

MAURICE CHALMERS
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OFFICE OF LEGISLATIVE
BUDGET REVIEW



NASSAU COUNTY LEGISLATURE
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Inter-Departmental Memo

To: Hon. Richard Nicoletto, Presiding Officer
Hon. Kevan Abrahams, Minority Leader
All Members of the Nassau County Legislature

From: Maurice Chalmers, Director
Office of Legislative Budget Review

Date: August 2, 2019

Re: Clerk Items 221-19, 222-19, 226-19 & 229-19

Attached are copies of the Fiscal Impact Statements for Clerk Items 221-19, 222-19, 226-19 & 229-19, which are on the Legislative Calendar for the August 5 hearing.

- 221-19: A Local Law to require the Department of Assessment to release all assessment data used to determine assessed values in Nassau County.
- 222-19: A Local Law requiring contractors to submit up to date disclosure documents.
- 226-19: A Local Law to amend the Nassau County Administrative Code to require the notification by mail of all offers to settle tentative assessed values of residential properties.
- 229-19: A Local Law to amend the County Government Law of Nassau County in relation to cybersecurity.



**THE NASSAU COUNTY LEGISLATURE
OFFICE OF LEGISLATIVE BUDGET REVIEW
MAURICE CHALMERS, DIRECTOR
FISCAL IMPACT STATEMENT**

TITLE: A Local Law to Require the Department of Assessment to Release all Assessment Data used to Determine Assessed Values in Nassau County.

SUMMARY OF LEGISLATION:

To complete the systematic reassessment of real property, which produces assessed values for the Tentative Assessment Roll, the Department of Assessment utilizes models, algorithms, formulas, codes, scripts and software to determine the assessed values of real property in Nassau County. The proposed local law finds that Nassau County residents are entitled to know how the assessment of their property has been calculated. The proposed local law modifies Chapter VI of the Nassau County Administrative code to mandate the following:

Tentative Assessment Data to be Publicly Available upon the receipt of a written request for information pursuant to this section. The Department of Assessment shall disclose within five (5) business days a complete database of all electronic data files, formulas, algorithms, codes, scripts, programs, and materials ("Assessment Data") utilized to determine the Tentative Assessment Roll. Such information shall include the names of any software programs and all electronic data files, formulas, algorithms, codes, scripts, programs, and materials required to access, execute, evaluate, run, or analyze the Assessment Data.

The information above has been a subject of a FOIL (Freedom of Information Law) request. In that instance, the State's open government committee issued an opinion that Nassau should not be permitted to claim trade secret status because the algorithm was used to make important government decisions.¹ An official opinion from the County Attorney has been requested and has not been received yet.

EFFECTIVE DATE:

This Local Law shall take effect immediately.

FISCAL IMPACT:

The proposed law is not expected to have a fiscal impact.

ECONOMIC IMPACT:

The proposed law is not expected to have an economic impact on the local economy.

¹ Hadrick, Celeste, "Nassau County Drops Claim Reassessment Formula was "Trade Secret"", [Newsday.com](http://www.newsday.com), June 11, 2019.

PREPARED BY: Deirdre K. Calley, Deputy Director



**THE NASSAU COUNTY LEGISLATURE
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FISCAL IMPACT STATEMENT**

TITLE: A Local Law requiring contractors to submit up to date disclosure documents.

SUMMARY OF LEGISLATION:

To promote greater transparency, accountability, and fairness in the County contracting process, the proposed Local Law mandates the following changes to the Nassau County Charter:

- Define contractor to mean all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract with a Nassau County department.
- Vendor integrity and disclosure documents, as defined in the County's Countywide Procurement and Vendor Compliance Policy, shall be completed and filed by each contractor prior to every contract award, renewal, or extension without exception, regardless of when the contractor last filed such documents.
- In lieu of new disclosure documents, such contractor may file an affidavit or sworn certification of "No Change" stating there have been no changes in the information contained in its most recently submitted disclosure documents, provided they were filed within the prior six-month period. Such six-month period shall be measured from the earliest date of execution reflected in the vendor integrity and disclosure documents in such most recent submission.
- Should any material changes occur in the information disclosed subsequent to filing, the contractor shall bring such changes to the attention of the relevant County Department Chief Contracting Officer and the County Chief Procurement Officer in writing indicating material changes as soon as they occur.
- The County Chief Procurement Officer shall cause all such writings and any no change affidavits or certifications to be filed with the Clerk of the Legislature.
- Such filings shall be available for review by the Rules Committee prior to consideration of any resolution to approve the contract in question.

EFFECTIVE DATE:

This Local Law shall take effect immediately after enactment.

FISCAL IMPACT:

The proposed law is not expected to have any fiscal impact.

ECONOMIC IMPACT:

The proposed law is not expected to have any economic impact on the local economy.

PREPARED BY:

Lamartine Pierre Jr., Legislative Budget Analyst

SOURCES:

Minority Counsel

Department of Shared Services



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FISCAL IMPACT STATEMENT**

TITLE: A Local Law to Amend the Nassau County Administrative Code to Require the Notification by Mail of All Offers to Settle Tentative Assessed Values of Residential Properties.

SUMMARY OF LEGISLATION:

The proposed local law amends Section 1. 6-40.4(e) of the County's Administrative Code to require the Assessment Review Commission (ARC) to mail all assessment settlement offers to pro se applicants. The offers shall be mailed to the residence of the applicant and delivered electronically to those who submitted applications electronically. The applicant can opt-out of such mailings. Historically, ARC has mailed out the documents required by this local law and will need to continue to do so in compliance with this local law.

EFFECTIVE DATE:

This local law shall take effect immediately.

FISCAL IMPACT:

According to ARC, the proposed local law will impact 37,076 pro se property tax grievances that were filed online. Included in that group are class 1, 2 and 4 grievances since the wording of the law includes commercial filings. The mailings are anticipated to be done within the department and they estimate that this proposed local law will impact operations and will necessitate an additional \$100,000 in paper, postage and toner costs. The FY 2019 budget for General expenses was \$99,000 of which approximately \$47,000 has been expensed through July 22, 2019. The current budgeted appropriations may be able to absorb some of the projected increased cost.

The department currently has four vacancies, which they state were intended for licensed professional appraisal staff. They estimate that additional staff will also be required so that all deadlines are met. The department states that they would require at least two more staff for customer service (to handle the increased influx of phone calls and in office visits) and two more operations support staff (to handle the intake of the paper.) The department estimates that the extra staffing salary expense would equal \$184,000 for all four individuals. The vacancies may have to be redirected to satisfy this mandate and if both licensed appraisers and support staff are needed, a board transfer may be required to cover any shortage.

ECONOMIC IMPACT:

The proposed law is not expected to have a significant economic impact on the local economy.

PREPARED BY: Deirdre K. Calley, Deputy Director



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FISCAL IMPACT STATEMENT**

TITLE:

A local law to amend the County Government of Nassau County in relation to cybersecurity.

SUMMARY OF LEGISLATION:

The proposed local law will amend Article XXI-A Department of Information Technology (IT) § 2151 to define the role and duties to be performed regarding cybersecurity.

IT will protect and perform an assessment of the County's information technology infrastructure to address vulnerabilities, threats and breaches as well as promote awareness against cyber security threats. Cyber threats can include malware, spyware, ransomware, eavesdropping, attacks, viruses, worms and network breaches as some examples. Additionally, the department shall:

- Provide cybersecurity training in threat identification and incident response to personnel identified by the Commissioner of Information Technology.
- Submit an annual Cybersecurity Risk Assessment and Response Analysis to the County Executive, Commissioners of County departments and each County Legislator by March 1st of each year. The Cybersecurity Risk Assessment and Response Analysis will outline the County's current cybersecurity policies and protocols, evaluate potential risks and identify response and recovery strategies.
- Establish a panel of cybersecurity service and incident response providers to assist the County in its response to and recovery from a breach event or cyberattack on Nassau County's information technology infrastructure.
- Notify the County Executive, Commissioner(s) of affected County department(s) and each County Legislator within 72 hours of a breach or cyberattack on Nassau County's information technology infrastructure.

EFFECTIVE DATE:

This local law will take effect immediately.

FISCAL IMPACT:

There is no fiscal impact expected as a result of this local law. The department is performing cyber security activities to stay up to date with the current technological atmosphere as security issues are not static. Ongoing training, user education and system tests are functions of the department's daily operations to prepare against cyber threats. In 2019, the department has been able to utilize a grant from the Department of Homeland Security to complete the annual Security Evaluation and Analysis. It is uncertain if the County will receive this financial benefit going forward.

ECONOMIC IMPACT:

There is no economic impact expected as a result of this local law.

SOURCE OF INFORMATION:

Department of Information Technology

FISCAL IMPACT PREPARED BY:

Helen M. Carlson, Deputy Director

Linda Guerreiro, Senior Legislative Budget Analyst