

**NASSAU COUNTY INTERIM FINANCE AUTHORITY
MINUTES OF THE MEETING OF THE DIRECTORS
HELD ON SEPTEMBER 24, 2001**

Pursuant to notice dated September 17, 2001, the Nassau County Interim Finance Authority (NIFA) was convened at 3:00 PM on the second floor of the Omni Building located in Uniondale, NY.

The following Directors of the Authority were present:

**Frank G. Zarb, Chairman
Richard M. Kessel
Martin Payson
David Peirez
Ronald Stack
Robert Smith
Robert Wallach**

Also representing the Authority was Richard Luke, Executive Director, Jeremy Wise, General Counsel, Carol Kostik, Chief Financial Officer, Evan Cohen, Deputy Director, Timothy Sullivan, Deputy Director and Laurie Leat, Corporate Secretary.

Upon determining that a quorum was present, the Chairman called the meeting to order.

The Chairman entertained a motion to go into executive session to discuss

litigation.

Upon motion duly made and seconded, the following resolution was approved unanimously:

RESOLUTION NO. 01-62

EXECUTIVE SESSION - PURSUANT TO SECTION 105 OF THE PUBLIC OFFICERS LAW

RESOLVED, that pursuant to Section 105 of the Public Officers Law, the Directors of the Nassau County Interim Finance Authority shall convene in Executive Session for the purpose of discussing litigation and personnel matters.

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At 3:02 p.m. the open session of the Directors was temporarily adjourned and an executive session of the Directors was convened. At 3:25 p.m. the executive session was adjourned and the open session was reconvened. The Chairman stated that no votes were taken during executive session.

The Chairman stated that the first item on the agenda is the approval of the minutes from the June 14th meeting of the Directors.

Upon motion duly made and seconded, the following resolution was approved unanimously:

Resolution No. 01-63**APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE
JUNE 14, 2001 MEETING OF THE DIRECTORS OF THE NASSAU COUNTY
INTERIM FINANCE AUTHORITY**

RESOLVED, that the Minutes of the meeting of the Authority held on June 14, 2001, are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Authority.

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The Chairman asked Mr. Luke to explain the next resolution.

Mr. Luke stated that the State had provided \$5 million, which NIFA currently holds, to assist the County in streamlining the Certiorari process. He indicated that NIFA originally had asked for a plan but had subsequently placed its emphasis on seeing results. He stated that over the last several months the Treasurer's office has incurred some overtime and would like reimbursement for approximately \$100,000 of these costs. Mr. Luke stated that they County has brought down the backlog in the Treasurer's office from about six months to one month and recommended that NIFA approve the request.

Upon motion duly made and seconded, the following resolution was approved unanimously:

RESOLUTION NO. 01-64**AUTHORIZATION TO RELEASE TARGETED ASSISTANCE FOR CERTIORARI
STREAMLINING AND TO TAKE RELATED ACTIONS**

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Authority; and be it further

RESOLVED, that in accordance with the Materials and the Nassau County Interim Finance Authority Act (“Act”), the Chairman or his designee(s) are hereby authorized in their discretion, to take all actions deemed necessary in order for the Authority to release \$103,242.01 to the County of Nassau from the \$5,000,000 New York State targeted assistance currently held by NIFA for the streamlining of the County’s certiorari process; and be it further

RESOLVED, that the Chairman or his designee(s) are hereby authorized to take all actions deemed necessary to implement the foregoing, and to take related actions.

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Chairman Zarb stated that the next item on the agenda is a resolution requesting the State to give \$25 million to NIFA for disbursement to the County. The money would be dispatched to the County based upon NIFA’s finding that the County was performing within its budget and the standards set by the NIFA Board.

Upon motion duly made and seconded, the following resolution was approved unanimously:

RESOLUTION NO. 01- 65**AUTHORIZATION TO MAKE CERTAIN FINDINGS NECESSARY TO DRAW DOWN TRANSITIONAL STATE AID AND TO TAKE RELATED ACTIONS**

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Authority; and be it further

RESOLVED, that in accordance with the Materials and the Nassau County Interim Finance Authority Act (“Act”), the Chairman or his designee(s) are hereby authorized in their discretion, to take all actions and make all representations deemed necessary in order for the Authority to draw down the \$25 million of transitional State aid which the Act requires to be paid to the Authority on or before September 30, 2001 including, but not limited to a certification that Nassau County has met the requirements of the Chapter 50 of the Laws of 2001; and be it further

RESOLVED, that the Chairman or his designee(s) are hereby authorized to take all actions deemed necessary to implement the foregoing and to take related actions.

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Chairman Zarb stated that the next item on the agenda is a resolution approving the release of NIFA’s first annual report which is required by NIFA’s legislation.

Upon motion duly made and seconded, the following resolution was approved unanimously:

RESOLUTION NO. 01-66**APPROVAL OF REPORTS REQUIRED BY THE NASSAU INTERIM FINANCE AUTHORITY ACT AND PUBLIC AUTHORITIES LAW AND AUTHORIZTION**

TO TAKE RELATED ACTIONS

RESOLVED, that the materials presented to this meeting (the “Materials”) are ordered to be filed with the records of the Nassau County Interim Finance Authority (“Authority); and be it further

RESOLVED, that in accordance with the Materials the 2000 Annual Report of the Authority is hereby approved together with all the attachments thereto including:

- 1) Authority Report on Debt Issuance
- 2) Audited Financial Statements for the Period Ended December 31, 2000;
- 3) Authority Report on Investments;
- 4) Independent Auditor’s Compliance Report on Investment Policies and Procedures;
- 5) Authority Prompt Payment Report;
- 6) Authority Procurement Guidelines Report;

and be it further

RESOLVED, that the Chairman or his designee(s) are hereby authorized to take all actions deemed necessary to implement the foregoing and to take related actions.

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Mr. Wise stated that the next item on the agenda is a resolution authorizing staff at the direction of the Chairman to hire an outside law firm and spend up to \$20,000 plus disbursements to look into litigation-related matters.

Upon motion duly made and seconded, the following resolution was approved unanimously:

RESOLUTION NO. 01-67

APPOINTING A LAW FIRM TO PROVIDE ASSISTANCE TO THE NASSAU COUNTY INTERIM FINANCE AUTHORITY

RESOLVED, that based upon the discussion at this meeting of the Directors, the Chairman or his designee(s) is authorized to employ a law firm ("Law Firm") to assist the Authority with litigation and/or labor matters for an amount not to exceed \$20,000 plus disbursements; and be it further

RESOLVED, that the immediate utilization of a Law Firm is deemed to be an extraordinary circumstance which makes advertising impractical or inappropriate; and be it further

RESOLVED, that the Chairman of the Authority or his designees(s) be, and each of them hereby is, authorized in the name and on behalf of the Authority to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider necessary or proper to effectuate the foregoing and related actions.

*** * ***

Chairman Zarb stated that the County cannot and should not allow either the unfortunate events of September 11th or a weak economy or the fact that this is an election year to make a real difference in the performance of what the County is trying to achieve, which is to get the finances of Nassau County in order.

Chairman Zarb asked Mr. Luke to present the Executive Director's report.

Mr. Luke stated that NIFA continues to monitor the financial condition at the Nassau Health Care Corporation. He stated that the Nassau Health Care Corporation has recently brought up a concern that within the County's financial plan is an initiative, mandatory managed care, which is designed to save the County about \$3 to \$4 million a year which could end up costing the hospital \$20 million

going forward. Mr. Luke stated that there will be a meeting to discuss these concerns. Mr. Luke distributed a timetable for review of the County's budget.

Director Kessel entertained a motion to adjourn. Upon motion duly made and seconded, the Directors voted unanimously to adjourn the meeting at 3:48 p.m.

Respectfully submitted,

Laurie A. Leat
Corporate Secretary