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3 **BUDGET AND FINANCE COMMITTEE**
4
5 **OF THE**
6
7 **SUFFOLK COUNTY LEGISLATURE**
8
9 **MINUTES**

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11 A meeting of the Budget and Finance Committee of the Suffolk County
12 Legislature was held in the Rose Y. Caracappa Legislative
13 Auditorium of the William H. Rogers Legislature Building,
14 725 Veterans Memorial Highway, Smithtown, New York, on Tuesday,
15 March 21, 2017 at 10:30 a.m.

16
17 **Members Present:**

18 ***Legislator Monica Martinez - Vice Chair***
19 Legislator Thomas Barraga
20 Legislator Kate Browning
21 Legislator Leslie Kennedy
22 Legislator Steven Stern

23
24 **Members Not Present:**

25 Legislator Lou D'Amaro - Chairman (excused absence).
26

27 **Also in Attendance:**

28 George Nolan - Counsel/Suffolk County Legislature
29 Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature
30 Robert Lipp - Director/Budget Review Office
31 Thomas Corcoran - Budget Review Office
32 Michael Pitcher - Aide to Presiding Officer Gregory
33 Bob Fonti - Aide to Presiding Officer Gregory
34 Justin Littell - Aide to Legislator D'Amaro
35 Debbie Harris - Aide to Legislator Stern
36 Katie Horst - County Executive's Office
37 Ali Nazir - Aide to Legislator Kennedy
38 Seth Squicciarino - Aide to Legislator Hahn
39 Zachary Baum - Aide to Legislator Hahn
40 John Kennedy - Suffolk County Comptroller
41 Elizabeth Guerriero - Director of Municipal Finances/Suffolk County
42 Comptroller's Office
43 Lynne Bizzarro - Chief Deputy County Attorney
44 Katie Horst - Director/Intergovernmental Relations-CE's Office
45 Beth Reynolds - Budget Office/County Executive's Office
46 Frederick Putnam - J.P. Morgan
47 James Morcerf - Northport Historical Society
48 Rick Brand - Newsday
49 All Other Interested Parties

50
51 **Minutes Taken By:**

52 Alison Mahoney - Court Stenographer

53
54 **Minutes Transcribed By:**

55 Denise Weaver - Legislative Aide
56

(*The meeting was called to order at 10:41 A.M.*)

VICE-CHAIRWOMAN MARTINEZ:

Good morning and welcome to today's Budget & Finance Committee. If we could all rise for the Pledge of Allegiance to be led by Legislator Kennedy.

Salutation

Thank you. Okay, again, welcome. We're going to proceed with our agenda. Please note for the record that Legislator D'Amaro is not here, he does have an excused absence.

We would like to now bring our Suffolk County Comptroller, John Kennedy, who will speak before the committee on two CN's that are coming before us on Tuesday, March 28th.

COMPTROLLER KENNEDY:

Hi. How are you? Can I bring another chair over here?

MS. ELLIS:

Yeah, certainly.

COMPTROLLER KENNEDY:

Good morning, Madam Chair. And thank you for the opportunity to be before the committee today. We're here to go ahead and speak to the committee about one CN that we have, Madam Chair, that represents closeout on two Capital Projects. This is being brought before you at this point in CN fashion as a result of the schedule and some of the work that we've been doing with Bond Counsel. Just to summarize for you, we are going into the market again for refinancing on 136 million of existing bonded indebtedness covering issuances that -- one small piece from 2008, issuances in 2009 and issuances in 2010 as well.

I should also add for the record, I'm being joined here today with my Director of Municipal Finances, Beth Guerriero. She is my lead principal when it comes to both our short-term and long-term financing work. And in the course of doing our due diligence with the departments statusing what probably was 40, 50 maybe 60 projects all told across all the issuances, it was determined that there are a couple of projects that previously funding had been requested for but for whatever reason departments then decided not to move forward with the particular initiatives. Bond Counsel has indicated to us that we must go ahead and close out these two projects in order to continue to be eligible for the benefits and the savings that we'll realize. The good news here, Madam Chair, is that we will realize roughly four million in interest savings by going into the market at this point and taking advantage, probably for the last time during my term, of the ability to buy-down existing debt as the Federal Chairwoman Yellen starts to raise the Federal interest rate and we get closer to what the existing rates are.

1 So, you know, Legislators don't like surprise. I've always, you
2 know, believed that it's my responsibility to come before you and
3 to explain what the basics are, give you the opportunity to ask us
4 the substantive questions so that come next Tuesday hopefully it
5 won't be something that is a head scratcher and everybody will
6 realize the need for it.

7
8 **VICE-CHAIRWOMAN MARTINEZ:**

9 Thank you, and that's greatly appreciated. So just a quick
10 question, John, and I know some Legislators have questions. But
11 out of the 2008 to 2010, it's \$136,000 bond; those are 40 to 50
12 projects?

13
14 **COMPTROLLER KENNEDY:**

15 Let me pass to Beth because she did the due diligence.

16
17 **MS. GUERRIERO:**

18 So each borrowing, each issue, there was five issues -- there was
19 five issues that were candidates for current refunding and of each
20 issuance, which -- you know, new money issue included approximately
21 150 projects each. Bond Counsel identifies only certain projects
22 that may have private use that we have to identify. So out of the
23 five issues that are gonna be refunded, there was probably about a
24 100 projects that we had to vet.

25
26 In this particular case we were looking at funding of original bond
27 proceeds that hasn't been spent yet, and the Federal IRS code says
28 if you don't have a need to spend the money you cannot refinance
29 it. And so in this particular case this is -- at the end of the
30 day, these are the two projects that don't qualify to be included.

31
32 **VICE-CHAIRWOMAN MARTINEZ:**

33 Can you go a little deeper into what these two projects are?

34
35 **MS. GUERRIERO:**

36 So the first project is the master plan for Gabreski Airport --
37 Gabreski Airport, excuse me, and it's a project that was completed
38 and came in under budget and so this \$18,000 is not needed anymore.

39
40 The second project is -- you know, the title is there, it's for the
41 burn pits out at the police fire academy, and I believe that this
42 project was abandoned and was replaced in a different Capital
43 Project in the program.

44
45 **MR. LIPP:**

46 This is probably used as an offset.

47
48 **COMPTROLLER KENNEDY:**

49 The money was never utilized. We don't think it was an offset, the
50 money was just never utilized. But again, as I had explained,
51 Madam Chair, this apparently was a change in decision on the part
52 of the department about how best to proceed.

53
54 The other thing that I would like to suggest or remind the
55 committee is that the -- and I don't want to speak for the
56 Administration, but I believe the Administration is in support of

1 this; correct? Well, we got the CN.

2

3 **VICE-CHAIRWOMAN MARTINEZ:**

4 We have Katie coming up.

5

6 **MS. HORST:**

7 It's my understanding that the departments are okay with these
8 closeouts.

9

10:48AM

10 **VICE-CHAIRWOMAN MARTINEZ:**

11 Thank you. Any questions?

12

13 **LEG. STERN:**

14 Yes.

15

16 **VICE-CHAIRWOMAN MARTINEZ:**

17 Legislator Stern.

18

19 **LEG. STERN:**

10:48AM

20 Welcome, Mr. Comptroller, and good to see you. So with the news
21 that -- that rates, interest rates have increased, they will
22 continue to increase if we -- if we follow what the Fed is saying
23 then perhaps more than one more time even this year. So while the
24 race is on now to do the best we can in the market, it's not just
25 this one time, there's going to be continued increases going
26 forward.

27

10:48AM

28 So my question to you is have we had that conversation with our
29 bond representative? And what kind of timing does it usually take
30 for these increases to work its way through the markets to the
31 point where we really do need to act yesterday as opposed to
32 waiting to see what's going to happen in the next couple of months.

33

34 **COMPTROLLER KENNEDY:**

35 All good questions, as always, Legislator Stern. So this refunding
36 that we have been contemplating actually has been percolating since
37 last fall. When you look at the wheel -- when I say the wheel,
38 actually I should say the calendar as far as how we go into the
39 market both for long-term and short-term, recall that each December
10:49AM 40 we go in for a fairly large note, the Tax Anticipation Note, 410
41 million. There is a certain element of you can't be too much into
42 the market with competing types of initiatives. So while we began
43 some of the due diligence, it was a business decision to roll
44 forward into the beginning of this year to actually in earnest
45 begin to commence the refunding process, and the RFP or the
46 solicitation actually commenced in mid-February, I believe it was.
47 That's how much lead time we have to have in order to assemble,
48 test the waters, get who may be prospective underwriters; in this
49 case we have a consortium between Ramirez, Jeffries and Roosevelt
10:50AM 50 and Cross.

51

52 **MS. GUERRIERO:**

53 And Citibank.

54

55 **COMPTROLLER KENNEDY:**

56 Yes, and Citibank. We got very -- relatively competitive offers,

1 good interest on the part of the finance community, probably about
2 seven or eight bids, I believe, that came in from the initial RFP
3 and, so you go forward from there.

4
5 Capital Markets did crunch the numbers for us, gave us some
6 analysis, we had independent analysis on our side. We came to what
7 was the best rate for us, the best offer that had the maximum yield
8 and savings and that was Ramirez, and that brings us to what's now
9 into a fairly lockstep process as far as where we're going. We
10 have ratings agency calls tomorrow; two of them with S&P and with
11 Fitch. We have the subsequent due diligence call come next Monday,
12 we will go into the market to sell I believe on April 4th. We will
13 close on April 13th for the RAN, the Revenue Anticipation Note, and
14 we will close somewhere near the end of the month -- the 26th, I
15 believe it is -- on the refunding. So what we have before you is
16 an opportunity that actually started to evolve and get gelled up in
17 the latter part of '16.

18
19 So further to your point, what do we look at as we go forward
20 throughout the balance of this year. Again, the good news is we
21 have held the line on the Revenue Anticipation Note, still at 45
22 million. The Bond Anticipation Note, which reflects the fifth year
23 of paydown on the Corrections Officers arbitration award, is now at
24 nine million, and that will be retired within the course of by this
25 time next year; we will have completely paid that off and no
26 longer have that as a debt obligation.

27
28 We will -- candidly, the next significant effort on our part will
29 be the Spring General Obligation Bond. I will offer to each one of
30 you that we have been extremely vigilant and conservative,
31 candidly. Our GO bonds have been going out on average between 45
32 and 50 million; prior to my time that amount was going as high as
33 70 to 75 million. At a time when we are all very mindful and
34 cognizant of what we need to do to keep the ship afloat, we are
35 trying to keep as tight a leash as we can on what the asks and the
36 requests out of the department are, at the same time mindful of the
37 fact that, you know, we've got to put shingles on the roof, we've
38 got to replace the boilers, we have to do -- there's wants and then
39 there's needs.

40
41 So that's pretty much where we're looking at. The GO's, the Spring
42 and the Fall, we will be subject to whatever the rates are out
43 there at that point. But we still have that ability, as I said, to
44 go ahead and be frugal in what we actually go out into the market
45 for and underwrite. We'll do a DTAN in August, again, that'll be
46 probably about 105 million, and then I as assume that we'll be back
47 out again next November or December for the Tax Anticipation Note;
48 all functions of the Tax Act.

49
50 **LEG. STERN:**
51 Thank you.

52
53 **COMPTROLLER KENNEDY:**
54 You're welcome.

1 **VICE-CHAIRWOMAN MARTINEZ:**

2 Thank you. Any other questions from the committee? Legislator
3 Barraga.

4
5 **LEG. BARRAGA:**

6 Based on Yellen's comments, you know, we're possibly looking at
7 rate increases of maybe two or three times in the next nine to
8 twelve months.

9
10 **COMPTROLLER KENNEDY:**

11 Yes.

12
13 **LEG. BARRAGA:**

14 Is there any way of ratcheting up the fall bonding, making it
15 sooner so we can get the better rate? Because the way it's -- you
16 lined it up, you're sort of subject to the -- to those rates at
17 that time. Is there any way of doing it sooner, legally?

18
19 **COMPTROLLER KENNEDY:**

20 I think there's two parts to that answer, Legislator Barraga.
21 First of all, legally, yes, absolutely, we can go out there sooner.
22 What I will suggest to you is that -- and I'm going to defer to
23 Beth for some of the actual process that we go through. All the
24 initiatives begin here with the authority to go ahead and borrow
25 and the resolutions that are put before you and the decisions that
26 are made by this body.

27
28 **LEG. BARRAGA:**

29 Specifically the Fall borrowing; can you get that sometime maybe in
30 June or July versus September or October?

31
32 **COMPTROLLER KENNEDY:**

33 It probably would be a challenge for us to go ahead and try to do
34 it prior to the August DTAN. Remember, we have the Delinquent Tax
35 Anticipation Note that's going out in August. Now, we have talked
36 about the possibility of blending them, a \$100 million GO issuance
37 in June or July would be probably quite a bit of challenge. And
38 part of what you're looking at -- and this is where I want to defer
39 to Beth -- is the timing aspect. Remember, as we go into the
40 market and we procure the money, just as we've laid before you, we
41 have 72 million that we're looking to extinguish that we've paid
42 interest on for nine years. So as we go earlier we incur interest
43 expense earlier and it's a function of the department being
44 prepared to commence; are the permits in place, have they done all
45 of the approvals and consents that they need to? Much of this
46 actually is dependent upon, you know, the DEC permit, the Army
47 Corps of Engineers permit, the other things that actually allow us
48 to do the initiatives that you funded.

49
50 **LEG. BARRAGA:**

51 I understand the challenges associated with it, but my concern is
52 that if it's done earlier the rates are lower.

53
54 **COMPTROLLER KENNEDY:**

55 Yes.

1 **LEG. BARRAGA:**

2 The longer you wait, and especially with the possibility with what
3 the Fed is proposing --

4
5 **COMPTROLLER KENNEDY:**

6 No doubt.

7
8 **LEG. BARRAGA:**

9 -- while the economy is relatively strong, you know, if you wait
10 till September and October, November, you'll liable to get a much
11 higher rate then.

12
13 **COMPTROLLER KENNEDY:**

14 We're mindful of that and we'll talk to the Administration about
15 whether there's an ability to go ahead and try to ramp it up. But
16 I do need Beth to weigh in on it.

17
18 **MS. GUERRIERO:**

19 One of the criteria is for the DTAN, the cash flow borrowing. We
20 really can't borrow until the previous year's is paid off, and so
21 that is a timing problem where kind of where we are with the
22 maturity date, it can't be changed. We attached the Fall capital
23 borrowing on the same official statement to maximize, you know,
24 cost savings by only have having one rating call, one cost of
25 issuance, it's almost like a composite borrowing. We have, you
26 know, just recently reattached them, for the last two years they've
27 have been issued together, but prior to that they were separated
28 based on cash flow needs. So for this year it's probably not
29 possible to advance the borrowings earlier in the year, unless we
30 separated the Series B which would then just be right on the heels
31 of the Series A.

32
33 **COMPTROLLER KENNEDY:**

34 But we will take a look at it, Legislator Barraga, and actually try
35 to weigh the additional interest expense associated with the
36 issuance cost.

37
38 **LEG. BARRAGA:**

39 Because, you know, the way the economy is going now, it's
40 relatively strong, they're probably going to increase the rates at
41 least two or three times.

42
43 **COMPTROLLER KENNEDY:**

44 Sure.

45
46 **LEG. BARRAGA:**

47 And in this country, for the last ten years, they've effectively
48 destroyed individual savings. And, you know, at some point even
49 though there isn't a direct relationship between the rate increases
50 and what you get on certificates of deposit, there is an indirect
51 relationship; you're find that the banks are starting off with
52 more. So it was a great deal for municipalities and corporations
53 and whatnot in terms of bonded debt, but, you know, that shift is
54 going to change and I'm just concerned that maybe if you get out
55 there sooner while you still get these great rates as opposed to
56 having to wait later, then, you know, it becomes a little more

1 challenging.

2

3 **COMPTROLLER KENNEDY:**

4 What I will also suggest to you is that the market is mindful --
5 and, again, you know this from, you know, all of your years in the
6 various offices. The market is mindful of what the actions will be
7 with the Fed. And in fact, the rate that we have on this buy-down
8 was projected into what the bids were that the funding houses
9 submitted to us in late February and early March; they knew that it
10 was going to be at least a quarter point. It could have been a
11 half point, which then may have made this refunding opportunity
12 evaporate.

10:59AM

13

14 So, again, mindful to looking at the Fed's schedule and running up
15 to when we go out there, oftentimes the finance houses will build
16 in at least one jump, sometimes two.

17

18 **VICE-CHAIRWOMAN MARTINEZ:**

19 Legislator Stern.

10:59AM

20

21 **LEG. STERN:**

22 So what you're saying -- regardless and notwithstanding the DTAN
23 issue coming up in the summer, if I'm hearing you correctly, while
24 it might make sense from a rate point of view, and if we're picking
25 up the paper and we're reading the news and we see what the impact
26 is going to be forward.

27

28 **COMPTROLLER KENNEDY:**

29 Yes.

11:00AM

30

31 **LEG. STERN:**

32 If the projects aren't ready to go forward, there's a cost benefit
33 analysis to do there and --

34

35 **COMPTROLLER KENNEDY:**

36 Absolutely.

37

38 **LEG. STERN:**

39 -- at the end of the day, chasing the rate sooner, earlier, may not
40 necessarily even give us the benefit that we're looking for
41 ultimately.

11:00AM

42

43

44 **MS. GUERRIERO:**

45 I'd also like to add another consideration. The Comptroller
46 analyzed doing maybe one capital borrowing a year, and it would be
47 a very difficult determination for the some of the departments to
48 project that amount of time in advance and that would become -- if
49 a project came up and it -- it had a high-ranking that it needed to
50 be addressed immediately, the Operating Budget would have to
51 advance that money to that project, and so that's a cash flow
52 consideration as well.

11:00AM

53

54

55 **COMPTROLLER KENNEDY:**

56 There's one final aspect that we have to be mindful of as well,
which in my time so far has not been an issue, but again, it's a
factor of increased interest rates and that's the arbitrage factor.

1 We can never be in a position where the funds that we have procured
2 and borrowed begin to throw interest beyond where our expense is.
3 So we constantly have to go ahead and monitor what they're throwing
4 in comparison to the debt interest and the cost side. Talk about
5 high finance; huh?

6
7 (*Laughter*)
8

9 **VICE-CHAIRWOMAN MARTINEZ:**

10 Thank you. Any other questions? Dr. Lipp.

11
12 **MR. LIPP:**

13 So before you were talking about what the fiscal impact is. Could
14 you, A, repeat what the overall savings would be; and B, do you
15 have a number for 2017 through 2018 as we prepare our budget to see
16 if we're ahead of the game or behind our game?

17
18 **COMPTROLLER KENNEDY:**

19 (*Laughter*). What time is it, Robert? Wait a minute.

20
21 **MR. LIPP:**

22 Okay. So I'm always thinking ahead and we can do this off-line and
23 I'll give you a call.

24
25 **COMPTROLLER KENNEDY:**

26 But to your point, actually let us restate for the record what we
27 have as far as the expected interest savings on the refunding; four
28 million and change, right? Approximately four million.
29 Approximately four million on roughly 136 million and change of
30 existing outstanding debt for a small issuance in '08, a couple of
31 issuances in '09 and a couple of issuances in '10. Candidly,
32 anything closer than that is -- it's too new, we don't have the
33 opportunity to go ahead. We would have to escrow far too much for
34 what we would get as far as interest by then. We all good?

35
36 **LEG. STERN:**

37 Uh-huh.
38

39 **VICE-CHAIRWOMAN MARTINEZ:**

40 Yes. Comptroller, just for the record, I want to make sure that
41 you that you will be making yourself available on Tuesday during
42 the General Session just in case.

43
44 **COMPTROLLER KENNEDY:**

45 Yeah, I think so (*laughter*). I'll be here. I'll be here.
46

47 **VICE-CHAIRWOMAN MARTINEZ:**

48 Thank you.
49

50
51 **COMPTROLLER KENNEDY:**

52 All right. Thank you, everybody. Thank you, Madam Chair. Have a
53 great day. You too.

54 **MS. GUERRIERO:**

55 Thank you.
56

1 **VICE-CHAIRWOMAN MARTINEZ:**

2 You, too.

3
4 Okay, moving on with our agenda. We -- we will go straight to the
5 agenda and our Tabled Resolutions.

6
7 **(*Tabled Resolutions*)**

8
9 We do have with us Mr. Morcerf, and just to bring him up. But I
10 would like to make a motion to approve **Tabled Resolution 1031-2017,**
11 **which is approving 2017 funding for a contract agency (Northport**
12 **Historical Society) Spencer.** Second by Legislator Stern. And on
13 the motion, Mr. Morcerf.

14
15 **MR. MORCERF:**

16 Yes, good morning. Thanks for taking the time to listen to this
17 issue. We're a library located on Main Street, Northport Village
18 in a building that was originally donated by the Carnegie
19 Organization over 100 years ago.

20
21 Anyway, the issue that was identified is that our operating
22 expenses are a little bit higher than what we'd like to see,
23 slightly higher. And we took the time to meet with our CPA firm
24 and review the numbers and we identified that at least -- you know,
25 the amount of the discrepancy is around 1% on an operating budget
26 of approximately \$100,000 a year. So there's around about 100,000
27 that we believe was -- or more than that -- I'm sorry, there was
28 about \$3,500 that was put against operating expenses where it
29 should have been with program expenses. So we're working with our
30 accountants to have our 990 reissued and adjusted to make that
31 correction. We think there's probably more, you know, money that
32 was alined with operating expenses and not with program expenses.
33 So that's what we expect to see and that should put the numbers in
34 line with what we're trying to find.

35
36 Going forward, we have -- we are -- we have come into the age now
37 with a new bookkeeper and we have been using a certified accounting
38 firm that has a speciality in looking at non-profits. So we think
39 that we'll be able to clean up our act a little bit better going
40 forward; I don't know if that's a good terminology to use. But
41 we're aware of the issues and we believe that just the way we've
42 been operating has been proper, it just hasn't been recorded
43 properly. So any questions on that?

44
45 **VICE-CHAIRWOMAN MARTINEZ:**

46 Yes, Legislator Stern has a question for you.

47
48 **LEG. STERN:**

49 Thank you, Madam Chair. Welcome.

50
51 **MR. MORCERF:**

52 Thank you.

53
54 **LEG. STERN:**

55 Thank you for being with us today. So many times when
56 organizations will come before us and we'll have this very

1 conversation, the number that we're looking at for one reason or
2 another is a number that is going to be adjusted. But what you're
3 saying here is the number that is before us, the percentage that it
4 is over -- that's the number, that's the number that the
5 accountants that you work with have been able to get you to and
6 that that's the number that we're looking at. This is not a number
7 that you're looking to change. I understand that over time
8 perhaps --

9
10 **MR. MORCERF:**
11 Right.

12
13 **LEG. STERN:**
14 -- there'll be reflected changes based on how the reporting goes
15 and how the operation goes, so I understand that. But for purposes
16 of 2016 and 2017, this is, in fact, the number.

17
18 **MR. MORCERF:**
19 That's right.

11:06AM

20
21 **LEG. STERN:**
22 Okay. And so let me ask you this; have you or any other
23 representative of the organization, have you had the opportunity to
24 speak with any representative in the Comptroller's Office and have
25 them sign onto this number?

26
27 **MR. MORCERF:**
28 No, not that I'm aware of. You mean Suffolk County Comptroller's
29 Office?

11:07AM

30
31 **LEG. STERN:**
32 Yeah.

33
34 **MR. MORCERF:**
35 No.

36
37 **LEG. STERN:**
38 Normally, the practice here has been -- and this is not a
39 requirement.

11:07AM

40
41 **MR. MORCERF:**
42 Okay.

43
44 **LEG. STERN:**
45 But normally the practice has been that if there is going to be a
46 number that goes above the 20%, that there is at least some
47 correspondence with the Comptroller's Office. And I don't believe
48 any of my colleagues believes it has to be a full-blown audit of
49 any kind, but some kind of conversation with a representative in
50 the Comptroller's Office to let them know that this is the number,
51 this is how we arrived at it, this is how we worked to get there
52 and these might be some of the things to look out for in the future
53 as that number is adjusted. So we have a motion to approve before
54 us.

11:07AM

1 **VICE-CHAIRWOMAN MARTINEZ:**

2 Yes.

3
4 **LEG. STERN:**

5 I'm going to support the motion to approve, but it is my hope that
6 perhaps between now and the General Session coming up on Tuesday
7 that you or someone have the opportunity to reach out to the
8 Comptroller's Office just to have that conversation and just to
9 make sure that they're cool with it as well.

11:08AM 10

11 **VICE-CHAIRWOMAN MARTINEZ:**

12 Legislator Kennedy.

13
14 **LEG. KENNEDY:**

15 Good morning. On the revised bill we are doing with 2016 and 2017
16 funds to give you?

17
18 **MR. MORCERF:**

19 That's -- I think that's my understanding, yes.

11:08AM 20

21 **LEG. KENNEDY:**

22 And you've handed in to the Comptroller's Office your accounting
23 for 2017 already?

24
25 **MR. MORCERF:**

26 No.

27
28 **LEG. KENNEDY:**

29 When will that be handed in?

11:08AM 30

31 **MR. MORCERF:**

32 We'll have -- generally, I think the funding that -- for '16 was
33 based on 2015 records.

34
35 **LEG. KENNEDY:**

36 Right, and for '17 you've gotten, I think, 3,000 and change more;
37 right?

38
39 **MR. MORCERF:**

40 Yes, yeah, yeah.

11:08AM 41

42 **LEG. KENNEDY:**

43 Okay.

44
45 **MR. MORCEF:**

46 So -- oh, you mean the grant request; is that what you're saying?

47
48 **LEG. KENNEDY:**

49 Right, we're doing '16 and '17 in this bill, but you haven't handed
50 in to the Comptroller '17 and you're saying that --

11:09AM 51

52 **MR. MORCERF:**

53 Okay, I understand what you're saying.

54
55 **LEG. KENNEDY:**

56 -- for 2017 it's 21.73% administrative costs without having done

1 it? I'm having a tough time here.

2
3 **MR. MORCERF:**

4 No, no, we -- no, we haven't -- we haven't submitted the grant
5 request, I guess that's what you're speaking to, for the 2017
6 funding; is that it?

7
8 **LEG. KENNEDY:**

9 We're voting on 2017 when it's not even in here?

11:09AM

10
11 **MR. NOLAN:**

12 It just authorizes the Comptroller, when the proper paperwork is
13 put in --

14
15 **LEG. KENNEDY:**

16 When the paper work --

17
18 **MR. NOLAN:**

19 -- for them to release the funding for both '16 and '17.

11:09AM

20
21 **LEG. KENNEDY:**

22 Okay. That was a little confusing to me. I'm glad we're doing it
23 the correct way (*laughter*). Okay, thank you.

24
25 **LEG. STERN:**

26 Madam Chair? Yeah, so I just heard and I feel obliged to mention
27 it for the record that Legislator Spencer, who represents the 18th
28 Legislative District where the organization is located, has
29 represented that he has, in fact, been in touch with the
30 Comptroller's Office.

11:10AM

31
32 **MR. MORCERF:**

33 Okay.

34
35 **LEG. STERN:**

36 Has had this very conversation. I'm told that the Comptroller's
37 Office has reviewed it and is fine with -- with going forward on
38 this resolution as well and that is certainly good to hear.

11:10AM

39
40 **MR. MORCERF:**

41 Okay, great. Thank you.

42
43 **VICE-CHAIRWOMAN MARTINEZ:**

44 Okay. Any other questions? All right, so we do have a motion to
45 approve followed by a second. All in favor? Opposed?
46 Abstentions? Motion carries. (**Approved -VOTE: 5-0-0-1 -**
47 **Not Present: Leg. D'Amaro**)

48
49 We continue with our tabled resolutions. We have resolution
50 **1107-2017 - Adopting Local Law No. -2017, A Charter Law to limit**
51 **County fee increases (Trotta)**. I'd like to make a motion to table
52 for public hearing.

11:10AM

53
54 **LEG. STERN:**

55 Second.

1 **VICE-CHAIRWOMAN MARTINEZ:**

2 Second by Legislator Stern. All in favor? Opposed? Abstentions?
3 Motion carries. (Tabled for Public Hearing - VOTE: 5-0-0-1 -
4 Not Present: Leg. D'Amaro).

5
6 (*Introductory Resolutions*)

7
8 Following with Introductory Resolutions, No. 1196, and that is
9 Authorizing certain technical corrections to Adopted Resolution
10 Nos. 915 and 916-2016 (Co. Exec.) I would like to make a motion to
11 also approve and place on the consent calendar.
12

13 **LEG. STERN:**

14 Second.

15
16 **VICE-CHAIRWOMAN MARTINEZ:**

17 Second by Legislator Stern. Do we have a question?

18
19 **LEG. KENNEDY:**

20 Yes, we have a question. So we voted on this in 2016 and it was
21 one of the first bills that we voted on, which we voted on thinking
22 that these charges were mandatory, and now we're saying, *Oh well,*
23 *they weren't mandatory.* Shouldn't we do a revote?
24

25 **MR. NOLAN:**

26 I'm going to defer to our good friends in the Budget Review Office
27 to explain this resolution.
28

29 **MR. LIPP:**

30 So the budget was recommended at and no changes were recommended
31 with the mandated items in the budget, the line items, and there
32 were no amendments by the Legislature to change that. That being
33 said, there are discretionary items that should have been put in --
34 that was an oversight, I guess, in the Recommended Budget and this
35 would check -- this would change that and the Comptroller's Office
36 needs to have that representation so they can see it in the budget
37 in order to do the spending. It's just a matter of categorizing it
38 as discretionary instead of mandated that would be the change.
39

40 **LEG. KENNEDY:**

41 Oh, I'm aware what the change is, Robert. I still think we should
42 do a redo on it.
43

44 **MR. NOLAN:**

45 Well, this in a way is a redo. You know, this is the opportunity
46 to -- and it isn't, I believe, in the nature of a technical
47 correction, I think it was a technical error. Would you agree with
48 that, Robert?
49

50 **MR. LIPP:**

51 I suppose so. I'm just not sure exactly what a technical error is,
52 that's why I suppose so.
53

54 **LEG. KENNEDY:**

55 When a Legislator reads a bill and sees that items on it are
56 mandated and then almost over a full year later we're told, *Ops,*

1 *that wasn't the case, they weren't mandated, there should be some*
2 *-- we should have some recourse to revote.*

3
4 **MR. NOLAN:**

5 But Legislator Kennedy, just so it's clear, the Legislature really
6 never voted on this. This was a representation in the proposed
7 budget given to us by the County Executive. We did an Omnibus
8 which --

9
10 **LEG. KENNEDY:**

11 Correct.

12
13 **MR. NOLAN:**

14 -- didn't address these pages of the proposed budget. And after
15 the fact it was a realization that one was put in as mandated, it
16 was really discretionary, then you have to make a technical
17 correction. So it's not like the Legislature actually voted on
18 this originally.

19
20 **LEG. KENNEDY:**

21 Well, we actually voted on the budget. I'm thankful I voted
22 against it, but still, it's kind of deceptive. This is a kind of
23 deceptive thing that we're doing right now, in my opinion. I'll
24 vote for it so that we can move on, but I'm still really shocked by
25 this bill, really shocked. Thank you.

26
27 **VICE-CHAIRWOMAN MARTINEZ:**

28 Thank you. Any other questions, comments? All right, so we do
29 have a motion to approve and a second to place on the consent
30 calendar. All in favor? Opposed? Abstentions? Motion carries.
31 *(Approved and Placed on the Consent Calendar - VOTE:5-0-0-1 -*
32 *Not Present: Leg. D'Amaro)*

33
34 There's no further business before the committee. We are
35 adjourned.

36
37 *(*The meeting was adjourned at 11:14 a.m.*)*
38
39
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