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T O W N O F B R O O K H A V E N

- - - - -x

BUDGET PUBLIC HEARING

HELD VIA ZOOM VIDEOCONFERENCE

- - - - -x

November 5, 2020
5:00 p.m.

TRANSCRIPT OF PROCEEDINGS

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A P P E A R A N C E S :

BOARD MEMBERS :

JANE BONNER
VALERIE M. CARTRIGHT
NEIL J. FOLEY
KEVIN LaVALLE
MICHAEL A. LOGUERCIO JR.
DANIEL PANICO
SUPERVISOR EDWARD P. ROMAINE

ALSO PRESENT :

DONNA LENT, TOWN CLERK
ANNETTE EADERESTO,
TOWN ATTORNEY
TAMARA BRANSON,
COMMISSIONER OF FINANCE
MATTHEW MINER,
DIRECTOR OF FINANCE

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SUPERVISOR ROMAINE: Okay. It is 5:00, we are starting our Town board meeting to deal with the budget and I'd like to call this meeting to order and with that, we're going to stand and start the meeting as we always do with the pledge to our flag.

(Pledge of Allegiance.)

SUPERVISOR ROMAINE: Thank you and at this point, we had a special Town board meeting earlier, we had resolutions and we'll just -- I'll repeat, they say repeat our moment, we usually take a moment of silence and we'll dedicate that moment of silence to all those who ran for public office to thank them for their service, whether they won or lost, they were indirectly serving our democracy by providing choice, so thank you to all the candidates, winners and losers, they all help our democracy flourish, so with that, I will ask the clerk to call the roll.

MS. LENT: Yes.

Councilwoman Cartright?

COUNCILWOMAN CARTRIGHT: Present.

MS. LENT: Councilwoman Bonner?

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COUNCILWOMAN BONNER: Here.

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MS. LENT: Councilman LaValle?

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COUNCILMAN LaVALLE: Present.

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MS. LENT: Councilman Loguercio?

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COUNCILMAN LOGUERCIO: Present.

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MS. LENT: Councilman Foley?

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COUNCILMAN FOLEY: Here.

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MS. LENT: Councilman Panico?

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COUNCILMAN PANICO: Here.

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MS. LENT: And Supervisor Romaine?

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SUPERVISOR ROMAINE: Present.

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MS. LENT: You have a quorum, sir.

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SUPERVISOR ROMAINE: Thank you.

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Tonight we have public hearings where

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the public will have -- and I'm sure Donna

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will explain this as our Town Clerk -- five

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minutes to speak on each of our hearings.

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The first hearing deals with our 2021

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through 2025 preliminary capital budget

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exclusive of all special districts; public

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hearing number two deals with our 2021

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preliminary operating budget inclusive of all

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special district and public hearing number

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three is to consider a matter of the increase

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or improvement of facilities of various

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special districts between 2021 and 2025.

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So with that, we will let Donna open
the first public hearing.

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MS. LENT: So what I would like to do
is open all three of them together and then we
will close them individually. That's how
we've done it in the past, if that's all right
with everyone.

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SUPERVISOR ROMAINE: Fantastic.

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MS. LENT: Okay.

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So public hearing number one is to
consider the 2021-2025 preliminary capital
budget exclusive of all special districts.

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Public hearing number two is to
consider the 2021 preliminary operating budget
inclusive of special districts pursuant to New
York State Law Section 108.

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Public hearing number three is to
consider the matter of increase or improvement
of facilities of various special districts for
the 2021 through 2025 capital budget pursuant
to Section 202-B of the Town Law in the Town
of Brookhaven, in the County of Suffolk, State

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of New York.

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Legal notices for budget public hearings are published at least five days prior to the public hearing date in one of the legal Town newspapers.

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Legal notices for special district public hearings are published at least ten days and no more than 20 days prior to the public hearing date. My office has received a signed affidavit of publication from the newspaper.

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Should the board render a decision tonight, this has been deemed a SEQRA Type II action.

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Thank you.

SUPERVISOR ROMAINE: Okay. So we've opened all three hearings.

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Are there speakers on -- you know what, before we have the speakers, I think we have Tamara Branson, our Finance Commissioner, who's done such a marvelous job in handling our finances and working with Matt Miner in making sure that we stay on budget, so, Tamara, are you with us?

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(No response.)

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SUPERVISOR ROMAINE: You have to unmute

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and come on.

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MS. BRANSON: Yes, I am with you.

6

Good afternoon everyone.

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COUNCILWOMAN BONNER: Hi, Tamara.

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SUPERVISOR ROMAINE: So tell us a

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little bit about each of these public hearings

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and what we're dealing with tonight.

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MS. BRANSON: Okay.

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So we will be -- let me just -- we'll

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be going over the highlights of the operating

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budget, the highlights of the capital budget

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and we'll be talking about some of the changes

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that happened in our revenues and then sort of

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a general summary of the total appropriations

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and property taxes, so I have a slide

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presentation to share with you that I'm going

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to start now.

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(Pause.)

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MS. BRANSON: Can you guys see this?

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SUPERVISOR ROMAINE: Yes.

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COUNCILWOMAN BONNER: Yes.

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MS. BRANSON: Okay. Let me . . . for

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some reason it doesn't want to cooperate.

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MS. LENT: Go to view.

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MS. BRANSON: It was working perfect when I tested it anyway. We'll try to make this work.

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(Pause.)

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MS. BRANSON: It doesn't want to do that. Okay. So the -- let me just go ahead and start.

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The operating budget for 2021 does comply with the New York State tax levy cap and the Town's debt management cap. It assumes normal operations, it will resume in the second quarter of 2021 subject, of course, to the progression of the COVID pandemic.

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There is an increase in general fund property taxes this year of about 2.34 million. This is offset slightly by highway taxes, so the homeowner, typical homeowner, will see an \$8.93 increase in taxes annually.

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The refuse and garbage tax will be increasing a dollar a day, it will be a dollar a day per single home in 2021 and we did include a three percent contract increase for

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our ambulance districts because they are the

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front line responders in this pandemic and we

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felt they needed a little extra money this

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year above and beyond the 1.56 percent

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property tax cap that we were subject to for

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the 2021 fiscal year.

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In addition, this does not include --

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we did not use any fund balance to balance the

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major funds. That was particularly important

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this year because we have a lot of risk to the

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fund balance already due to a number of items,

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which I'm going to go through next in this

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slide.

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We had to respond to a number of

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natural disasters over the last several years,

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but also in 2020, we had the COVID pandemic,

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which required us to do employee retention,

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salary benefits, we spent about \$4 million on

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employees who were not able to work due to

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50 percent workforce reduction that was

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mandated by New York State, we continued to

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keep these employees on board and we did

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continue to pay them full salary during that

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time period, so we used about four million of

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fund balance in 2020 to help support that.

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We also had contractual expenses that were related to the pandemic, everything from technology investment to PPE to Plexiglas screens, et cetera, et cetera. That's about 1.5 million.

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There is some FEMA reimbursement there, but there's a lot of exclusions on this cost, so we're going to have to cover probably more than half of that with fund balance.

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Isaias is also a storm that hit us on August 4th. We expect the emergency prep and debris removal alone to be \$14 million and we had tree stabilization because of a windstorm that may cost as much as \$15 million on our right of way and other Town properties. That FEMA did declare finally on October 4th, the opportunity to get some reimbursement from that. We're not exactly sure everything that is going to be covered in that. We're working through New York State BITS at the moment.

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Sandy Superstorm emergency prep and debris removal, as you recall, was 15.1 million. Sandy Superstorm related to erosion

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control facilities, drainage and mitigation,

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was another 17.8. We also had to front \$8

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million for machinery and equipment for

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disaster preparation.

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We have received all reimbursements for

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everything, but \$5.7 million of that money

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from FEMA and as some of you know, that's a

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four- to five-year-old project at this point,

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six-year-old project, so we are still hoping

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to get the 5.7 million; if not, we're going to

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have to pay that out of fund balance.

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We have -- we used snow removal costs

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in the 2021 budget. We will use snow removal,

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the snow removal reserve if we have a heavy

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snow year instead of continuing to tax at the

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higher levels because we have done that

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several years.

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I think you may have heard more

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recently from Matt Miner that our \$20 million

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State grant for the consolidation and

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efficiency program has now suddenly become

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subject to a 20 percent cut, so that was quite

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unexpected. Expenditures that we have already

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incurred are getting cut 20 percent. We did

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not have bonds around that, so we're going to have to cover that from fund balance and then, of course, we have almost 30 million more in grants that we have to advance cash on every year, so preservation of fund balance from a budgetary point of view for 2021 was not an option given these risks that we have to fund balance as we move in to 2021.

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Other operating budget initiatives that I want you to know about, we did maintain all constituent services in the budget. Some of them were achieved through some reorganization, one was to move Economic Development into the Planning Division, one was to restructure the Housing and Human Services Department to be dedicated to the \$20 million HUD entitlement grants and the additional 7.7 million that the Town received in CARES Act award for the low to moderate income areas to be able to help them.

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As I mentioned, it does reduce snow removal by 1.2 million and we will hope we will not have to go into the \$5.4 million reserve, but we may.

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We are piloting some parking meter programs at key locations in the Town in 2021 to try to boost some of the lost revenue and overall, the 2021 budget for departmental revenues is \$9 million less than the 2020 adopted budget, which we were able to offset about 5.5 million in spending reductions, but the rest really had to come from property tax increases.

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So what I want to show you now is some of the . . . what I'm showing you now is the total appropriations, which is slightly down from 2020 because of the cost reductions of 307.1 million, tax levy is 183.17, which is within the tax cap for New York State.

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SUPERVISOR ROMAINE: And the tax cap, if I'm not mistaken, is 1.56 percent, less than two percent.

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MS. BRANSON: That is correct. This year it was less than two percent.

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The non-property tax revenues are down to 1.1 million, 123 million point seven, employee comp. and benefits are 129.2. We did get a little relief there with some of the

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early retirement incentives that we -- and

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some vacancy savings. We have contractual

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equipment at 101.5.

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Debt service continues to plague us at

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76.4 and we had a slight use of surplus in

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some of the special district funds and I

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mentioned that that revenue reduction areas

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that we were in, this kind of gives you a

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sense of where for department of revenues, we

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had to reduce revenues to have a reasonable

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budget in 2021.

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The landfill revenues we're projecting

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to be down over \$4 million versus 2020.

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Interest earnings with interest rates,

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we're going from 2.35 to .35 in many cases.

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This is going to be done 1.25.

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The MRF recycling, you know the story

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there, we've got the recycling scenario,

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that's down about 600,000.

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We have a 20 percent cut in our State

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for AIM and the citizen empowerment grant that

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we were awarded through the dissolution of

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Mastic Beach Village, that's 560,000 down.

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Recreation fees, we are planning on not

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opening things up until April. We'll be down about 400,000.

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Franchise fees are declining and continue to decline as more and more customers move into streaming opportunities instead of cable. That's down, that's going to be down about 400,000.

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Fines we expect to be down, the court system, I'm not sure if it's opening up in the first quarter, but we have definitely had a problem with that in 2020.

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Building fees, we're being conservative and reducing those, planning fees and zoning fees.

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So this is where -- this is the bulk of where we have reduced revenues in the budget to try to be more realistic and not have revenue shortfalls as we move into 2021 and then have to suddenly find ways to reduce costs again.

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The capital -- 2021-2025 capital plan, the 2021 tentative budget adds new public improvement projects totaling 40.6, which is down from the 43.8 in 2020 and the 58.5 in

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2019.

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This continues the Town board strategic initiative to reduce outstanding principal borrowing, finding other ways to fund capital projects, especially through grants.

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We have 77, as you saw earlier, 77 live grants right now in the Town to help subsidize many of our public improvement projects. So we were able to keep the total tentative budget, capital project, new projects down to 40.6. You see the breakdown, the largest number is always with roads, drainage, traffic safety, street lighting and machinery and equipment. Parks and recreation is the next largest.

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Landfill is down because we're not doing major projects there as we move towards closure.

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3.7 million open space preservation and land acquisition for condemnation purposes.

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Vehicles, facilities, security investments, 2.2 and another million for technology, environmental and planning.

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So overall, we've seen some nice

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reductions in this 2021 tentative capital

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budget.

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It is important to note that many 2020 projects were deferred over into 2021 because we did not feel we would be able to complete them in 2020 due to the lockdown that we experienced, the late start on many of them, so they were moved and they are included in these numbers. So it really is even a greater reduction in 2021 for the new projects and will definitely help our borrowing in outstanding principal debt as we move forward and then as always, we love to show you this chart because it does demonstrate the Town being the lowest percentage of the total tax bill.

Obviously for the total outside village residents, the schools and the library represent over 71 percent of their budget, the county is just under 13 percent of their budget, special districts ten percent and basic Town services are 5.67 and then if you live in a village, total Town's taxes are only 3.8 percent.

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So the Town continues to be a very small piece of the pie for all the services that are provided and these numbers tend to trend down each year as we show this chart.

So that's an overview of the 2021 budget as it has been presented in the tentative and converted to the preliminary budget and there will be as always some housekeeping changes for a few contractual expenses that need to be increased usually because contracts, like new bids might come in higher.

As we true up to employee staffing, we still don't have any estimates at all, which is highly unusual, we've received no estimates all year from NYSHIP for the health premium, so there is a risk there that that is not -- we don't have enough there in that. Workers Comp. we're trying to be optimistic on; again, that is a wild card.

So there is risk in this budget to some extent because of these unknowns.

I should mention that retirement contributions did increase for the Town by

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over two percent, so that's been a bit of a

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drain, also and something that we had to

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overcome.

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So those are the highlights. If there

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are any questions, I'm happy to answer them

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now.

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SUPERVISOR ROMAINE: Thank you for that

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very concise and very thorough presentation of

10

our budget.

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Does any of the board members have any

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questions?

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(No response.)

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SUPERVISOR ROMAINE: Thank you.

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Let's start with public hearing number

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one, if we may.

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Do we have speakers that would like to

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speak on this that have Zoomed in?

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MS. EADERESTO: No speakers,

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Mr. Supervisor.

21

SUPERVISOR ROMAINE: Well, if there's

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no speakers on public hearing number one, I

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make a motion to close public hearing number

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one.

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COUNCILWOMAN BONNER: Second.

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MS. LENT: All those in favor?

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COUNCILWOMAN BONNER: Aye.

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COUNCILWOMAN CARTRIGHT: Aye.

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COUNCILMAN FOLEY: Aye.

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COUNCILMAN LaVALLE: Aye.

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COUNCILMAN LOGUERCIO: Aye.

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COUNCILMAN PANICO: Aye.

9

SUPERVISOR ROMAINE: Aye.

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MS. LENT: Opposed?

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(No response.)

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MS. LENT: Motion to close carries.

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SUPERVISOR ROMAINE: Thank you.

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And again, we will be voting on to

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adopt whatever changes are made between now

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and then on November 19th at our Town board

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meeting.

18

Let's go onto public hearing number

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two.

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Do we have any speakers on public

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hearing number two?

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(No response.)

23

SUPERVISOR ROMAINE: Annette, you have

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to unmute yourself.

25

MS. EADERESTO: Just checking, I'm

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2 sorry, Mr. Supervisor.

3 No, not right now, no speakers.

4 SUPERVISOR ROMAINE: No speakers.

5 I make a motion to close --

6 COUNCILMAN PANICO: I just have one
7 comment. I just want to make one comment and
8 I thank Tamara for her presentation.

9 We've all read adjoining towns, good
10 people who run those towns, but in the face of
11 COVID, are choosing to increase taxes.

12 I know I personally and this board know
13 that people who we represent are already
14 overtaxed. Although the illustration's pretty
15 clear that the Town portion of the tax bill is
16 the smallest portion of that pie chart and has
17 remained that way for a very long time, the
18 answer cannot be continually raising taxes and
19 I think it's a credit to this board, to our
20 Law Department, to our Chief of Operations --
21 excuse me, our Law Department, but our Finance
22 Department, our Chief of Operations and the
23 fact that we have continually monitored our
24 spending, our revenue throughout the year and
25 throughout COVID to come in with a budget that

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stays under the New York State tax cap that

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the Supervisor noted is not two percent, it's

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1.56 percent and that we are not simply

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resorting to plugging holes, although we

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recognize that we had to use some fund balance

7

as was shown through all of the storms and all

8

of the declining revenues.

9

Our bond rating's important to us and

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why it's important to us is that all of the

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capital projects that you see in the capital

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budget that was just passed by this Town

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board, if our bond rating goes down and is

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similar to the bond rating in the County of

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Suffolk, our residents will pay exponentially

16

more in terms of interest for multi-million

17

dollar capital programs.

18

That's why it's important not only in

19

the case of storms or a catastrophe, the

20

former supervisor always used to say if a

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bridge drops or something like that, we have

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to maintain fund balance. We have increased

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fixed costs and we have gotten no CARES Act

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money outside of Community Development Block

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Grant funds, which we have used and allocated

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to help avoid and ameliorate homelessness in

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our Town.

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This entire board has worked extremely hard to make sure that we came in under the

6

tax cap and really it is a credit to everyone

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I mentioned and also, all of our employees in

8

the Town of Brookhaven, who work exceedingly

9

hard for the residents that we serve, this has

10

been a pretty unified team and I think the

11

budget in this budget process is the product

12

of everyone rowing in the same direction.

13

SUPERVISOR ROMAINE: Thank you, Dan.

14

Let's take a vote, if we may.

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MS. LENT: I'm sorry, sir, but you

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moved it, I need a second.

17

COUNCILWOMAN BONNER: I'll second it,

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Donna.

19

MS. LENT: All those in favor?

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COUNCILWOMAN BONNER: Aye.

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COUNCILWOMAN CARTRIGHT: Aye.

22

COUNCILMAN FOLEY: Aye.

23

COUNCILMAN LaVALLE: Aye.

24

COUNCILMAN LOGUERCIO: Aye.

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COUNCILMAN PANICO: Aye.

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SUPERVISOR ROMAINE: Aye.

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MS. LENT: Opposed?

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(No response.)

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MS. LENT: Motion carries.

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Now public hearing number three.

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SUPERVISOR ROMAINE: We'll go onto

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public hearing number three.

9

Do we have any speakers, Annette?

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MS. EADERESTO: We have one person

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who's asking a question and Tamara, did you

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want to make a presentation on this third

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hearing or are you finished with your

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presentations?

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SUPERVISOR ROMAINE: She's coming --

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MS. BRANSON: Is that the special

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districts?

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MS. EADERESTO: Yes. This is the

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increase or improvement of facilities of the

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various special districts in the capital

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budget.

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MS. BRANSON: Correct. Well, in the --

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that, of course, is in the capital budget

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books that are online as well as there's

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special notices for each of the capital

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projects.

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The capital projects for special districts are in street lighting, as we continue our street lighting replacement program and our pole replacement and our line replacements for street lighting.

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There is also a special -- a capital project for the erosion control district for Ocean Bay Park for some bulkhead and erosion work there and then there is also a project for the sewer district number two to do some work on the plant.

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As I said, those are in the public notice that was -- each of those projects and then in addition, with respect to the Tri -- the newly formed Tri-Harbor Ambulance, which expanded the old Mount Sinai Ambulance district to the -- to include the two villages of Belle Terre and Port Jeff, so those were supposed to be for the ambulance services were transferred from those villages to the Town's effective January 1, 2020 and there is excess fund balance in the old boundary districts of about \$50,000 that is going to be returned to

1

2 the former Mount Sinai district residents, who
3 paid that excess fund balance and the two
4 villages will be contributing additional
5 monies towards their share of the proper fund
6 balance for that newly expanded ambulance
7 district.

8 SUPERVISOR ROMAINE: Okay. Thank you.

9 What was the question that someone
10 chimed in, maybe we can answer it?

11 MS. EADERESTO: Yeah.

12 We had one of our monitors reach out
13 and I think they're getting it right now, if
14 we could just stand by one minute.

15 SUPERVISOR ROMAINE: Okay.

16 (Pause.)

17 MS. LENT: She's actually on the phone,
18 from what I understand.

19 MS. EADERESTO: We're going to write
20 down her question, she's going to give it to
21 us over the phone and then I'll read it in.
22 We're doing that right now, she's on the phone
23 right now.

24 (Pause.)

25 MS. EADERESTO: Okay. Her name again,

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Jen?

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(Pause.)

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MS. EADERESTO: All right. This is a question from Patricia Castiglione. She would like to know where the LIPA settlement money is shown on the tax bill and where are the Town IDA costs.

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So I can answer the second part of that question.

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There are no Town IDA costs on a tax bill or in our budget. The IDA is a public benefit corporation, which is duly incorporated and authorized by New York State. It is a separate board and separate entity and --

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SUPERVISOR ROMAINE: With separate funding.

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MS. EADERESTO: Excuse me?

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SUPERVISOR ROMAINE: With separate funding sources.

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MS. EADERESTO: I was just going to say with --

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SUPERVISOR ROMAINE: None of that money comes out of the Town budget.

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MS. EADERESTO: And none of it comes from the taxpayers. All the money at the IDA is actually funded from fees that are collected from the applicants who come to the IDA for those public benefits.

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SUPERVISOR ROMAINE: What was the question?

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MS. EADERESTO: Yes, Mr. Supervisor?

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SUPERVISOR ROMAINE: The first question?

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MS. EADERESTO: The first question was where is the LIPA line for the LIPA settlement on the tax bill. I'm not exactly sure where it appears on the tax bill.

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MS. BRANSON: It's not on the tax bill. It is treated as a legal settlement revenue to the Town as other previous legal settlement revenues have been treated. So it is part of the total revenues that help to keep the tax levy within the tax cap.

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SUPERVISOR ROMAINE: Okay.

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MS. EADERESTO: I think she might have been talking about --

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SUPERVISOR ROMAINE: So it's not on the

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2 bill, it is a revenue, not an expense and it's
3 reflected as part of all the overall revenues;
4 is that correct, Tamara?

5 MS. BRANSON: Yes. It basically is on
6 the tax bill and that the taxes would have
7 been a million dollars more if we had not had
8 this revenue.

9 SUPERVISOR ROMAINE: Right. Okay.

10 MS. EADERESTO: Understood.

11 SUPERVISOR ROMAINE: What I would say
12 is to the person that asked the question, two
13 very good questions, if you need follow-up on
14 that, please call your local councilperson or
15 my office and we'll be happy to deal with you
16 tomorrow during business hours.

17 Okay. Any other people wishing to
18 speak or send a question in?

19 MS. EADERESTO: I'm checking right now,
20 Mr. Supervisor.

21 SUPERVISOR ROMAINE: Okay.

22 (Pause.)

23 MS. EADERESTO: No other speakers or
24 questions, Mr. Supervisor.

25 SUPERVISOR ROMAINE: Okay, I'll make a

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motion to close this public hearing.

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COUNCILWOMAN BONNER: Second.

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MS. LENT: All those in favor?

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COUNCILWOMAN BONNER: Aye.

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COUNCILWOMAN CARTRIGHT: Aye.

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COUNCILMAN FOLEY: Aye.

8

COUNCILMAN LaVALLE: Aye.

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COUNCILMAN LOGUERCIO: Aye.

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COUNCILMAN PANICO: Aye.

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SUPERVISOR ROMAINE: Aye.

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MS. LENT: Opposed?

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(No response.)

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MS. LENT: Motion to close carries.

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SUPERVISOR ROMAINE: Having completed

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all three public hearings, I'll entertain a

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motion to adjourn this Town board meeting.

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COUNCILWOMAN BONNER: Motion to

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adjourn.

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COUNCILMAN LaVALLE: Second.

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MS. LENT: All those in favor?

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COUNCILWOMAN BONNER: Aye.

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COUNCILWOMAN CARTRIGHT: Aye.

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COUNCILMAN FOLEY: Aye.

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COUNCILMAN LaVALLE: Aye.

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COUNCILMAN LOGUERCIO: Aye.

COUNCILMAN PANICO: Aye.

SUPERVISOR ROMAINE: Aye.

MS. LENT: Opposed?

(No response.)

SUPERVISOR ROMAINE: We stand
adjourned. Have a very good night and we'll
be back with people shortly. Have a good
night. Bye-bye.

I, JOANN O'LOUGHLIN, a Notary Public
for and within the State of New York, do hereby
certify that the above is a correct transcription
of my stenographic notes.

JOANN O'LOUGHLIN