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NASSAU COUNTY LEGISLATURE

PETER SCHMITT,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, February 6, 2012
6:18 P.M

REGAL REPORTING SERVICE
(516) 747-7353

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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 MULLER ,
Clerk of the Legislature

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LIST OF SPEAKERS

BOB CONROY, Nassau County, Office of
 Management and Budget.....9

KEITH SATHER, Captain, Nassau County
 Sheriff's Department.....10

MARTIN VOLK.....20

JOHN CIAMPOLI, Nassau County Attorney....22

1 Finance Committee/2-6-12

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. I'm going to
4 ask our clerk, Mr. Muller, to call the roll.

5 CLERK MULLER: Legislator
6 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: Here.

1 Finance Committee/2-6-12

2 CLERK MULLER: We have a quorum.

3 CHAIRMAN NICOLELLO: We have a
4 quorum. The first item is 43 of 2012, a
5 resolution to designate papers in addition
6 to the official newspaper of Nassau County
7 for the publication of the resolutions and
8 notices of the filing and completion of the
9 county assessment roll for the year 2013.

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Motion by
13 Norma Muscarella, seconded by Legislator
14 Walker. Any discussion on these items?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 LEGISLATOR DERIGGI-WHITTON: Can
22 I just ask one question?

23 CHAIRMAN NICOLELLO: Sure.

24 LEGISLATOR DERIGGI-WHITTON: Is
25 there a complete list for the newspapers?

1 Finance Committee/2-6-12

2 CHAIRMAN NICOLELLO: Should be in
3 the backup.

4 LEGISLATOR DERIGGI-WHITTON: If
5 my colleague wanted to add one for his
6 district, would that be possible?

7 CHAIRMAN NICOLELLO: Yes.
8 Basically you have to submit the newspaper
9 and then we'll do an amendment in the nature
10 of a substitution to the Full Legislature.

11 LEGISLATOR DERIGGI-WHITTON:
12 Okay. Thank you.

13 CHAIRMAN NICOLELLO: Any other
14 questions?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Carries unanimously. I'm going
24 to call a bunch of items together; 44, 45,
25 46, 47, 48, 49, skipping 50, 51, 52, 53, 54

1 Finance Committee/2-6-12
2 and 55 of 2012, which are all ordinances
3 supplemental to the annual appropriation
4 ordinance in connection with the District
5 Attorney's Office, Department of Social
6 Services, Traffic Safety Board, Health
7 Department, and Department of Parks,
8 Recreation and Museums.

9 LEGISLATOR GONSALVES: So moved.

10 LEGISLATOR WALKER: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Gonsalves, seconded by Legislator
13 Walker. These are all those items and,
14 again, I excluded Item 50. Any questions on
15 these items?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 All those in favor signify by
20 saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 They carry unanimously. I'm
25 going to call Item 50 of 2012 which is an

1 Finance Committee/2-6-12
2 ordinance supplemental to the annual
3 appropriation ordinance in connection with
4 the health department.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Muscarella, seconded by
9 Legislator Walker. Any discussion on this
10 item? I know the members of the minority
11 abstained in the previous committee.

12 LEGISLATOR DENENBERG: We're
13 going to abstain, just for the record, we
14 will abstain because of the same reasons and
15 those reasons were stated on the record in
16 the Health Committee and we would just refer
17 to that record. Is there any public
18 comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Those abstaining?

1 Finance Committee/2-6-12

2 (Abstain.)

3 So it's a vote of four, zero,
4 three. Items 56 and 59 of 2012 which are
5 resolutions to authorize the transfer of
6 appropriations heretofore made within the
7 budget for the year 2011.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR GONSALVES: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Walker, seconded by Legislator
12 Gonsalves. Any discussion on 56 and 59?

13 LEGISLATOR DENENBERG: Yes.

14 CHAIRMAN NICOLELLO: Do we have
15 somebody here to speak to these items?

16 MR. CONROY: What number?

17 CHAIRMAN NICOLELLO: State your
18 name for the record, please.

19 MR. CONROY: Bob Conroy, Office
20 of Management and Budget.

21 LEGISLATOR DENENBERG: With
22 respect to 56 which is the Board of
23 Elections shortfall, why is there a
24 shortfall in the trucking budget?

25 MR. CONROY: There was a built in

1 Finance Committee/2-6-12
2 savings in the budget which never
3 transpired. They couldn't meet it.

4 LEGISLATOR DENENBERG: In other
5 words --

6 MR. CONROY: The trucking was
7 more than they anticipated.

8 LEGISLATOR DENENBERG: In other
9 words, we thought that trucking was going to
10 be less, trucking was more?

11 MR. CONROY: Correct.

12 LEGISLATOR DENENBERG: Why was
13 trucking more?

14 MR. CONROY: I have to get back
15 to you on that.

16 LEGISLATOR DENENBERG: Okay,
17 thank you. You can get back to me before or
18 at full leg. Just a couple of quick
19 questions regarding the transfer for
20 corrections that's 59-12.

21 MR. SATHER: Captain Keith
22 Sather, sheriff's department.

23 LEGISLATOR DENENBERG: Captain
24 Sather, thank you.

25 MR. SATHER: Good evening.

1 Finance Committee/2-6-12

2 LEGISLATOR DENENBERG: Is this
3 due to overtime costs?

4 MR. SATHER: No, sir this was a
5 built in \$6.9 million savings in the AA
6 line, which we had to make
7 inter-departmental transfers on \$1.4
8 million of it to meet the savings on.

9 LEGISLATOR DENENBERG: So instead
10 of 6.9, the savings was only 5.7?

11 MR. SATHER: No, sir. The
12 savings were met, we just had to move them
13 out of different budget lines. The overall
14 operation of the savings was met.

15 LEGISLATOR DENENBERG: Was that
16 attributable to rearrangements at the
17 correction center?

18 MR. SATHER: Again, I can't speak
19 for the sheriff but a number of different
20 things will affect our AA line, reductions
21 in vacant posts, consolidation of housing
22 areas, and redeployment of officers from
23 ancillary units are all different methods
24 that the sheriff used to reduce our costs.

25 LEGISLATOR DENENBERG: Thank you.

1 Finance Committee/2-6-12

2 Any other questions?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 All those in favor of 56 and 59
7 signify by saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 The items carry unanimously.

12 Item 57 of 2012 is a resolution authorizing
13 the county executive to execute an amendment
14 to an intermunicipal agreement between the
15 County of Nassau and the City of Long Beach.

16 LEGISLATOR GONSALVES: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Gonsalves, seconded by Legislator
20 Walker. Any questions?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/2-6-12

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 Carries unanimously. Calling the
6 next four items together which are 60, 61,
7 62, and 63 of 2012, resolutions to authorize
8 the county assessor and/or the county
9 treasurer and/or the receiver of taxes of
10 the Town of Hempstead, North Hempstead, and
11 Oyster Bay, and the City of Glen Cove to
12 correct erroneous assessments and taxes in
13 accordance with petitions of the assessor on
14 specific property situated in various school
15 districts addressed to designated owners
16 appearing on the assessment rolls for the
17 specified school and/or county years.

18 LEGISLATOR MUSCARELLA: So moved.

19 LEGISLATOR GONSALVES: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Muscarella, seconded by
22 Legislator Gonsalves. Any questions on
23 these items?

24 (No verbal response.)

25 Is there any public comment?

1 Finance Committee/2-6-12

2 (No verbal response.)

3 All those in favor signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously. Item 64 of
9 2012, a resolution to authorize the transfer
10 of appropriations heretofore made within the
11 budget for the year 2011.

12 LEGISLATOR GONSALVES: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Gonsalves, seconded by Legislator
16 Walker. Any question on this item?

17 (No verbal response.)

18 Hearing none, is there any public
19 comment?

20 (No verbal response.)

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

1 Finance Committee/2-6-12

2 Carries unanimously. I'm going
3 to hold 65 and 66 for executive session.
4 Item 67 of 2012 which is a resolution
5 providing for the issuance of a warrant
6 directing the treasurer of the County of
7 Nassau to pay to the supervisors of the
8 several towns and treasurers of the several
9 villages and cities within the county of
10 Nassau the sums as apportioned by the Nassau
11 County Legislature based on a report filed
12 with the county treasurer and the county
13 clerk.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR GONSALVES: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 Gonsalves. Any questions on this item?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 Those opposed?

1 Finance Committee/2-6-12

2 (No verbal response.)

3 Carries unanimously. The next
4 four items, 71, 72, 73, 74 of 2012, they are
5 all resolutions to authorize the transfer of
6 appropriations heretofore made with the
7 budget for the year 2011.

8 LEGISLATOR GONSALVES: So moved.

9 LEGISLATOR MUSCARELLA: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Gonsalves, seconded by Legislator
12 Muscarella. Any questions on these items?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Carries unanimously. I'm going
22 to call Items 75, 77, 78, 80, 81, 82, 83,
23 84, 85, 88, 89, 90, and 91 of 2012. Most of
24 these items are ordinances supplemental to
25 the annual appropriation ordinance in

1 Finance Committee/2-6-12
2 connection with various departments of the
3 county. Items 88, 89, 90, and 91 are
4 resolutions authorizing and directing the
5 treasurer of Nassau County to assign a
6 certain tax lien certificate in connection
7 with the premises located in Oyster Bay,
8 Hempstead, and North Hempstead.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR GONSALVES: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Walker, seconded by Legislator
13 Gonsalves. Any questions on these items?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 They carry unanimously. Items 76
23 and 79 of 2012 are ordinances supplemental
24 to the annual appropriations ordinance in
25 connection with the Department of Health.

1 Finance Committee/2-6-12

2 LEGISLATOR GONSALVES: So moved.

3 LEGISLATOR WALKER: Second.

4 CHAIRMAN NICOLELLO: Moved by
5 Legislator Gonsalves, seconded by Legislator
6 Walker. These were considered also in the
7 Health Committee and the members of the
8 minority abstained at that point.

9 LEGISLATOR DENENBERG: To the
10 chair, for the reasons stated in those
11 committees, the minority members of this
12 committee will likewise abstain. Is there
13 any public comment?

14 (No verbal response.)

15 All those in favor signify by
16 saying aye.

17 (Aye.)

18 Those opposed?

19 (Abstain.)

20 We have four in favor and three
21 abstentions. The items pass. Items 92, 93,
22 94 of 2012, ordinances supplemental to the
23 annual appropriation ordinance in connection
24 with the Department of Public Works,
25 Emergency Management, Office of Housing and

1 Finance Committee/2-6-12
2 Community Development.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR GONSALVES: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator Walker, seconded by Legislator
7 Gonsalves. Any questions on these items?

8 (No verbal response.)

9 Is there any public comment?

10 (No verbal response.)

11 All those in favor signify by
12 saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Those items pass unanimously.

17 LEGISLATOR MUSCARELLA: So moved.

18 LEGISLATOR GONSALVES: Second.

19 CHAIRMAN NICOLELLO: Legislator
20 Muscarella makes a motion to suspend the
21 rules, seconded by Legislator Gonsalves.
22 All in favor of suspending the rules signify
23 by saying aye.

24 (Aye.)

25 Those opposed?

1 Finance Committee/2-6-12

2 (No verbal response.)

3 The rules are suspended. I'm
4 going to call Items 33 and 34 of 2012 which
5 are resolutions. Item 33 is a resolution
6 authorizing the county attorney to
7 compromise and sell certain actions
8 commenced under Article 7 of the Real
9 Property Tax Law pursuant to the county law.

10 Item 34 is a bond ordinance
11 making certain determinations pursuant to
12 SEQRA providing for a capital expenditure to
13 finance the payment of certain judgments,
14 compromise or settle claims resulting from
15 court orders on proceedings brought
16 pursuant to Article 7 of the Real Property
17 Tax Law.

18 LEGISLATOR MUSCARELLA: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Legislator Muscarella, seconded by
22 Legislator Walker. Mr. Volk.

23 MR. VOLK: Good evening,
24 legislators.

25 CHAIRMAN NICOLELLO: Would you

1 Finance Committee/2-6-12

2 tell us what this is?

3 MR. VOLK: I would be happy to,
4 legislator. These are two ordinances. One
5 is a settlement ordinance of various tax
6 cert cases, SCARS, which are small claims
7 actions, as well as Article 7s.

8 The second resolution is the
9 typical bonding ordinance.

10 CHAIRMAN NICOLELLO: These
11 settlements, do they represent all of the
12 outstanding tax challenges that -- refunds
13 that are ripe for settlement?

14 MR. VOLK: They represent the
15 vast majority. Obviously this is a snapshot
16 in time for those items that might have been
17 settled subsequent to the snapshot in time.
18 No, it does not include those.

19 CHAIRMAN NICOLELLO: But you're
20 saying it's the vast majority?

21 MR. VOLK: It's the vast
22 majority, sir.

23 CHAIRMAN NICOLELLO: This has
24 been run by NIFA, to your knowledge?

25 MR. VOLK: Not yet. I believe

1 Finance Committee/2-6-12

2 that NIFA is waiting for this body.

3 CHAIRMAN NICOLELLO: Legislative
4 approval. All right. This Item 33, it's a
5 vote on the settlements, have we done that
6 before?

7 MR. VOLK: Traditionally, as far
8 as I know, you have voted for settlement and
9 bonding for items that expect a refund in
10 excess of \$100,000.

11 CHAIRMAN NICOLELLO: But within
12 this amount --

13 MR. VOLK: Within this package
14 today there are items that are substantially
15 less than \$100,000.

16 CHAIRMAN NICOLELLO: You know
17 what the reason is?

18 MR. VOLK: That decision was made
19 by people with a pay grade much higher than
20 mine.

21 CHAIRMAN NICOLELLO: Do you have
22 any insight into that, Mr. Ciampoli?

23 MR. CIAMPOLI: I believe there
24 have been conversations between the county
25 executive and the presiding officer as to

1 Finance Committee/2-6-12
2 how these were packaged. It's the county
3 executive's belief that by packaging these
4 together for one makes a more efficient
5 process moving things to NIFA, but it also
6 gives us a more complete transparency with
7 regards the entire tax cert scenario,
8 whether it be residential or commercial,
9 it's all here.

10 CHAIRMAN NICOLELLO: How much of
11 this backlog does this represent?

12 MR. VOLK: The vast majority,
13 legislator.

14 CHAIRMAN NICOLELLO: Any other
15 questions?

16 LEGISLATOR DENENBERG: First, to
17 the chair, I have a statement first, if I
18 could.

19 On behalf of the minority, what
20 is alarming about this enormous proposal to
21 borrow 100 percent to pay tax certs is that
22 we've completely foregone the tradition or
23 the pattern of paying as you go for at least
24 part of our tax refunds that we owe on
25 behalf of schools, on behalf of towns, et

1 Finance Committee/2-6-12
2 cetera.

3 During the last administration,
4 money was always put into the operating
5 budget to pay tax certs and, as near as I
6 can tell, residential refunds were always
7 paid out of operating expenses.

8 Residential refunds had, at least
9 in the last several years, been kept under
10 \$3 million with the goal to be paid out of
11 operating expenses.

12 Apparently, now, everything is
13 being put on the credit card. What's even
14 worse is this \$102 million is replete with
15 items that are less than \$100,000. You know
16 as well as I do everyone on this legislature
17 knows that for over a year, since the end of
18 2010, not a single settlement was presented
19 to this legislature throughout 2011. It
20 just built up and built up. We were told
21 that, in fact, I received answers where we
22 were told that those cases were less than
23 \$100,000, so they weren't going to the
24 legislature. Now we're getting every single
25 case just so we can bond for it.

1 Finance Committee/2-6-12

2 Mr. Martin Volk just said that
3 traditionally what was less than \$100,000
4 was not presented to the legislature because
5 it didn't need our approval for settlement,
6 but it's being presented here for settlement
7 and also for bonding. So the idea is to try
8 to bond everything.

9 Residents have been waiting for
10 their refunds for over a year. They could
11 have been paid out of operating expenses or
12 could have been paid with the 14 plus
13 million that's still available from the
14 October 2010 bonding authorization that this
15 legislature provided.

16 It's also inconceivable that
17 23,000 cases are being presented to us at
18 once without any meaningful review. It's
19 asking the legislature to just rubber stamp
20 these settlements. We don't know whose
21 getting the money. We don't know a thing
22 about the case. We don't know what the
23 appraisals were. We don't even have the
24 settlement agreements. For all we know, the
25 settlement agreements are only settling

1 Finance Committee/2-6-12
2 cases throughout 2009, 2007, 2010, and the
3 carousel will just continue.

4 The attorneys sitting here don't
5 even know if they should recuse themselves
6 because we don't know who's representing any
7 of the commercial cases. One case alone is
8 \$6 million.

9 CHAIRMAN NICOLELLO: All right.
10 You know -- wait, wait.

11 LEGISLATOR DENENBERG: Let me
12 just finish.

13 CHAIRMAN NICOLELLO: You can make
14 a statement. We don't need to hear a
15 speech. If you have any questions for these
16 gentlemen, you can ask them, otherwise we're
17 moving on. You can make your statements to
18 the media. This is not the time for making
19 a speech.

20 LEGISLATOR DENENBERG: Let me
21 close by saying this. Again, all these
22 judgements, and all these smaller
23 settlements, the attorneys sitting up here
24 don't even know if they need to recuse
25 themselves, and it was the county executive

1 Finance Committee/2-6-12
2 that said in May that the residential
3 refunds had been reduced to less than \$2
4 million. How is the refunds on the
5 residential side over \$20 million?

6 You tell me, in this pile of
7 documents, which just lists names of
8 residents and commercial cases by --

9 CHAIRMAN NICOLELLO: I'm still
10 waiting for the question. The speech is
11 over.

12 LEGISLATOR DENENBERG: -- and
13 commercial cases by numbers, how am I
14 supposed to --

15 CHAIRMAN NICOLELLO: Any other
16 questions in this committee?

17 (No verbal response.)

18 Hearing no other questions, I'm
19 going to move the item.

20 LEGISLATOR DENENBERG: No, no.

21 CHAIRMAN NICOLELLO: Yes, yes.

22 LEGISLATOR DENENBERG: Mr.
23 Ciampoli, how am I supposed to figure out
24 what the appraisals were and why you settled
25 these cases for these amounts? Show me

1 Finance Committee/2-6-12
2 where in these documents.

3 MR. CIAMPOLI: If you have any
4 questions regarding any particular case, we
5 will be happy to get the information to you
6 so you can analyze it and make your
7 judgement.

8 LEGISLATOR DENENBERG: Which, on
9 each of the commercial cases, which law
10 firms represented each of the petitioners?

11 MR. CIAMPOLI: I can't tell you
12 looking at the document from here. We would
13 have those answers --

14 LEGISLATOR DENENBERG: How do I
15 know if I should recuse myself?

16 CHAIRMAN NICOLELLO: Would you
17 let him finish answering the question.

18 MR. CIAMPOLI: -- if we are
19 prepared to address that question, and
20 that's a serious question, I have had our
21 legal counsel bureau, in conjunction with
22 counsel to the county ethics boards review
23 the question, and I am prepared to, by the
24 time you vote on this in general session,
25 issue a formal opinion, but the opinion from

1 Finance Committee/2-6-12
2 our legal counsel bureau answered the
3 question regarding whether an ordinance to
4 bond a large number of tax certiori,
5 settlements and judgements, without
6 specifying the addresses of individual
7 properties, their owners or the attorneys
8 representing them, might create an ethical
9 for individual legislator.

10 This supposed issue arises
11 because it may be claimed that an individual
12 legislator would not be able to determine
13 whether he or she had a financial interest
14 in the property or the settlement, ignoring
15 the question as to why the legislator's
16 legal representative is not keeping them
17 informed regarding litigation, it's our
18 conclusion that there is no ethical issue
19 for any legislator.

20 We believe, in the context of an
21 ordinance embracing a large number of
22 properties, that the possibility that any
23 given legislator would have an unknown
24 connection to a property is remote and
25 therefore does not create any appearance of

1 Finance Committee/2-6-12
2 impropriety.

3 There is no case law or opinion
4 that we've been able to locate that
5 indicates to the contrary.

6 LEGISLATOR DENENBERG: I would
7 like a copy of that opinion.

8 MR. CIAMPOLI: I will prepare a
9 formal opinion so that this way it has more
10 weight.

11 LEGISLATOR DENENBERG: In the
12 past, you're aware that four judgments
13 before this body voted to give out taxpayer
14 money for settlements. We received the
15 settlement. We received the address of the
16 property, the name of the petitioner, the
17 attorney for the petitioner, and the
18 appraisals which form the basis for the
19 settlement.

20 MR. CIAMPOLI: Let me address
21 some of the larger --

22 LEGISLATOR DENENBERG: My
23 question was, are you aware that's what we
24 got?

25 MR. CIAMPOLI: Let me address

1 Finance Committee/2-6-12

2 some of the questions --

3 LEGISLATOR DENENBERG: Are you
4 aware that we got --

5 CHAIRMAN NICOLELLO: Stop
6 interrupting.

7 LEGISLATOR DENENBERG: I want an
8 answer.

9 CHAIRMAN NICOLELLO: Stop
10 interrupting.

11 LEGISLATOR DENENBERG: You stop
12 interrupting me.

13 CHAIRMAN NICOLELLO: If you
14 interrupt him I'm going to interrupt you.

15 LEGISLATOR DENENBERG: I'm not
16 interrupting. I asked "are you?"

17 CHAIRMAN NICOLELLO: You just
18 did. He started to answer the question.
19 He's allowed to answer the question in this
20 committee.

21 LEGISLATOR DENENBERG: It didn't
22 sound like he was answering the question.

23 CHAIRMAN NICOLELLO: Would you
24 let him answer, please?

25 MR. CIAMPOLI: Really, where

1 Finance Committee/2-6-12
2 appraisal is provided, usually that came on
3 a request, and I've invited you to make the
4 request where it's appropriate.

5 LEGISLATOR DENENBERG: A summary
6 of --

7 CHAIRMAN NICOLELLO: Stop
8 interrupting the witness, please.

9 MR. CIAMPOLI: With regard to --
10 listen, I can play it cute and I can tell
11 you, perhaps you didn't notice, Nassau
12 County has a control board with a control
13 period now. That has changed the field. It
14 changed the field substantially and explains
15 much of what you have before you.

16 Let's start with your comments
17 about the \$14 million. The \$14 million
18 isn't quite \$14 million, but the treasurer
19 continues to spend that down to pay off
20 judgments and settlements as need be. The
21 build-up, well, Mr. Denenberg, I think --

22 LEGISLATOR DENENBERG: You're not
23 really answering my question but say
24 whatever you want.

25 MR. CIAMPOLI: -- that assailing

1 Finance Committee/2-6-12
2 this office, assailing this administration,
3 if I sent you things all during the year
4 with NIFA proclaiming, we are not going to
5 permit bonding to cover it, because you
6 would then be saying, you're going out
7 without the financial resources to back the
8 settlements and judgments.

9 What has been achieved by the
10 county executive is an agreement with NIFA
11 to provide bonding authority for settlements
12 and judgments.

13 Now that, while you may criticize
14 the fact that there are or aren't funds in
15 operating accounts, to pay for these things,
16 it is part of a multiyear plan that has been
17 sent to the legislature, part of a multiyear
18 plan that was negotiated with NIFA to phase
19 out and to reduce and ultimately eliminate
20 the county's dependence on bonding which has
21 occurred time and time again, which you have
22 voted on time and time again to cover these
23 things.

24 CHAIRMAN NICOLELLO: Can you wrap
25 up?

1 Finance Committee/2-6-12

2 MR. CIAMPOLI: Overall, this
3 policy, so to speak, that you are
4 complaining of, in sending these things all
5 bundled together is a result of a build-up
6 that occurred because we weren't sending
7 things down to the legislature until an
8 agreement with NIFA had been achieved to
9 find the way to pay for it.

10 LEGISLATOR DENENBERG: My
11 question, really, with all due deference to
12 our chairman, wasn't answered, but the
13 sheets we used to get that provided the
14 numbers of the demanded market value and our
15 appraised value, where the legislators can
16 determine that the settlement is in order
17 are not provided, period.

18 I cannot see why, for example,
19 we're giving \$6 million for one tax year for
20 parcel number 47E0747B. I should give \$6
21 million to one --

22 MR. CIAMPOLI: And my answer to
23 your question, simply put, is if you name
24 that parcel, identify that refund, we will
25 have someone sit with you, give you the

1 Finance Committee/2-6-12
2 information, and explain it if need be.

3 LEGISLATOR DENENBERG: That's not
4 acceptable. Each legislator, to do their
5 due diligence, is entitled to know why \$102
6 million worth of taxpayer money should be
7 paid out on these settlements. And if
8 you're asking us to be a rubber stamp and
9 just say yes when you can't tell -- you tell
10 me right now where this \$6 million is going
11 to. It's \$6 million. Please tell me where
12 it's going to.

13 MR. CIAMPOLI: We are prepared to
14 get that information.

15 LEGISLATOR DENENBERG: Now.
16 You're asking me to vote on it now. Please
17 tell me who's getting \$6 million and why.

18 MR. CIAMPOLI: As I told you, the
19 information is there. It's on file, it's
20 available and we will make it available if
21 you have questions.

22 LEGISLATOR DENENBERG: How is it
23 available? This is the way it used to be
24 made available by past administrations and
25 this one. Ten or 12 settlements at most

1 Finance Committee/2-6-12
2 would come to this committee session and
3 then full leg. We received what the
4 settlement was so that we could make sure
5 we're settling right up to the current --
6 let me finish, and we received what was
7 being demanded what the assessed value was,
8 what the market value was, and what the
9 county's indicated appraised market value
10 was and what the settlement was.

11 So each of us in good conscience
12 could say that, yes, we think this
13 settlement is good for the county. I
14 wouldn't vote for it if we gave more than
15 what the county has indicated the appraised
16 value was, one, and, two, if we weren't
17 settling at least through the current year.
18 So that there was no carousel.

19 MR. CIAMPOLI: Legislator
20 Denenberg, I absolutely defend your right to
21 ask the questions you're asking. However,
22 this item was filed on December 14th last
23 year.

24 LEGISLATOR DENENBERG: It was
25 pulled back.

1 Finance Committee/2-6-12

2 MR. CIAMPOLI: You waited until
3 today to ask those questions. You could
4 have asked those questions if you had
5 specific questions about particular items in
6 the legislation. It was there.

7 LEGISLATOR DENENBERG: First of
8 all, it was refiled in January and it's
9 insulting that I should go to you to get the
10 information that should be provided in order
11 for us to vote? You tell NIFA that they
12 should ask you. NIFA is going to get this,
13 right? NIFA is going to approve \$102
14 million worth of settlement and borrowing on
15 numbers that say \$6 million for E0747B?

16 MR. CIAMPOLI: And just as I have
17 offered to --

18 LEGISLATOR DENENBERG: No. You
19 provide the information --

20 MR. CIAMPOLI: -- to sit with you
21 and provide that information to you, I will
22 offer to provide that information to them.

23 LEGISLATOR DERIGGI-WHITTON: Mr.
24 Ciampoli, just to go on record, I think all
25 of us agree with David that we would need

1 Finance Committee/2-6-12
2 that information to feel comfortable. There
3 is no other way we can vote on this.

4 CHAIRMAN NICOLELLO: Mr.
5 Ciampoli, why can't this information be
6 provided to us globally? Why can't the bulk
7 of it be provided? All of it be provided so
8 that we can search it if we want?

9 MR. CIAMPOLI: It would be a
10 monumental task.

11 CHAIRMAN NICOLELLO: Isn't it
12 somewhere saved?

13 MR. CIAMPOLI: It is somewhere
14 saved in files. We would have to retrieve
15 it, assemble it, and put it together.

16 LEGISLATOR DERIGGI-WHITTON: It's
17 \$102 million.

18 MR. CIAMPOLI: If you're asking
19 about the commercial cases that's a slightly
20 smaller, but still, nonetheless, a daunting
21 task for the staff either in my office, or
22 in our --

23 CHAIRMAN NICOLELLO: We haven't
24 gotten the other information on the
25 residential. We are looking for the

1 Finance Committee/2-6-12
2 information on the commercial cases.

3 MR. CIAMPOLI: We can try and get
4 that to you.

5 LEGISLATOR DENENBERG: I would
6 agree with the chairman. My request is, I
7 do not want to vote on a single case without
8 Mr. Ciampoli and to the chair without
9 knowing the basis, which included the
10 petitioner's demand, the county's indicated
11 appraised value, the proposed market value,
12 the corrected value, but I also am asking
13 not just for that sheet, but I'm asking for
14 the settlement agreement, at least on the
15 commercial cases, I want to know who the
16 party is and who is represented so I know
17 there are no conflicts, especially for the
18 attorneys up here.

19 MR. CIAMPOLI: We will try and
20 retrieve that information. I presume as a
21 given that we are working within the
22 jurisdictional amount of the legislature
23 which is \$100,000.

24 LEGISLATOR DENENBERG: To the
25 chair, Mr. Nicolello. I would move to

1 Finance Committee/2-6-12

2 table. There is more than three weeks --

3 CHAIRMAN NICOLELLO: Is there a
4 second to that motion?

5 LEGISLATOR BOSWORTH: Second.

6 CHAIRMAN NICOLELLO: Seconded by
7 Legislator Bosworth. All those in favor of
8 the motion to table signify by saying aye.

9 (Aye.)

10 Those opposed?

11 (Nay.)

12 Motion to table fails. We do
13 have three weeks until the Full Legislature,
14 and nothing says that this matter will pass
15 the Full Legislature at that time. So
16 unless we start getting the flow of
17 information that we need, especially on
18 items above the \$100,000 threshold,
19 including all of the information in terms of
20 appraisals, in terms of the attorneys who
21 are representing the county, in terms of who
22 the claimants are, it's not just the
23 minority that's going to have a difficult
24 time passing this through.

25 MR. CIAMPOLI: I understand.

1 Finance Committee/2-6-12

2 CHAIRMAN NICOLELLO: I think all
3 of that information should be available.
4 It's not an excuse with cases, especially
5 having a value over \$100,000, that they're
6 in a file somewhere. It's just not an
7 excuse. We are not going to accept that.

8 MR. CIAMPOLI: We will get that
9 information to you.

10 LEGISLATOR DENENBERG: I have
11 another concern. If we are voting on the
12 SCAR proceedings, which we never did before,
13 and if we're voting on settlements that are
14 less than \$100,000, and we are approving
15 that which is not really within our
16 jurisdiction to approve, gives us more work
17 to do because once we ratify it, it's almost
18 as if we should really see the information
19 on those residential as well.

20 Why are we even voting on
21 approving residential settlements or those
22 settlements less than \$100,000? We're
23 creating sort of a new precedent that never
24 existed before and giving ourselves an added
25 burden that the county attorney just said he

1 Finance Committee/2-6-12
2 couldn't possibly meet by giving us the
3 details on all the residential. Let's say I
4 agree with him that he answered us honestly,
5 that's why we never voted on the residential
6 before, and we would be creating a horrible
7 precedent to be voting on those items that
8 are less than \$100,000.

9 Likewise, as you're looking, I
10 assume Mr. Ciampoli can answer my question,
11 it's also any understanding that we are
12 voting on judgments here. I don't know why
13 we would ever vote on judgments. Judgments
14 are judgments.

15 CHAIRMAN NICOLELLO:
16 Mr. Ciampoli, the change of procedure, does
17 it have to do with NIFA?

18 MR. CIAMPOLI: Yes. It's the
19 result that --

20 CHAIRMAN NICOLELLO: Tell me why.

21 MR. CIAMPOLI: Because had we
22 sent things to you in the ordinary course
23 during 2011, there would have been no
24 available funds to pay for the refund. What
25 was in the multiyear plan, what was in the

1 Finance Committee/2-6-12
2 budget, called for this to be bonded. It is
3 part of the county executive's overall plan
4 to eliminate the bonding for this purpose
5 and, accordingly, with NIFA saying we will
6 not approve bonding for this, it just seemed
7 to be an exercise in futility to send you
8 things, let you adopt the bond ordinance,
9 and let it be rejected by NIFA.

10 What the county executive engaged
11 in was ultimately a productive and fruitful
12 exchange with the board of directors of NIFA
13 in which they agreed to allow for the
14 bonding for settlements and judgements.

15 CHAIRMAN NICOLELLO: Legislator
16 Bosworth.

17 LEGISLATOR BOSWORTH: Yes. There
18 is something that I just don't understand.
19 I hear what you're saying about having to go
20 to NIFA, but I do understand that as of
21 today there is \$14 million in the
22 treasurer's office that has been earmarked
23 for doing just that.

24 So to hear that we couldn't do it
25 because there was no money available and to

1 Finance Committee/2-6-12
2 also hear that there is currently \$14
3 million available which would, in fact, take
4 care of many of these residential claims,
5 it's just not resinating.

6 MR. CIAMPOLI: The \$14 million is
7 not, as I understand it, an accurate figure.
8 The reason why it's not accurate is because
9 the treasurer has been engaged continually
10 in spending down I believe was \$75 million
11 was originally authorized, and that has been
12 spent down on settlements and judgements
13 that are already in the pipeline.

14 LEGISLATOR BOSWORTH:
15 Mr. Ciampoli, if I might, our information as
16 of today, the treasurer's office has \$14
17 million earmarked for that, which would take
18 care of 70 percent for tax certs, which
19 would take care of 70 percent of the
20 residential claims, why aren't we doing
21 that?

22 MR. CIAMPOLI: Why aren't we
23 doing? I believe that that's in the process
24 of being done. Some of it is to get it all
25 moving so that it could all go to NIFA at

1 Finance Committee/2-6-12

2 one time.

3 LEGISLATOR DENENBERG: Mr.
4 Ciampoli, I'm sorry, my information --

5 CHAIRMAN NICOLELLO: Is
6 Legislator Bosworth done?

7 LEGISLATOR DENENBERG: I wasn't
8 done.

9 CHAIRMAN NICOLELLO: That's all
10 right. You've been talking for a half an
11 hour. I figured another legislator would
12 need an opportunity to speak also. Why
13 don't you finish?

14 LEGISLATOR BOSWORTH: My question
15 is, to the best of your knowledge, and if
16 you don't have that information now, can you
17 get it for us? How much money is in the
18 treasurer's office earmarked for tax certs?

19 MR. CIAMPOLI: Obviously I would
20 have go to the treasurer for that.

21 LEGISLATOR BOSWORTH: I
22 understand that. I'm hoping you can get
23 that information to us.

24 MR. CIAMPOLI: Fine.

25 CHAIRMAN NICOLELLO: Legislator

1 Finance Committee/2-6-12

2 Denenberg.

3 LEGISLATOR DENENBERG: Just along
4 those lines, what I said, what Legislator
5 Bosworth said, in October we approved \$100
6 million worth of bonding for tax certs. We
7 were told there was \$100 million that year
8 when we authorized it. That money -- I'm
9 sorry, \$50 million, there was \$50 million in
10 the budget at that time. We approved \$50
11 million in bonding, there was \$50 million in
12 the budget. That 100 million was supposed
13 to be paid within two months.

14 It's \$100 million total, but back
15 then, because the previous administration
16 had a pay as you go 50 million, 50 million
17 was operating, only \$50 million was
18 borrowing. That was supposed to be paid
19 down by the end of 2010.

20 Here we are in February of 2012
21 and it's not fully paid down. How do you
22 know, you said you have to go to the
23 treasurer to figure out which tax certs the
24 treasurer is currently paying, but then how
25 did you know which tax certs and which

1 Finance Committee/2-6-12
2 residential SCAR proceedings you have to
3 come to us if the treasurer just pays them
4 out on his own, it can't be. They have to
5 pay out on your instruction when it comes to
6 or someone's instruction on what the
7 settlement was. It can't be that the
8 treasurer's office operates differently from
9 you otherwise you couldn't come up with all
10 of this.

11 CHAIRMAN NICOLELLO: Any other
12 questions?

13 LEGISLATOR DENENBERG: I need my
14 answer.

15 CHAIRMAN NICOLELLO: There was no
16 question.

17 LEGISLATOR DENENBERG: The
18 question is, he said he has to speak to the
19 treasurer's office and I need to understand
20 it.

21 CHAIRMAN NICOLELLO: You make a
22 two-minute statement without a question at
23 the end of it and you expect him to answer
24 it?

25 LEGISLATOR DENENBERG: I

1 Finance Committee/2-6-12
2 understand you don't like my questions, I
3 got it.

4 MR. CIAMPOLI: -- explained by
5 the treasurer, and that was the sum and
6 substance of my conversation with Legislator
7 Bosworth.

8 LEGISLATOR DENENBERG: The
9 treasurer can't pay without an approval of
10 the settlement from your office.

11 MR. CIAMPOLI: Yes.

12 LEGISLATOR DENENBERG: So how
13 does the treasurer decide to pay some and we
14 get others?

15 MR. CIAMPOLI: This is -- I think
16 what you're missing or oversimplifying here
17 is the overall process of how the
18 settlements are moving through the pipeline.

19 LEGISLATOR DENENBERG: They don't
20 seem to be moving very fast, but, again, how
21 does the treasurer --

22 MR. CIAMPOLI: We've already
23 talked about it.

24 LEGISLATOR DENENBERG: Just
25 answer. How does the treasurer's department

1 Finance Committee/2-6-12

2 pay some -- that SCAR --

3 MR. CIAMPOLI: That's something I
4 would have to confer with the treasurer on.

5 LEGISLATOR DENENBERG: But they
6 don't get that without you approving it.
7 You have to approve a settlement, don't you?
8 You're our legal counsel.

9 MR. CIAMPOLI: There are a number
10 of things that's overbroad generalization.
11 We don't approve the SCARS, for instance.
12 Again, I will talk with the treasurer and
13 get a better handle on what the process for
14 payment is.

15 The focus of my office has been
16 to move the settlements, obviously we are on
17 the receiving end of the judgments.

18 CHAIRMAN NICOLELLO: Thank you,
19 Mr. Ciampoli.

20 LEGISLATOR DERIGGI-WHITTON: Can
21 I just ask a question?

22 CHAIRMAN NICOLELLO: Sure. You
23 haven't asked anything.

24 LEGISLATOR DERIGGI-WHITTON: Just
25 real quick. From what I understand, two

1 Finance Committee/2-6-12
2 employees were recently laid off that were
3 basically handling the assessments; is that
4 correct, in December?

5 MR. CIAMPOLI: From where?

6 LEGISLATOR DERIGGI-WHITTON: From
7 the residential claims.

8 MR. CIAMPOLI: In what
9 department?

10 LEGISLATOR DERIGGI-WHITTON:
11 Assessment department. Weren't two
12 employees recently laid off?

13 MR. CIAMPOLI: I don't know.

14 LEGISLATOR DERIGGI-WHITTON: That
15 was my understanding, that they were just
16 laid off and that there were, of 17,000, I
17 believe it was 17,000 residential claims
18 that are still outstanding.

19 MR. CIAMPOLI: There are always
20 residential claims outstanding, as they move
21 through the process and people grieve them
22 and then they go to either a settlement
23 program or to SCAR.

24 LEGISLATOR DERIGGI-WHITTON: I
25 guess we were just concerned, because I

1 Finance Committee/2-6-12
2 guess it was the treasurer's office where
3 the two employees were laid off. I'm just
4 wondering how these 17,000 claims are going
5 to be handled from here on in.

6 CHAIRMAN NICOLELLO: I think
7 that's a question for the treasurer.

8 MR. CIAMPOLI: I think that's a
9 question for the assessor.

10 LEGISLATOR DERIGGI-WHITTON: It's
11 the treasurer's office, from what I
12 understand. I guess when you speak to him
13 about that, we are also concerned about --

14 MR. CIAMPOLI: You're saying
15 these were two people who are processing
16 checks, so to speak?

17 LEGISLATOR DERIGGI-WHITTON:
18 Correct.

19 MR. CIAMPOLI: Then that's the
20 treasurer's office.

21 LEGISLATOR DERIGGI-WHITTON:
22 Could you confirm that, or is there any way
23 to find out for sure?

24 MR. CIAMPOLI: We'll take a look,
25 and just so that you know --

1 Finance Committee/2-6-12

2 LEGISLATOR DERIGGI-WHITTON: If
3 there's a whole new procedure in place, we
4 should at least be aware of it.

5 MR. CIAMPOLI: And not to
6 minimize the interest of these taxpayers,
7 that's a small percentage of over 100,000
8 claims that are filed.

9 LEGISLATOR DERIGGI-WHITTON: We
10 just want to have a clear understanding of
11 that whole process.

12 And just one other thing, there
13 was additional barring, how much do you
14 think will actually be asked for 2012?

15 MR. CIAMPOLI: I don't recall the
16 number that's in the multiyear plan, but
17 it's laid out there.

18 LEGISLATOR DERIGGI-WHITTON:
19 Because, as you know, we haven't seen the
20 capital plan yet for 2012. We would like to
21 know approximately how much we are going to
22 be asked to borrow.

23 MR. CIAMPOLI: We will take that
24 up with OMB.

25 CHAIRMAN NICOLELLO: One of the

1 Finance Committee/2-6-12
2 things that Legislator Denenberg mentioned,
3 and he's right about this, taxpayers, et
4 cetera, are waiting to get paid.

5 My recommendation, at least to
6 the majority, is that we pass this along.
7 If we don't get at least satisfactory
8 answers by the 27th, then we could hold it
9 up at that time, but in the meantime, I'd
10 recommend that we move this along so that if
11 you are able to produce what we need you to
12 produce by the 27th, then we can pass it.

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Those opposed?

17 LEGISLATOR DENENBERG: The
18 minority votes no and we just want to note
19 on the record, being that we don't even have
20 any numbers to decide whether this is
21 accurate or not, we are voting no and, in
22 terms of residential, to have a new
23 procedure where residential refunds can be
24 held for over a year when there is an
25 existing, either bond ordinance that could

1 Finance Committee/2-6-12
2 have been used to pay, or we could go back
3 to the good old days of paying as you go in
4 residential, we are creating a horrible, a
5 horrible precedent that will force our
6 homeowners to wait a long time for their
7 refunds. So we're voting no.

8 CHAIRMAN NICOLELLO: One of the
9 reasons we don't want to go back to the good
10 old days is because pay as you go worked for
11 a little bit of a while before the budget
12 started degenerating under County Executive
13 Suozzi. But the reason we had that money is
14 you raised taxes by 40 percent. So we don't
15 want to go back to those good old days,
16 Legislator Denenberg.

17 CHAIRMAN NICOLELLO: It's a vote
18 of four to three.

19 LEGISLATOR DENENBERG: So let's
20 borrow and borrow and borrow.

21 CHAIRMAN NICOLELLO: This item
22 passes by a vote of four to three.

23 LEGISLATOR DENENBERG: So that my
24 grandchildren will have to pay.

25 CHAIRMAN NICOLELLO: I'm going to

1 Finance Committee/2-6-12
2 call the next items, 99 of 2012, Number 100
3 of 2012, 101 of 2012, 102 of 2012, 105 of
4 2012. These are all ordinances supplemental
5 to the annual appropriation ordinance in
6 connection with the medical examiner's
7 office. Do I have a motion?

8 LEGISLATOR GONSALVES: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Gonsalves, seconded by Legislator
12 Walker. Any questions on these items?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 Those items pass. We do have two
22 items for executive session which are 65 and
23 66 of 2012. 65 is a resolution authorizing
24 the county attorney to compromise and settle
25 the action of Steven McDonald, Arthur

1 Finance Committee/2-6-12
2 Frisenda, William Gutterslar, John Pielle,
3 Richard McGuire versus the County of Nassau.
4 Item 66 is an ordinance providing
5 for a capital expenditure to finance the
6 payment of certain settled claims against
7 the County of Nassau in authorizing \$192,780
8 in bonds.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR GONSALVES: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Walker, seconded by Legislator
13 Gonsalves. The item is before the
14 committee. Can I have a motion to go into
15 executive session?

16 LEGISLATOR GONSALVES: So moved.

17 LEGISLATOR WALKER: Second.

18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Gonsalves, seconded by Legislator
20 Walker. We are in executive session.

21 (Whereupon, the Finance committee
22 recessed into executive session at 7:05 p.m.
23 and reconvened at 7:11 p.m.)

24 CHAIRMAN NICOLELLO: We're out of
25 executive session. Is there any public

1 Finance Committee/2-6-12

2 comment on these items?

3 (No verbal response.)

4 Hearing none, all those in favor
5 of Items 65 and 66 of 2012 signify by saying
6 aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 These items pass unanimously.

11 I'm going to call a recess of the Finance
12 Committee until Monday, February 13th at 11
13 a.m. Thank you.

14 (Whereupon, the Finance Committee
15 recessed at 7:12 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 22nd day of February, 2012.

FRANK GRAY