

NASSAU COUNTY INTERIM FINANCE AUTHORITY
MEETING OF THE DIRECTORS
MINUTES OF DECEMBER 7, 2017

The Directors of the Nassau County Interim Finance Authority met on December 7, 2017 at 6:55 PM at the Marriott Long Island Hotel & Conference Center located at 101 James Doolittle Blvd, Uniondale, NY 11553.

Directors present: Adam Barsky, Chairman
Paul Annunziato
Paul Leventhal
Lester Petracca
Howard Weitzman
Christopher Wright

Directors absent: John Buran

Staff present: Evan Cohen, Executive Director
Carl Dreyer, Treasurer
Laurie Giardina, Corporate Secretary
Maria Kwiatkowski, Deputy Director
Jeremy Wise, General Counsel

1. Call to Order/Roll Call

The meeting was called to order at 6:55 PM.

2. Approval of Minutes

On a motion by Director Wright, the Directors approved the minutes from the meeting on November 9, 2017.

Positive votes: 6

Negative votes: 0

Resolution No. 17-697

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE NOVEMBER 9, 2017 MEETING OF THE DIRECTORS OF THE NASSAU COUNTY INTERIM FINANCE AUTHORITY

RESOLVED, that the Minutes of the meeting of the Authority held on November 9, 2017 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.

* * *

3. Consideration of Issuance of General Obligation Bonds by Nassau County

The Directors were asked to approve a resolution for the County’s proposed issuance of General Obligation Bonds in the amount of \$7,085,435.34 (plus costs of issuance) for certain general capital projects.

On a motion by Director Leventhal, the Directors approved the resolution.

Positive votes: 6

Negative votes: 0

Resolution No. 17-698

CONSIDERATION OF ISSUANCE OF GENERAL OBLIGATION BONDS BY NASSAU COUNTY

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

RESOLVED, that based upon the discussions in the Materials and pursuant to Section 3669 2(e) of the Authority Act, the Authority has reviewed the terms of the County’s proposed issuance(s) of Bonds and approves the issuance of up to:

(i) \$7,085,435.34 of Bonds (plus cost of issuance) for the purposes described in Attachment A (general capital projects) in the Materials; and upon the conditions outlined in the Materials; and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

* * *

4. Consideration of Issuance of Refunding Bonds by Nassau County

The Directors were asked to approve a resolution for the County to refund bonds in December 2017. The County has submitted to NIFA a refunding financial plan which is attached as Exhibit A. As indicated in Exhibit A, the majority of the savings (\$21,059,232 out of a total of \$21,198,573) is estimated to become available in the FY 2018 – 2021. Should the refunding produce different results from those shown in Exhibit A on the day of pricing, it is the County’s intent to follow a similar savings pattern, subject to approval of NIFA and with the understanding that no more than \$7,600,000 may be taken in FY 2018.

On a motion by Director Leventhal, the Directors approved the resolution.

Positive votes: 6

Negative votes: 0

Resolution No. 17-699

CONSIDERATION OF ISSUANCE OF REFUNDING BONDS BY NASSAU COUNTY

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

RESOLVED, that based upon the discussions in the Materials and pursuant to Section 3669 2(e) of the Authority Act, the Authority has reviewed the terms of the County’s proposed issuance(s) of refunding bonds and approves the issuance of up to:

- (i) \$580,000,000 in refunding bonds (plus costs of issuance) for the purposes described in Exhibit A in the Materials; and
- upon the conditions outlined in the Materials; and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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5. Consideration of the County’s Multi-Year Financial Plan for Fiscal 2018-2021

The Directors were asked to approve a resolution outlining changes to the County’s Financial Plan and accepting the modified Financial Plan. The Chairman stated that since NIFA has not received an acceptable Financial Plan from the County, NIFA was imposing changes to ensure that the County will have a balanced budget.

On a motion by Director Wright, the Directors approved the resolution.

Positive votes: 6

Negative votes: 0

Resolution No. 17-700

OUTLINING CHANGES TO THE COUNTY’S 2018-2021 FINANCIAL PLAN AND
ACCEPTING THE FINANCIAL PLAN, AS MODIFIED BY THOSE CHANGES

WHEREAS, Nassau County is operating in a control period, which the Nassau County Interim Finance Authority (“NIFA”) imposed on January 26, 2011; and

WHEREAS, the proposed Multi-Year Financial Plan Fiscal 2018 – 2021 (“Proposed Plan”), as presented to the County Legislature (“Legislature”) by the County Executive in September 2017, had revenue sources, including increases to various fees charged for "public safety," mortgage recording, and tax map verification, that required action by the Legislature; and

WHEREAS, on October 30, 2017 the Legislature took certain actions in contravention of the NIFA Act and NIFA resolution numbered 17-689, by adopting a revised version of the Proposed Plan, which, among other changes, eliminated certain recurring sources of revenue for which alternative sources of non-recurring and/or questionable revenue were substituted (hereinafter, the “Revised Plan;” of which the first year is the “Revised Budget”); and

WHEREAS, on November 9, 2017 pursuant to the NIFA Act, NIFA disapproved the Revised Plan, because it:

1. Failed to contain projections of revenues and expenditures that are based on reasonable and appropriate assumptions and methods of estimation;
2. Failed to provide that operations of the County would be conducted within the cash resources available according to NIFA's revenue estimates;
3. Failed to comply with the requirements of the NIFA Act; and
4. Failed to comply with NIFA resolution 17-689.

WHEREAS, on November 9, 2017 pursuant to the NIFA Act, NIFA ordered the County to provide NIFA no later than November 27, 2017 or such later date as approved by the Chairman of NIFA, with satisfactory modifications of the Revised Budget, which substitutes \$31.5 million of recurring revenues or recurring expenditure reductions to substitute for certain enumerated items;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the NIFA Act, including but not limited to Sections 3667(2)(g) and 3669(2)(a)(iv), NIFA has determined that the modifications to the Revised Budget that were suggested by the County fail to completely and satisfactorily address the concerns and requirements of the NIFA Act and its Directors; and

BE IT FURTHER RESOLVED, that NIFA has determined to impose on Nassau County a modified Nassau County budget for FY 2018 (hereinafter, “Approved Budget”) that, among other items, reduces County expenditures by \$31.5 million, including \$19.5 million of new changes in accordance with Attachment A, which was prepared by the County as directed by NIFA; and

BE IT FURTHER RESOLVED, that the Multi-Year Financial Plan Fiscal 2018 – 2021 (Attachment B), which incorporates the Approved Budget, is hereby approved; and

BE IT FURTHER RESOLVED, that the incoming County Executive shall cause to be prepared and submit under her name to NIFA, no later than March 15, 2018, a letter explaining how the County has implemented the \$19.5 million of new changes outlined in Attachment A, together with such supporting documentation as may be required by NIFA, and/or a comprehensive plan (“Substitute Plan”) that details any changes to the Approved Plan that the County would like to make; and

BE IT FURTHER RESOLVED, the County is free to reallocate budgeted resources and appropriations, including between departments and categories of spending (Object Codes); and

BE IT FURTHER RESOLVED that unless the County Legislature passes Clerk Item 359-17, an

ordinance to impose certain new fees within the Traffic and Parking Violations Agency relating to tracking and processing scofflaws, valued at approximately \$1 million, and it is subsequently approved by the County Executive on or before January 31, NIFA shall consider the County to be in violation of this resolution and shall pursue all appropriate and necessary remedies;

BE IT FURTHER RESOLVED that the Chairman of NIFA or his designee(s) are hereby authorized to make such rules, and regulations as they deem necessary to assist them and the County in fulfilling the intent of this resolution.

* * *

6. Adjournment

The Chairman made a motion to adjourn. The meeting was adjourned at 7:05 PM.

Respectfully submitted,

Laurie A. Giardina
Corporate Secretary