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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, October 15, 2012
4:28 P.M

REGAL REPORTING SERVICE
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A P P E A R A N C E S :

RICHARD NICOLELLO ,
Chairman

NORMA GONSALVES ,
Vice Chairwoman

VINCENT MUSCARELLA

ROSE MARIE WALKER

DAVID DENENBERG ,
Ranking

JUDI BOSWORTH

DELIA DeRIGGI-WHITTON

WILLIAM J. MULLER ,
Clerk of the Legislature

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LIST OF SPEAKERS

JEFF CESTRA, accountant,
 Nassau County Assessment Unit.....16

MICHAEL KELLY, acting director,
 Nassau County Department of
 Public Works,
 Division of Real Estate Services.....29

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INSERTS

Incorporated
Public Works Minutes pertaining to
Clerk Item 641-12.....27

(By reference, Page 10, Line 23
Through Page 13, Line 3.)

1 Finance Committee/10-15-12

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. Mr. Muller,
4 would you call the roll?

5 CLERK MULLER: I can do it.
6 Legislator DeRiggi-Whitton?

7 LEGISLATOR DERIGGI-WHITTON:
8 Here.

9 CLERK MULLER: Legislator
10 Bosworth?

11 LEGISLATOR BOSWORTH: Here.

12 CLERK MULLER: Ranking Member
13 Denenberg?

14 LEGISLATOR DENENBERG: Here.

15 CLERK MULLER: Legislator Walker?

16 LEGISLATOR WALKER: Here.

17 CLERK MULLER: Legislator
18 Muscarella?

19 LEGISLATOR MUSCARELLA: Here.

20 CLERK MULLER: Vice Chairwoman
21 Gonsalves?

22 LEGISLATOR GONSALVES: Here.

23 CLERK MULLER: Chairman

24 Nicoletto?

25 CHAIRMAN NICOLELLO: We have a

1 Finance Committee/10-15-12
2 quorum. The first two items I'm going to
3 call last because they involve executive
4 session.

5 I have 596 and 597 of 2012 are a
6 resolution to adopt a four year capital plan
7 for the County of Nassau and an ordinance to
8 adopt a capital budget for the County of
9 Nassau for the first year of the four year
10 capital plan.

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Walker. These items are being
16 teed up for a hearing and a vote on a
17 separate date.

18 It was discussed in public works.
19 The parties, both sides, are reserving their
20 right to ask questions and express
21 reservations at that time. Any other
22 questions, comments? Legislator Denenberg.

23 LEGISLATOR DENENBERG: To the
24 chair, I would just state that the
25 statements that I made in public works would

1 Finance Committee/10-15-12
2 be applicable here. We have reservations
3 about the timing and about projects and the
4 progress but we wish to join you and pass
5 this through and save those questions for
6 the full hearing on the capital budget.

7 CHAIRMAN NICOLELLO: Thank you.
8 Is there any public comment?

9 (No verbal response.)

10 Hearing none, all those in favor
11 signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Those items carry unanimously.

16 Items 608 and 609 of 2012; 608 is an
17 ordinance fixing the tax rates and levying
18 taxes for the 12 month 2013 fiscal year
19 beginning January 1st, 2013, and ending
20 December 31st, 2013.

21 609 is an ordinance to adopt the
22 Nassau County budget for the 12 month period
23 of 2013 fiscal year.

24 LEGISLATOR GONSALVES: So moved.

25 LEGISLATOR WALKER: Second.

1 Finance Committee/10-15-12

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

5 These items are similarly being
6 teed up for budget hearings, budget
7 adoption, at a later date which has not been
8 determined as yet. The same rules apply.
9 Any concerns, reservations, negative votes
10 are obviously reserved.

11 LEGISLATOR DENENBERG: Again, on
12 the part of the minority we have obviously
13 reservations about the budget. We are
14 saving our questions for the budget hearing.
15 We would ask that the Independent Office of
16 Budget Review this week provide its report
17 on the budget as well so that we can have
18 that available to all of us at the budget
19 hearings whenever they end up being
20 rescheduled to.

21 But in an effort of cooperation
22 to tee up the budget, we'll reserve any
23 further comments until that time.

24 CHAIRMAN NICOLELLO: Any other
25 comments or questions? Legislator

1 Finance Committee/10-15-12

2 DeRiggi-Whitton.

3 LEGISLATOR DERIGGI-WHITTON:

4 Thank you. Especially regarding the tax
5 rate change, if we can have that information
6 as soon as possible. I just want to see how
7 that's going to work out. That's been a
8 major concern. Do you have any idea when
9 that's going to be available?

10 CHAIRMAN NICOLELLO: I'm not sure
11 what you mean by the tax rate change.

12 LEGISLATOR DERIGGI-WHITTON: The
13 first item you were just discussing which
14 basically said, regarding the budget, and
15 then you also have an item discussing the
16 tax rate change. I just want to see what
17 that is.

18 CHAIRMAN NICOLELLO: I think it's
19 establishing the taxes that have to be
20 collected to pay the budget but the tax rate
21 is a different issue. It depends on how
22 much assessable property there is in the
23 county.

24 LEGISLATOR DERIGGI-WHITTON:

25 Exactly. Is that what this item is

1 Finance Committee/10-15-12
2 regarding? What the tax rate is going to be
3 for everyone?

4 CHAIRMAN NICOLELLO: I think it
5 sets the total amount of revenue raised by
6 the county for real property tax.

7 LEGISLATOR DERIGGI-WHITTON: I
8 just want to see that is as soon as possible
9 because we just had that happen recently and
10 it was a big increase in taxes. I just want
11 to see what that number is as soon as
12 possible.

13 CHAIRMAN NICOLELLO: To the
14 extent that that can be addressed during the
15 budget process, we will have not only the
16 budget office, but also the independent
17 budget office, so we can address those
18 questions at that time.

19 LEGISLATOR DERIGGI-WHITTON:
20 Again, the sooner the better with that
21 especially because that does effect it.

22 CHAIRMAN NICOLELLO: Okay. Any
23 other questions?

24 (No verbal response.)

25 Any public comment?

1 Finance Committee/10-15-12

2 (No verbal response.)

3 Those in favor signify by saying
4 aye.

5 (Aye.)

6 Those opposed?

7 The items are moved along to
8 rules. Item 610 of 2012 is an ordinance to
9 adopt a budget for the county legislature
10 for the County of Nassau for the 2013 fiscal
11 year.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Muscarella, seconded by
16 Legislator Walker. The same with respect to
17 this item, it's being teed up for further
18 discussions during the budget hearings and
19 any reservations or comments or amendments,
20 et cetera, are reserved by all parties. Any
21 questions or discussion?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 Those in favor signify by saying

1 Finance Committee/10-15-12

2 aye.

3 LEGISLATOR DENENBERG: This is
4 610?

5 CHAIRMAN NICOLELLO: This is the
6 legislative budget.

7 LEGISLATOR DENENBERG: Okay.
8 Thank you.

9 CHAIRMAN NICOLELLO: All those in
10 favor signify by saying aye.

11 (Aye.)

12 Those opposed?

13 That item is reported to rules.
14 Items 618 and 619 of 2012 are resolutions to
15 authorize the transfer of appropriations
16 heretofore made within the budget for the
17 year 2012. Both of these are within the
18 Department of Public Works.

19 LEGISLATOR GONSALVES: So moved.

20 LEGISLATOR WALKER: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Legislator Gonsalves, seconded by Legislator
23 Walker. Any discussion or debate on this
24 item?

25 (No verbal response.)

1 Finance Committee/10-15-12

2 Any public comment?

3 (No verbal response.)

4 Those in favor signify by saying
5 aye.

6 (Aye.)

7 Those opposed?

8 Carries unanimously. The next
9 item is 621 of 2012, an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the health
12 department.

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR MUSCARELLA: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Walker, seconded by Legislator
17 Muscarella. Mr. May, this was on in the
18 Health Committee. There were questions
19 raised before. Do you have any response to
20 the legislators?

21 MR. MAY: Yes, Mr. Chairman.
22 There was apparently an error with the
23 photocopying and the item is correct. For
24 88-897 so we are now planning on submitting
25 an amendment at this time.

1 Finance Committee/10-15-12

2 CHAIRMAN NICOLELLO: Any other
3 questions or comments? Thank you, Mr. May.

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All those in favor signify by
8 saying aye.

9 (Aye.)

10 Those opposed?

11 The item carries unanimously.

12 6222, 623, 624, 625. Did you have a
13 question, legislator?

14 LEGISLATOR DERIGGI-WHITTON: I
15 was just going to say thank you. We like
16 the numbers to match.

17 MR. MAY: You're welcome. We
18 like to have the numbers as well, so we're
19 good.

20 CHAIRMAN NICOLELLO: 622, 623,
21 624, 625, 626, 627 of 2012 are ordinances
22 supplemental to annual appropriation
23 ordinance in connection with the health
24 department, police department, office of the
25 county executive, district attorney's

1 Finance Committee/10-15-12

2 office, and department of probation.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR GONSALVES: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Walker, seconded by Legislator
7 Gonsalves. Any discussion on these items?
8 All these went through committees earlier in
9 the day.

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Those opposed?

17 Those carry unanimously. 632,
18 633, 634, 635, 636, 637, 638, 639, that's it
19 for now. These are resolutions to authorize
20 the county assessor and/or the county
21 treasurer and/or the receiver of taxes of
22 the towns of Hempstead or North Hempstead or
23 the Town of Oyster Bay to partially exempt
24 from real property taxes, exempt from real
25 property taxes, and to correct erroneous

1 Finance Committee/10-15-12
2 assessments regarding certain properties
3 situated in various school districts.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR MUSCARELLA: Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Walker, seconded by Legislator
8 Muscarella. Any discussion on any of these
9 items?

10 (No verbal response.)

11 Is there any public comment?

12 LEGISLATOR DENENBERG: I have
13 some questions. I'm sorry.

14 CHAIRMAN NICOLELLO: Legislator
15 Denenberg.

16 MR. CESTRA: Yes. Jeff Cestra
17 from the assessment unit, the accountant.

18 LEGISLATOR DENENBERG: I asked
19 several questions about this weeks ago. Now
20 it's been refiled. The purpose of refiling
21 was what?

22 MR. CESTRA: The purpose in
23 refiling was that the memo and resolutions
24 were incorrect and therefore we corrected
25 them.

1 Finance Committee/10-15-12

2 LEGISLATOR DENENBERG: How were
3 they incorrect?

4 MR. CESTRA: In other words, it
5 didn't include the North Hempstead portion.
6 Now they do include North Hempstead. And
7 Legislator Bosworth brought that up at the
8 last meeting.

9 LEGISLATOR DENENBERG: Legislator
10 Bosworth, thank you for bringing that up.
11 My question still, the corrections that
12 we're making which look for the most part to
13 be either for nontaxable properties or basic
14 STARS, were these items that the application
15 had gotten to the county on time and the tax
16 roll just didn't reflect the exemption
17 timely?

18 MR. CESTRA: Correct.

19 LEGISLATOR DENENBERG: So it
20 becomes our requirement to fix it; is that
21 correct?

22 MR. CESTRA: Correct.

23 LEGISLATOR DENENBERG: Let me try
24 to understand. If a not for profit becomes
25 a not for profit in the middle of the year,

1 Finance Committee/10-15-12

2 we collect taxes for the entire year but
3 they get a portion of that back?

4 MR. CESTRA: They'll get -- in
5 other words, the taxpayer will get a portion
6 back because they deserve that much and, for
7 example, let's deal with basic STAR, for
8 example. Basic STAR, what basic STAR is,
9 what we are doing is, we're basically adding
10 the basic STAR to them, in most of these
11 petitions.

12 LEGISLATOR DENENBERG: What
13 prevented us from doing it on time, just a
14 clerical error?

15 MR. CESTRA: A clerical error.

16 LEGISLATOR DENENBERG: That would
17 be on our part, not the state's part?

18 MR. CESTRA: Correct.

19 LEGISLATOR DENENBERG: So then it
20 becomes our requirement to make up the
21 difference to the taxpayer?

22 MR. CESTRA: Correct.

23 LEGISLATOR DENENBERG: Now, a lot
24 of these that aren't STAR are for religious
25 or other type of not for profit exemption.

1 Finance Committee/10-15-12

2 MR. CESTRA: Correct.

3 LEGISLATOR DENENBERG: Were they
4 entitled to more time -- I'm sorry, to a
5 full year or just part of the year
6 exemption?

7 MR. CESTRA: Some, in other
8 words, is going to be partially taxable and
9 some is going to be totally exempt.

10 LEGISLATOR DENENBERG: For STAR,
11 even though the state would have given the
12 refund to the homeowner, if we didn't put it
13 in on time or made a clerical error, we, as
14 the county, now have to make up the
15 difference for what was our error?

16 MR. CESTRA: Correct.

17 LEGISLATOR DENENBERG: But when
18 it comes to the religious exemption, I don't
19 think we made an error, we collected the
20 money and, at the end of the year, there was
21 an exemption because of a transfer to a tax
22 exempt organization during the year,
23 correct?

24 MR. CESTRA: Correct.

25 LEGISLATOR DENENBERG: Do we then

1 Finance Committee/10-15-12
2 get the money, do we refund the tax exempt
3 organization only for the county taxes that
4 they paid or for the county, town, village
5 and school?

6 MR. CESTRA: Well, we are going
7 to refund for the county and the school
8 portion.

9 LEGISLATOR DENENBERG: And the
10 town and village too?

11 MR. CESTRA: And the town too.
12 Not so much the village.

13 LEGISLATOR DENENBERG: Do we then
14 get that money back from the school, town
15 and village?

16 MR. CESTRA: No.

17 LEGISLATOR DENENBERG: There is
18 the Appellate Division, I studied this, and
19 said that the county guaranty for refunds is
20 superseded on administrative functions which
21 this is purely administrative. If you're
22 telling me that the county made an error
23 like with STAR, then obviously the state is
24 not going to pay for county error, we'll
25 have to pay for our own errors.

1 Finance Committee/10-15-12

2 MR. CESTRA: Correct.

3 LEGISLATOR DENENBERG: But here
4 we made no error and the overpayment was
5 made by a religious corporation or a not for
6 profit so that they wouldn't be late. They
7 got a tax bill so they paid the tax bill,
8 right?

9 MR. CESTRA: Well, I mean, if,
10 for example, they got a tax bill and then
11 later, in other words, it was exempt, I
12 mean, actually the person who is exempt is
13 not going to pay taxes then.

14 LEGISLATOR DENENBERG: So then we
15 don't have to refund anything?

16 CHAIRMAN NICOLELLO: Mr. Cestra,
17 hold on a moment. What you are asking
18 Mr. Cestra I believe involves legal
19 opinions. What I'm going to suggest is,
20 rather than speculation as to what the law
21 may provide, is that we get an opinion from
22 the county attorney as to whether we are
23 required to do this pursuant to state law.

24 So we're going to request that
25 opinion from the county attorney's office as

1 Finance Committee/10-15-12
2 to whether we are required to pay on these
3 erroneous assessments, whether they be
4 non-profits, et cetera, regardless of who --
5 obviously no one made an error in most of
6 these cases, but just simply whether we're
7 required to pay and what's the basis for
8 that.

9 LEGISLATOR DENENBERG: And if we
10 have to pay, do we get reimbursed.

11 CHAIRMAN NICOLELLO: Reimbursed
12 by who?

13 LEGISLATOR DENENBERG: By the
14 town, the village, or the school.

15 CHAIRMAN NICOLELLO: Now you want
16 the schools to reimburse us, but when we
17 wanted to do away with the guaranty we're
18 adamantly opposed against -- sometimes
19 you're in favor of the guaranty and
20 sometimes you're --

21 LEGISLATOR DENENBERG: If you
22 want to fight with me, go ahead. Now you
23 should read law, because the Appellate
24 Division said, in terms of administrative
25 functions and administrative overpayments,

1 Finance Committee/10-15-12
2 the county guaranty does not apply. All
3 other times the county guaranty does. I'm
4 all for the county guaranty. We should fix
5 the assessment system, like you said you
6 would. Instead you haven't fixed it, you
7 made it worse, and everyone's school taxes
8 are going through the roof.

9 CHAIRMAN NICOLELLO: So you're
10 for the guaranty, except you're against --

11 LEGISLATOR DENENBERG: So if you
12 want to start with me -- Mr. Nicolello, you
13 cut me off. What I'm trying to find out is,
14 simply, if we fix these, whether any money
15 is owed, and if money is owed, whether who
16 ends up picking it up, that's all.

17 CHAIRMAN NICOLELLO: The issue is
18 the record and we are going to seek the
19 county attorney's opinion and we beat this
20 to death in successive meetings, so are
21 there any other questions?

22 LEGISLATOR DERIGGI-WHITTON: Can
23 I add one thing to that?

24 CHAIRMAN NICOLELLO: Legislator
25 DeRiggi-Whitton.

1 Finance Committee/10-15-12

2 LEGISLATOR DERIGGI-WHITTON: From
3 what I understand, it is expected that we
4 collect taxes from like 5013Cs until that
5 tax year is complete so that we keep our tax
6 roll where it should be, is that correct?

7 MR. CESTRA: I'm unfamiliar with
8 that.

9 LEGISLATOR DERIGGI-WHITTON: I
10 think we should get a legal opinion on that
11 as well. It's my understanding that we
12 actually tell the 5013Cs are not for profits
13 to go ahead and pay the taxes.

14 In other words, we leave it in
15 our roll knowing that we are going to have
16 to reimburse them, which is a major
17 practice. Maybe we should look into seeing
18 whether or not as soon as the 5013Cs
19 occupying this property are taken off at
20 that point rather than have to reimburse
21 them.

22 MR. CESTRA: From what I
23 understand in the future, what is going to
24 happen is that the schools are going to
25 reimburse us for the monies.

1 Finance Committee/10-15-12

2 LEGISLATOR DERIGGI-WHITTON: But
3 wouldn't it be better if we don't collect it
4 from the 5013C or non-for-profit to start
5 out with, from the time of ownership?

6 MR. CESTRA: That's a legal type
7 question.

8 LEGISLATOR DERIGGI-WHITTON: So
9 I'm just asking that that be added to what
10 the inquiry is.

11 CHAIRMAN NICOLELLO: We'll make
12 sure that our staffs communicate to make
13 sure that we have the entire aspects of this
14 issue covered in terms of what we're
15 requesting.

16 LEGISLATOR DERIGGI-WHITTON:
17 Because, to be honest, I've had a few
18 instances where 5013Cs have come to me
19 saying they can't afford it, even if it was
20 only for six months, it could be a
21 substantial amount, and then they would have
22 to wait, put the money out and wait to be
23 reimbursed, but it seems like a ridiculous
24 process.

25 CHAIRMAN NICOLELLO: Seems like a

1 Finance Committee/10-15-12
2 good question. Any other questions for Mr.
3 Cestra?

4 (No verbal response.)

5 Any other debate or discussion?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 Hearing none, I'm going to call
10 for a motion on these items, all those in
11 favor signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Carries unanimously. Moves on to
16 the Rules Committee. Item 640 of 2012 is a
17 resolution authorizing the County Executive
18 to execute an intermunicipal agreement with
19 the Town of Oyster Bay.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR GONSALVES: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Walker, seconded by Legislator
24 Gonsalves. Any discussion?

25 (No verbal response.)

1 Finance Committee/10-15-12

2 Is there any public comment?

3 (No verbal response.)

4 All those in favor signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 Carries unanimously. Item 641 of
10 2012 is a resolution authorizing the county
11 of Nassau to participate in a federal aid
12 transportation project providing for the
13 resurfacing of various county roads.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR GONSALVES: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Muscarella, seconded by
18 Legislator Gonsalves. Any questions on this
19 item? This was discussed in the Public
20 Works Committee. I ask that the record
21 there be incorporated by reference.

22 (Whereupon, Clerk Item 641-12 is
23 referenced in the Public Works Committee at
24 pages 10 through 13, 10-15-12.)

25 CHAIRMAN NICOLELLO: Any debate?

1 Finance Committee/10-15-12

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 All those in favor signify by
6 saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 Carries unanimously. Motion to
11 suspend the rules.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR GONSALVES: Second.

14 CHAIRMAN NICOLELLO: Moved by

15 Legislator Muscarella, seconded by

16 Legislator Gonsalves. 620 of 2012 is a

17 resolution to authorize the transfer of

18 appropriations heretofore made within the

19 budget for the year 2012.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR GONSALVES: Second.

22 CHAIRMAN NICOLELLO: Moved by

23 Legislator Walker, seconded by Legislator

24 Gonsalves. I'm actually going to call the

25 second item with that, 645 of 2012, because

1 Finance Committee/10-15-12
2 they're related, an ordinance making certain
3 determinations between the State
4 Environmental Quality Review Act and
5 authorizing the county executive on behalf
6 of the County of Nassau to execute a lease
7 between the County of Nassau as tenant and
8 89th Jamaica Realty Company with respect to
9 the lease of real property in the City of
10 New York, Borough of Queens.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR GONSALVES: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Walker, seconded by Legislator
15 Gonsalves. Mr. Kelly.

16 MR. KELLY: Thank you. Michael
17 Kelly, acting director, Nassau County
18 Department of Public Works, division of real
19 estate services. Item 620-12 is to transfer
20 the amount of \$235,000 into the department's
21 lease line and into our contractual expenses
22 line in order to pay expenses related to the
23 lease for the Jamaica terminal and the
24 purchase of a railroad siding next to the
25 Mitchell Field bus depot for a compressed

1 Finance Committee/10-15-12
2 natural gas project.

3 CHAIRMAN NICOLELLO: That lease,
4 with respect to that lease, this is the bus
5 garage that we talked about before?

6 MR. KELLY: That's correct.
7 That's for the six months for this year.

8 CHAIRMAN NICOLELLO: Anybody else
9 have any questions for Mr. Kelly? Any
10 comments?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 Thank you, Mr. Kelly. All those
15 in favor signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Carries unanimously. 647 of 2012
20 is a resolution providing for the issuance
21 of a warrant directing the treasurer of the
22 County of Nassau to pay to the supervisors
23 of the several towns and to the treasurers
24 of the several villages and cities within
25 the county the sums as apportioned showing

1 Finance Committee/10-15-12
2 deposits from mortgage taxes.

3 LEGISLATOR MUSCARELLA: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Muscarella, seconded by
7 Legislator Walker. Any questions or
8 comments?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Carries unanimously. 648 of 2012
18 is a resolution to adopt the multi-year
19 financial plan for the fiscal years 2013 to
20 2017.

21 LEGISLATOR GONSALVES: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Gonsalves, seconded by Legislator
25 Walker. This is the multi-year plan,

1 Finance Committee/10-15-12
2 similar to the other items with respect to
3 the budget in the capital plan. We are
4 teeing this up for further hearings. Both
5 sides reserve their rights to questions,
6 comments, reservations, concerns, whatever.
7 Any comments, discussion? Legislator
8 Denenberg.

9 LEGISLATOR DENENBERG: Thanks.
10 The same comments that we are teeing it up
11 and we will reserve our questions until that
12 time, but being that the multi-year plan
13 still contains money from a finance company
14 for our sewers, I don't want this, a vote
15 passing it through to be taken in any way
16 that we approve the fiscal plan, the capital
17 plan or the four-year plan.

18 CHAIRMAN NICOLELLO: It's
19 understood that we are all not voting on the
20 merits today but really just passing this
21 through so it can be considered at a later
22 date.

23 LEGISLATOR DENENBERG: Thank you.

24 CHAIRMAN NICOLELLO: All those in
25 favor of passing the item through signify by

1 Finance Committee/10-15-12

2 saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Carries unanimously. Going back
7 to the first two items on the finance
8 agenda; 577 of 2012 and 578 of 2012, a
9 resolution authorizing the county attorney
10 to compromise and settle the action, McCain
11 versus the County of Nassau.

12 The second item is an ordinance
13 providing for a capital expenditure to
14 finance the payment of certain settled
15 claims against the County of Nassau
16 authorizing \$318,240 of bonds.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN NICOLELLO: Moved by
20 Legislator Muscarella, seconded by
21 Legislator Walker. Do I have a motion to go
22 into executive session?

23 LEGISLATOR GONSALVES: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Legislator

1 Finance Committee/10-15-12
2 Gonsalves moves it, Legislator Walker
3 seconds it. So we are now in executive
4 session.

5 (Whereupon, the Finance Committee
6 recessed into executive session at 4:50 p.m.
7 and reconvened at 4:58 p.m.)

8 CHAIRMAN NICOLELLO: We have a
9 few items for a vote; Items 577 and 578 of
10 2012. All those in favor signify by saying
11 aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 Those items are reported. Motion
16 to adjourn.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR GONSALVES: Second.

19 CHAIRMAN NICOLELLO: Motion by
20 Legislator Muscarella to adjourn, seconded
21 by Legislator Gonsalves.

22 All those in favor of adjourning
23 say aye.

24 (Aye.)

25 Those opposed?

1 Finance Committee/10-15-12

2 (No verbal response.)

3 The committee is adjourned.

4 (Whereupon, the Finance Committee
5 adjourned at 4:59 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 1st day of November, 2012.

FRANK GRAY