

MAURICE CHALMERS
DIRECTOR
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

A handwritten signature in blue ink, appearing to be "MC", enclosed in a circular scribble.

Date: November 22, 2019

Re: Clerk Items 402-19, 406-19, 407-19

Attached are copies of the Fiscal Impact Statements for Clerk Items 402-19, 406-19 and 407-19, which will be on the Legislative Calendar for the November 25, 2019 hearing.

- 402-19: A Local Law to amend the Nassau County Administrative Code with Regard to Assessment Review Commission Offers that do not reduce Assessments.
- 406-19: A Local Law to Establish the Office of Crime Victim Advocate.
- 407-19: A Local Law to Amend the Nassau County Administrative Code to Establish an Annual Report to Nassau County on the Current Conditions of the Ground Water and Public Water Supply Systems.



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

TITLE: A Local Law to Amend the Nassau County Administrative Code with regard to Assessment Review Commission offers that do not reduce assessments.

SUMMARY OF LEGISLATION:

The proposed local law mandates for assessments contained within the 2020 Tentative Assessment Roll and all Tentative Assessment Rolls thereafter, if an Assessment Review Commission (ARC) offer does not reduce an assessment, it shall be deemed a "Preliminary Determination Notice" and shall not be an offer to settle by ARC. The "Preliminary Determination Notice" shall state the following in bold, 16-point font: "This is a Preliminary Determination of your assessment by the Assessment Review Commission. You are not required to act at this time. You may request a conference with the Assessment Review Commission by filing a written request by mail or in person at the following address:

Nassau County Assessment Review Commission
240 Old Country Road, 5th Floor
Mineola, NY 11501
Attn: Residential Supervisor

Whether or not you are granted a conference by the Assessment Review Commission, you will receive a subsequent notice pursuant to § 6-40.4(e) of the Nassau County Administrative Code, which will be the Assessment Review Commission's Final Determination."

Further, for challenges to the 2019 Tentative Assessment Roll, the ARC shall mail a "Notice of Rejection" to pro se applicants that received an offer that does not reduce their assessments, including to those pro se applicants that have accepted such offer in writing. This "Notice of Rejection" shall state that the ARC's offer conveyed by the "ARC Residential Stipulation of Settlement" will not impact an applicant's rights to seek judicial review under Title I or Article 7 of the Real Property Tax Law or under small claims assessment review (SCAR) law provided by Title 1-A of Article 7 of the Real Property Tax Law regardless of whether the prose applicant accepted an offer in writing that does not reduce their assessments.

EFFECTIVE DATE:

This Local Law shall take effect immediately.

FISCAL IMPACT:

Since the proposed law only changes the wording used in correspondence, as such no fiscal impact is expected.

ECONOMIC IMPACT:

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

PREPARED BY: Deirdre K. Calley, Deputy Director



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

TITLE:

A Local Law to establish the Office of Crime Victim Advocate.

SUMMARY OF LEGISLATION:

This local law is being introduced as a result of the forthcoming New York State Criminal Procedure Law 245-30(2) that will go into effect January 1, 2020. The law will grant a criminal defendant the right to bring legal action against a victim or witness to a crime to gain access to the witness's or victim's homes or place of business to inspect the location where the accused crime took place. The criminal defendant's right to request access applies to all crimes regardless of whether they are violent or non-violent, sexual or non-sexual.

The proposed local law will add Section 1. §2115 to the County Government Law of Nassau County and establish the Office of Crime Victims Advocate. The office shall provide legal services to the victims and witness of crimes impacted by the recent New York State enacted criminal procedure law. The Nassau District Attorney represents the People of the State of New York and as such cannot legally represent victims or witnesses impacted by Criminal Procedure Law Section 245.

This law creates an office of County government known as the Office of Crime Victim Advocate, the head of which shall be the Executive Director who will be appointed by the County Executive and subject to the confirmation by the County Legislature. The Crime Victim Advocate must reside in Nassau County within one year of appointment. The Executive Director of the Office of the Crime Advocate shall have the power to appoint such deputies, officers and employees of the Office of Crime Victim Advocate as may be provided by ordinance, and the Office shall have adequate staffing to accomplish its mission.

The Office of Crime Victim Advocate shall have the following powers and duties:

- Provide legal assistance to victims and witnesses of crime who are served with judicial orders to show cause by criminal defendants or their representatives to gain access to their home or place of business;
- Provide legal assistance with any victim compensation applications;
- Provide legal assistance to any victim or witness with regards to any legal action related to New York Criminal Procedure Law Section 245;

- Provide information on victim’s and witness’s legal rights and protections with regards to criminal process; and
- Assist victims to submit comments to courts and parole board.

EFFECTIVE DATE:

This local law will take effect immediately.

FISCAL IMPACT:

The FY 20 budget amendment allocates \$890,000 to fund the office. The chart below shows the allocation by object code. Specific details regarding this office will need to be finalized; however, this is a starting budget and it may require adjustments in the future.

Office of Crime Victims Advocate	
Expenses	Proposed Amendment
Salary	\$690,000
Equipment	40,000
General Expenses	160,000
Total Expenses	\$890,000

ECONOMIC IMPACT:

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

PREPARED BY:

Linda Guerreiro, Principal Legislative Budget Analyst
 Helen Carlson, Deputy Director



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

TITLE: A Local Law to amend the Nassau County Administrative Code to establish an annual report to Nassau County on the current conditions of the ground water and public water supply systems.

SUMMARY OF LEGISLATION:

The Nassau County Legislature finds that over the past twenty years, significant changes have occurred in the quality and quantity of the County's ground water resources and such changes have had an impact on the drinking water of Nassau County. The Legislature further finds that it is essential that the County and its elected officials, as well as the water supply community and members of the public, be fully aware of the changing conditions of the drinking water supply. As ground water quality declines and drinking water is further impacted, the potential for significant increases in water prices is very likely. This problem is accentuated as New York State sets maximum contaminant levels (MCLs) for emerging chemicals that are presently unregulated, but which may be strongly regulated in the future. MCL, or maximum contaminant level, refers to the maximum permissible level of a contaminant in water, which is delivered to any user of a public water system by the United State Environmental Protection Agency pursuant to the Federal Safe Drinking Water Act.

Public water suppliers in Nassau County are required to collect extensive data at the wellheads of the water supply and report to the Nassau County Department of Health (DOH) on a wide range of conditions and actions taken in order to comply with drinking water standards. This information was previously collected and published annually by the Nassau County Department of Health from approximately 1986 to 1999.

Therefore, it is the intent of the Legislature to reestablish the creation and dissemination of the annual report, Ground Water and Public Water Supply Facts for Nassau County. The publication will provide the public an easily accessible compilation of data on the status of the public water supply. This proposed law identifies the DOH as the most appropriate body to compile such report.

The DOH will annually prepare and release a report presenting a compilation of the current Nassau County ground water and public water supply information for each reporting year. The report will be entitled "Ground Water and Public Water Supply Facts for Nassau County". It will be issued no later than July 31 of each year and be based on data collected during the preceding calendar year.

The information in the report should follow the table of contents format of earlier versions. At a minimum, the data contained in the reports shall include, but not be limited to, the following:

- Details concerning the state of the Nassau County ground water system including recent findings from such studies as the Long Island Sustainability Study and the Long Island Nitrogen Action Plan or other similar studies.
- Details concerning the public water supply systems including all types of water treatment technologies currently employed, water pumpage data, compliance with any pumpage limitations, and water infrastructure details, including but not limited to such items as the number of water tanks, miles of water mains, and similar components of water infrastructure.
- Details concerning water quality monitoring of public water wells and MCL requirements including contaminants tested for and detected, MCL compliance, and treatment facilities monitoring.
- Details of raw water quality and recent trends for major pollutants detected in the raw ground water.
- Details of programs and activities that may increase recharge of the aquifer.
- Details on the ground water quality in water supply wells, including, but not limited to, abandoned wells and restricted wells, and the impact of major, known ground water contamination plumes placing water supply wells at risk.
- Details regarding the control of pollution sources, including sites within state or federal superfund programs, RCRA sites, petroleum spills, Brownfields and any other voluntary remediation sites.
- Additional information that from time to time may be pertinent to the informational intent of this program or provides a description of trends or changes over time.

In the first report issued under this new program, the Department shall determine those topics for which it would be valuable to summarize changes in trends or changes over time since the last report in 1999. The report will be delivered to the County Executive, the Presiding Officer and Minority Leader and will be posted on the Department's website.

EFFECTIVE DATE:

This Local Law shall take effect immediately.

FISCAL IMPACT:

It has been testified, that the cost to create an annual Ground Water and Public Water Supply report could be approximately \$80,000. According to the Administration, the FY 20 budget for the DOH included a general expense increase of \$175,000 from the prior year's budget, \$75,000 of which was included in anticipation of this cost. DOH's position on how best to implement the law has not been articulated. The final plan will need to be determined and executed by the Department.

ECONOMIC IMPACT:

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

PREPARED BY:

Lamartine Pierre Jr., Legislative Budget Analyst
Helen Carlson, Deputy Director

SOURCES:

Office of Management and Budget
Department of Health