denenberg.

LEGISLATOR DENENBERG: Mr. Valentino, under I believe it's state law, any time someone has a casualty they can apply during that year to get their assessment reduced even though it might be after the normal period to challenge. We then got an extension because Sandy happened in '12 to April 1; am I correct?

MR. VALENTINO: That's correct.

LEGISLATOR DENENBERG: So if someone applied to have their assessment reduced for '12, which would have been for the 13/14 school taxes and probably the 14 general tax then, if they applied by April 1 they might have received a reduction, correct?

MR. VALENTINO: That's correct.

LEGISLATOR DENENBERG: I checked with

Jim Davis' office, which is your boss, that I think it was only about 5,000 or 5,200 people applied before the April 1 deadline.

MR. VALENTINO: That's correct.

LEGISLATOR DENENBERG: How does this affect those who did apply before the April 1 deadline?

MR. VALENTINO: Those that applied, we were able to get it on their tax bill and they were able to get this relief immediately.

LEGISLATOR DENENBERG: So should they be applying again or it would not work?

MR. VALENTINO: We're working --

LEGISLATOR DENENBERG: I have -- let's say -- I'm trying to know what to tell my constituents. I have south shore constituents, Merrick, Bellmore, Wantagh, Seaford that applied to get reduction because of Sandy. They got a reduction or didn't hear yet, let's say. Theoretically they should have heard. Now we have the Super Storm Sandy Assessment Relief Act. Do they apply again?

MR. VALENTINO: We are working in

conjunction with ORBS to have our property damage review form approved by them. It's exactly the same as the state form. Right now we are still in a holding pattern. They already received the relief on the 13/14. This would also offer them relief under the 12/13 as well. The bill covers two years.

LEGISLATOR DENENBERG: So if someone applied before April 1 that would not have given them a reduction for 12/13, that would have given them a reduction for 13/14; correct?

MR. VALENTINO: Correct. Because we were operating under --

LEGISLATOR DENENBERG: But they can get a reduction. Under this relief act they can get a reduction for two years.

MR. VALENTINO: Correct.

LEGISLATOR DENENBERG: So we should encourage anyone -- so then my answer is anyone who applied should apply again. Anyone who didn't apply should apply.

MR. VALENTINO: Correct.

LEGISLATOR DENENBERG: And where is the

form?

MR. VALENTINO: The form is online. It's on our website. It's also on the Office of Real Property Tax Services website. They have a whole section dedicated to Super Storm Sandy. They actually have a nice synopsis of this bill, and the form is right on there.

LEGISLATOR DENENBERG: Is the ORBS form different than the form people would have filled out before April 1?

MR. VALENTINO: You can look at them. The forms are pretty much identical. The only difference is a certification. And we are working with ORBS to get our form approved because we have deviated in the past from the state forms and ORBS has given us their approval.

LEGISLATOR DENENBERG: So since we're already past the '12 and '13 year and really passed the 13/14 year because everyone's been paying their 13/14 school taxes, this would be a refund.

MR. VALENTINO: Correct, but --

LEGISLATOR DENENBERG: Not just a

reduction, a refund.

MR. VALENTINO: It will be a refund, correct.

LEGISLATOR DENENBERG: And the refund comes from the state or from the county?

MR. VALENTINO: We're working in conjunction with the state, in conjunction with the federal government. We have community development block grant disaster relief loans, and I believe that we were approved for around 25 million, so this should be direct reimbursement. There shouldn't be any refund liability.

LEGISLATOR DENENBERG: The County would reimburse my constituents but the county would reimbursed itself through federal funds?

MR. VALENTINO: Correct. Passing through the state then through the county.

LEGISLATOR DENENBERG: How do we know how much until people apply?

MR. VALENTINO: We have a list from FEMA and we have the 4200 you referenced before. We are compiling these numbers and we did have to give our estimates. I believe it's in the state

action plan, the amount that we requested.

LEGISLATOR DENENBERG: So let me get this straight. Under the Super Storm Sandy Assessment Relief Act, you apply for a reduction, a homeowner or business can apply for a reduction that they think they are entitled to. It would be reviewed by our assessor's office and then if they receive a reduction, as they asked for or an amount less than they asked for, they would get a refund in accordance with the assessment reduction times the tax rate.

MR. VALENTINO: Your understanding is correct. But there also is a grievance mechanism where they can grieve through ARC, and if they disagree with ARC they can then file an Article 7.

LEGISLATOR DENENBERG: And the relief, the tax relief, due to the assessment relief, would be for school taxes, village or town taxes, county taxes, and any special district tax?

MR. VALENTINO: Correct, Legislator. Just not village, though. Keep in mind, we don't levy for the village. The villages are separate

units from us, so the villages have to opt in on their own and they would be responsible for issuing their refunds.

LEGISLATOR DENENBERG: And if you applied before April 1 you should apply again because this would be for 12/13 not just for 13/14.

MR. VALENTINO: That's correct. But we are working to get our form approved, this way people don't needlessly have to continuously fill out forms that have the same information on them.

LEGISLATOR DENENBERG: Okay. Thank you. Wait. Hold on one second. That was my last question. But let the record reflect that Legislator Wink joined us as well.

CHAIRMAN KOPEL: Legislator Wink, do you have any questions?

LEGISLATOR WINK: No.

CHAIRMAN KOPEL: Okay. Any public comment?

(No verbal response.)

Okay. All in favor of this item please so signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

Motion to adjourn?

LEGISLATOR DUNNE: So moved.

LEGISLATOR FORD: Second.

CHAIRMAN KOPEL: So moved by Legislator
Dunne, seconded by Legislator Ford.

All in favor?

(Aye.)

Any opposed?

(No verbal response.)

We are adjourned.

(Whereupon, the Government Services &
Operations Committee adjourned at 4:45 p.m.)

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 6th day of December, 2013.

FRANK GRAY