

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,
PRESIDING OFFICER

FULL LEGISLATURE

PETER J. SCHMITT,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

June 25, 2012
1:09 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

PETER J. SCHMITT
Chair

KEVAN ABRAHAMS (Arrived at 1:21 p.m.)
Minority Leader

ROBERT TROIANO

CARRIÉ SOLAGES

DELIA DERIGGI-WHITTON

JOSEPH SCANNELL

FRANCIS X. BECKER

HOWARD KOPEL

VINCENT MUSCARELLA

RICHARD J. NICOLELLO

JUDI BOSWORTH

WAYNE WINK

NORMA GONSALVES

JOSEPH BELESI

DENNIS DUNNE, SR.

DENISE FORD

JUDITH JACOBS (Arrived at 1:25 p.m.)

ROSE MARIE WALKER

DAVID DENENBERG (Arrived at 1:20 p.m.)

WILLIAM MULLER
Clerk of the Legislature

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2 CHAIRMAN SCHMITT: Members please take
3 their seat.

4 Please rise for the Pledge of Allegiance,
5 which will be led by Legislator Denise Ford.

6 (Whereupon, the Pledge of Allegiance was
7 recited.)

8 CHAIRMAN SCHMITT: We have to -- we
9 recessed the last meeting of the legislature, so
10 we have to adjourn that meeting.

11 LEGISLATOR GONSALVES: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRMAN SCHMITT: Moved by Legislator
14 Gonsalves, seconded by Legislator Muscarella.

15 All in favor of adjourning please say
16 aye.

17 (Aye.)

18 We stand adjourned.

19 Now we'll call the special meeting to
20 order.

21 Mr. Clerk, would you please call the
22 roll?

23 CLERK MULLER: Deputy Presiding Officer
24 Gonsalves?

25 LEGISLATOR GONSALVES: Present.

2 CLERK MULLER: Alternate Deputy

3 Presiding Officer Kopel?

4 LEGISLATOR KOPEL: Here.

5 CLERK MULLER: Legislator Troiano?

6 LEGISLATOR TROIANO: Here.

7 CLERK MULLER: Legislator Solages?

8 LEGISLATOR SOLAGES: Here.

9 CLERK MULLER: Legislator Ford?

10 LEGISLATOR FORD: Here.

11 CLERK MULLER: Legislator Scannell?

12 LEGISLATOR SCANNELL: Here.

13 CLERK MULLER: Legislator Becker?

14 LEGISLATOR BECKER: Present.

15 CLERK MULLER: Legislator Muscarella?

16 LEGISLATOR MUSCARELLA: Here.

17 CLERK MULLER: Legislator Nicoletto?

18 LEGISLATOR NICOLELLO: Here.

19 CLERK MULLER: Legislator Bosworth?

20 LEGISLATOR BOSWORTH: Here.

21 CLERK MULLER: Legislator Wink?

22 LEGISLATOR WINK: Here.

23 CLERK MULLER: Legislator Belesi?

24 LEGISLATOR BELESI: Here.

25 CLERK MULLER: Legislator Dunne?

2 (No verbal response.)

3 CLERK MULLER: Legislator Jacobs?

4 (No verbal response.)

5 CLERK MULLER: Legislator Walker?

6 LEGISLATOR WALKER: Here.

7 CLERK MULLER: Legislator DeRiggi-

8 Whitton?

9 LEGISLATOR DeRIGGI-WHITTON: Here.

10 CLERK MULLER: Legislator Denenberg?

11 (No verbal response.)

12 CLERK MULLER: Minority Leader Abrahams?

13 (No verbal response.)

14 CLERK MULLER: Presiding Officer

15 Schmitt?

16 LEGISLATOR SCHMITT: Here. And

17 Legislator Dunne is in the back room. We can

18 wheel him out to answer the quorum call if that's

19 necessary.

20 CLERK MULLER: We have a quorum without

21 him.

22 CHAIRMAN SCHMITT: What is it?

23 CLERK MULLER: We have a quorum.

24 CHAIRMAN SCHMITT: I want him on the

25 record as attending. Doesn't he have the

2 microphone?

3 Let the record show that Legislator Dunne
4 is in his seat.

5 Okay. We have a half hour of public
6 comment before the start of every meeting. Mr.
7 Clerk, would you explain the rules of public
8 comment, and then I'll call the first speaker,
9 please.

10 CLERK MULLER: Each speaker is entitled
11 to speak for three minutes. After three minutes
12 I'll be on the microphone. Maybe I'll stand up
13 this time and say your three minutes have
14 expired. You'll wrap up your point and then
15 we'll move on to the next speaker. We're going
16 to try to get as many speakers in as possible.

17 CHAIRMAN SCHMITT: Thank you.

18 I would ask the speaker's indulgence to
19 let us try to keep to that schedule.

20 First speakers are Ashley Accompera and
21 Sara Loyola. I apologize if I mispronounce
22 anybody's name.

23 MS. TRIOLA: My name is Sarah Triola,
24 and I'm a student of Harriet Eisman Community
25 School. And the community school is the academic

2 component of Long Beach Reach. I come from a
3 broken family, and I don't get along with anyone
4 there. And Harriet Eisman is one of my second
5 homes. I look forward to going there all the
6 time. It's very home-like, and there is mutual
7 respect with everyone. I really don't want this
8 to be shut down because people can't, like,
9 because the budget can't be controlled or, like,
10 organized properly. If Harriet Eisman was to
11 shut down, I don't know where I would go. It is
12 like my second home, and they're all my family.
13 And I really don't want anyone to shut this down.

14 MS. ACCOMPERA: My name is Ashley
15 Accompera. I go to Harriet Eisman, and I should
16 be graduating in August. But without the money
17 to support I, I won't be able to graduate.

18 Harriet Eisman -- our school is like a
19 family. Everyone, if you're having a bad day,
20 everyone supports you. If the school shut down,
21 I probably wouldn't be graduating. I mean, today
22 is my birthday and I'm here because I care so
23 much about this school.

24 Thank you.

25 CHAIRMAN SCHMITT: Thank you. And Happy

2 Birthday.

3 Samantha DiGeronimo.

4 MS. DIGERONIMO: Hello. My name is
5 Samantha DiGeronimo. I graduated in 2008 from
6 Harriet Eisman Community School, which is an
7 academic component of the Long Beach Reach. I am
8 23 years old, I am a single mother, and I'm a
9 former drug addict. I have lived in a very
10 broken home with a very dysfunctional family. At
11 13 I was diagnosed with panic anxiety disorder
12 and agoraphobia. And to maintain that, I was
13 self medicating just to keep everything under
14 control.

15 I was going to a typical high school and
16 I just couldn't handle the pressures of it. At
17 15 I dropped out, and using drugs just consumed
18 everything about me. I was informed about the
19 school in Long Beach, and was referred to speak
20 with the principal, Julie. And I did my intake
21 and I was accepted. At 18 years old I graduated,
22 100 percent sober, I had gotten my diploma with
23 the help of being associated with Long Beach
24 Reach. I had gone to counseling there, and they
25 are very in synch with Harriet Eisman. They work

2 with all the students there and have a very good
3 relationship.

4 Right before I graduated I found out I
5 was pregnant, and Julie had once again referred
6 me to Long Beach Reach and to the counseling
7 center to deal with my pregnancy, to continue to
8 deal with being sober, and a struggle with being
9 a single mom. To shut this school down, to shut
10 schools and facilities like this down for
11 students like me who couldn't deal with going to
12 a typical high school, who couldn't deal with the
13 stress and the pressures of it all, and then to
14 get pregnant, it was a lot. I had the wonderful
15 support of my teachers and my principal and
16 everybody at Long Beach Reach. And without that
17 school and without those facilities I wouldn't be
18 here today. I wouldn't be standing up here to be
19 able to speak on behalf of my teachers. Even the
20 current students who struggle with what they go
21 through -- and I wouldn't have my diploma.

22 And, so I would like to thank Julie for
23 everything she has done for me and my teacher
24 Robert and the rest of the teachers there who
25 have made such an impact on our lives. Four

2 years later, I'm still standing here every week
3 fighting with them.

4 Thank you.

5 CHAIRMAN SCHMITT: Thank you.

6 Martin Manion.

7 MR. MANION: Good afternoon,
8 Legislators. My name is Martin Manion. I, too,
9 am part of the recovery family. I am an
10 alcoholic and an addict. First and foremost, I'd
11 like to thank the panel. I'd like to thank the
12 panel for saving my life. Because if you people
13 are responsible for the budget and the budget
14 cuts, I thank you for not cutting the budget
15 sooner, because you are looking at a life that
16 you all saved. Behind me there are probably many
17 more lives that you have saved by not making
18 budget cuts that affect the programs that help
19 the people with addiction.

20 I could tell you a lot of war stories but
21 I'm not because most of them are very horrific.
22 And anyone that knows anything about addiction,
23 any loved ones, family members, relatives,
24 friends, it's a horrible thing. It's a horrible
25 thing to witness and not feel that you have any

2 control over helping the people. But what I do
3 ask is that you consider your thoughts before you
4 make any cuts to the programs that help those
5 that are addicted because they do help. They
6 give an avenue of hope, they give an avenue of
7 belief to the affected person that there is a way
8 out, there is a way out of that dark, dismal,
9 black hole.

10 I've re-entered society, I'll use those
11 terms. I'm gainfully employed. I'm rebuilding
12 my relationships with my family, although it
13 doesn't happen overnight, it's one step at a
14 time.

15 Again, I want to thank you sincerely for
16 helping me move forward. And I do hope you give
17 it some great consideration before you take any
18 budget cuts that would affect the funding and the
19 helping of other human beings through the
20 programs that help addiction.

21 Thank you.

22 CHAIRMAN SCHMITT: Thank you.

23 Jackson Chin.

24 MR. CHIN: Good afternoon County

25 Legislators. My name is Jackson Chin. I'm an

2 attorney with Latino Justice PRLDEF, and I'm here
3 to both make two points. First is we are
4 initiating a redistricting reform coalition for
5 the Nassau County redistricting process. And for
6 those of us in the room, I see approximately 400
7 people with signs who are all concerned about the
8 loss of funding to their programs, critical
9 programs to youth and the elderly, and those
10 seeking disability support.

11 We make the point that the redistricting
12 process here has gone through some very terrible
13 experiences, and we want to reach out to the
14 public, to this community, and to this
15 Legislature so that you do not hold hostage
16 important legislation that serves your
17 constituents, to the ones especially who have the
18 most vulnerable needs in this county. Do not
19 hold hostage your need to vote your conscience
20 and to your constituency because of the
21 redistricting dynamics that are in the
22 background. Much of this is described in the
23 *Newsday* editorial that I believe came out today.
24 I'm not here to point fingers at any political
25 party. But we are all here responsible.

2 And we, as a coalition of Latino Justice,
3 Common Cause New York, the Long Island Civic
4 Participation Project, and others, we are
5 concerned about your decision making. We are
6 concerned that you meet your legal obligations
7 and duties as legislators. But please do not
8 confuse the need to do what you have to do to
9 protect and provide services to this community,
10 and don't you link it with the redistricting
11 process, which we know is complicated. And we
12 are here to offer that support to this community
13 and to this county legislature.

14 Thank you.

15 CHAIRMAN SCHMITT: Thank you very much.
16 Andrew Malekoff.

17 MR. MALEKOFF: Hello. My name is Andrew
18 Malekoff. I live in Long Beach, and I'm the
19 executive director of North Shore Child and
20 Family Guidance Center, a children's mental
21 health agency. First, I would just like to thank
22 the young people and older folks that spoke
23 before me, that spoke so eloquently about their
24 own experiences and about the help that they
25 received and the support that they receive on an

2 ongoing basis.

3 I know that folks up here care about
4 children as well. Many of you have Facebooks and
5 your Facebooks are public and there are photos of
6 you and your children and grandchildren, nieces
7 and nephews that I know you would do anything for
8 to make them healthy, happy, and safe. And I
9 know when you look at your children,
10 grandchildren, nephews, and nieces that you can
11 see the faces of all children. And so that's why
12 I'd like to ask not only from a sort of emotional
13 perspective, but from a practical perspective, if
14 there's any sense as to what the cuts that are
15 being proposed or promised on July 6 will
16 generate in terms of additional cost.

17 So to do that, I'd like to ask if you
18 know how much it costs a year to house an inmate
19 in Nassau County jail. Does anybody know? It's
20 \$86,000. \$86,000 a year. I got that information
21 from the correctional facility. Just in one of
22 our cuts alone, which is \$72,000 for our chemical
23 dependency program, that's less than it would
24 cost to house one inmate in the correctional
25 facility for a year. Since 2009, if you look at

2 robberies, burglaries, possession of controlled
3 substances, and driving while intoxicated, there
4 have been 17,000 convictions. How many more
5 convictions and how many more days in county jail
6 do you think there will be if this funding is cut
7 on July 6? I ask you to work together. I ask
8 you to think about your own children,
9 grandchildren, nieces, and nephews, and about the
10 additional cost that will be incurred to the
11 county. And I ask you who will pay for that?
12 Who will pay for the additional costs to house
13 additional people in jail? I guess there's
14 really not an answer because it hasn't happened
15 yet. But it will happen, believe me, if these
16 programs and these vital services are cut.

17 Thank you.

18 CHAIRMAN SCHMITT: Thank you.

19 Joseph Smith.

20 MR. SMITH: Joseph Smith, Executive
21 Director of Long Beach Reach.

22 You've heard from young people. You've
23 heard from adults who have been affected. You've
24 heard from program directors. You've heard from
25 all of us many times. What's happening is

2 unacceptable. What is happening has got to stop.
3 We cannot continue to hold the lives of
4 youngsters hostage. We cannot continue to hold
5 the lives of families and the safety and security
6 in our communities hostage. There has got to be
7 an answer. There has got to be a solution.

8 We have proposed -- and I believe that
9 you've all been informed -- that we have proposed
10 a compromise, a simple solution. There have been
11 identified fund balances or contingency funds
12 that can be used to support and do what needs to
13 be done. There is bonding that can be approved.
14 There are other revenues, other savings that can
15 be found. But you have got to come together and
16 you have got to say that the survival of our
17 communities, the supports and resources that take
18 care of young people, that take care of people
19 who cannot do for themselves, that that is the
20 priority. That is why we have a government.
21 That is why we have the services that have
22 evolved and been put in place over these last 40
23 years. To dismantle that, to throw your hands up
24 and say because this one solution, this one idea
25 has not been accepted by the other side is not

2 acceptable. You've got to come together.

3 Politics has been given a very bad name.
4 The fact of the matter is it's at the core of our
5 democracy. And at the core of that is
6 compromise. At the core of our democracy is
7 people coming together with different ideas and
8 being able to speak rationally and work
9 collaboratively and find solutions. That is why
10 each and every one of you were elected to
11 represent us, and that is why we expect that you
12 will not leave this chamber until you find a
13 solution. And it won't be the one solution that
14 you might like it to be. It's going to have to
15 be a blend. It's going to have to be a
16 combination of ideas. But out of that can come
17 creative solutions.

18 Several years ago, this legislature took
19 a bold step and said we will no longer consider
20 young people and families discretionary, and you
21 established a dedicated funding stream to support
22 those services; the idea being that the whim of
23 politics, or the whim of the moment, or the
24 crisis of the moment will not result in the
25 dismantling of a system that is so precious to

2 our communities. But a few weeks ago, you took
3 what I believe to be a very, very severe step
4 backwards when you rescinded that commitment --

5 CLERK MULLER: Your three minutes have
6 expired.

7 MR. SMITH: that commitment that all 19
8 of you made just a few years ago. And I ask you
9 to reconsider that. And, most importantly, to
10 sit together and commit yourselves to find a
11 solution.

12 Thank you.

13 CHAIRMAN SCHMITT: Pat Boyle.

14 MR. BOYLE: Hello again. My name is Pat
15 Boyle. I work with Gateway Youth Outreach in
16 Elmont, and I'm also representing the Coalition
17 of Youth Service Agencies.

18 How many of you up there -- and you're
19 doing a great job of holding back your comments
20 so that we can get it in; I appreciate that. But
21 just a show of hands, how many up there are
22 social workers? I didn't think so. How many are
23 psychologists or psychiatrists or anybody who can
24 do anything about that?

25 My point with all of that is, is that

2 unfortunately, and they did a great job of it,
3 but the kids come up here and adults come up here
4 and they spew their problems out to you and they
5 start talking to you about this is what happened
6 to me, this is what my life; that's not your job.
7 Your job is not to have to listen to that.
8 That's my job. That's a lot of people out here's
9 jobs. And we do those jobs damn well, because we
10 do have great kids like this who come out of
11 this.

12 The fact that we're doing our jobs means
13 that it would be fair that you do yours. And
14 your job is to be able to help find the funding
15 to make sure that we can do this. Think about
16 it. We're really actually doing a lot of the
17 county's work, if you really think about it,
18 because we're helping to protect these kids, as
19 Mr. Malekoff said before, from getting into a
20 system that's going to cost you a hell of a lot
21 more than the system that you have in place. And
22 I know you know this. I know you know that it's
23 commonsense. But I don't want any more kids or
24 adults or anybody else to have to come before you
25 and spew out their problems. Let them come to

2 us. Let the people who can really help them,
3 help them. This, to me, is simply a commonsense
4 approach to getting this whole thing done.

5 And I know Judge Semenga (phonetic) told
6 me many years ago, son, you use commonsense and
7 politics in the same sentence and you're wasting
8 your breath. But, at the same time, whether that
9 be true or not, you need to be able to really
10 step up to the plate now and get this done and
11 get it done soon. July 5 is coming quicker than
12 we know it. Communities are going to be hurt.
13 Each one of your communities are going to be
14 hurt. And I don't want these kids or adults
15 having to come to you for advice; I want them
16 coming to me.

17 Thanks.

18 CHAIRMAN SCHMITT: David Goodman.

19 MR. GOODMAN: Good afternoon.

20 CHAIRMAN SCHMITT: Good afternoon.

21 MR. GOODMAN: My name is Dave Goodman.
22 I'm here to speak on behalf of the youth centers.
23 And after being here, I'll speak for everybody
24 because everybody needs help.

25 My family has lived in Nassau County

2 since 1987. I am a retired New York City
3 correction warden. During my 24 years of
4 service, I was honored to be assigned as the
5 acting chief responsible for a multi-million city
6 budget. During a five year period, we introduced
7 successful education programs, rehabs, education,
8 everything to help these young children. The
9 recidivism rate, proved to be effective, programs
10 work, build communities and save taxpayers'
11 money.

12 At 11 years old, my father died. I made
13 a choice to take advantage of afternoon school
14 programs and join a youth center. The youth
15 center kept me focused and out of trouble.
16 Hicksville Youth Services services approximately
17 500 children a year. Tutoring is conducted
18 Monday thru Friday, sports activities also are
19 available. A summer recreation calendar,
20 including trips will be available for the entire
21 summer; this is at a very low cost, keeping these
22 young children off the street, out of trouble,
23 and out of jail. All of this is accomplished
24 with a professional staff of six members and 30
25 volunteers. I believe the youth centers are the

2 foundation for the future.

3 Together, the Nassau Republicans and
4 Democrats can work together to keep our children
5 safe, focused on education, sports, and make
6 Nassau County the best place to live. Please
7 continue to support our children and give them
8 every opportunity to succeed.

9 I thank you very much for your support.

10 CHAIRMAN SCHMITT: Thank you.

11 Jamie Bogenschutz.

12 MS. BOGENSHUTZ: Good afternoon. My
13 name is Jamie Bogenschutz. I am the executive
14 director at YES Community Counseling Center. We
15 are located in Massapequa. We treat the families
16 and children of Massapequa, Plainedge,
17 Farmingdale, Levittown, and Island Trees.

18 I'm not quite sure what to say, which
19 hasn't been said already to all of you. We are
20 at such a crossroads. We have spent the past 30
21 years, many of us in this room, working so very
22 hard, tirelessly, to create a system that keeps
23 our communities safe, that keep our kids safe,
24 that keep our kids healthy, that keep our
25 families intact, and you are about to let it go

2 down the toilet, and I don't understand how. I
3 don't understand.

4 Week after week we come before you. As
5 Pat mentioned, we have our clients come before
6 you, we have our families come before you. They
7 speak of their heart. They speak of their loss.
8 They speak of their experience. Yet, I'm still
9 standing here begging you to find a way to make
10 this work. And I don't know any other way to get
11 you to hear this.

12 We submitted to you what we believe to be
13 a very fair compromise. But it means just that,
14 it's a compromise. It means that both sides have
15 to give in a little bit. And the outcome -- our
16 understanding of the outcome is that it would be
17 so worth your while and so worth the while of
18 every citizen that lives in Nassau County.

19 I was going through my bag this morning
20 and I found this pin. Some of you back here
21 might remember this pin. I don't know if you can
22 see this pin. This pin came about in the year
23 2000, when the legislature, in their wisdom,
24 decided that they were going to defund our
25 system. And you tried, but it didn't work.

2 We're grateful it didn't work. And I'm just
3 praying that we don't have to go through this
4 again. Come July 5, come July 6 that you allow
5 us to do what we do best, we do save lives. Our
6 treatment works. We see it every single day.
7 Please remember why you got into this business.
8 I have to believe we share a commonsense of we
9 came into this business because we believed in
10 people, we believed we can change lives if we did
11 the right things all the time.

12 I'm asking you once again on behalf of
13 all of us in this room, on behalf of all of those
14 kids and families that you're not going to see
15 until they're in your headlines, to please do the
16 right thing on our behalf. You owe us that. You
17 owe the community that. You owe your
18 constituents that. And we're counting on you to
19 do the right thing.

20 Thank you.

21 CHAIRMAN SCHMITT: Thank you.

22 Kristen Ferrari.

23 MS. FERRARI: Good afternoon. I don't
24 know how many of you had to look in the face of a
25 child and try to find answers that just aren't

2 there. Have you ever looked in the face of a
3 child who is a victim of abuse at the hands of
4 their father and promised that you can make it
5 stop, when you know that you can't make it stop
6 and all you can hope for is that you will get the
7 right judge who will realize that you are asking
8 for a restraining order because your kids are in
9 danger and not because you're a bitter ex-wife.

10 Have you ever looked in the face of a kid
11 who lived in a home with his mother who has
12 violated her probation for DWI four times, yet
13 she sits on a couch taking pills and drinking to
14 such a point that she doesn't bother to leave the
15 couch to use the bathroom. She sat in her own
16 waste with her son in the house, a house that had
17 been visited by the school, by social workers,
18 and by CPS.

19 Have you ever looked in the face of a
20 young girl who was cutting herself because she
21 thinks she isn't pretty, smart, or loved?

22 I have looked in those faces; it is
23 heartbreaking. So what do I have to say?

24 If you all know the importance of these
25 agencies, if you all know the wonderful support

2 they provide for our communities, then why do any
3 of us have to be here to ask you to fund our
4 program for our communities? What are the magic
5 words? What magic words can I possibly say that
6 will convince you all to leave the politics out
7 of it and just do what is right for our children
8 and our families?

9 The saddest part of it all is I don't
10 have to tell you how wonderful YES Community
11 Counseling Center or all these other agencies
12 are; you all know it. You know how important
13 they are and how they strengthen our communities,
14 yet they're on a chopping block.

15 My daughter and her friend sat here last
16 week and listened to a bunch of politicians call
17 us pawns. Not taxpayers. Not voters. You
18 called us pawns. I am not a pawn and neither are
19 the youth and families of Nassau County. Let me
20 be very clear; I'm a taxpayer and I'm a
21 registered voter.

22 CHAIRMAN SCHMITT: Thank you.

23 MS. FERRARI: I want to --

24 CHAIRMAN SCHMITT: Tom Bruno.

25 MS. FERRARI: I'm almost done. I want to

2 give everyone of you the benefit of the doubt and
3 believe that you became public servants because
4 you actually wanted to serve your communities. I
5 want to believe that your reasoning was about
6 making your part of the world a better place.
7 You were voted in by the citizens of Nassau
8 County and given a certain trust and power, every
9 single one of you here. You have the power to
10 stop playing games with the lives of the people
11 you serve, the people who trusted you enough to
12 cast a vote for you. You have the power to put
13 the party affiliations aside and do what is right
14 for our communities.

15 Thank you.

16 CHAIRMAN SCHMITT: Thank you.

17 Tom Bruno.

18 MR. BRUNO: Good morning.

19 CHAIRMAN SCHMITT: Good morning.

20 MR. BRUNO: My name is Tom Bruno. I'm
21 the executive director of the Hicksville Boys and
22 Girls Club.

23 I wasn't going to speak today because I
24 know that you have all heard our pleas for help.
25 But when I was standing out in the lobby waiting

2 to come in with hundreds of people, I got a text
3 from my 19 year old son that one of his best
4 friend's brother had just OD'd on heroin. Now,
5 this is what's going to happen in this county.
6 This kid has been using heroin for two years. So
7 I plead with you, do what you can. Put
8 everything aside. This is important. This is
9 our youth. This is our future. We need your
10 support now more than ever before.

11 I've been working in this field of human
12 services since 1972. I see what these programs
13 do. I'm pleading with you all to do what you can
14 to make this work. This is our future. Thank
15 you.

16 CHAIRMAN SCHMITT: Pamela Clark. Pamela
17 Clark.

18 MS. CLARK: Good afternoon. I'm from
19 Family and Children's Association, and I'm
20 speaking for all of the agencies that are losing
21 the opportunity to provide services to people in
22 this community.

23 Last night I watched a television show on
24 the impact of the economy on three formerly
25 middle-class families in Boulder, Colorado. I've

2 lived in Colorado. And I hope some of you
3 watched it, although I doubt that you did, and
4 you realize that it is no different than what
5 families here are going through. These were not
6 people who dropped out of school. They had
7 college degrees, good work histories, had
8 purchased homes, not McMansions, had kids -- two
9 families had kids with special medical needs --
10 and they had good jobs, until they didn't. Now
11 they are losing their homes, provided help by
12 soup kitchens and food pantries, food stamps, and
13 Medicaid to cover medical costs, just like the
14 people here who did not have advantages and the
15 ability to establish a middle-class life. And
16 they are just like the families and individuals
17 struggling here in every neighborhood you can
18 reach.

19 Many did everything right. Some made
20 wrong choices and are struggling to turn their
21 lives around. They all deserve an opportunity to
22 succeed and to live in safety.

23 Are you naïve enough to think that your
24 children, grandchildren, and great grandchildren
25 are protected from these things happening from

2 them? Do you honestly feel that your economic
3 stability and opportunities can protect your
4 children? And if you do, why do you not feel a
5 responsibility to protect the children of people
6 who do not have your financial stability and
7 contacts?

8 I have worked, voted, lived, and paid
9 taxes on Long Island for 48 years. I'm ashamed
10 of the behavior I see in our legislators and
11 leaders. It should be humiliating to hear the
12 people who elected you say that you don't care
13 about them anymore or their needs. It is
14 appalling that this is what our children and
15 grandchildren are seeing as an example of
16 American government in action. I've got some
17 questions for you.

18 Do you know that when families with
19 children lose their homes and go to DSS for
20 assistance their older teenagers are not allowed
21 to go into the family shelters for fear that they
22 might do harm to the younger children? You
23 certainly cannot want to send adolescent girls
24 and boys into adult shelters, with adult homeless
25 people, where they will be victimized or

1 recruited into prostitution. Do you know that
2 foster children without special needs that allow
3 them to stay in school and foster care until age
4 21, age out of foster care at age 18? Do the
5 kids in your family who are 18 have the skills to
6 find a safe place to live, get a job, and support
7 themselves? I doubt it. I'm sure you think not.
8 Then why would you want to close programs that
9 help these young adults to gain the skills that
10 they need to survive.
11

12 If your children or grandchildren were
13 losing their homes, educational opportunities,
14 and safety due to their parents' job loss, would
15 you subsidize the family out of your own funds to
16 help them survive? I'm sure you would. So do
17 many of the seniors we provide services to. I'm
18 director of senior services at Family and
19 Children's. To the point that they will refuse
20 medical treatment, because it's only available
21 through Medicaid, which would mean that they
22 would lose the title to their home, and their
23 home is the only asset that they have to leave to
24 help their children. They want to help their
25 children so badly, they will go without food,

2 without the assistance of home health aides to
3 take care of them, and increasingly they
4 verbalized the hope that they will die so that
5 their children will be able to access the assets
6 that they have to survive.

7 CLERK MULLER: Your three minutes have
8 expired.

9 MS. CLARK: Okay. Do you think only the
10 children of the poor gravitate towards drugs?
11 Ironically, it's the middle class and wealthy
12 children that are more able to afford them. If
13 families get into trouble, do they not deserve to
14 get help to get back on their feet? If kids make
15 poor choices and develop destructive habits or
16 get into trouble with the law, do they not need a
17 second chance, maybe even a third or a fourth?
18 We all know of people that decided to turn their
19 lives around and they did so, but they all needed
20 help doing it.

21 If we cannot leave the world a better
22 place for the coming generations, can we not
23 leave it at least as a place of safety and
24 opportunity? Don't we have a responsibility to
25 leave it at least in the condition that we have

2 lived in and been fortunate enough to live here
3 in?

4 Thank you.

5 CHAIRMAN SCHMITT: Thank you.

6 I am informed by the clerk that the 30
7 minutes for public comment has expired. I'm
8 going to go right into the meeting of the Full
9 Legislature. We have one item on for
10 consideration. It shouldn't take all that long.
11 Then we will return to hear the rest of the
12 speakers in public comment.

13 LEGISLATOR ABRAHAMS: Presiding Officer
14 Schmitt, we respectfully request a 10 to 15
15 minutes caucus.

16 CHAIRMAN SCHMITT: Okay. We're going to
17 have a 10 to 15 minute caucus. Would the members
18 of the Minority object to our hearing further
19 public comment? You can hear it on the -- on
20 your speakers in the back room, or do you want us
21 to wait until everybody is back together?

22 LEGISLATOR ABRAHAMS: We can hear it in
23 the back. Obviously, we'll leave that discretion
24 to you. We would love to hear it face-to-face so
25 that we can actually put --

2 CHAIRMAN SCHMITT: We'll wait.

3 LEGISLATOR ABRAHAMS: We'd appreciate
4 it. Thank you.

5 CHAIRMAN SCHMITT: Ten to 15 minutes. I
6 ask, please, the Minority, to make it 15 minutes.

7 (Whereupon, the Full Legislature recessed
8 at 1:48 p.m.)

9 (Whereupon, the Full Legislature
10 reconvened at 3:03 p.m.)

11 CHAIRMAN SCHMITT: Okay. I'd ask all
12 legislators to please take their seats.

13 We have one item on the calendar, which
14 is Ordinance Number 177, which is an ordinance
15 making certain determinations pursuant to the
16 State Environmental Quality Review Act providing
17 for a capital expenditure in the amount of
18 \$40,800,000 to finance the payment of certain
19 judgments resulting from court orders on
20 proceedings brought pursuant to Article 7 of the
21 Real Property Tax Law.

22 May I have a motion, please?

23 LEGISLATOR GONSALVES: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN SCHMITT: Moved by Legislator

2 Gonsalves, seconded by Legislator Muscarella.

3 Who is here to speak on this item?

4 MR. VOLK: Martin Volk, Deputy County
5 Attorney. Good afternoon, Legislators.

6 CHAIRMAN SCHMITT: Good afternoon, Mr.
7 Volk. Could you tell us briefly what this item
8 is?

9 MR. VOLK: Yes. The administration is
10 requesting approximately \$40,800,000 in bonding
11 to pay certain judgments, not only what's
12 familiarly called tax cert judgments, but also
13 what is familiarly called SCAR judgments.

14 CHAIRMAN SCHMITT: What happens if this
15 is not passed?

16 MR. VOLK: Well, if this is not passed,
17 the county, if they are served with a money
18 judgment will have to find somehow to pay it.
19 What could happen is that the petitioners'
20 counsels can serve a restraining notice on the
21 county sheriff requesting that he go out and find
22 county assets and restrain them and/or seize
23 them. If he finds bank accounts, by state
24 statute, the bank is required to hold up to twice
25 the amount of the claim. So we would be talking,

2 instead of holding approximately 40 to \$41
3 million, we would be talking roughly 80 to \$82
4 million that will be held. The restraining
5 notice is good for one year.

6 CHAIRMAN SCHMITT: Okay. Anybody have
7 any questions? Legislator Denenberg.

8 LEGISLATOR DENENBERG: Thank you, Mr.
9 Volk.

10 Is Mr. Chalmers here? Independent Budget
11 Review. Is anyone here from the county budget?
12 There's no one here from the county budget or
13 from the independent budget review office?

14 CHAIRMAN SCHMITT: The question is, are
15 there any questions for Mr. Volk?

16 LEGISLATOR DENENBERG: I just, you know
17 --

18 CHAIRMAN SCHMITT: We'll bring up Mr.
19 Chalmers if we can get him.

20 LEGISLATOR DENENBERG: This is all about
21 finance, so I --

22 CHAIRMAN SCHMITT: I agree. You can't
23 have 40 people talking at once. If we take care
24 of Mr. Volk, we'll go to the next stage.

25 LEGISLATOR DENENBERG: Then I'll ask Mr.

2 Volk a question then until we get someone from
3 finance --

4 CHAIRMAN SCHMITT: It's not a
5 filibuster, Legislator Denenberg. If you've got
6 a question for him, ask it; otherwise we'll move
7 on.

8 LEGISLATOR DENENBERG: Okay. Mr. Volk,
9 as far as these tax certs and the \$41 million,
10 your job was to negotiate either these
11 settlements or these judgments.

12 MR. VOLK: Legislator, most of these
13 represent trial judgments, which most of them are
14 gavel judgments, which means a judge said thou
15 shall reduce the assessment, thou shall pay a
16 refund.

17 LEGISLATOR DENENBERG: So if this year
18 is 2012, obviously, correct? We're in fiscal
19 2012, correct?

20 MR. VOLK: Yes.

21 LEGISLATOR DENENBERG: So if there's \$75
22 million in the judgment for tax cert payments,
23 \$75 million, if what's in the budget is used to
24 pay this \$41 million, that's not your decision,
25 right?

2 MR. VOLK: Well, except that I am
3 unfamiliar that there is actually \$75 million in
4 the budget. It's my understanding that that
5 portion is unfunded. However, I will defer to
6 the budget people on that since I don't deal with
7 the budget on a daily basis.

8 CHAIRMAN SCHMITT: Mr. Chalmers is here.

9 LEGISLATOR DENENBERG: Is Mr. Chalmers
10 here?

11 CHAIRMAN SCHMITT: Mr. Chalmers is here,
12 and Mr. Naughton is on his way. If you are
13 finished with Mr. Volk.

14 LEGISLATOR DENENBERG: I think I am on
15 this question.

16 Mr. Chalmers.

17 CHAIRMAN SCHMITT: Come on up, Mr.
18 Chalmers.

19 Before we go into questioning, can you
20 give us your overview on this item?

21 MR. CHALMERS: Maurice Chalmers,
22 Independent Budget Review. I believe this item
23 is to pay for \$40 million in tax certiorari
24 judgments against the county.

25 CHAIRMAN SCHMITT: Okay. That's to the

2 point.

3 LEGISLATOR DENENBERG: Mr. Chalmers,
4 this year, 2011 there was no money set aside in
5 the operating budget for tax certs, correct?

6 MR. CHALMERS: That's correct.

7 LEGISLATOR DENENBERG: In 2012, as
8 initially proposed, there was no money set aside
9 for tax certs, is that correct?

10 MR. CHALMERS: The budget includes \$75
11 million as of right now in the budget. I also
12 would just like to mention there is an item that
13 corresponds to this \$75 million in expenses.

14 CHAIRMAN SCHMITT: Could you say that
15 again?

16 MR. CHALMERS: Basically, there's \$75
17 million in budget authorization that you could
18 use to pay for tax certs. However, there's a \$75
19 million revenue line also that's supposed to fund
20 this item. So should you pay and not have the
21 revenue, you're creating a shortfall, basically.

22 CHAIRMAN SCHMITT: So the 75 million
23 that was put into the budget to pay tax certs is
24 dependent on the bonding to make the funds
25 available.

2 MR. CHALMERS: There is the 75 million
3 that needs to come in, yes.

4 CHAIRMAN SCHMITT: Okay.

5 LEGISLATOR DENENBERG: So the 75
6 million that was -- last year no money in
7 operating funds was put in for tax certs in 2011,
8 correct?

9 MR. CHALMERS: That is correct. Zero.

10 LEGISLATOR DENENBERG: On paper now, in
11 2012, there's 75 million for tax certs.

12 MR. CHALMERS: Yes.

13 LEGISLATOR DENENBERG: And that's
14 supposed to be out of operating funds?

15 MR. CHALMERS: That is out of the
16 operating funds, with a corresponding revenue of
17 75 also from capital funds.

18 LEGISLATOR DENENBERG: So why couldn't
19 we use that 75 million that's in operating
20 expenses to pay this 41 million?

21 MR. CHALMERS: The answer is you can't
22 do it because the 41 is specific to 2011 not
23 2012. The 75 is for 2012 budget.

24 LEGISLATOR DENENBERG: So we're -- but
25 we're -- it's this year, we're in 2012 --

2 MR. CHALMERS: Correct.

3 LEGISLATOR DENENBERG: And in the past
4 we've paid monies out of operating expenses, and
5 then once operating expenses for that year were
6 used up, then we borrowed. Here, we're borrowing
7 before using operating expenses because we want
8 to backdate it to 2011?

9 MR. CHALMERS: Just because the 41
10 million is specific to 2011.

11 LEGISLATOR DENENBERG: But why does it
12 have to be for 2011 when the judgments and the
13 approval by the legislature was in 2012?

14 MR. CHALMERS: That's a difficult
15 question to answer. I know for a fact that the -
16 - there's more than 40 million in tax certs out
17 there, the 40 specific to 2011 and I don't
18 believe you could use the 75 million to pay for
19 it. You could only use the 75 to pay against the
20 2012 budget.

21 LEGISLATOR DENENBERG: We've also used
22 current operating funds or that year's operating
23 funds to pay for tax certs that were settled or
24 negotiated or approved by this legislature this
25 year. So if we have 75 million this year, I'm

2 borrowing 41 million to count it as last year so
3 that I can count it as revenue last year and not
4 show a deficit last year?

5 MR. CHALMERS: I can't say what their
6 strategy is. But I know the 41 is specific to
7 2011.

8 LEGISLATOR DENENBERG: But it's all for
9 tax cert liability that's in 2012 now.

10 MR. CHALMERS: The 40 million is just a
11 small portion of the tax cert. There's I
12 believe over 235 million -- it could be more --
13 in total assets --

14 LEGISLATOR DENENBERG: If it's a small
15 portion, I guess again and again and again we're
16 going to be holding up youth board and other
17 agencies again and again and again. I get the
18 picture there. But I don't understand why we
19 can't use that 75 million in operating funds that
20 was set aside in 2012. I think NIFA required it.

21 MR. CHALMERS: If you use a portion of
22 the 75 million, I believe you could only use it
23 for 2012. But also, you would have a deficit
24 because you're not bringing in the corresponding
25 75 in revenue. Those two items go hand-in-hand.

2 So you could go ahead and use the 75 million, but
3 at the end of the day you don't really have a
4 revenue line to offset it.

5 LEGISLATOR DENENBERG: Sales tax is over
6 by 22 million. Couldn't that help offset it?

7 MR. CHALMERS: That's a revenue source
8 that could be used to offset it, yes.

9 LEGISLATOR DENENBERG: Okay. And when
10 75 million is put in the budget as an operating
11 expense, you're saying that what we put in our
12 budget as operating expenses as opposed to
13 bonding, there's no revenue to offset that?
14 Wouldn't there have to be just to have a balanced
15 budget?

16 MR. CHALMERS: What they did in the 2012
17 budget, they also included the 75 million to pay
18 for it. In the past, you would have had \$50
19 million let's say from the operating funds, not
20 necessarily a corresponding revenue line. In
21 this case, in the 2012 adopted budget you have
22 both, you have 75 million in expenses but also 75
23 million in revenue to pay for it. So the answer
24 to your question is if you end up using part of
25 the 75 but you don't generate the revenue, you're

2 really creating a shortfall.

3 LEGISLATOR DENENBERG: I guess my point
4 is let's use the operating expense, 75 first, and
5 if we have to use sales tax revenue, which is
6 over budget, as the revenue line, let's use
7 operating expenses before we get into borrowed
8 funds.

9 MR. CHALMERS: That's a choice for the
10 administration in what revenue sources they use
11 first. I can't really tell them what to use or
12 not use.

13 CHAIRMAN SCHMITT: I'd like to ask Mr.
14 Sullivan to come up.

15 Does anybody else any questions for Mr.
16 Chalmers? Legislator DeRiggi-Whitton.

17 LEGISLATOR DeRIGGI-WHITTON: Hi. I just
18 want to verify that nothing changed from last
19 week, I believe. The balance in the contingency
20 account is still 13 million, is that correct?

21 MR. CHALMERS: That's in 2011, yes.

22 LEGISLATOR DeRIGGI-WHITTON: And the
23 balance in the other account which is not
24 allocated is 91 million, is that correct?

25 MR. CHALMERS: I think you're talking

2 about the unused fund balance, yes.

3 LEGISLATOR DeRIGGI-WHITTON: So we have
4 \$104 million right now that --

5 MR. CHALMERS: You can't really count
6 2011. You could use the unreserved fund balance,
7 if that was a choice, that this administration
8 made.

9 LEGISLATOR DeRIGGI-WHITTON: There's at
10 least 13 million ready to go and 91 million also
11 available. Plus, what happened with the 42
12 million that was transferred? Is that also ready
13 to go?

14 MR. CHALMERS: What 42 million are you
15 talking about?

16 LEGISLATOR DeRIGGI-WHITTON: Last week,
17 the money that appeared -- the transfer -- we had
18 it on June 12. But it was brought up in Finance
19 last week.

20 MR. CHALMERS: That was part of the 2011
21 year-end close.

22 LEGISLATOR DeRIGGI-WHITTON: So 42
23 million also switched?

24 MR. CHALMERS: I don't remember the
25 exact detail of that entry. But you can't really

2 count that. You could count the 90 million in
3 fund reserve. As a matter of fact, you don't
4 even have 90 million anymore, because of the 41
5 that existed in 2011 that depleted the fund
6 balance.

7 LEGISLATOR DeRIGGI-WHITTON: The bottom
8 line is we're still talking about probably at
9 least \$60 million available if we need it for
10 something such as youth services, without
11 bonding, which, in my opinion, is also
12 endangering our youth. We're taking money from
13 their future, alright. The bottom line is there
14 is a lot of money available.

15 LEGISLATOR WINK: Mr. Chairman, I just
16 had a quick question for Mr. Chalmers.

17 CHAIRMAN SCHMITT: Mr. Wink.

18 LEGISLATOR WINK: Mr. Chalmers, how are
19 you?

20 MR. CHALMERS: Good. How are you?

21 LEGISLATOR WINK: Based on your analysis
22 of the 2011 budget --

23 MR. CHALMERS: Yes.

24 LEGISLATOR WINK: Does the \$41 million
25 being sought here today, does that cover all the

2 tax cert liability?

3 MR. CHALMERS: No. For the portion
4 that's owed in 2011, which I believe is older
5 judgments.

6 LEGISLATOR WINK: Only for the
7 judgments, not the full liability of what's owed.

8 MR. CHALMERS: No, it's not for the full
9 liability.

10 LEGISLATOR WINK: For the year 2011.

11 MR. CHALMERS: Correct.

12 LEGISLATOR WINK: Thank you.

13 CHAIRMAN SCHMITT: Mr. Sullivan and Mr.
14 Naughton, would you come up please? You heard
15 some of the --

16 MR. SULLIVAN: Good afternoon.

17 CHAIRMAN SCHMITT: Good afternoon. How
18 are you, sir?

19 Mr. Naughton, do you want to sign in for
20 the record.

21 MR. NAUGHTON: Eric Naughton, Budget
22 Director.

23 CHAIRMAN SCHMITT: You've heard some of
24 the questions, and I'm sure there will be a few
25 more. Anything you want to say about this item

2 or should we just go right into the questions?

3 MR. SULLIVAN: Just commentary. The
4 money that is budgeted there, that was at the
5 request of NIFA. And without the revenue coming
6 in, which NIFA -- that was part of the
7 transitional financing of the \$305 million over
8 four years. So without the corresponding revenue
9 coming in from the financing, there would be a
10 \$75 million deficit, in that case.

11 CHAIRMAN SCHMITT: As everybody's eyes
12 glaze over, my own included, with these numbers
13 that are being thrown about, I just want to put
14 it in simple terms so I understand it. It is
15 disingenuous, correct me if I'm wrong, it is
16 disingenuous to go to the budget and say there's
17 a \$75 million line here to pay tax certs, use
18 that money, when that money is not there, if I'm
19 following this correctly, unless \$75 million is
20 bonded. Is that correct?

21 MR. SULLIVAN: It would lead to a \$75
22 million deficit.

23 CHAIRMAN SCHMITT: Okay. Now, who would
24 like to ask -- anybody on this size have any
25 questions? Hold on. Legislator Ford. We'll go

2 in order here.

3 LEGISLATOR FORD: Mr. Sullivan, I just
4 want to be clear on -- from what I understand
5 from the 2011 budget there was \$13 million in the
6 revenue stream, correct, that we had leftover?

7 MR. NAUGHTON: I believe you're
8 referring to the 13 million that was left in the
9 contingency line.

10 LEGISLATOR FORD: Okay. Is that real
11 money or not?

12 MR. NAUGHTON: It's an appropriation.
13 There is no cash to back it up, if that's what
14 you're referring to. So I think -- to answer
15 your question, the answer would be no.

16 LEGISLATOR FORD: I would share the
17 concern of Legislator DeRiggi-Whitton that if \$13
18 million was there, then we should use it. But
19 you're saying that there is no \$13 million at
20 all?

21 MR. NAUGHTON: Right. And remember, as
22 I testified I guess it was last week, once 2011
23 is over you can't use that \$13 million to pay for
24 something now.

25 LEGISLATOR FORD: But there could only

2 be one \$13 million line. Is there any other \$13
3 million in reserve funding? How much should we
4 have?

5 MR. NAUGHTON: There's a difference
6 between the contingency budget and your fund
7 balance. The contingency budget is just another
8 expense line. It works the same as a salary
9 line, as a contractual services. It's just an
10 expense line. There's no -- it's not a fund.
11 It's not backed by cash.

12 LEGISLATOR FORD: The fund balance, how
13 much do we currently have in the fund balance at
14 this point?

15 MR. NAUGHTON: We started 2011 with 92
16 million, and right now we're projected, depending
17 on what happens with the tax cert borrowing, we
18 could be down to 50.

19 LEGISLATOR FORD: Thank you.

20 CHAIRMAN SCHMITT: Legislator Nicoletto.

21 LEGISLATOR NICOLELLO: Just in terms of
22 the 75 million from the expense and the revenue.
23 On the revenue side, 75 million, that -- to
24 achieve those revenues we'd need 13 votes, am I
25 right?

2 MR. NAUGHTON: Yes. The 13 million
3 assumes bonding, which requires 13 votes.

4 LEGISLATOR NICOLELLO: So you could
5 spend that money on one hand and then on the
6 other hand not agree to bond it, you're just
7 blowing a hole in the budget.

8 MR. NAUGHTON: That is correct.

9 LEGISLATOR NICOLELLO: Thank you.

10 CHAIRMAN SCHMITT: Legislator
11 Muscarella.

12 LEGISLATOR MUSCARELLA: There's been a
13 lot of talk about using reserves to pay the tax
14 certiorari. I think you've heard that from the
15 other side. Why can't we do that or can we do
16 that?

17 MR. NAUGHTON: First of all, as Budget
18 Director Naughton just stated, it's contemplated
19 right now, we'd be blowing through about half the
20 fund balance. I would expect the rating agencies
21 to view that extremely negatively, which would
22 lead to increased costs for future borrowing and
23 things like that. So that would bring our fund
24 balance down to about one and a half percent,
25 which is below our threshold of good, prudent

2 budgeting.

3 LEGISLATOR MUSCARELLA: This is
4 conjecture and maybe you can't answer this. But
5 if we were to use the reserves, how would NIFA
6 view that? Is that something that NIFA would get
7 involved in or they would leave that to our own
8 discretion?

9 MR. SULLIVAN: I believe NIFA would view
10 that negatively. It's just poor budget practice
11 to have no fund balance. I think if you look at
12 any municipality throughout New York State you'd
13 see fund balances, the stronger the credit the
14 higher the percentage of fund balance. So,
15 again, we'd be whittling through almost half of
16 our fund balance if we don't appropriate -- if we
17 don't approve the financing for the tax certs
18 that are being considered today.

19 MR. NAUGHTON: And just to add, NIFA did
20 approve a plan that assumed borrowing, so you
21 would think that NIFA, by that action itself,
22 prefers the borrowing other than drawing down
23 your fund balance.

24 LEGISLATOR MUSCARELLA: So this bonding
25 is consistent with NIFA's approvals?

2 MR. NAUGHTON: That is correct.

3 LEGISLATOR MUSCARELLA: And is this
4 reserve also part of your emergency reserve?

5 MR. NAUGHTON: Yes. It handles any
6 emergency, if there's a hurricane, an earthquake,
7 any unforeseen action, that's the only money we
8 have available to us.

9 LEGISLATOR MUSCARELLA: Just to sum up.
10 The use of the reserves is bad fiscal policy and
11 the bonding today is part of a plan that NIFA has
12 approved.

13 MR. NAUGHTON: Everything you said is
14 100 percent accurate.

15 LEGISLATOR MUSCARELLA: Thank you.

16 CHAIRMAN SCHMITT: Legislator Delia
17 Whitton.

18 LEGISLATOR DeRIGGI-WHITTON: Last week
19 during the Finance Committee we voted to make
20 transfers. And there was a \$17 million transfer
21 made out of that contingency account, correct?

22 MR. NAUGHTON: That is correct.

23 LEGISLATOR DeRIGGI-WHITTON: Was that
24 money real?

25 MR. NAUGHTON: That covered expenditures

2 that already occurred. So the purpose of last
3 week's action was to cover deficits in certain
4 line items. So you were removing money from some
5 lines that had surpluses to lines that had
6 deficits.

7 LEGISLATOR DeRIGGI-WHITTON: Correct.

8 And the whole point of contingency is dealing
9 with the surpluses. So we moved \$17 million last
10 week -- we were able to move it, actually, we
11 never voted on it but it was moved. Now that's
12 real money and that brought the balance down to
13 \$13 million.

14 MR. NAUGHTON: Again, I would not say
15 it's real money; it's an appropriation. You
16 moved appropriations. You're not dealing with
17 cash. You're moving budget line items.

18 LEGISLATOR DeRIGGI-WHITTON: Last week
19 when I asked if it was cash I was told it was.

20 MR. NAUGHTON: I don't believe that came
21 out of my mouth.

22 LEGISLATOR DeRIGGI-WHITTON: It's money
23 that we can use -- it's money we can use for an
24 expense that we have which deemed necessary,
25 correct?

2 MR. NAUGHTON: That does not make it
3 cash. It's a budget line.

4 LEGISLATOR DeRIGGI-WHITTON: Alright.
5 The \$13 million that is in contingency right now,
6 can we use that to make a budget transfer?

7 MR. NAUGHTON: Yes, you could.

8 LEGISLATOR DeRIGGI-WHITTON: Can we use
9 that to make a budget transfer into youth
10 services?

11 MR. NAUGHTON: No, because the youth
12 services would be a 2012 expense. If there was
13 some bill from last year that we did not pay,
14 yes, you could use it for that. But it can only
15 be used for a 2011 expenditure.

16 LEGISLATOR DeRIGGI-WHITTON: So what
17 you're telling us is that we can use that 13
18 million for a tax expense to pay back 2011.

19 MR. NAUGHTON: If we had additional 2011
20 tax expenditures, yes, we could. But we have --
21 the amount was \$43 million that was accrued, and
22 what was necessary to move, was moved.

23 MR. SULLIVAN: Real simple. You can't
24 pay something in 2012 from 2011. You can ask
25 Aileen Katchadourian, she's well familiar with

2 that.

3 LEGISLATOR DeRIGGI-WHITTON: What if we
4 don't use that 13 million? Where does it go?

5 MR. NAUGHTON: It goes to the bottom
6 line.

7 MR. SULLIVAN: The bottom line, which is
8 going to be a deficit, that's acknowledged by the
9 comptroller's office. So if you want to enhance
10 the deficit more, I guess that would be the.

11 LEGISLATOR DeRIGGI-WHITTON: To get back
12 again. We have 91 million that's for an
13 emergency, right? In my opinion, closing the
14 youth boards right now is an emergency, and I
15 would like to see four million be used for that.

16 CHAIRMAN SCHMITT: Legislator Denenberg.

17 LEGISLATOR DENENBERG: Okay. So, just a
18 week ago we transferred 17 million from a 2011
19 contingency fund out to pay for, among other
20 things, contractual expenses at the jail, and
21 housing and intergovernmental affairs and
22 salaries, and I've looked into it, mailings as
23 well. That was all transferred from the 2011
24 contingency fund, 17 million, correct?

25 MR. NAUGHTON: Again, just to make the

2 record straight, it is not a fund. That would
3 be, for instance, you would not call the salary
4 line a salary fund; it's an expense line.

5 LEGISLATOR DENENBERG: So we used our
6 expense line to cover where we went over expenses
7 on expense lines for the jail and for housing and
8 intergovernmental affairs, correct?

9 MR. NAUGHTON: Correct.

10 LEGISLATOR DENENBERG: Okay. And that
11 left, on that expense line, the miscellaneous
12 contingency reserve, 13 million at the end of
13 2011, correct?

14 MR. NAUGHTON: Correct.

15 LEGISLATOR DENENBERG: And that transfer
16 we did, just so it's clear to everyone, that
17 transfer wasn't done in 2011, that transfer was
18 done in June 2012 because we don't close our
19 books until the end of June 2012, correct?

20 MR. NAUGHTON: It is considered a 2011
21 transfer.

22 LEGISLATOR DENENBERG: Okay. But you
23 don't want to use the 13 million that's left for
24 2012 expenses like youth board, correct?

25 MR. NAUGHTON: You cannot use the money

2 for a 2012 expense.

3 LEGISLATOR DENENBERG: Okay. But you
4 could have used it for 2011 expenses, correct?

5 MR. NAUGHTON: Correct.

6 LEGISLATOR DENENBERG: Such as tax
7 certs, correct?

8 MR. NAUGHTON: If that was brought
9 before this legislative body, yes.

10 LEGISLATOR DENENBERG: But it was
11 approved by the legislative body. And you could
12 have used the contingency reserve instead of
13 trying to borrow in 2012 and count it was revenue
14 in 2011 for tax certs. You could have used the
15 contingency fund, just like you did last week,
16 for extra contractual expenses at the jail and
17 housing and governmental affairs salaries.

18 MR. NAUGHTON: But once again I would
19 state that NIFA, which is the control board, this
20 was the action that they approved and
21 recommended.

22 LEGISLATOR DENENBERG: No. They didn't
23 approve and recommend that \$17 million transfer
24 last week --

25 MR. NAUGHTON: But they did approve the

2 bonding.

3 LEGISLATOR DENENBERG: They had nothing
4 to do with it. And they also frown upon
5 borrowing for operating expenses, as does anyone
6 who really looks at GAP financing.

7 MR. NAUGHTON: However, I think it's
8 very clear that NIFA realizes that we need to
9 transition into that process. That is why they
10 approved \$305 million worth of borrowing over
11 four years.

12 LEGISLATOR DENENBERG: So after this 41
13 million you're going to come back for borrowing
14 again and again, correct?

15 MR. SULLIVAN: Legislator Denenberg, as
16 you know, the period 2000 through 2010, we bonded
17 over a billion dollars. You're well aware of
18 that and I know you are. The plan that was
19 adopted back in November, actually in December,
20 included \$305 million of tax certiorari financing
21 over four years. That is what is before you.
22 That is what was approved by the legislature, and
23 approved by NIFA and that became our multi-year
24 plan.

25 LEGISLATOR DENENBERG: Yeah, but the

2 plan that you're just talking about that you said
3 NIFA would allow a certain amount of borrowing
4 was contingent -- I hate to use that word -- but
5 it was contingent upon \$150 million of savings,
6 which NIFA --

7 MR. SULLIVAN: Labor cuts, sir.

8 LEGISLATOR DENENBERG: Excuse me.

9 MR. SULLIVAN: Labor cuts.

10 LEGISLATOR DENENBERG: \$150 million
11 worth of cuts or savings which haven't been
12 achieved yet. NIFA says it hasn't been achieved
13 yet.

14 MR. SULLIVAN: I would differ with that.
15 You were the one a couple minutes back that
16 talked about sales tax. But NIFA is not
17 recognizing the potential surplus in sales tax.
18 There may be some debt service savings, but NIFA
19 is not recognizing that. So I think there are
20 other items there that NIFA is refusing to
21 recognize. There are labor contracts that extend
22 out to 2016; that is where NIFA is directing us
23 to get the savings.

24 LEGISLATOR DENENBERG: The reason why
25 everyone's in this audience right now is because

2 there's \$41 million that you want to borrow in 12
3 to count it as revenue in 11, to lie to the
4 public and say the budget in 2011 was balanced.

5 CHAIRMAN SCHMITT: You're going to be
6 out of order with that kind of talk, Mr.
7 Denenberg.

8 LEGISLATOR DENENBERG: And this comes --
9 let me finish -- one week after you took the 2011
10 contingency fund, took 17 million out of it but
11 won't use the other 13 to pay for tax certs. And
12 the misrepresentation you just made about the 300
13 million in borrowing is that NIFA has somehow
14 approved that borrowing, when NIFA conditions
15 that borrowing on cuts that the administration
16 has failed to produce.

17 MR. SULLIVAN: First off, sir, the 41
18 you were just referencing was back in December.
19 It wasn't acted upon by this body. It was 102
20 million, of which 41 was the judgments. So to
21 try to cross fiscal years and delay it for six
22 months and say it never happened, there are 2011
23 and prior, most of the actions that we're
24 settling there are not 2011 actions -- they are
25 actions from 2009, 2008, 2007. That is the

2 makeup of tax certs. And I know, Legislator
3 Denenberg, you're quite familiar with that.
4 These are old, old claims. The lion's share of
5 which existed before this administration came
6 into power.

7 LEGISLATOR DENENBERG: The reason why I
8 -- first of all, the reason why I wouldn't vote
9 for these tax certs -- and I think it's
10 ridiculous that you're asking people to come here
11 and try to lobby to mortgage their future. At
12 the same time they're receiving mail that said
13 the county executive won't borrow against their
14 future, you're holding up everyone in order to
15 borrow more against the future. So I think
16 that's wrong to begin with.

17 Let me ask you this. If this borrowing
18 today was approved, you're going to say that 2011
19 ended without a deficit, correct?

20 MR. SULLIVAN: If there was financing
21 available, that would be correct, sir. If we had
22 acted in December like we should have, like the
23 budget contemplated, then we wouldn't be here
24 today dealing with this issue.

25 LEGISLATOR DENENBERG: People here would

2 be here today dealing --

3 MR. SULLIVAN: Not dealing with the
4 finance issue --

5 LEGISLATOR DENENBERG: if we stayed --

6 MR. SULLIVAN: if it was dealt with back
7 in December. Because a letter came out from the
8 minority stating that it was tied to
9 redistricting. And we've been kicking the can
10 for the last six months and that's where we are.
11 It's a finance issue.

12 LEGISLATOR DENENBERG: That's simply --
13 that's simply untrue. You --

14 MR. SULLIVAN: I can provide the letter.

15 LEGISLATOR DENENBERG: elected to take
16 money in 2009 -- in 2009, and \$150 million gap
17 was closed and this legislature gave a dedicated
18 fund of red light camera to each and every one of
19 these agencies. On May 21 -- everyone should
20 have been here on May 21 when that dedicated
21 revenue was taken away because your budget is
22 short. You have a shortfall in the budget. You
23 just took 17 million out of a contingency fund in
24 11 that you're saying to these agencies we can't
25 use for 12. I'm saying use the contingency fund

2 from 11 to pay back the liabilities you had in
3 11, which were the tax certs, and don't take
4 their dedicated revenue source.

5 Once that dedicated revenue source is
6 taken --

7 MR. SULLIVAN: It's a shell game when
8 you move things around and you say --

9 LEGISLATOR DENENBERG: That's what
10 you're doing. I agree.

11 MR. SULLIVAN: No, no, no. The money --

12 LEGISLATOR DENENBERG: I agree. It's
13 your shell game. You just said --

14 MR. SULLIVAN: The budget was
15 contemplated on the financing.

16 LEGISLATOR DENENBERG: Let me finish.

17 MR. SULLIVAN: No. I was speaking, sir.

18 LEGISLATOR DENENBERG: It's not a shell
19 game --

20 MR. SULLIVAN: You interrupted me, sir.

21 LEGISLATOR DENENBERG: No. You
22 interrupted me.

23 CHAIRMAN SCHMITT: Let him finish his
24 point.

25 LEGISLATOR DENENBERG: You're borrowing

2 money in 2012 --

3 CHAIRMAN SCHMITT: Let Mr. Sullivan
4 finish his point.

5 LEGISLATOR DENENBERG: count it as
6 revenue in 2011. But real money in 2011, you
7 don't want to use for 2011 or 2012.

8 MR. SULLIVAN: Sir, you said the
9 December financing that came before this body,
10 the 102 million, do you see a correlation to
11 what's happening today or none? Was it the same
12 tax certs that we put forward back in 2011?

13 LEGISLATOR DENENBERG: You wanted us to
14 borrow 102 million in December?

15 MR. SULLIVAN: That is correct. For the
16 settlements and judgments.

17 LEGISLATOR DENENBERG: The same time you
18 were mailing to the people, at their dime --

19 MR. SULLIVAN: I wasn't mailing, sir.
20 We're talking --

21 LEGISLATOR DENENBERG: that the county
22 executive isn't borrowing against their future.

23 MR. SULLIVAN: about a finance issue
24 here.

25 You didn't have a problem borrowing a

2 billion.

3 LEGISLATOR DENENBERG: I never approved
4 a billion dollars.

5 MR. SULLIVAN: You didn't sign on to a
6 billion dollars?

7 CHAIRMAN SCHMITT: You most certainly
8 did.

9 LEGISLATOR DENENBERG: First of all, any
10 budget I ever approved had \$50 million actual
11 money, year in, year out, to pay for tax certs.

12 MR. SULLIVAN: Not every year.

13 LEGISLATOR DENENBERG: Near as I could
14 tell, this is all about 41 million. We would
15 have been plus nine and no one would have been
16 here because we would have had our dedicated fund
17 that we created. It's only your budgets that
18 have zero for tax certs, zero. And then when
19 NIFA forced you to put 75 million in, you're
20 saying that's a shell, you didn't --

21 MR. SULLIVAN: No, no. That's not what
22 I'm saying, sir.

23 LEGISLATOR DENENBERG: Then use the 75.

24 MR. SULLIVAN: If you check the budget
25 there's a 75 million capital revenue in there.

2 So if there's a capital revenue that doesn't come
3 in and --

4 CHAIRMAN SCHMITT: Mr. Sullivan, please
5 start over. The other members, because of his
6 selfishness, could not hear your comment. Please
7 start over.

8 LEGISLATOR DENENBERG: That's really
9 nice. Let's hear it for the class of our Chair
10 here. Come on.

11 MR. SULLIVAN: We're just talking about
12 -- I came here to talk on a tax certiorari item.
13 The tax cert settlements that back here were 102
14 million. We're itemizing now the judgments,
15 which are a much smaller subset of that group.
16 The financing was contemplated in 2011 and it
17 didn't happen. And we are still seeking to go to
18 the market to pay off those judgments, which are
19 errors that occurred previous, the lion's share,
20 again, which occurred between 2000 and 2010. And
21 that's the way it's always been here, it takes
22 three or four years for property tax claims to
23 come before this body and then we approve them.

24 LEGISLATOR DENENBERG: I was at a NIFA
25 meeting. How much -- which I know you were there

2 and heard. NIFA doesn't believe the savings that
3 are required before they would approve the
4 borrowing, which was supposed to be a 50/50
5 split, has occurred. I was at that meeting. Do
6 you deny that NIFA says that there's still 60
7 million more in savings that has to be produced?

8 MR. SULLIVAN: Which means we cut 90 out
9 of labor. And if you're advocating for another
10 60 million in labor cuts, sir --

11 LEGISLATOR DENENBERG: That wasn't my
12 question.

13 MR. SULLIVAN: that is something I will
14 bring back.

15 LEGISLATOR DENENBERG: You just didn't
16 answer the question.

17 MR. SULLIVAN: Well that is the
18 question.

19 LEGISLATOR DENENBERG: Isn't that what
20 NIFA said?

21 MR. SULLIVAN: And we are in the middle
22 of working with NIFA. In fact, they're across
23 the street right now. And we're going to go back
24 and --

25 LEGISLATOR DENENBERG: That's why --

2 MR. SULLIVAN: look for 60 million in
3 cuts.

4 CHAIRMAN SCHMITT: Mr. Denenberg, let
5 him finish the sentence.

6 LEGISLATOR DENENBERG: But that's why --

7 CHAIRMAN SCHMITT: Mr. Denenberg, let
8 him finish.

9 LEGISLATOR DENENBERG: He'd finished.

10 CHAIRMAN SCHMITT: Mr. Sullivan, were
11 you finished?

12 LEGISLATOR DENENBERG: He's smiling. He
13 must be.

14 CHAIRMAN SCHMITT: Were you finished?

15 MR. SULLIVAN: It's 150 million. And if
16 it has to be 150 million in labor, that means we
17 cannot use projected sales tax surpluses that
18 were referenced before. Any debt service savings
19 cannot be used as well, that will fall to the
20 bottom line. But the original deal that was
21 contemplated in the budget was \$150 million in
22 labor. And to Legislator Denenberg's point,
23 we're 60 million short and that means we're going
24 to have to go back and that's where our actions
25 have to be directed.

2 LEGISLATOR DENENBERG: I believe that's
3 why you took the dedicated fund, to come up with
4 some of that 60 million. And now you're
5 conveniently saying it's all about borrowing for
6 tax certs, which is crazy because you're going to
7 come back to us again, and again, and again to
8 borrow, as Mr. Naughton said, up to 305 million.

9 MR. SULLIVAN: That is correct. That
10 was in the multi-year plan.

11 LEGISLATOR DENENBERG: While you're
12 mailing to the public that you're not borrowing
13 against our future.

14 MR. SULLIVAN: Which would be a lower
15 amount that was borrowed than previous.

16 LEGISLATOR DENENBERG: That's not true.
17 That's just not true.

18 MR. SULLIVAN: Not like Mitt Romney.
19 But I'll bet you a dollar; how's that, sir?

20 LEGISLATOR DENENBERG: You know what?
21 What was the total amount of borrowing from 2006,
22 07, 08, 09, 10 for tax certs? Total amount?
23 Fifty million total.

24 MR. SULLIVAN: That is not accurate.
25 That is way off.

2 LEGISLATOR DENENBERG: Fifty million for
3 five years.

4 MR. SULLIVAN: That is way off.

5 LEGISLATOR DENENBERG: We paid as we
6 went in 06, 07 --

7 MR. SULLIVAN: I can tell you, to the
8 letter of the law, 2009 had \$65 million worth of
9 borrowing.

10 LEGISLATOR DENENBERG: 2009 did not have
11 65 million.

12 MR. SULLIVAN: It was 114 million paid -
13 -

14 LEGISLATOR DENENBERG: No.

15 MR. SULLIVAN: the rest was financed.

16 LEGISLATOR DENENBERG: Some of that was
17 from 2008 and you know that that's true.

18 CHAIRMAN SCHMITT: Mr. Denenberg, let
19 him get in -- my God. Let him get a sentence
20 out, man.

21 LEGISLATOR DENENBERG: You keep
22 interrupting me.

23 CHAIRMAN SCHMITT: Somebody's got to.

24 LEGISLATOR DENENBERG: Who here thinks
25 Mr. Schmitt keeps interrupting me?

2 CHAIRMAN SCHMITT: If this keeps up, I'm
3 just going to call the question and we're going
4 to take a vote.

5 LEGISLATOR DENENBERG: There was 3
6 million in bonding in 08 and 32 in 09. That was
7 the total of it. You want to do 305 in one year.

8 MR. SULLIVAN: Sir, you can put the
9 statement there and I'll come back and show you
10 the bond. I will show you, and then you can hold
11 the OS up and show you what went out.

12 LEGISLATOR DENENBERG: Let's call it
13 even, if you just do what we did in 09.

14 MR. SULLIVAN: Oh, no, no.

15 CHAIRMAN SCHMITT: Come on.

16 LEGISLATOR DENENBERG: Just do what we
17 did in 09 and leave the dedicated fund for the
18 health and human services, okay? Leave them
19 alone. Take them out of the equation.

20 MR. SULLIVAN: I'm not in power to
21 negotiate, sir. If you want to do, since you're
22 referencing what you did back then, if we want to
23 do the financing like we did back then, if we
24 want to do the financing like we did back then,
25 maybe that's something we can talk about.

2 LEGISLATOR DENENBERG: The financing --
3 then you would have to put 50 million in the
4 budget to pay-as-you-go for tax certs and
5 borrowing less than 50 million every year.

6 MR. SULLIVAN: No. You said --

7 LEGISLATOR DENENBERG: That's what you
8 would have to do.

9 MR. SULLIVAN: I'll take the amount you
10 agreed to finance and I'll --

11 LEGISLATOR DENENBERG: You couldn't do
12 it.

13 MR. SULLIVAN: put that in --

14 LEGISLATOR DENENBERG: You couldn't do
15 it.

16 MR. SULLIVAN: this year's budget.

17 LEGISLATOR DENENBERG: But in 09, when
18 there was a 150 million shortfall we put the
19 money in the budget. You're saying that I can't
20 use contingency money from last year, even though
21 you just took 17 million last week.

22 MR. SULLIVAN: And where did the money
23 come from?

24 LEGISLATOR DENENBERG: Can I use the \$22
25 million -- the \$22 million surplus -- I'm sorry.

2 The \$22 million surplus that was just reported in
3 sales tax? Can we use that?

4 MR. SULLIVAN: What was reported in
5 sales tax?

6 LEGISLATOR DENENBERG: Sales tax for
7 2012 -- this is from your office.

8 MR. SULLIVAN: That's the year-to-date,
9 sir.

10 LEGISLATOR DENENBERG: The surplus is
11 \$22.2 million.

12 MR. SULLIVAN: I would not call
13 something a surplus when it doesn't end until
14 February 2013.

15 LEGISLATOR DENENBERG: You called it a
16 surplus.

17 MR. SULLIVAN: Projected.

18 LEGISLATOR DENENBERG: I'm reading your
19 report.

20 MR. SULLIVAN: Projected. And NIFA is
21 not --

22 LEGISLATOR DENENBERG: It says surplus
23 of 22.2 million.

24 MR. SULLIVAN: Projected surplus, which
25 NIFA will not give us at this point, sir.

LEGISLATOR DENENBERG: You didn't write that part in it. It says the surplus of 22.2 million, not that NIFA won't let us use that. You're saying it's a surplus. Let's find -- let's take four million of that and hold the youth board whole and take --

MR. SULLIVAN: Sir, if we are acknowledging the sales tax --

LEGISLATOR DENENBERG: the other 18 to pay-as-you-go for the tax certs.

MR. SULLIVAN: If we're going to acknowledge the sales tax and the debt service numbers, then we've achieved the 150. And if you want to carry that argument to NIFA, I'd be walking lockstep with you.

CHAIRMAN SCHMITT: Okay. Before I call on -- I'm going to call on Legislator Jacobs.

LEGISLATOR JACOBS: I have -- I try to speak in terms -- I don't consider myself a finance person, although through all these years, to a degree, I've been through most of it. I do know that I do my home financing a little differently. My expenses have to be covered by revenue, and I don't keep borrowing, borrowing,

2 and borrowing to put myself in the situations
3 that the county keeps getting in. But right now
4 I'm looking out at an audience that is filled
5 with people who are youth services. People that,
6 to a person up here, we went out of our way
7 because we believed so deeply to make sure, to
8 the best of our ability, through getting them
9 covered by the red light camera money which was,
10 by the way, something that this county executive
11 at the time did not want to do, but the majority
12 at the time said it's what we want done. And we
13 managed to protect them, we thought, certainly
14 beyond two years, where we're ending up now. I
15 just don't understand.

16 It's 2012 money, \$8 million in the
17 budget. Four million has been spent already.
18 It's now the end of June. Four million of it has
19 been spent. So, in essence, we're not even
20 talking about \$8 million. We're talking about \$4
21 million. Not money that was going to help 2011,
22 money that's in the 2012 budget, that should be
23 in the budget right through the end of December
24 2012.

25 I'm trying to just, in my mind,

2 understand it. I know there's such a thing as
3 it's not real money. I know that there are
4 appropriations. I know that there are expenses
5 that we've transferred rather than revenue than
6 we transfer. When I say I know, I know that's
7 the terminology; I don't know what it's all
8 about. But I do know that \$4 million in the
9 scheme of things of 100 million-plus is so
10 miniscule that the only person that is really
11 honest, I believe, two weeks ago, was when Mr.
12 Chalmers got up and said he can't talk about that
13 because that is a policy decision. Whose policy
14 decision is that? It never should have been a
15 policy decision.

16 And you know what our one mistake was?
17 Not making sure all of you were here before that
18 protection of the red light camera money
19 originally happened and it was taken away. So
20 now, because that money was taken away, \$4
21 million, in all of these tens of millions we're
22 discussing, are affecting the very people that
23 cannot continue to function unless their four
24 million is left alone. And I'm sorry. No matter
25 how you explain it to me, it doesn't make sense

2 to me that that's the only \$4 million that we
3 could take to make this county whole.

4 I know I'm making a statement and I'm not
5 asking a question, and I apologize for that. But
6 I'm making this statement because it's gnawing
7 away at me because it makes no sense. These are
8 the very people -- I've spent a lifetime on this
9 legislature, fighting to protect. And I don't
10 understand why they would be the very people that
11 a county executive sitting upstairs was the one
12 who joined with me when I was presiding officer
13 saying we really didn't care what they were
14 saying upstairs; we were going to do what's right
15 right here on this room. And I think this \$4
16 million should be off the table. It shouldn't
17 even be a discussion right now. This is
18 something that should be there. That's how I
19 feel.

20 CHAIRMAN SCHMITT: Are you finished?

21 LEGISLATOR JACOBS: I'm finished.

22 CHAIRMAN SCHMITT: Before I call on
23 Minority Leader Abrahams, I just want to put a
24 couple of things into the record.

25 Mrs. Jacobs, when she spoke, mentioned

2 how she handles her home financing and how she
3 does not borrow, and borrow, and borrow. And
4 that may be true in the case of the home
5 financing. But during the time that Mrs. Jacobs
6 was the presiding officer of this legislature, I
7 believe that was eight year, the legislature
8 borrowed \$100 million-plus a year to pay for tax
9 certs. During that period of time when the
10 republicans were in the minority, not one time,
11 not once did we ever fail to provide the three
12 votes necessary for the bonding for tax certs to
13 fail. We continued to do the responsible thing
14 and to provide the administration, at that time,
15 even though we differed with them, the tools
16 necessary to keep this county running.

17 I won't even begin to comment on
18 Legislator Denenberg's diatribe, except to say
19 that there is a problem out there. There is a
20 big, serious problem out there, and it's these
21 tax judgments. It's not theory. This is not
22 maybe what if, and if A happens, B might happen
23 but it could be C. There's none of that. This
24 is facts. They're out there, they're coming, and
25 they have to be satisfied.

2 It's judgments from 2011 that settles
3 cases from way before we took over in this
4 county. Those cases need to be settled. They
5 will be paid one way or the other. And while we
6 can disagree about whether or not we should be
7 taking money from here or there in order to pay
8 them, they must be paid. And scraping together
9 all of the available money that in the county
10 that is available, can be made available in order
11 to pay these judgments is what has to be done.

12 I'm sorry to say and I don't mean to
13 start a donnybrook, but it's just a fact that
14 there was a letter delivered in January, signed
15 by all nine of the minority, saying that they
16 refused to bond until and unless they get -- I
17 believe I'm quoting, I can get a copy of the
18 letter if need be -- that they get a fairer
19 redistricting system than what they have now.
20 They don't want to hear it. And I know
21 redistricting is not what you're here for. You
22 want your money, and I understand that.

23 But redistricting, for anybody who cares,
24 we have formed a commission as per the County
25 Charter. The commission has five members

2 appointed by me and five members appointed by the
3 minority leader, and a non-voting chairman
4 appointed by the county executive. And it has
5 its own budget and it is charged, under the law,
6 with going forward with a bipartisan, transparent
7 redistricting process. There could be nothing
8 more transparent than that. But this is not
9 about bonding. It's not about the youth
10 agencies. It's not about the red light camera
11 money. It's unfortunately and it's ugly. It is
12 about politics, that's what it is. I understand
13 they got their orders from their boss. And it's
14 democrat, political blackmail that is bringing us
15 to this point.

16 They have been trying to force the county
17 executive's hand. And why they went to the
18 county, I can't begin to understand because he
19 has no role in this process, but they did. And
20 they're trying to force his hand to give them
21 what they are not entitled to have. And the
22 county executive, rightly, is not going to
23 blackmailed and I can tell you I'm not going to
24 be blackmailed. And this is where we are.

25 So we've got a bond on the table. If the

2 bond is not passed, there will be consequences
3 that have to flow from that action of not
4 supporting the bond. It's not about being mean.
5 It's not about how this side or that side wants
6 to hurt you or hurt the kids. It's nothing about
7 that. It's about the need to pay judgments that
8 are coming here. I don't know exactly what the
9 timeframe is, but everything I'm led to believe,
10 it will be pretty quickly. Isn't that so, Mr.
11 Sullivan?

12 MR. SULLIVAN: Yes, sir.

13 CHAIRMAN SCHMITT: There you go. So,
14 anyway.

15 LEGISLATOR JACOBS: Mr. Schmitt, can I
16 ask --

17 CHAIRMAN SCHMITT: Sure, Mrs. Jacobs.
18 I'd love to have a debate with you. You're one
19 of my favorite people.

20 LEGISLATOR JACOBS: Thanks, Mr. Schmitt.
21 I really appreciate that. We do agree on one
22 thing; that a big problem is the tax judgments.
23 We agree that the tax cert whole situation's been
24 a problem from the very beginning, the way it's
25 done in Nassau County, etcetera. But we did form

2 pay-go under the prior administration, and we did
3 have \$50 million set aside -- we finally got to
4 that point of being able to set \$50 million aside
5 in every budget. And pay-go means that it's part
6 of the general operating fund.

7 Let me say something to you. If you're
8 talking about decisions made and you're talking
9 about priorities, the screwed up problems here
10 and the screwed up problem is actually screwed up
11 priorities. When you only can find the one block
12 of people with a little measly four million --
13 now, in our lives four million would be very nice
14 to win in Lotto one day. But in this world, \$4
15 million, consider the whole, is literally nothing
16 and is everything to everybody out there. That
17 is what's crazy. That is what where priorities
18 quoted to be policy really falls apart. And,
19 yes, I do believe the county executive put that
20 forward. I don't believe anyone here woke up one
21 morning deciding they're going to cut youth
22 agencies.

23 I'm sorry, Peter. There's enough blame
24 to go around all the way for why these people are
25 here today.

2 CHAIRMAN SCHMITT: Legislator Nicoletto.

3 LEGISLATOR NICOLELLO: As Mr. Sullivan
4 had indicated, NIFA is not allowing us, the
5 County, advances we're making in sales tax
6 against this 60 million more we have to make up
7 in terms of labor savings. So from NIFA's
8 perspective, we're \$60 million in the hole at
9 this point unless we can achieve more savings
10 from labor. You add \$40 million on top of that
11 for the judgments that are not being approved
12 today, in terms of the bonding, and you're
13 looking at \$100 million deficit in a budget
14 that's extremely tight.

15 It's been said over and over again, it's
16 a measly \$4 million that could pay the youth
17 agencies. You're in the business of providing a
18 very valuable service. But the county does a lot
19 of things that are valuable. So what's being
20 suggested is we'll pay you and we'll deal with
21 the consequences later. What are we supposed to
22 do? Are we supposed to cut the child protective
23 services workers that visit the abused children?
24 Are we supposed to cut the health department that
25 inspects the water supply? Are we supposed to

2 take cops of the street? There are no easy
3 answers here. Let's save the youth agencies but
4 cut child protective services doesn't seem to
5 make any sense to me.

6 The fact of the matter is the size of
7 this deficit, if they fail to approve the
8 bonding, is so huge that no matter how you look
9 at it, no matter how many numbers you throw up,
10 it's going to affect every agency in this county
11 period. There's no other way to do it.

12 This problem is so big that there is
13 absolutely no way that you're not going to be
14 affected, period.

15 CHAIRMAN SCHMITT: Legislator Abrahams.

16 LEGISLATOR ABRAHAMS: Thank you,
17 Presiding Officer Schmitt. If Mr. Naughton and
18 Mr. Sullivan could come back.

19 CHAIRMAN SCHMITT: You got to the back
20 of the room awfully quickly.

21 LEGISLATOR ABRAHAMS: If I also may ask.
22 Before you actually take the vote, I would also
23 like to give a statement. If I'm the last
24 speaker, I would like to be able to provide a
25 statement as well.

2 How are you gentlemen? I just have a
3 couple of -- I'd rather give the statement
4 before.

5 I just have a couple of quick, quick
6 questions. Granted, the folks in this room --
7 and this is not for any applause or anything
8 along those lines.

9 The folks in this room are concerned
10 about their funding. Obviously, we have made the
11 connection -- not we, my colleagues to the right
12 and the county executive has made the connection
13 between bonding for \$40-plus million tied
14 directly to youth services and health and human
15 services that exist in this county. Obviously,
16 it's also been stated by I believe the Office of
17 Legislative Budget Review that the board transfer
18 that was voted on last week is a mechanism. I
19 know it's appropriation, it's not cash. But
20 that's a mechanism to address a 2011 expense with
21 a 2011 year-end board transfer. Am I correct in
22 what I just summarized?

23 MR. NAUGHTON: Yes.

24 LEGISLATOR ABRAHAMS: Basically, the
25 issue of the \$40 million that these folks are

2 here about today is being addressed through this
3 mechanism. Am I correct by saying that?

4 MR. NAUGHTON: The only problem with the
5 mechanism is that it reduced our fund balance to
6 a level that we know we should not be at.

7 LEGISLATOR ABRAHAMS: I understand that.
8 And that's a fair point. Wouldn't it be fair to
9 say also, not knowing what the credit agencies
10 would do, isn't it fair to also say that
11 continuing to bond for a four-year plan that
12 relies strictly on bonding and not paying tax
13 certioraris out of the operating budget, which
14 has been done also for the last six or seven
15 years, couldn't that very well jeopardize our
16 bond rating as well?

17 MR. NAUGHTON: No, it would not because
18 the bond rating agencies are well aware of the
19 county's plan and they have affirmed our ratings.

20 LEGISLATOR ABRAHAMS: I understand that,
21 Mr. Naughton.

22 MR. SULLIVAN: One other thing, sir.

23 LEGISLATOR ABRAHAMS: Sure.

24 MR. SULLIVAN: It does phase-in
25 operating dollars.

2 LEGISLATOR ABRAHAMS: I understand that.

3 MR. SULLIVAN: Okay.

4 LEGISLATOR ABRAHAMS: I think the rating
5 agencies -- and I was reading over the report.

6 One of the things that they like about the fact

7 that the county has is NIFA's oversight to

8 provide advantages to jump over these hurdles.

9 Obviously, if the cuts that were being declared

10 to made in February of earlier this year in the

11 tune of \$150 million, which I believe we're not

12 any closer to making, I believe we're at 90 or

13 100 -- correct me if I'm wrong. If that is the

14 case, I think it would be misled -- we would be

15 misleading the public if we just said that

16 basically NIFA would support bonding in

17 conjunction with the multi-year plan because they

18 supported the multi-year plan, as would the

19 credit agencies, because they also are expecting

20 \$150 million in cuts for this year.

21 MR. SULLIVAN: That is correct. And

22 NIFA is across at One West Street and we're

23 meeting with them in five minutes. And the goal

24 of that meeting is to find additional cuts.

25 LEGISLATOR ABRAHAMS: Mr. Sullivan, I

1 appreciate that effort. But those cuts were
2 supposed to be made in February.

3
4 MR. SULLIVAN: We're in negotiations,
5 sir. And, as you know, in 2009 labor increases
6 that were scheduled were kicked out and deferred
7 until this administration. So that was one way
8 they closed 2009, to deferrals with the CSEA, the
9 PBA, the DAI, and the SOA, which is now coming
10 due now.

11 LEGISLATOR ABRAHAMS: I understand his
12 point. There's no reason to gavel me.

13 CHAIRMAN SCHMITT: The rest of us might
14 want to hear the whole sentence.

15 LEGISLATOR ABRAHAMS: I'm just saying I
16 understand. All I meant to say is if he was
17 going to go into a longer statement, which you
18 are completely entitled to do, I understand
19 exactly where it's coming from. I was just going
20 to save him a few breaths, that's all I was
21 trying to do.

22 I just want to make sure I emphasize the
23 point that obviously I know you're going through
24 these discussions. But I think it's very
25 imperative for the general public to understand

2 that the \$40 million, the very \$40 million which
3 they're asking my side of the aisle to support is
4 going to be addressed through -- let's just call
5 it a mechanism, because we're using
6 appropriation, cash, and chances are a lot of
7 people are probably not being able to follow the
8 terminology quite as well. But the fact remains
9 that that issue that they're being tied to --
10 we're talking about people are being tied to, is
11 being addressed. So, clearly now, if the
12 legislature -- I'm sorry. If the county
13 executive decides to go forward with a cut on
14 July 5, of cutting youth board agencies to the
15 tune of, as Ms. Jacobs has indicated, \$4 million
16 for the rest of this year, then that's strictly a
17 policy decision. That's no longer a decision to
18 ensure that we're able to cover the \$40 million
19 that's exposure in 2011. Am I correct by saying
20 that?

21 MR. SULLIVAN: Sir, as you referenced
22 before, I think there are two gaps here. There
23 is that issue, but there is also the \$150 million
24 labor target that NIFA has established for 2012.
25 So, as you rightly point out, we're about 50 to

2 \$60 million short on that. So that's, you know -
3 -

4 LEGISLATOR ABRAHAMS: Then Mr. Sullivan,
5 then -- let me just be clear then. Then what
6 we're talking about is plugging a hole -- their
7 \$4 million -- for something that they're not here
8 for today. We're here to talk about a \$40
9 million item in bonding. What you're saying
10 basically is now we're just going to shift their
11 fight to the \$150 million. Any youth agency that
12 I have spoken to over the last, I would say,
13 couple of weeks, I've always told them without
14 knowing how the administration was going to
15 identify the \$150 million, they are still
16 vulnerable whether this 40 million gets done or
17 not. So the fact remains the \$40 million that
18 everybody thought they needed us to bond for
19 today, that's being addressed through this
20 mechanism that's being done. But now you have a
21 greater fight. If the legislature doesn't
22 approve any bonding, now you're tied into \$150
23 million, the same \$150 million which has not been
24 met and it's overdue since February.

25 Let me make sure if I'm understanding

2 this correctly. If you come -- if you can't make
3 a deal with NIFA to get to the 150 and say, for
4 example, you get to 125 or 130, then basically
5 these guys are right back on the chopping block
6 in a couple of weeks. Am I correct by saying
7 that?

8 MR. NAUGHTON: No, that is not what we
9 were saying. We were saying that the \$41 million
10 issue, yes, it's being taken care of through this
11 mechanism, to use your term. However, that
12 mechanism is not a prudent method to handle the
13 issue. Therefore, we need to be able to address
14 how we're going to make up that \$41 million
15 deficit that's being created, and the youth
16 agencies is a mechanism to help make up that \$41
17 million deficit.

18 LEGISLATOR ABRAHAMS: I understand that.
19 And you also have a deficit -- I don't want to
20 use deficit because generally we're looking for
21 savings. But you also have an issue of where
22 you're looking for an additional amount of
23 savings. What's that number that you're looking
24 for? I hear it's 90 million achieved today. I
25 heard it was 100. I've even heard as high as

2 120. What's the number that you're looking for
3 that you are negotiating with NIFA?

4 MR. SULLIVAN: We're meeting with NIFA
5 now, sir. It's somewhere between 50 to \$60
6 million of prospective actions. I think it's
7 closer to 50.

8 LEGISLATOR ABRAHAMS: Okay. So that 40
9 to \$60 million that you are looking for in
10 additional savings could very well -- what I'm
11 trying to ask Mr. Naughton and maybe I'm not
12 being clear. What I'm trying to figure out is
13 what if NIFA says, okay, we're only going to --
14 we can only come to an agreement on 125. Then
15 where does that leave the administration?

16 MR. NAUGHTON: The problem that we're
17 having with NIFA right now is that we have
18 identified the \$50 million; they don't like the
19 choices that we've made. We have identified \$30
20 million of debt savings. That is a legitimate
21 number based off our borrowing. We're not going
22 to spend the money. We feel that is a legitimate
23 way to close the gap.

24 NIFA has come back and said to us, no, we
25 want it from labor. So based on that scenario,

2 the youth agencies would not be impacted because
3 they are looking for labor cuts.

4 LEGISLATOR ABRAHAMS: Mr. Naughton, I
5 respect your position in negotiations. I really
6 do. But the bottom line is if they're not
7 agreeing to it, then you don't have it. So let's
8 get back to the point again.

9 The point is if you don't get to the \$150
10 million, like the policy decision that's being
11 made today even though you got the 40, you're
12 coming up with a different mechanism but you got
13 the 40. The mechanism today is more of -- the
14 decision today to cut youth board agencies in a
15 couple of weeks is more of a policy one. So what
16 I'm asking is what's the policy going to be if
17 you can't come to an agreement with NIFA on the
18 150? You've set out a path to get to the 150,
19 and they have to agree to it. What if they agree
20 to 125? This is a finance policy.

21 MR. NAUGHTON: Clearly, we are still
22 working on how we it will be done.

23 LEGISLATOR ABRAHAMS: Okay.

24 CHAIRMAN SCHMITT: Legislator Ford.

25 LEGISLATOR FORD: Legislator Abrahams

2 brings up some good points. But my question,
3 then, I think -- I've gone to some NIFA meetings
4 as well, and I've written them.

5 Were you finished, Kevan? I'm sorry.

6 LEGISLATOR ABRAHAMS: No. Go right
7 ahead, Denise.

8 CHAIRMAN SCHMITT: No, no. He's not.
9 Finish --

10 LEGISLATOR ABRAHAMS: I have a
11 statement.

12 LEGISLATOR FORD: I didn't want to jump
13 ahead of you.

14 Considering the fact that NIFA is holding
15 the county executive into \$150 million in labor
16 savings, correct?

17 MR. NAUGHTON: That is correct.

18 LEGISLATOR FORD: And that is a separate
19 issue completely different from the judgments
20 that are being held against us for \$41 million,
21 correct?

22 MR. NAUGHTON: Correct.

23 LEGISLATOR FORD: So that even if -- if
24 the county executive, you can only negotiate \$42
25 million say or \$40 million in labor savings, NIFA

2 would still consider it a \$20 million deficit in
3 labor costs, correct?

4 MR. NAUGHTON: Ten million, yes.

5 LEGISLATOR FORD: Ten million.

6 Something that -- would it impact any of this,
7 the borrowing that we are asking for the tax
8 certs, correct?

9 MR. NAUGHTON: Correct.

10 LEGISLATOR FORD: I just want to point
11 out though, too, because I know that for all of
12 us, with this \$42 million that we are asking to
13 bond, it is very difficult. And I know that
14 NIFA, and I have written to NIFA in regards to
15 this, because I know that I think I might have
16 the years wrong. In 2005 or 04 they had
17 authorized \$190 million for bonding. Correct?
18 At some point.

19 MR. NAUGHTON: Correct.

20 LEGISLATOR FORD: And I had asked them
21 if they would at least, at this time, help us --
22 allow the county executive to access the \$42
23 million from that, you know, so that we can then
24 avoid all of this, so that we're not holding
25 people hostage or -- you know, because not only

2 are we looking at cuts to our youth groups, but
3 there is 36 other million dollars that other
4 people are going to be impacted by the cuts
5 there, correct?

6 MR. NAUGHTON: That is accurate.

7 LEGISLATOR FORD: And it may go into,
8 like as Legislator Nicoletto said, that other
9 agencies will feel the pain just as well. We may
10 lose, whether in child protective services --
11 we've already seen in the Nassau County Jail that
12 a lot of corporals had been demoted at a loss of
13 pay for them and a lot of changes that have been
14 going on that have been impacting our workforce,
15 correct?

16 MR. NAUGHTON: Right. And I think where
17 that needs to be recognized is that this
18 administration has already reduced the workforce
19 through layoffs, through incentive programs, so
20 we've already taken many cuts and we will have to
21 do more.

22 LEGISLATOR FORD: Right. And aside from
23 -- and I know that we have the reserve fund, the
24 fund balance which we need to make sure that our
25 bonding stays at a lower stays at a lower rate

2 than if we had -- like, if it came at a lower
3 rate and we bonded anymore in the future, we'd
4 have to pay a higher interest rate. Is that
5 correct?

6 MR. NAUGHTON: That is right.

7 LEGISLATOR FORD: And, you know, just to
8 remind even our fellow legislators to the left of
9 me, way on the left, on the democratic and
10 minority caucus, that we are prepared if the
11 bonding is voted on today, the \$42 million, that
12 I know that this side will be willing to vote to
13 restore the red light camera funding to the youth
14 groups.

15 Thank you.

16 CHAIRMAN SCHMITT: Can we bring -- Mr.
17 Kopel, I need you in your seat. We're going to
18 vote.

19 Legislator Troiano, and then we're going
20 to wrap this up after DeRiggi-Whitton.

21 LEGISLATOR TROIANO: Thank you. Good
22 afternoon.

23 MR. NAUGHTON: Good afternoon.

24 LEGISLATOR TROIANO: There's been a lot
25 of discussion today about numbers, 91 million, 13

2 million, 41 million, 8 million, and 4 million and
3 it makes everybody's head spin. As the Presiding
4 Officer said, it causes your eyes to glaze over.

5 We know through all of that -- and I
6 think you would agree to this -- whether it's
7 household budgeting or government budgeting, that
8 budgeting, like life, is a series of choices and
9 that one always has choices to make about how to
10 spend money, whether it be in your household or
11 your government. Is that correct?

12 MR. NAUGHTON: That would be fair.

13 LEGISLATOR TROIANO: That would be fair.
14 Thank you. Although we have heard today from
15 some of my colleagues on the far right of me that
16 there is no choice, that it's either cut these
17 contracts or cut child protective services. So
18 we put one other agency against the other agency,
19 both of which we want to support and they know we
20 want to support. So they set up a Hobson's
21 choice, in which we're left saying we have no
22 choice but to cut the youth services. But, in
23 fact, as you already acknowledged, budgeting is a
24 series of choices, of setting your priorities.
25 So I felt challenged by the other side to come up

2 with something else that you might choose to cut
3 other than youth services and other social
4 organizations. And the one that I found from
5 just a very quick review of the budget was the
6 county executive's constituent service office,
7 which was originally budgeted at about \$2 million
8 and somehow in May got up to, go increased to
9 \$3.8 million at the same time that we're talking
10 about cutting direly needed services of \$4
11 million. And tell me about that choice. A
12 choice we have between having our children be
13 harmed or serving the county executive's office
14 by continuing to give out mailings on his behalf,
15 saluting what a great job he's doing for
16 children. No thank you, Ed Mangano.

17 MR. SULLIVAN: I would say that one of
18 the first things they did when they took office
19 was the county executive's budget was reduced by
20 a million dollars.

21 LEGISLATOR TROIANO: You increased his
22 budget this year to \$3.8 million in May. Make
23 that choice make sense to me when we're cutting
24 \$4 million from them.

25 MR. SULLIVAN: I don't think that's

2 accurate, sir.

3 LEGISLATOR TROIANO: Mr. Naughton, this
4 is your May -- just got it on Friday. This is
5 your May county budget report. Page 28 says that
6 the 2012 adopted budget is \$2.771 million. The
7 May projection now has been increased by
8 \$1,050,000 to \$3.818 million. Page 28 of your
9 own budget report. Don't tell me that's not
10 accurate. If you tell me that then your report
11 is not accurate.

12 CHAIRMAN SCHMITT: Okay.

13 MR. NAUGHTON: Just to set the record
14 straight, the amount of projected spending has
15 not increased. The adopted budget includes what
16 we call a less savings. These are reductions
17 that are still yet to happen. But because they
18 have not happened yet, we have not reduced our
19 projection. So the budget is as you stated.
20 However, that assumes some actions that have not
21 occurred. It also reflects --

22 LEGISLATOR TROIANO: I'm sorry, Mr.
23 Naughton. That's all well and good but this is
24 what you published in May. The month is not
25 over. I can't understand what savings you might

2 be talking about. We've not heard about that.
3 That's not been the subject of this discussion.
4 All I can see is here.

5 Again, my point is it's about choices.
6 You made the choice to increase the budget. The
7 county executive made the choice to increase the
8 budget. We have been presented as though there
9 are no choices to be made, there is only one
10 route to go. The fact is you could just as well,
11 as you putting money into this budget, you could
12 have just as well put money into the youth
13 service contract budget.

14 It's all about choices, and you've always
15 got choices. And this is just one example that I
16 came up with in the last ten minutes, after being
17 challenged by this side.

18 MR. NAUGHTON: I just want to say for
19 the record that their budget has not been
20 increased. It is a --

21 LEGISLATOR TROIANO: I'm sorry.

22 CHAIRMAN SCHMITT: Please stop
23 interrupting.

24 LEGISLATOR TROIANO: In case you haven't

25 --

CHAIRMAN SCHMITT: Mr. Troiano, please do not interrupt him when he's speaking.

LEGISLATOR TROIANO: The adopted budget --

CHAIRMAN SCHMITT: Come on. Let's go.

LEGISLATOR TROIANO: was \$2.8 million. It --

CHAIRMAN SCHMITT: That's it.

LEGISLATOR TROIANO: now stands at another million dollars higher.

CHAIRMAN SCHMITT: Legislator Delia Whitton, and then we're going to call the question.

LEGISLATOR DeRIGGI-WHITTON: I just have a question for you before you go. In December there was a budget given to NIFA for 2012, correct? And Denise, you should know this. The red light camera at that time was put into the general fund, back in December. So this was planned way before this. And this cannot be switched back so easily, possibly because NIFA might say no, you have to keep it where it is now. So for them to be gracious now and say that they'll reverse their vote is completely -- it's

2 premature. This was already in the budget for
3 the general fund for 2012, starting back in
4 December, number one. Number two, NIFA is
5 probably not going to give us the okay to take it
6 out right now. So once it was reversed, it was
7 reversed. And I don't think it's going to be put
8 back in an easily as these people think it can
9 be.

10 My other thing is, very quickly. I know
11 that everyone has been very patient. But what
12 we're trying to do is to set our priorities
13 straight for once and for all. I think, what, in
14 two months, when they're back here looking for
15 \$100 million, you folks are not back here as
16 well. That's really what we're trying to fight
17 right now. We don't want to see you be brought
18 to this situation again. Understand that we're
19 fighting for the big picture here.

20 CHAIRMAN SCHMITT: Okay. I'm going to
21 call the question. Would you ask Legislator
22 Dunne to join us, please? We're going to have a
23 roll call vote. And statements can be made as
24 the members vote.

25 LEGISLATOR ABRAHAMS: I think you said

2 before that I could make a statement.

3 CHAIRMAN SCHMITT: Mr. Clerk, would you
4 call the roll, please?

5 CLERK MULLER: Deputy Presiding Officer
6 Gonsalves?

7 LEGISLATOR GONSALVES: Yes.

8 CLERK MULLER: Alternate Deputy
9 Presiding Officer Kopel?

10 LEGISLATOR KOPEL: Yes.

11 CLERK MULLER: Legislator Troiano?

12 LEGISLATOR TROIANO: No.

13 CLERK MULLER: Legislator Solages?

14 LEGISLATOR SOLAGES: No.

15 CLERK MULLER: Legislator Ford?

16 LEGISLATOR FORD: Yes.

17 CLERK MULLER: Legislator Scannell?

18 LEGISLATOR SCANNELL: No.

19 CLERK MULLER: Legislator Becker?

20 LEGISLATOR BECKER: Aye.

21 CLERK MULLER: Legislator Muscarella?

22 LEGISLATOR MUSCARELLA: Yes.

23 CLERK MULLER: Legislator Nicoletto?

24 LEGISLATOR NICOLELLO: Yes.

25 CLERK MULLER: Legislator Bosworth?

2 LEGISLATOR BOSWORTH: No.

3 CLERK MULLER: Legislator Wink?

4 LEGISLATOR WINK: No.

5 CLERK MULLER: Legislator Belesi?

6 LEGISLATOR BELESI: Yes.

7 CLERK MULLER: Legislator Dunne?

8 LEGISLATOR DUNNE: Yes.

9 CLERK MULLER: Legislator Jacobs?

10 LEGISLATOR JACOBS: No.

11 CLERK MULLER: Legislator Walker?

12 LEGISLATOR WALKER: Yes.

13 CLERK MULLER: Legislator DeRiggi-

14 Whitton?

15 LEGISLATOR DeRIGGI-WHITTON: No.

16 CLERK MULLER: Legislator Denenberg?

17 LEGISLATOR DENENBERG: No.

18 CLERK MULLER: Minority Leader Abrahams?

19 LEGISLATOR ABRAHAMS: Before I give my
20 statement, I want to first say that what you've
21 witnessed today, what you've witnessed for the
22 last few weeks is not government, obviously, at
23 its best.

24 It's very clear that what goes on here
25 today or last week, the red light camera fund,

2 which was passed in 2009, no matter whether you
3 agreed with bonding or not -- and my colleagues
4 keep infusing redistricting. The bottom line is
5 that fund basically would have eliminated you
6 from being a part of this discussion. All of
7 this -- all that fund was meant to do was take
8 you out of the politics.

9 Clearly, on May 21, when my colleagues to
10 the right decided to remove that fund, they threw
11 you right back into the fray of what goes on in
12 this legislature. The fact remains that when
13 that fund was repealed, you lost all protections
14 in order to ensure that youth and health and
15 human services in Nassau County could continue to
16 be provided without the looming possibility of
17 being cut.

18 As we heard before, the county executive
19 has made the policy decision to cut you. The cut
20 that we were talking about, in terms of the \$40
21 million in bonding, the very item that everyone
22 is voting on as we speak, is being addressed
23 through a board transfer that was done last week.
24 The very same board transfer which moves money
25 from a particular area of the budget into the

2 treasurer's office to cover the certs that we are
3 talking about today.

4 So, clearly now, if that issue is being
5 addressed, now the shift goes to the entire 150.
6 So now your four million or eight million is now
7 being held hostage for a new day, a new number
8 which ties to \$50 million or \$60 million in
9 additional savings, which we couldn't even get a
10 clear answer on the record, which if we do not
11 provide those savings in agreement with NIFA, not
12 too sure if you won't be back here in a couple of
13 weeks when that agreement, if it does fall apart.

14 The bottom line is very simple, and I
15 think my colleagues on our side have demonstrated
16 the likelihood of this happening very well. You
17 guys, unfortunately, were used as political
18 headlines to try to come down, to try to persuade
19 the democratic caucus to support bonding on a
20 mechanism which now is no longer tied to you. We
21 have all heard that very clearly. This was all
22 done for nothing more than headlines.

23 Lastly, if I could point this out. If
24 some of you may have read in Newsday last week,
25 it clearly indicated that Judge Spatt, and it was

1 agreed to by the county attorney, that the King
2 Mangano Bill, as we deemed it. But the bill that
3 gives Mangano unprecedented power -- County
4 Executive Mangano, let me be respectful -- gives
5 County Executive Mangano unprecedented power to
6 administer cuts, not just on youth services and
7 health and human services but also among labor,
8 broad cuts across the board. It was agreed to by
9 the county attorney that no cuts of any
10 magnitude, including you, would not take place
11 until the judge made a ruling later in July. So
12 we don't believe that the administration even has
13 the authority to go forward with cuts on July 5.
14 Based on the agreement that Mr. Ciampoli made
15 during the court proceeding last week, it is very
16 clear that when this bill came down to give the
17 county executive unprecedented power, this was
18 included. You guys were included. So, from that
19 standpoint, that's a very serious matter that I
20 believe the county executive should address
21 before he goes forward with any particular cuts
22 or any perceived cuts that he may try to do.

24 Again, for the record, if I can make it
25 very clear. Number one. The red light camera

2 fund removed you guys from this ugliness that
3 occurs in this legislature. That's number one.

4 Number two. It was very clear that you
5 have become a policy decision, not a finance
6 decision.

7 Last but not least, very clearly, the
8 county executive does not have the authority,
9 based on his own bill that he proposed and sent
10 down to the legislature, which was approved by my
11 colleagues to the right, does not have the
12 authority to go forward with these cuts because
13 he was seeking the authority when he had this
14 bill, which became law, passed. And since that
15 bill has now been in the judicial branch of our
16 government, Judge Spatt has indicated, which has
17 been agreed to, that that cut or any cut would
18 not go forward until this matter is -- until he
19 provides a ruling.

20 So that, in itself, I vote no on the
21 bonding today.

22 Thank you.

23 CLERK MULLER: Presiding Officer
24 Schmitt?

25 CHAIRMAN SCHMITT: There's been much

1 said today about the linking of this with that
2 and bonding and the millions of dollars, 40, 75,
3 100, 125. The point of the matter is I find
4 myself in agreement with Legislator Delia
5 Whitton. When she spoke, she said that life is a
6 series of choices; she's absolutely correct.
7 Those choices were made in 2006, 2007, 2008,
8 2009. Under the previous administration, those
9 choices created a swirling problem that is going
10 to hit us now. And now we have choices to make
11 that we have to make to go forward and make sure
12 that this bonding -- that these items are
13 answered.

14
15 This whole situation is further
16 complicated -- and I'm tired of the denials. I
17 have in my hand a letter dated December 15 from
18 Legislator Abrahams, signed by Kevan Abrahams,
19 Robert Troiano, Carrie Solages, Joe Scannell,
20 Judi Bosworth, Wayne Wink, Judy Jacobs, Delia
21 DeRiggi-Whitton, and David Denenberg, in
22 December. In that letter it says, accordingly,
23 we all the members of the Democratic caucus,
24 while committed to working with you, where
25 appropriate, we cannot and will not consider any

2 bonding proposal in the County of Nassau today,
3 tomorrow, or during our term until a binding
4 agreement is reached on independent, nonpartisan
5 redistricting that can be approved by a
6 supermajority of the legislature. The last line
7 in the letter says until there is a fair partisan
8 redistricting, there will be no bonding.

9 Here we are. We have a commission, five
10 and five, can't be any fairer than that. A
11 process going forward according to the County
12 Charter, same process that was used ten years
13 ago; it was okay then. Still, no bonding for
14 anything in the county, any tax certs in the
15 county.

16 So, yes, you find yourself in the middle,
17 along with an awful lot of other vulnerable
18 populations. I would point out for the record
19 that every time the minority quoted the NIFA
20 reports and NIFA, where NIFA said that the
21 savings had to come from labor, NIFA is saying
22 that the savings have to come out of the Police
23 Benevolent Association, the Superior Officers,
24 the Detectives Association, the Sheriff's union,
25 Correction Officer's unions, CSEA, all of the

2 unions representing the county. The pain has
3 been shared. There have been layoffs, there will
4 probably be more as a result of this vote today.

5 But I tell you this. The democrat
6 political blackmail will not run this county.

7 I vote yes.

8 CLERK MULLER: For passage, this bond
9 ordinance requires 13 aye votes. The votes were
10 ten ayes and nine nays. As such, the ordinance
11 fails to pass.

12 CHAIRMAN SCHMITT: Okay.

13 We're going to go back to public comment.

14 The first remaining speaker is Charmaine
15 Clark.

16 MS. CLARK: Good morning. Good
17 afternoon, rather. My name is Charmaine Clark.
18 And I have, for the past eight years, been in the
19 service. I also live in Valley Stream. And I
20 really did take offense last week when Legislator
21 Becker made reference about setting aside all our
22 biases and put in God in our decisions.

23 I just wanted to remind you, sir, that
24 there are some of us who take this operation of
25 church and state clause in our Constitution

seriously.

Too often we have seen politicians use religion to distract us from the real issue. With the introduction of religion, it is inevitable that rationality will exist that room.

I just wanted to, for a brief moment, put the focus on those of us who work in these programs.

My colleagues are very selfless. They are so focused on the kids they work with. I just want to, for a moment, focus on them. I'm very honored to be in their company.

We are the ones who are willing to work for ridiculously low wages. We are the ones who, on a daily basis, deal with the ugliness that humanity is capable of. We are the ones who, with scarce resources, keep the monsters from your door. Cutting our programs will not only leave a gap for youth, but far reaching socio-economic impact on us and our families.

Children are easy targets. But let me remind you, children can't vote; I can, their parents can, our friends can, our families can, our supporters can, and there are many of us.

2 Thank you.

3 CHAIRMAN SCHMITT: Thank you.

4 Philip McCoulus. Philip McCoulus.

5 VOICE: He just left.

6 CHAIRMAN SCHMITT: He left.

7 Ted Levy.

8 VOICE: He left.

9 CHAIRMAN SCHMITT: Ted Levy left?

10 VOICE: Yeah.

11 CHAIRMAN SCHMITT: Judy Sanford-Guise.

12 MS. SANFORD-GUISE: Well, a lot of the
13 stuff I had taken notes on, you all have already
14 said and people out here have said. We do know -
15 - and someone was saying from the audience, I
16 don't know if it was heard by you, but we'll need
17 somewhere to send our folks when they call us.
18 As was stated, this was a choice to bring us into
19 it unnecessarily.

20 I'm Judy Sanford-Guise. I am here as a
21 trustee of Family and Children's Association.

22 We didn't need to be a part of this, as
23 has been said quite eloquently by others.

24 I was here now as an individual.

25 I did bring up a question last week.

2 I've done a little research. But since you all
3 have the access the information again, I come
4 back, to I raised the question -- and you did
5 say, Mr. Schmitt, that we're looking everywhere
6 we can to save money in this county, and I again
7 bring up the green's fees and the discounts in
8 the green fees. Which, as I was listening -- but
9 there were so many zeroes being mentioned. I was
10 checking from the county information the
11 differentials in green fees. Again, in the name
12 of full disclosure, I don't play golf, and I am
13 probably never going to be play golf, even though
14 I've been eligible for the senior discount, on
15 Sunday it will be five years.

16 It's a huge discount. And I don't do
17 math. So \$30 regular, \$17 discounted fee, leaves
18 \$13 at the red course, every time, in this case,
19 a senior happens to play golf. And I'm assuming
20 that the fee does not include a set of golf
21 clubs. I'm assuming the person who is coming to
22 play golf -- I'm a senior. Sunday I will be 65.
23 I am assuming that the person is not necessarily
24 borrowing the golf clubs. I've also spoken to
25 some people who said without the discount they

2 would play golf.

3 At the blue course, it's a difference
4 between 36 and 22. A good discount. Cart
5 differentials, etcetera.

6 So, looking at the \$4 million that Ms.
7 Jacobs was talking about, I don't know. Could it
8 be possible that there were 307,692 rounds of
9 golf played as a discounted fee? The unrealized
10 revenue for that is \$4 million.

11 So I think there are a lot of places
12 where we could kind of find some money. Again,
13 in the -- from good faith, from share sacrifice.
14 And, as I said, when I made this comment last
15 week without the numbers, I know that would make
16 a lot of people really pissed in Nassau County,
17 to lose that senior discount. I know when it
18 went in, I know how proud people were of putting
19 that discount in. I know what it means. But it
20 sure as hell means an awful lot to the people who
21 apparently don't matter.

22 CLERK MULLER: Your three minutes have
23 expired.

24 MS. SANFORD-GUISE: The neediest people.
25 That's all I had to say.

2 But I would like someone to come back to
3 me, you have my address, to let me know what is
4 the unrealized revenue from the discount at golf.

5 LEGISLATOR GONSALVES: Thank you.

6 Susan Lerner. Susan Lerner?

7 (No verbal response.)

8 Randal Malone.

9 (No verbal response.)

10 James Hughes. It could be James Hodges.

11 Sorry.

12 MR. HODGES: Hello. I guess I don't
13 know what to say. There's been a lot of
14 wonderful speakers. And the vote went forth.

15 LEGISLATOR GONSALVES: Go ahead, Mr.
16 Hodges.

17 MR. HODGES: I'm just -- as I guess --
18 I'm sorry.

19 LEGISLATOR GONSALVES: Understandable.

20 MR. HODGES: As I think about going back
21 to my agency now, where I'm the Chairperson of
22 the Board, having to probably give out letters to
23 all of our staff and just think about the
24 programs that will unfortunately be cut because I
25 know we, at this time, you know, won't be able to

2 do them without the funds. And I just think
3 about where I would be without the agency, that
4 I'm now the Chairperson of, when I was young.

5 Of course, I know the staff and the
6 volunteers will do whatever they can do. But I
7 don't know if there's anything that's left to do.
8 I know the bond didn't go through. I believe
9 there still may be some things that you can do.
10 I don't know. When someone picks up the phone,
11 to probably think about committing suicide or
12 different things that they need help with. I
13 just know that all of the staff won't be there to
14 do it. We're going to do whatever we can do to
15 try to provide. And I know all of the other
16 youth agencies will do it, and substance abuse
17 services will do it. I do want to just thank
18 everyone for maybe what they have done in their
19 lifetime for youth. But if this stands today,
20 there will be a lot of hurt people.

21 Excuse me for my tears. I'm just
22 thinking of what will take place for our agency
23 in one week from today, after June 30. And
24 actually some of our staff are looking at this
25 now online. There's not too much more I can say.

2 All of the other people have spoken what it will
3 mean. Now I guess the statistics will show what
4 it will mean if we don't get no assistance or
5 find other means of being able to do what we do.

6 Thank you for your time.

7 CHAIRMAN SCHMITT: Thank you.

8 Victor Santiago.

9 MR. SANTIAGO: Good evening. My name is
10 Victor Santiago. I'm one of the fellow staff
11 members at the Hicksville Boys and Girls Club.
12 First, I'd just really like to talk quickly about
13 my past.

14 From age 13 to 18, five years, I've been
15 going to the Hicksville Boys and Girls Club
16 myself, as a kid. And growing up with a single
17 mother, it's really the one thing that I needed.
18 Eighteen, I graduated Seaford. I had moved to
19 New Jersey for three months with my dad, before
20 moving back to Long Island. I turned down
21 becoming a sheet metal worker, making \$100,000 to
22 \$120,000 a year, to do what I really wanted to do
23 and help these children, you know, make a
24 difference.

25 I now just graduated Nassau Community

2 College in May. I was one of those kids getting
3 bullied in middle school and throughout high
4 school, and this was the one place I went to, the
5 Hicksville Boys and Girls Club. It really made a
6 difference in my life. I'm now a youth
7 development professional there.

8 It stinks that everyone left. I was
9 going to ask the kids to get up. But if you guys
10 can stand up for me. Anyone 19 and under, just
11 stand. These are really the people that you're
12 putting down right now. I'm sure there are a lot
13 more than you know. You guys can put up the
14 signs, too. Go ahead.

15 This is what was going on outside last
16 week, rallying. You didn't get a chance to see
17 it yourself, but now you get to look at it. I'm
18 sure that everyone here cares about this.

19 These are all the kids that are
20 representing themselves and their communities.

21 I have a poster here that you guys have
22 seen. Peter Schmitt, can you read this really
23 quick? We had just done a car wash on Saturday
24 to raise money for Relay for Life, for people
25 with cancer. Do you know what other services are

2 going to be taking their time out to do things
3 like this? Are you guys going to raise money for
4 these causes as well as other ones? I don't
5 think so. You know why? Because you don't have
6 time, but we do. That's why you guys, as elected
7 officials, need to come together and give us that
8 time to give back to our communities that you
9 guys represent.

10 I know one of your fellow republicans,
11 Rose Walker, you're going to be walking with us
12 on June 29 for Relay For Life for cancer. I was
13 actually going to get everyone involved or
14 whatever. What is your name, Miss?

15 LEGISLATOR DeRIGGI-WHITTON: Delia
16 Whitton.

17 MS. SANTIAGO: Delia Whitton. Okay.
18 You have three kids, correct? How many others up
19 there have kids, children? Okay. Most of you.
20 I guess apologize to yourselves then for putting
21 your children in a worse position for their
22 future.

23 I hope you see where I'm coming from.
24 I'm just really stumped as to why you guys can't
25 use the contingency fund. It's extra money,

2 that's real money that is meant for nothing
3 specific. But you have \$13 million leftover from
4 2011. You can't take eight million out and find
5 money elsewhere to bring it back?

6 I'm just going to make one last point and
7 just say these kids in our facility, that go
8 there, their parents don't even know where they
9 are half the time. But they're with us. They're
10 in a safe, positive environment, and an
11 educational environment. So without these Nassau
12 County services that everyone has come here to
13 use, what's going to happen? It's going to be
14 political suicide.

15 Kevan Abrahams, I know there was another
16 man last week that spoke. And you guys might
17 know this, but we were fighting mad for the past
18 two weeks, and we're going to keep doing it now.

19 Thank you very much.

20 LEGISLATOR ABRAHAMS: Mr. Santiano, just
21 so you know, you had mentioned using the
22 contingency for the eight million, which I guess
23 has debated whether or not it's four million or
24 eight million. We actually agree with your
25 position, just to let you know that.

2 Unfortunately, like minds do not agree with
3 yourself and us. Unfortunately. Just to let you
4 know. That wasn't a universal position up here,
5 I believe.

6 MR. SANTIAGO: There is money elsewhere.

7 LEGISLATOR ABRAHAMS: Yes. And that
8 money is already being used to pay for the \$40
9 million in tax certs, the very issue that you're
10 being tied to. It's a policy decision,
11 unfortunately. A policy that we do not support.
12 But we are only nine members in the minority of
13 the legislature. As well as this is a decision
14 strictly made by the county executive.

15 MR. SANTIAGO: Thank you very much.

16 LEGISLATOR ABRAHAMS: But thank you for
17 coming.

18 CHAIRMAN SCHMITT: Thank you.

19 Ann Petraro.

20 (No verbal response.)

21 She left.

22 Julie Ann Sabino.

23 MS. SABINO: Hi. I'm Julie Sabino. I'm
24 the project director at the Harriet Eisman
25 Community School. Crap. I said I wasn't going

2 to cry. And Mr. Solages, I'm a graduate of H.
3 Frank Carey High School.

4 You heard from my boss, Dr. Smith, you
5 heard from my kids, and now it's my turn. And
6 I'm the angry mother, like an angry bear trying
7 to protect her cubs. You should be ashamed of
8 yourself. I'm so angry. These kids woke up
9 early. They stayed here all day. They believed
10 that this was going to go their way because this
11 is what they need. And all these degrees, and
12 all the money that was spent on your education,
13 you can't put your brains together and figure it
14 out?

15 I teach these kids that bullying is
16 hurtful. And this is political bullying. And
17 Mr. Nicoletto, you can look at me because I
18 looked at you when you were speaking.

19 I am so ashamed. Political bullying
20 where the children are the victims. These kids
21 and the 65 others that are back at school waiting
22 for me to come and tell them that they may as
23 well not come anymore because they're not going
24 to get their diploma. And how can I encourage
25 these kids, who are finally of voting age, to

2 vote? How can I do that when their political
3 reference point is begging legislators to keep
4 their future part of their life? You're taking
5 their dreams away from them. What are you doing?

6 Our job is to help kids, and we do our
7 job every day. And it's your job to figure it
8 out. I'm disgusted.

9 CHAIRMAN SCHMITT: James Morse.

10 MR. MORSE: My name is James Morse, and
11 I'm the director of residential services for Mary
12 Haven Center of Hope. And I had come here today
13 because I did want to make one comment or a
14 couple of comments. And I appreciate you guys
15 explaining the political -- what's happening
16 politically.

17 I've been in this field for 28 years, and
18 I run a program called New Hope, which is 100
19 percent state funded program. So I'm not here
20 for the sole purpose of protecting my program.
21 But what I am here to say is that what I've seen
22 -- we run a crisis center, and that's a state
23 funded program. We do about 1,000 admissions a
24 year -- chemical dependency. And what I have
25 seen in Nassau County in 28 years is absolutely

2 unprecedented. And I know Jamie Bogenshutz said
3 you're going to read about it in the papers. The
4 problem is you're not going to and you are not
5 reading about it in the papers because what we
6 have seen that's unprecedented in Nassau County
7 currently is the number of accidental overdoses
8 that is happening to those children.

9 I'm seeing -- obviously you know the
10 change that we have seen from crack to heroin to
11 pills, and you've seen the big ticket items in
12 the newspapers -- the pharmacies and all of that.
13 But the families, the families of the accidental
14 overdoses, you're not seeing in the newspaper.

15 Several Thursdays ago I came to work and
16 there was a voicemail from a father who had been
17 in New Hope, and his son hadn't been in there for
18 a couple of months. He said my son is dead, and
19 it's an accidental overdose. We're seeing white,
20 middle class, any high school in Nassau County --
21 from back then, they're now 22, 23, they're
22 males, they're females, there are more females
23 than there are males, and they're dying of
24 accidental overdoses. It's not on purpose.

25 The father said, when he called me and he

2 said that his son had overdosed, he said there
3 were four overdoses, accidental -- this is in
4 April, the same day that his son and an 18 year
5 old girl the next day. That's five accidental
6 overdoses in one day. There is an absolute
7 silent epidemic of accidental overdoses.

8 So when we get to the \$150 million and
9 we're looking at -- there were some really great
10 things, for me, things that were being said about
11 choices that have to be made. So when we're
12 talking about choices, we're talking about I
13 would think that we would start with the life and
14 death, and we start with the -- there's a medical
15 epidemic that's happening in Nassau County. I
16 don't know if there is any way, when they throw
17 them back into that mix of the \$150 million and
18 making choices, can anybody get to the medical
19 examiner's office? Because I can't get those
20 stats.

21 VOICE: Your three minutes have expired.

22 MR. MORSE: I spoke to the medical
23 examiner myself, and she said every single day
24 they're dealing with this. So, if there's
25 anybody that can get some stats from the medical

examiner's office of how many accidental overdoses have there been in Nassau County of our children in 2012 and 11. Maybe that will do something. I don't know.

VOICE: Your three minutes have expired.

MR. MORSE: Thank you.

CHAIRMAN SCHMITT: Lionel Chitty.

MR. CHITTY: Good afternoon.

CHAIRMAN SCHMITT: This is the last slip that I have. And right after that we will go into a meeting of the Rules Committee.

MR. CHITTY: My name is Lionel Chitty. I'm the President of the Hicksville Chamber of Commerce. Thank you for allowing me to speak today.

I just wanted to basically say that this country was built basically with everybody working together. And I'm quite sure we'll be able to get through this. So we implore you to please work together to get past this. I'm going to be meeting with some of the local agencies here so we can have a plan to help them get through this. We all understand that we need to tighten our belts. But again, we understand and

2 we do implore you to come to some type of
3 agreement in order to get past this.

4 Thank you very much for your time.

5 CHAIRMAN SCHMITT: Thank you.

6 Legislator Abrahams.

7 LEGISLATOR ABRAHAMS: Thank you.

8 I just have something real quick. I
9 wanted to wait for everybody to speak. Obviously
10 everybody's left, so not too many people are
11 going to hear this. But I think it serves
12 prudent that we correct the record.

13 Number one. The Presiding Officer cited
14 a letter that has been described as, as he sees
15 it, in regards to opposition on bonding for the
16 county. But I just want to make sure the record
17 is very clear.

18 There was a part of the letter that the
19 Presiding Officer chose not to read into the
20 record. The line states, Of course, the caucus
21 will continue to vote for responsible bond
22 ordinances to pay for prudent legal settlements.
23 I think what the Presiding Officer also missed in
24 his commentary is that this side of the aisle has
25 supported bonding, not just once, not just twice.

2 We supported the bonding for the CSEA incentive,
3 which basically helped the county save money, as
4 county workers were allowed to leave the county
5 under an incentive program, and then we supported
6 the same thing for the police unions. Both items
7 requiring probably close to 70 to \$80 million in
8 bonding.

9 So, from the standpoint to stay, yes, the
10 letter said what the letter said. But to use the
11 letter out of context I think is not prudent for
12 this particular matter.

13 CHAIRMAN SCHMITT: I would be happy to
14 concede that point. And it was my error in not
15 making the entire letter part of the record,
16 which I would like to do at this point now.

17 LEGISLATOR ABRAHAMS: Thank you.

18 CHAIRMAN SCHMITT: I'm going to call the
19 meeting of the Rules Committee --

20 MS. SANFORD-GUISE: Excuse me. I had
21 put in a separate slip.

22 CHAIRMAN SCHMITT: You already spoke
23 already, ma'am.

24 MS. SANFORD-GUISE: No. I had put a
25 slip in for a separate issue, not to combine them

and confuse them. And it won't take long.

CHAIRMAN SCHMITT: No, no. It doesn't work that way.

MS. SANFORD-GUISE: Well, then when I mentioned that was the reason to the person who took the forms, she should have informed me of that I would have done the two together.

CHAIRMAN SCHMITT: I understand that. But we have --

MS. SANFORD-GUISE: But this is a timely thing. It has to do with the NYCE Bus that changed the schedules yesterday, June 24, without notice to its ridership and to many of its bus drivers. So I really would suggest -- it's just a request that whomever is in charge of the oversight committee, maybe they should do some oversight.

There was no announcement. There are still announcements in the bus saying there is going to be a schedule on April 8, 2012, but there is no notices of the changes that went into effect yesterday.

CHAIRMAN SCHMITT: Ma'am, where exactly do you live?

2 MS. SANFORD-GUISE: Where exactly do I
3 live?

4 CHAIRMAN SCHMITT: Yeah. Valley Stream?

5 MS. SANFORD-GUISE: On the N-1.

6 CHAIRMAN SCHMITT: Why don't you call --
7 it's five o'clock now. We can't do anything now.

8 MS. SANFORD-GUISE: I'm not asking you
9 to do anything now. I'm asking you --

10 CHAIRMAN SCHMITT: If you had called --

11 MS. SANFORD-GUISE: whoever is in charge
12 of oversight -- and I also think you need to know
13 that for your constituents.

14 CHAIRMAN SCHMITT: If you had called
15 your legislator instead of waiting to stand up
16 here and make a grandstand, we could --

17 MS. SANFORD-GUISE: It's not a
18 grandstand, sir.

19 CHAIRMAN SCHMITT: have had an answer
20 for you by now.

21 MS. SANFORD-GUISE: I don't want to be
22 babied by you. I don't like being babied by
23 people.

24 I have put this in process with my
25 legislator, who is aware of this.

2 CHAIRMAN SCHMITT: I'll take a motion to

3 --

4 MS. SANFORD-GUISE: But you all have
5 constituents -- he's not responsible for

6 informing your constituents that there were some

7 --

8 CHAIRMAN SCHMITT: I will take a motion
9 to adjourn the Full Legislature, please.

10 MS. SANFORD-GUISE: major changes
11 yesterday.

12 LEGISLATOR GONSALVES: So moved.

13 LEGISLATOR MUSCARELLA: Second.

14 CHAIRMAN SCHMITT: Motion by Legislator
15 Gonsalves, seconded by Legislator Muscarella.

16 All those in favor of adjournment please
17 say aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 We stand adjourned.

22 (Whereupon, the Full Legislature
23 adjourned at 4:51 p.m.)

24

25

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 2nd day of July, 2012.

FRANK GRAY