

NASSAU COUNTY INTERIM FINANCE AUTHORITY

MEETING OF THE DIRECTORS

MINUTES OF OCTOBER 22, 2024

The Directors meeting of the Nassau County Interim Finance Authority (“NIFA” or the “Authority”) was convened on October 22, 2024 at 6:37 PM at the Long Island Marriott, located at 101 James Doolittle Blvd., Uniondale, NY, pursuant to public notice given on October 16, 2024 and electronic notice posted on the Authority’s website.

Directors present: Richard Kessel, Chairman
Rory Lancman, Vice-Chairman
Charo Ezdrin
Christopher Wright
John Zaso

Directors absent: Mohsin Meghji
Lester Petracca

Staff present: Evan Cohen, Executive Director (*via telephone*)
John Chiara, General Counsel/Corporate Secretary
Conal Denion, Deputy General Counsel
Carl Dreyer, Treasurer
Kathleen Stella, Chief Administrator
Martha Worsham, Deputy Director

Call to Order/Roll Call

The meeting was called to order at 6:37 PM.

1. Approval of the Minutes of the Directors Meeting on September 24, 2024

Upon a motion made by Director Wright and seconded by Chairman Kessel, the Directors approved the minutes from the meeting on September 24, 2024.

Positive votes: 5 Negative votes: 0

RESOLUTION NO. 24-1087

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE
SEPTEMBER 24, 2024 MEETING OF THE DIRECTORS OF THE NASSAU COUNTY
INTERIM FINANCE AUTHORITY

RESOLVED, that the minutes of the meeting of the Nassau County Interim Finance Authority (the “Authority”) held on September 24, 2024 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.

2. Consideration of County Contract for H2M Architects Engineers Land Surveying and Landscape Architecture DPC

Martha Worsham, Deputy Director, gave a briefing on the contract. Upon a motion made by Director Wright and seconded by Director Zaso, the contract for H2M Architects Engineers Land Surveying and Landscape Architecture DPC was approved. Vice-Chairman Lancman stated before the vote that he is a member of the board of another public entity that receives services from the same vendor but that there was no conflict of interest.

Positive votes: 5 Negative votes: 0

RESOLUTION NO. 24- 1088

CONSIDERATION OF COUNTY CONTRACT FOR H2M ARCHITECTS ENGINEERS
LAND SURVEYING AND LANDSCAPE ARCHITECTURE DPC

RESOLVED, that the materials presented to this meeting of the Directors (the “Materials”) 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 discussion in the Materials and pursuant to Section 3669 2(d) of the Authority Act, the Authority hereby approves the County’s contract for H2M Architects Engineers Land Surveying and Landscape Architecture DPC, which is projected to cost \$11,500,000; and be it further

RESOLVED, that NIFA’s approval of the agreement is given with the caveat that NIFA does not guarantee that it will approve any future borrowing for this project at a later date; 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.

3. Adopting the Staff Report Concerning the Proposed Nassau County Multi-Year Financial Plan, Fiscal 2025-2028 and the Recommendations Contained Therein

Evan Cohen, Executive Director, gave a presentation on the Proposed Nassau County Multi-Year Financial Plan for Fiscal 2025-2028.

Upon a motion made by Vice-Chairman Lancman and seconded by Director Wright, the Directors approved the following resolution.

Positive votes: 5 Negative votes: 0

RESOLUTION NO. 24-1089

ADOPTING THE STAFF REPORT CONCERNING THE PROPOSED NASSAU COUNTY MULTI-YEAR FINANCIAL PLAN, FISCAL 2025-2028 AND THE RECOMMENDATIONS CONTAINED THEREIN

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

WHEREAS, on September 16, 2024, as required by law, the County Executive submitted to NIFA his proposed Multi-Year Financial Plan for Fiscal 2025 – 2028 (the “Proposed Plan”), the first year of which is his proposed FY 2025 Budget; and

WHEREAS, the NIFA staff has prepared a report (the “Staff Report”) on the County Executive’s Proposed Plan in which the staff identified several risks and opportunities; and

WHEREAS, the County Legislature will now have the opportunity to address the risks that NIFA staff has identified; and

WHEREAS, in accordance with Section 3667(2) the NIFA Act, NIFA will not take any final action in regard to the Proposed Plan until the concerns in the Staff Report are adequately addressed by the County Legislature and there is approval by the County of a budget for FY 2025 in accordance with the provisions of the County Charter and approval of the Proposed Plan by the Legislature.

NOW, THEREFORE, BE IT RESOLVED, that the NIFA Directors adopt the Staff Report on the County Executive’s Proposed Plan.

4. Authorizing the Issuance of a Request for Proposals to Retain a Firm to Audit the Use of

Outside Counsel by the County Attorney's Office

Vice-Chairman Lancman gave a briefing on the resolution. Upon a motion made by Director Wright and seconded by Vice-Chairman Lancman, the Directors approved the following resolution.

Positive votes: 5 Negative votes: 0

RESOLUTION NO. 24-1090

AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS TO RETAIN A FIRM TO AUDIT THE USE OF OUTSIDE COUNSEL BY THE COUNTY ATTORNEY'S OFFICE

WHEREAS, the Nassau County Attorney's Office's costs relating to outside counsel have rapidly grown over the last three years; and

WHEREAS, such costs have grown from \$6,095,071 in Fiscal Year 2022 to \$9,012,173 in Fiscal Year 2023, to an authorized amount of \$14,555,000 in Fiscal Year 2024, including spending in the Litigation Fund; and

WHEREAS, these increases have potentially shown a lack of management at a critical County department; and

WHEREAS, an audit of use of outside counsel by the County Attorney's Office is necessary and desirable to examine the causes of the increased costs and to recommend management improvements; now, therefore, be it

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

RESOLVED, that the Directors of the Authority hereby authorize the Chairman or Executive Director of the Authority or their designee(s) to issue a request for proposals to retain a firm to audit the use of outside counsel by the County Attorney's Office; and be it further

RESOLVED, that the Chairperson or the Executive Director or their designee(s) are further authorized to take all actions deemed necessary or appropriate to implement the foregoing, and the taking of related actions.

Cash Basis and Investment Reports

Carl Dreyer, Treasurer, discussed the September 2024 Cash Basis and Investment Reports.

Executive Session

Chairman Kessel requested that the Directors go into executive session pursuant to Public Officers Law § 105 to consider the financial history of a particular corporation and certain matters related to proposed, pending or current litigation.

Upon a motion made by Director Wright and seconded by Chairman Kessel, the Directors unanimously approved a motion to enter into executive session.

At 7:20 PM, the open session of the Directors meeting was temporarily adjourned, and an executive session of the Directors was convened.

At 7:40 PM, upon a motion made by Director Zaso and seconded by Director Lancman, the Directors (absent Chairman Kessel who did not return from executive session) unanimously approved a motion to return from executive session and resume the Directors meeting.

RESOLUTION NO. 24-1091

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 considering the financial history of a particular corporation and certain matters related to proposed, pending or current litigation.

Reconvened

Director Wright reconvened the Directors meeting.

Upon a motion made by Director Ezdrin and seconded by Director Zaso, the Directors (absent Chairman Kessel who did not return from executive session) unanimously approved a motion to adjourn the meeting of the Authority at 7:42 PM.

Respectfully submitted,

John B. Chiara
Corporate Secretary

RESOLUTION NO. 24 - 1092

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE
OCTOBER 22, 2024 MEETING OF THE DIRECTORS OF THE NASSAU COUNTY
INTERIM FINANCE AUTHORITY

RESOLVED, that the minutes of the meeting of the Nassau County Interim Finance Authority (the "Authority") held on October 22, 2024 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.
