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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, June 5, 2017
Reconvened from May 22, 2017
5:13 P.M.

1

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

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 ARNOLD DRUCKER

21 JAMES KENNEDY

22 DELIA DERIGGI-WHITTON

23 CARRIE SOLAGES

24 SIELA BYNOE

25 MICHAEL PULITZER,
 Clerk of the Legislature

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LIST OF SPEAKERS

KENNETH ARNOLD	8
JOHN BUDNICK	32

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INSERTS

Incorporated by reference
Rules Committee Minutes
Dated 6-5-17 pertaining to
Clerk Item 75 (pages 97-98) 64

1 Full Legislature/6-5-17

2 CHAIRWOMAN GONSALVES: We have a
3 reconvening of the May 22nd, 2017 Full
4 Legislative meeting.

5 Mr. Pulitzer, I believe you have
6 to declare an emergency because of an item,
7 which is Item 239-17.

8 CLERK PULITZER: An emergency
9 resolution declaring an emergency for
10 immediate action upon a resolution
11 requesting the Legislature of the State of
12 New York to enact and the governor to
13 approve an act extending the authority of
14 the County of Nassau to impose additional
15 sales in compensating used taxes and extend
16 local government assistance programs in
17 Nassau County.

18 CHAIRWOMAN GONSALVES: Motion to
19 establish the emergency.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Kopel. All those in favor of establishing
25 the emergency signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 It's unanimous. Now for the item
6 itself, I believe, Mr. Pulitzer read it
7 again into the record.

8 CLERK PULITZER: Thank you.

9 A resolution requesting the
10 Legislature of the State of New York to
11 enact and the governor to approve an act
12 extending the authority of the County of
13 Nassau to impose additional sales in
14 compensating used taxes and extend local
15 government assistance programs in Nassau
16 County.

17 Motion, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR MACKENZIE: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 MacKenzie.

23 Are there any other comments or
24 questions from the legislators?

25 (No verbal response.)

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2 Is there any public comment?

3 (No verbal response.)

4 There being none, all those in
5 favor of the item signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 I believe we can go into the
11 other items on the calendar. We begin with
12 Item Number 5, which is Ordinance Number 51,
13 a bond ordinance providing for a capital
14 expenditure to finance the capital projects
15 identified herein within the County of
16 Nassau and authorizing \$1.3 million of bonds
17 of the County of Nassau to finance said
18 expenditure pursuant to the Local Finance
19 Law of New York and the County Governmental
20 Law of Nassau County.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR RHOADS: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Rhoads. Is there someone who will speak to
3 this? Mr. Arnold, there may be a few for
4 you.

5 MR. ARNOLD: Good evening, Ken
6 Arnold. Item Number 5 is a bond ordinance
7 for \$1.3 million associated with odor
8 control improvements at the treatment
9 facilities of Bay Park, Cedar Creek and Glen
10 Cove.

11 This project will be used to
12 address facilities, process facilities by
13 these three plants who are not addressed
14 under previous contracts.

15 CHAIRWOMAN GONSALVES: Any
16 comments or questions of Mr. Arnold? Yes,
17 Legislator Curran.

18 LEGISLATOR CURRAN: Hello,
19 Mr. Arnold. The fourth quarter wastewater
20 treatment facility restoration report shows
21 that this capital project had already been
22 completed last year last spring.

23 MR. ARNOLD: The wastewater
24 report identifies a \$25 million project that
25 was to address the Cedar Creek and Bay Park

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2 facilities. What we did there was added a
3 second level of treatment for odors and many
4 of the major processes at both plants.

5 In addition, we addressed some
6 poorly functioning facilities at both
7 plants.

8 This funding that is before you
9 today is for areas of the plants that were
10 not addressed and/or to replace equipment
11 that may be at the end of its useful life
12 that was not addressed in the larger
13 project.

14 LEGISLATOR CURRAN: It also shows
15 that \$30 million in bonding was already
16 authorized and you're staying the other one
17 was \$25.5 million. Where was the rest of
18 that money used?

19 MR. ARNOLD: I would assume with
20 the construction management, design
21 services, and DPW management. It's all the
22 ancillary contracts that go along with the
23 construction of the facility.

24 LEGISLATOR CURRAN: Is that in a
25 place where it is itemized where we can read

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2 it?

3 MR. ARNOLD: It should be
4 outlined in the wastewater report, if not I
5 can get it to you.

6 LEGISLATOR CURRAN: I would like
7 to see that because I'm just concerned, I
8 don't know if it justifies 1.3 million more
9 for this since there is this 4.5.

10 MR. ARNOLD: I can tell you the
11 4.5 is spent. There is no additional.

12 LEGISLATOR CURRAN: Yes. I would
13 love to know where it went if that's
14 possible.

15 LEGISLATOR MACKENZIE: Mr.
16 Arnold, if you could for people in the
17 audience --

18 CHAIRWOMAN GONSALVES: Legislator
19 MacKenzie.

20 LEGISLATOR MACKENZIE: Can you
21 please explain what odor control means?

22 MR. ARNOLD: Sure. Sewage, as
23 its being processed has various degrees of
24 odors that are unpleasant to the surrounding
25 community.

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2 The department has various
3 processes that we utilize to eliminate the
4 odors from the buildings so it doesn't get
5 into the community that includes air
6 stripping, carbon filtration, and a new
7 technology that was part of the \$25 million
8 project which is a bio treatment.

9 LEGISLATOR MACKENZIE: So what
10 this bonding does is supply the money and
11 the funding to put those systems in place at
12 the sewage facilities located in Bay Park,
13 Cedar Creek, and Glen Cove to eliminate
14 odors from the surrounding communities; is
15 that correct?

16 MR. ARNOLD: That's correct.

17 LEGISLATOR MACKENZIE: And
18 without the bonding here, then those
19 mechanisms would not be put in place and
20 then the surrounding communities then would
21 be subject to the odors emanating from the
22 sewage treatment plant; is that fair to say?

23 MR. ARNOLD: If the facilities
24 fail or are not upgraded in a timely fashion
25 and then fail, yes, we then would have that

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2 issue.

3 CHAIRWOMAN GONSALVES: Legislator
4 DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Ken,
6 I appreciate about a year and a half ago
7 when you and I went down to the Glen Cove
8 sewage treatment plant and we put in a
9 blower. I have to say I used to get
10 complaints all the time about different,
11 basically, what Legislator MacKenzie was
12 asking about, and I haven't been receiving
13 those calls at all. It seems to have really
14 helped with the situation.

15 Whatever you did in Glen Cove I
16 would suggest you do it on the south shore.
17 It seems to have alleviated our problem.

18 The other thing which really does
19 concern me which is what Legislator Curran
20 mentioned is, what happened to the \$5
21 million? How was that spent without it
22 coming for legislative approval?

23 MR. ARNOLD: All funding comes
24 before this body for approval.

25 LEGISLATOR DERIGGI-WHITTON: But

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2 this was bonded specifically for this
3 reason. So this money should still be
4 available.

5 MR. ARNOLD: There were
6 contracts, the \$25 million contract is with
7 RJ Industries, which is the prime contractor
8 for the physical work, in addition that
9 project is supported by construction manager
10 that costs usually upwards of ten percent of
11 that cost. So that's probably two and a
12 half, three million of that \$4 million, in
13 addition design services and design work.

14 LEGISLATOR DERIGGI-WHITTON: That
15 should have come before us.

16 MR. ARNOLD: It all did.

17 LEGISLATOR DERIGGI-WHITTON: So
18 they took the \$5 million from here and put
19 it to other contracts but this was \$5
20 million that was specifically bonded for
21 odor control but they might have used for
22 other types of projects?

23 MR. ARNOLD: No. Just odor
24 control. Typically you have three phases of
25 work for any project. Odor control is

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2 project. You have first to first do a
3 project design. That came to this body.

4 Then you put out the construction
5 contract and the construction management
6 contract, both of those came to this body.

7 The construction management is
8 typically ten to 15 percent of the
9 construction project. So if this project is
10 \$25 million, you're talking 10 percent --
11 you 're talking two to \$3 million of -- the
12 design contract is usually around eight to
13 ten percent of the project. So that's
14 another \$2 million.

15 So all the funding came across
16 this body for approval.

17 LEGISLATOR DERIGGI-WHITTON: I
18 would really appreciate seeing where the \$25
19 million went and how much went to Glen Cove
20 and how much went to the other sewage
21 treatment plants because \$25 million is a
22 lot.

23 MR. ARNOLD: \$25 million all went
24 to Bay Park and Cedar Creek.

25 LEGISLATOR DERIGGI-WHITTON: And

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2 Glen Cove also?

3 MR. ARNOLD: No. It was not part
4 of any of the 25 that was spent.

5 LEGISLATOR DERIGGI-WHITTON: But
6 we did the blower separately?

7 MR. ARNOLD: It was all probably
8 done under a separate capital project for
9 various --

10 LEGISLATOR DERIGGI-WHITTON:
11 Again, I understand that we put chemicals
12 into things to make it smell better but the
13 blower really did the job in Glen Cove.

14 MR. ARNOLD: The chemicals
15 themselves would not improve the odor. The
16 chemicals help strip the odors off the air
17 strip. We are not adding a perfume to make
18 it better. It's actually a compound that
19 helps us strip the odors off the air as we
20 push them through the stripping towers.

21 LEGISLATOR DERIGGI-WHITTON: All
22 right. Again, the blowers seemed to really
23 have helped in Glen Cove. I haven't
24 received one phone call since we did that.
25 I know that we did a good press release on

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2 that to.

3 CHAIRWOMAN GONSALVES: Thank you.
4 Legislator Ford.

5 LEGISLATOR FORD: Good evening,
6 Ken. Thank you very much. Just one thing.
7 In your professional opinion, do you think
8 that this work is needed at the sewage
9 treatment plants to help alleviate the odors
10 that are emanating into the neighborhoods?

11 MR. ARNOLD: Yes, the funding is
12 required which will allow us to address
13 issues as they arise and to continue the
14 upkeep of all the systems so that we are not
15 running them past their useful lives.

16 LEGISLATOR FORD: Do you find,
17 like between Cedar Creek and Bay Park, that
18 sometimes they have, even though they're
19 both large sewage treatment plants that
20 sometimes they may sometimes have unique
21 problems, like one fix at Bay Park may not
22 be the fix at Cedar Creek or at Glen Cove?

23 MR. ARNOLD: I think the biggest
24 difference between the three plants is the
25 proximity to the neighbors. So Cedar Creek

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2 can make it away with less odor control
3 because you're far from your neighbors, Bay
4 Park you are right up against them. That's
5 the biggest difference of the two.

6 LEGISLATOR FORD: And considering
7 the fact that Bay Park is almost surrounded
8 by a neighborhood that if we put a blower
9 in, you might be blowing from one area and
10 blowing the odor to another area, correct?

11 MR. ARNOLD: Well, the blowers
12 are all used as part of the stripping -- the
13 blowers just don't push the air -- it's
14 pushing the air through a stripping tower
15 that helps remove the odors compound from
16 the air stream.

17 LEGISLATOR FORD: But I think
18 that we need sometime more than that in Bay
19 Park because we still do get odor complaints
20 because they live so close and it can be
21 very pervasive. Thank you.

22 CHAIRWOMAN GONSALVES: Legislator
23 Rhoads.

24 LEGISLATOR RHOADS: Thank you.
25 Mr. Arnold, incidentally we still get

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2 complaints by the Cedar Creek plant as well.
3 Can you give us an approximation
4 of the population in the area of the sewage
5 treatment plants that would be impacted
6 potentially by the failure to provide these
7 odor controls?

8 MR. ARNOLD: I don't have that
9 handy, I will have to look that up in our
10 reports.

11 LEGISLATOR RHOADS: Can you give
12 us an idea of how much we've spent
13 correcting some of the prior mismanagement
14 that took place at these plants in terms of
15 upgrading systems, upgrading, creating
16 redundancy? What's been our total capital
17 expenditure with respect to the plant?

18 MR. ARNOLD: I would have to go
19 back and refer to the reports that I send
20 but odor control I can speak about \$30
21 million.

22 LEGISLATOR RHOADS: Thank you, Mr.
23 Arnold.

24 CHAIRWOMAN GONSALVES: Minority
25 Leader.

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2 LEGISLATOR ABRAHAMS: Thank you,
3 Madam Presiding Officer. I was hoping to go
4 home at five o'clock earlier today but I
5 guess we're not going to be able to.

6 Just to respond to a couple of
7 things that I heard earlier today.

8 Ken, I don't have a response or
9 anything for you, I mean, I see where this
10 is going, I see where this has been going
11 for quite some time with respect to the
12 bonding constantly being called and I think
13 the majority knows where we stand on the
14 bonding in regard to the anti-corruption
15 public official, which we have been asking
16 for the last two years.

17 This, to me, seems astonishing
18 that my colleagues to the right, for
19 whatever reason, feel the need to call for
20 the County Executive's resignation but at
21 the same time they want that same County
22 Executive to administer the very same
23 projects that they want to approve today in
24 committee or in Full Legislature.

25 I just think it's completely

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2 hypocritical to one day call for a man's
3 resignation on the steps of this Legislative
4 body pretty much saying he's unfit to serve
5 as County Executive, but at the same time
6 you are prepared to hand him over \$4 million
7 in bonding to administer going forward.

8 To me, you would have to bring
9 the bridge together so I can understand how
10 your hypocritical thinking works.

11 In America, if you think someone
12 is unfit for a job you do not hand them \$4
13 million in bonding. It makes zero cents
14 unless you are benefiting for some type of
15 street scrape that exists in your respective
16 area.

17 But, that being said, and that
18 way, we're to overlook the fact that he is
19 going to administer your street scape to be
20 able to get that forward.

21 You have no problem voting for
22 street scape and he does that right, but
23 everything else we are going to call for his
24 resignation.

25 So, to me, the Republican

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2 majority is completely hypocritical when it
3 comes to this matter, because if they really
4 truly wanted to move forward, we have said
5 it once and will say it again, we need to
6 see an anti corruption official, Independent
7 Inspector General, in the position and we
8 will be more than happy, we believe these
9 projects are extremely necessary and we
10 believe that odor control or road
11 improvements, we want to see it go forward,
12 but, at the same time, I just don't
13 understand for the life of me, someone would
14 have to explain it, how you can call for
15 someone's resignation on one day, which is
16 basically saying you're unfit to be in that
17 position.

18 You are calling for his
19 resignation on one day, and then on the next
20 day you are prepared to hand him \$4 million
21 in bonding. How do you make that
22 connection? I would love to hear your
23 opinion on how you make that connection.

24 In my personal opinion, where I
25 work in my private industry, we want

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2 somebody to go, we're not going to hand him
3 \$4 million after we tell he should go.

4 So you explain to me how you come
5 to that conclusion that someone is deserving
6 of administering \$4 million after you call
7 for their resignation?

8 CHAIRWOMAN GONSALVES: That's not
9 the issue at the present time.

10 LEGISLATOR ABRAHAMS: No, no, no.

11 CHAIRWOMAN GONSALVES: Just
12 listen.

13 LEGISLATOR ABRAHAMS: I would
14 love for you to elaborate on why you called
15 for his resignation if he's not unfit?

16 CHAIRWOMAN GONSALVES: Listen,
17 you had your turn.

18 LEGISLATOR ABRAHAMS: Your
19 colleagues did. I'm not making this up, did
20 your colleagues, did they call for his
21 resignation?

22 CHAIRWOMAN GONSALVES: Minority
23 Leader, please, there are three other people
24 that --

25 LEGISLATOR ABRAHAMS: Your

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2 colleagues called for his resignation.

3 LEGISLATOR NICOLELLO: We're
4 doing this over and over again.

5 LEGISLATOR ABRAHAMS: Because you
6 are colleagues called for his resignation
7 because basically saying he is unfit.

8 LEGISLATOR NICOLELLO: Do you
9 want a response or do you want to keep
10 talking?

11 CHAIRWOMAN GONSALVES: Give
12 somebody else a chance including me.

13 LEGISLATOR NICOLELLO: As we said
14 on the front steps of this building, we
15 called for his resignation -- and by the
16 way, they never did because they want him to
17 stay for their own political reasons, never
18 officially called for his resignation.

19 LEGISLATOR ABRAHAMS: You're
20 interpreting what we want.

21 LEGISLATOR NICOLELLO: I let you
22 speak. Didn't I let you speak? Do you mind
23 if I continue?

24 CHAIRWOMAN GONSALVES: You had
25 your turn.

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2 LEGISLATOR NICOLELLO: We went on
3 the steps of this building and we called for
4 the County Executive to resign. But one of
5 the things that we said was that there is no
6 mechanism for us to force him to resign, so
7 he decides that he's staying. And he
8 obviously is still here and it's nine weeks
9 later.

10 However, the business of
11 government doesn't shut down. You don't say
12 nothing happens. The people's business
13 stops from this point until he leaves eight,
14 nine, ten months later. It doesn't work
15 that way.

16 There is a responsibility that
17 people elect us to this office and one of
18 those responsibilities is that the services
19 they get, including protecting them from the
20 odors from a sewage treatment plant
21 continue. We are doing what the people put
22 us here to do.

23 I know you want these titles, not
24 accountable to anybody, that's unelected,
25 Democrats seem to love that type of stuff.

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2 We don't. Anyone's actions,
3 whether it be County Executive's,
4 Comptroller, or us, we are all public
5 officials. Ultimately this November, any
6 November, we are going to be put to account
7 by the people. That's the way it should
8 work.

9 We don't believe in unelected
10 bureaucrats. We don't want them. We
11 disagree with you.

12 So we're having a disagreement
13 and for you to stop every measure of this
14 government, except when it suits your
15 interest when a Uniondale leader comes up to
16 say please, please, please, then you vote
17 for it.

18 For you to stop every measure of
19 this government from going forward, stop the
20 business of this government and then to call
21 us hypocrites is the height of hypocrisy.

22 LEGISLATOR ABRAHAMS: Again, in
23 response to Deputy Presiding Officer
24 Nicolello, you would have to explain this
25 then to me, Rich.

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2 So two years ago basically you
3 guys joined with us or we joined with you
4 and we passed measures which we truly
5 believe would not stop the next Abtech but
6 we supported them because they were better
7 than what we had. That process goes on for
8 two years.

9 Now, the County Executive is
10 indicted and, as to your own admission, you
11 called for his resignation.

12 Now, here we are, two years
13 later, from AbTech, the County Executive now
14 been indicted. The measure that you put in
15 before you called for the County Executive's
16 indictment is put in place.

17 So now, if things have gotten
18 that bad so that you would have to call for
19 his resignation, wouldn't you want to
20 upgrade on what you did two years ago?

21 Instead, you are standing by that
22 same disclosure when you thought he was fit
23 to be County Executive.

24 Now you think he's unfit to be
25 County Executive and you have not done

1 Full Legislature/6-5-17

2 anything additional --

3 LEGISLATOR BECKER: Madam Chair,
4 does the Minority Leader get to talk upon
5 hours and hours?

6 Presiding Officer, how is it I'm
7 sitting here and I have to hear the Minority
8 Leader go on and on and nobody else gets a
9 chance to speak? I don't think it's right.
10 He's just using this for political purposes
11 saying the same thing over and over again
12 about a good man that served this body and
13 served Nassau County for a long time.

14 And, not only that, the man has
15 been not proven guilty at all at this
16 particular point and they want to continue
17 to use this process for political purposes.
18 He cannot go on and say the same thing over
19 and again.

20 CHAIRWOMAN GONSALVES: How do I
21 turn this off?

22 LEGISLATOR ABRAHAMS: How can you
23 say that I'm using it for political purposes
24 when your colleague that you served with
25 offered his resignation. That was the

1 Full Legislature/6-5-17

2 height of political purposes.

3 MR. BECKER: I don't know about
4 any of that. I'll tell you something
5 though. I know three people went out of
6 here in handcuffs and went to jail. Three
7 people went out of here from this body and
8 went to jail and they were all Democrats.
9 Why we got to bring this stuff up? This
10 person is a colleague of ours. Let's leave
11 the politics out of this place.

12 MR. BECKER: We're talking about
13 our brothers and sisters here. I don't care
14 we're Democrats or Republicans here. But
15 we're brothers and sisters.

16 CHAIRWOMAN GONSALVES: Legislator
17 Kopel.

18 MR. BECKER: And I don't think we
19 should allow politics and a good man like Ed
20 Mangano, you no damn well he is a good man.
21 You know damn well Ed Mangano is a good man,
22 in your heart he is.

23 CHAIRWOMAN GONSALVES: Fran.
24 Fran. That's it, Fran.

25 MR. BECKER: I'm not going to say

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2 I agree with what they did, Minority Leader,
3 I'm not going to say it because I would not
4 have done it.

5 LEGISLATOR ABRAHAMS: You are
6 willing to say we are political but you are
7 not willing to say they're political.
8 Right?

9 CHAIRWOMAN GONSALVES: Fran,
10 that's it, Fran.

11 LEGISLATOR BECKER: I'm not going
12 to say I agree with what they did. I would
13 not have done it. I would never have done
14 it. I agree with that. I would not have
15 done it.

16 CHAIRWOMAN GONSALVES: I have to
17 call a recess.

18 MR. BECKER: But he is a brother
19 and sister, the man has a family, and when
20 three people on your side went out of here
21 we kept our mouths shut because we would
22 never accuse them because we knew they had
23 families. Never said a bad word about them.

24 LEGISLATOR ABRAHAMS: You are
25 mistaken. I never called for his

1 Full Legislature/6-5-17
2 resignation. They did. But you are calling
3 me out, as not saying he is or he's not
4 that. You're wrong, Fran.

5 CHAIRWOMAN GONSALVES: I'm
6 calling for a recess. I'm calling for a
7 recess. We're in recess.

8 (Whereupon, the Full Legislative
9 Committee recessed at 5:35 p.m. and
10 reconvened at 5:39 p.m.)

11 CHAIRWOMAN GONSALVES: Hopefully
12 I don't have to call another recess. I will
13 tell you this much. You're back. I will
14 call a recess if we get out of order again.
15 That goes for anybody for that matter.
16 Anybody. All right?

17 We all have obligations, but one
18 thing right now we have an obligation to the
19 public. We were elected to serve our
20 constituents regardless.

21 Now I have something to say and
22 after I say what I'm saying, I'm not
23 accepting anymore comments unless there is
24 somebody from the audience.

25 I will tell you this. I have to

1 Full Legislature/6-5-17

2 say to you that we have -- John Budnick, I'm
3 talking. One minute, please. Thank you
4 very much.

5 We have an obligation. We also
6 knew that we had to improve the contract
7 process and we also made sure that we did
8 everything as a Legislative body to do so.

9 Now, what I find very difficult
10 is the fact that we -- there are those of us
11 who pick and choose what we want to vote for
12 and it's the same procurement policy.
13 Absolutely; whether it be the District
14 Attorney, public safety, whatever the case
15 may be.

16 I'm not calming down. I don't
17 care what you have to say, Mr. Minority
18 Leader. Right now I'm having the final word
19 and we are moving on.

20 I'm telling you right now either
21 we work for the people -- regardless of the
22 County Executive. We are obligated to our
23 constituents, not anybody else, and we are
24 doing the job of government.

25 So I'm going to move on with this

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2 item, which is Item 5, and I think I did
3 have a motion and a debate and we are moving
4 on.

5 Any public comment? John
6 Budnick, I will not shut you down since you
7 are public comment, and that's it after
8 John.

9 MR. BUDNICK: Will someone please
10 call the question? Thank you. God bless
11 you all.

12 CHAIRWOMAN GONSALVES: Now we are
13 going back to Item 5 which is Ordinance 51.
14 All those in favor signify by saying aye.

15 LEGISLATOR RHOADS: Can I ask for
16 a roll call vote?

17 CHAIRWOMAN GONSALVES: So be it.
18 Let's go, Mr. Pulitzer. Call the roll.
19 Vote up or down on Item 5.

20 CLERK PULITZER: Yes. Roll call.
21 Deputy Presiding Officer Richard Nicolello?

22 LEGISLATOR NICOLELLO: Yes.

23 CLERK PULITZER: Alternate
24 Presiding Officer Howard Kopel?

25 LEGISLATOR KOPEL: Yes.

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2 CLERK PULITZER: Legislator
3 Siela Bynoe?
4 LEGISLATOR BYNOE: No.
5 CLERK PULITZER: Legislator
6 Carrie Solages?
7 LEGISLATOR SOLAGES: No.
8 CLERK PULITZER: Legislator
9 Denise Ford?
10 LEGISLATOR FORD: Yes.
11 CLERK PULITZER: Legislator
12 Laura Curran?
13 LEGISLATOR CURRAN: No.
14 CLERK PULITZER: Legislator C.
15 William Gaylor, III?
16 LEGISLATOR GAYLOR: Yes.
17 CLERK PULITZER: Legislator
18 Vincent Muscarella?
19 LEGISLATOR MUSCARELLA: Yes.
20 CLERK PULITZER: Legislator Ellen
21 Birnbaum?
22 LEGISLATOR BIRNBAUM: No.
23 CLERK PULITZER: Legislator Delia
24 DeRiggi-Whitton?
25 LEGISLATOR DERIGGI-WHITTON: No.

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2 CLERK PULITZER: Legislator

3 James Kennedy?

4 LEGISLATOR KENNEDY: Yes.

5 CLERK PULITZER: Legislator

6 Laura Schaefer?

7 LEGISLATOR SCHAEFER: Yes.

8 CLERK PULITZER: Legislator

9 Dennis Dunne, Sr.?

10 LEGISLATOR DUNNE: Yes.

11 CLERK PULITZER: Legislator

12 Arnold Drucker?

13 LEGISLATOR DRUCKER: No.

14 CLERK PULITZER: Legislator

15 Rosemarie Walker?

16 LEGISLATOR WALKER: Yes.

17 CLERK PULITZER: Legislator

18 Donald MacKenzie?

19 LEGISLATOR MACKENZIE: Yes.

20 CLERK PULITZER: Legislator

21 Steven Rhoads?

22 LEGISLATOR RHOADS: I will be

23 voting in favor of controlling odor at

24 sewage treatment plants. I'm voting in the

25 affirmative.

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2 CLERK PULITZER: Minority Leader
3 Kevan Abrahams?

4 LEGISLATOR ABRAHAMS: No.

5 CLERK PULITZER: Presiding
6 Officer Norma Gonsalves?

7 CHAIRWOMAN GONSALVES: Yes. The
8 item fails 12 to 7.

9 CLERK PULITZER: 12 to 7, ma'am.

10 LEGISLATOR RHOADS: Motion to
11 reconsider.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRWOMAN GONSALVES: All those
14 in favor of reconsidering Item 5?

15 (Aye.)

16 LEGISLATOR RHOADS: Move to
17 table.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRWOMAN GONSALVES: Seconded
20 by Legislator Muscarella. All those in
21 favor of tabling Item 5 signify by saying
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 The item is tabled.

3 Moving on to Item 6 which is
4 Ordinance 52, is a tabled item, and I need a
5 motion to untable Item 6.

6 Motion, please.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR DUNNE: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Walker, seconded by Legislator
11 Dunne. All those in favor of untabling Item
12 6 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item is untabled.

17 Item 6, Ordinance 52 is a bond
18 ordinance providing for a capital
19 expenditure to finance the capital projects
20 identified herein within the County of
21 Nassau and authorizing \$2,400,000 of bonds
22 of the County of Nassau to finance such
23 expenditure pursuant to the Local Finance
24 Law of New York and the County Governmental
25 Law of Nassau County.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by

6 Legislator Dunne, seconded by Legislator

7 Walker.

8 I have an amendment in the nature
9 of a substitution and the amendment is the
10 item in the nature of a substitution amends
11 the characterization of the ordinance from
12 PPU, period of probable usefulness, specific
13 to project specific. That was the reason it
14 was tabled to begin with.

15 Motion to amend the item in the
16 nature of a substitution.

17 LEGISLATOR KOPEL: So moved.

18 LEGISLATOR NICOLELLO: Second.

19 CHAIRWOMAN GONSALVES: Moved by

20 Legislator Dunne, seconded by Legislator

21 Nicolello. All those in favor signify by

22 saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 Now, the item as amended, if
3 there is no other discussion -- be my guest,
4 go right ahead.

5 LEGISLATOR ABRAHAMS: Thank you,
6 Madam Presiding Officer.

7 CHAIRWOMAN GONSALVES: And stay
8 in order. When you are recognized, that's
9 when you'll be called.

10 LEGISLATOR ABRAHAMS: Am I
11 recognized? Okay. Gerry, come to the mike.

12 We just want to make sure that
13 the bonding for this particular item,
14 pedestrian accessibility, part of the
15 language we were seeking in the amendment
16 was that it can only be spent on this
17 particular item for pedestrian
18 accessibility, just wanted to make sure that
19 is your understanding of the reading of the
20 amendment as well?

21 MR. PODLESACK: I would normally
22 defer on bonding issues to Mr. Denion who I
23 do not even believe is here yet. In other
24 words, I don't know, legislator. It's not
25 part of the division of labor in my office.

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2 CHAIRWOMAN GONSALVES: Hold on.

3 First of all, for the record, the amendment
4 was proposed by Legislator Kopel, and
5 seconded by Legislator Nicoletto.

6 Do you have a question?

7 Legislator Nicoletto and then Legislator
8 Schaefer.

9 LEGISLATOR NICOLELLO:

10 Mr. Podlesak, if this item is passed, does
11 it then follow through the regular county
12 procurement process?

13 MR. PODLESAK: It would.

14 CHAIRWOMAN GONSALVES: Legislator
15 Schaefer.

16 LEGISLATOR SCHAEFER: Is there
17 something else that the money would
18 potentially be used for? I'm not sure what
19 the concern is.

20 What would it normally be used
21 for? Is it going to be used for the
22 project? Is there something specific? Have
23 there been other projects in the past when
24 the money was used for other things?

25 LEGISLATOR ABRAHAMS: I was just

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2 going to --

3 CHAIRWOMAN GONSALVES: Minority
4 Leader, you may ask.

5 LEGISLATOR ABRAHAMS: Thank you.

6 LEGISLATOR SCHAEFER: I'm not
7 going to go on Legislator DeRiggi-Whitton's
8 word. You seem quite concerned that the
9 money is not going to be used for this
10 project. Why would that be a concern? I
11 don't understand.

12 CHAIRWOMAN GONSALVES: Can you
13 respond to that concern?

14 MR. ARNOLD: In my experience,
15 the capital projects have always been used
16 for the purpose of what they initially were
17 put for.

18 Recently we made the purpose
19 bonding because NIFA wanted us to be able to
20 utilize the balance if a project was
21 complete. The department is currently
22 working with the Comptroller's Office on one
23 such project that is complete, which is ice
24 skating rinks, at various county facilities.
25 We are looking to utilize the balance of

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2 those bonds for other park type work that
3 needs to be addressed.

4 LEGISLATOR DERIGGI-WHITTON: If
5 it's project specific, it's better.

6 CHAIRWOMAN GONSALVES: Excuse me,
7 I said through the chair. Legislator
8 DeRiggi-Whitton and Minority Leader, are you
9 finished?

10 LEGISLATOR ABRAHAMS: What I was
11 going to suggest if Mr. Denion could come
12 down. I think Mr. Podlesak said he wasn't
13 prepared to answer and he defers to him, so
14 I was just going to suggest that Mr. Denion
15 come down.

16 MR. PODLESAK: I believe
17 Mr. Denion has left for the day but I did
18 send him an email. It is six o'clock.

19 LEGISLATOR MACKENZIE: May I ask
20 a question?

21 CHAIRWOMAN GONSALVES: Legislator
22 MacKenzie.

23 LEGISLATOR MACKENZIE: I'm sorry,
24 Mr. Arnold, maybe you can address this
25 because I don't think anyone put on the

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2 record what this project is for.

3 MR. ARNOLD: Specifically to this
4 project Item 6, this is associated with
5 handicapped ramps and accessibility. The
6 department is part of the work with the
7 federal government in receiving funds, must
8 ensure that the ramps are up to the most
9 current code and if not put these ramps on
10 transition plans and to address them.

11 This funding will allow the
12 department to address ramps that are not
13 done in other projects put on the transition
14 plan to be tackled in a timely fashion.

15 LEGISLATOR MACKENZIE: Just to
16 repeat, Legislator Nicolello's question to
17 you, the procurement process that is used
18 here is the same one used that would be used
19 on any other project of that type in the
20 county, correct?

21 MR. ARNOLD: That's correct.

22 CHAIRWOMAN GONSALVES: Minority
23 Leader.

24 LEGISLATOR ABRAHAMS: Reading
25 section, starting with section two, the

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2 county may issue its bonds in aggregate
3 principal amount of \$2.4 million pursuant to
4 the Local Finance Law of New York
5 hereinafter referred to as the LFL in order
6 to finance the class of objects and purposes
7 hereinafter referred to as the purpose.
8 Described in Section 1.

9 For lack of better phrasing, this
10 basically would give us -- then going back
11 to Section 1, describing what it is, a
12 capital expenditure for financing the cost
13 of a project 66051 which is the pedestrian
14 accessibility in the County of Nassau
15 hereinafter referred to as the county is
16 hereby authorized upon recommendation of the
17 County Executive the amount of such capital
18 expenditure of \$2.4 million which shall be
19 financed with proceeds from the issuance of
20 \$2.4 million bonds.

21 It sounds like to me, Gerry,
22 based on reading this language, that it can
23 only be spent on this particular project
24 which that alleviates some of our concerns.

25 Do you agree with our

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2 understanding?

3 MR. PODLESACK: As I said before,
4 I defer to Mr. Denion on all issues
5 involving bonding but you've read it into
6 the record.

7 LEGISLATOR ABRAHAM: Thank you,
8 Gerry.

9 CHAIRWOMAN GONSALVES: Any other
10 comments?

11 (No verbal response.)

12 Is there any public comment?

13 Yes, John.

14 MR. BUDNICK: I apologize for
15 lengthening this, but I just want to make
16 sure that with regard to elevator services,
17 this money could be used for that because a
18 few weeks ago I had to bring a person who
19 was wheelchair bound to 252 Old County Road,
20 west wing building. He could not get to the
21 courtroom he was supposed to be in because
22 he was wheelchair bound and the elevator was
23 not running.

24 I hope that elevators and things
25 of that nature will be encompassed within

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2 this bond issue so they are fixed because
3 the elevators are breaking down and going
4 weeks without them being repaired at least
5 in the west wing building based upon my
6 personal knowledge.

7 CHAIRWOMAN GONSALVES: Can you
8 address that concern, Mr. Arnold?

9 MR. ARNOLD: This capital project
10 will not address the elevators in buildings.
11 This is strictly on right of way in county
12 roads, however, there are other funding
13 sources that would address that, and I will
14 bring that back and look into that. That's
15 the west wing.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Mr. Arnold. There being no other comments,
18 all those in favor of Item 6?

19 LEGISLATOR RHOADS: Madam
20 Presiding Officer, can we get a roll call
21 vote?

22 CHAIRWOMAN GONSALVES: You don't
23 need it.

24 LEGISLATOR ABRAHAMS: You do not
25 need a roll call. We are not going to vote

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2 in the affirmative. Unless we can't count
3 to 19.

4 LEGISLATOR RHOADS: I will
5 withdraw the request, Madam Presiding
6 Officer.

7 CHAIRWOMAN GONSALVES: All those
8 in favor the Item 6, Ordinance 52 signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The item passes unanimously.

14 LEGISLATOR MACKENZIE: No
15 politics in that vote.

16 CHAIRWOMAN GONSALVES: Stop.
17 Stop. Enough. The next one is Item 13,
18 Ordinance number 59, a bond ordinance
19 providing for capital expenditure to finance
20 the capital projects identified herein
21 within the county of Nassau and authorizing
22 \$750,000 of bonds of the County of Nassau to
23 finance such expenditure pursuant to the
24 Local Finance Law of New York and the County
25 Governmental Law of Nassau County.

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2 Motion, please.

3 LEGISLATOR WALKER: So moved.

4 LEGISLATOR SCHAEFER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Walker, seconded by Legislator
7 Schaefer. Mr. Arnold, would you like to
8 talk to us about Item 13?

9 MR. ARNOLD: Item 13 is a roadway
10 improvement, Westbury Avenue in Carle Place.
11 Westbury Avenue is a two lane road includes
12 on street parking, both sides of the street.
13 This segment of road is very narrow and
14 needs improvements for both accessibility
15 for pedestrians and vehicles.

16 The department will be looking at
17 this road to see what can be done whether
18 it's elimination of some parking to make
19 this a clearer path to get through and in
20 addition in making the appropriate upgrades
21 for both accessibility and road service.

22 CHAIRWOMAN GONSALVES: Any
23 comments or questions from the legislators?

24 (No verbal response.)

25 Is there any public comment?

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2 (No verbal response.)

3 There being none -- excuse me,
4 who has a question? Legislator MacKenzie.

5 LEGISLATOR MACKENZIE: The
6 procurement process on Item 13 is the same
7 procurement process that's used in Item 6,
8 is that correct?

9 MR. ARNOLD: Yes, all county
10 Public Works procurement processes goes
11 through the Office of Purchasing are
12 publically bid and comes to this body for
13 approval.

14 LEGISLATOR MACKENZIE: Thank you.

15 CHAIRWOMAN GONSALVES: Is there
16 any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Item 13, Ordinance 59 signify by
20 saying aye.

21 LEGISLATOR RHOADS: Request for a
22 roll call vote.

23 CLERK PULITZER: Thank you.
24 Deputy Presiding Officer Richard Nicoletto?

25 LEGISLATOR NICOLELLO: Yes.

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2 CLERK PULITZER: Alternate
3 Presiding Officer Howard Kopel?
4 LEGISLATOR KOPEL: Yes.
5 CLERK PULITZER: Legislator
6 Siela Bynoe?
7 LEGISLATOR BYNOE: No.
8 CLERK PULITZER: Legislator
9 Carrie Solages?
10 LEGISLATOR SOLAGES: No.
11 CLERK PULITZER: Legislator
12 Denise Ford?
13 LEGISLATOR FORD: Yes.
14 CLERK PULITZER: Legislator
15 Laura Curran?
16 LEGISLATOR CURRAN: No.
17 CLERK PULITZER: Legislator C.
18 William Gaylor, III?
19 LEGISLATOR GAYLOR: Yes.
20 CLERK PULITZER: Legislator
21 Vincent Muscarella?
22 LEGISLATOR MUSCARELLA: Yes.
23 CLERK PULITZER: Legislator Ellen
24 Birnbaum?
25 LEGISLATOR BIRNBAUM: No.

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2 CLERK PULITZER: Legislator Delia
3 DeRiggi-Whitton?
4 LEGISLATOR DERIGGI-WHITTON: No.
5 CLERK PULITZER: Legislator
6 James Kennedy?
7 LEGISLATOR KENNEDY: Yes.
8 CLERK PULITZER: Legislator
9 Laura Schaefer?
10 LEGISLATOR SCHAEFER: Yes.
11 CLERK PULITZER: Legislator
12 Dennis Dunne, Sr.?
13 LEGISLATOR DUNNE: Yes.
14 CLERK PULITZER: Legislator
15 Arnold Drucker?
16 LEGISLATOR DRUCKER: No.
17 CLERK PULITZER: Legislator
18 Rosemarie Walker?
19 LEGISLATOR WALKER: Yes.
20 CLERK PULITZER: Legislator
21 Donald MacKenzie?
22 LEGISLATOR MACKENZIE: Yes.
23 CLERK PULITZER: Legislator
24 Steven Rhoads?
25 LEGISLATOR RHOADS: Yes.

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2 CLERK PULITZER: Minority Leader
3 Kevan Abrahams?

4 LEGISLATOR ABRAHAMS: No.

5 CLERK PULITZER: Presiding
6 Officer Norma Gonsalves?

7 CHAIRWOMAN GONSALVES: Yes.

8 CLERK PULITZER: Roll call vote,
9 12 to 7.

10 CHAIRWOMAN GONSALVES: Thank you
11 very much.

12 LEGISLATOR NICOLELLO: I move to
13 reconsider.

14 LEGISLATOR RHOADS: Second.

15 CHAIRWOMAN GONSALVES: Seconded
16 by Legislator Rhoads. All those in favor of
17 reconsidering Item 13 signify by saying aye.

18 (Aye.)

19 Any opposed to the call to
20 reconsider? Is it no?

21 LEGISLATOR ABRAHAMS: I'm not
22 engaging in your games.

23 CHAIRWOMAN GONSALVES: Then say
24 no.

25 LEGISLATOR ABRAHAMS: Keep

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2 running your game.

3 CHAIRWOMAN GONSALVES: Fine. So
4 the motion to reconsider passes 12 to 7,
5 however, at this point in time I need a
6 motion to table.

7 LEGISLATOR NICOLELLO: This is
8 not a game. This is how government works.
9 You vote on things. If you vote no you vote
10 no. That's how it works.

11 LEGISLATOR ABRAHAMS: Here we go
12 again. It's a game. Because if government
13 worked right, then you would listen to our
14 proposals and our proposals would at least
15 see the light of day of a hearing.

16 But, you know what, we proposed
17 an independent inspector general, an anti
18 corruption officer to fight corruption in
19 this county, and you chose not to even bring
20 it up to the floor for an actual hearing.
21 You don't have any idea --

22 CHAIRWOMAN GONSALVES: It's going
23 to be time for another recess.

24 LEGISLATOR KOPEL: You vote for a
25 government shut down unless we agree with

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2 you.

3 LEGISLATOR ABRAHAMS: It's not a
4 shut down. You don't have any idea how
5 government works.

6 LEGISLATOR KOPEL: You don't have
7 a right to insist -- you vote for a
8 government shut down unless we agree with
9 your proposal.

10 LEGISLATOR ABRAHAMS: It's not a
11 shutdown. And you know full well it's not.

12 LEGISLATOR KOPEL: You can't
13 insist on one proposal or another proposal
14 or --

15 LEGISLATOR ABRAHAMS: I
16 understand how it works. You want your cake
17 and eat it too.

18 CHAIRWOMAN GONSALVES: Motion to
19 table.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR ABRAHAMS: I'll second
22 it too. You want to be able to look good
23 and big on the floor outside on the steps
24 and call for the County Executive's
25 resignation, but at the same time you want

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2 to hand him \$4 million. You guys are
3 hypocrites.

4 LEGISLATOR SCHAEFER: You have
5 cameras here every other week for whatever
6 item it is you want to make a show about.
7 That's what it's about.

8 LEGISLATOR ABRAHAMS: If you had
9 a financial advisor who was indicted for
10 corruption, you would hand him your pension?

11 LEGISLATOR SCHAEFER: You just
12 voted for contracts. You just voted for
13 some bonding. Ridiculous.

14 LEGISLATOR KOPEL: Just stop.

15 LEGISLATOR ABRAHAMS: No,
16 Howard. I'm suggesting that we put an
17 Independent Inspector General and
18 anticorruption officer in place to ensure
19 the process is transparent. You know
20 exactly what I'm asking for but you don't
21 want to do it. You don't want to shine the
22 light on the process. The good voters of
23 this county in November will have their say.

24 LEGISLATOR NICOLELLO: Wait, you
25 said a number of you guys voted to give him

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2 \$4 million. You guys voted to give \$4
3 million.

4 You just voted to give him \$2.4
5 million in pedestrian accessibility. So who
6 is the hypocrite? We can't give him money
7 for odor control but you can give him money
8 for pedestrian accessibility?

9 LEGISLATOR ABRAHAMS: Because we
10 realize in your obstruction -- we realize in
11 your obstruction that you will never
12 consider this so we have to at least look
13 out for public safety. And you know all too
14 well your body, your side that has chosen to
15 be the real obstructionists is in front of
16 us.

17 LEGISLATOR NICOLELLO: So you are
18 telling us in your minds pedestrian
19 accessibility is more important than odor
20 control for the residents of Bay Park?
21 Okay. Thank you very much. We just had to
22 understand where you're coming from.

23 CHAIRWOMAN GONSALVES: If you
24 don't want me to call another recess --

25 LEGISLATOR ABRAHAMS: I would ask

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2 you to, please, there is a gentleman in the
3 back, representatives of our union rather
4 than continue with your shenanigans and your
5 games and calling these bonding items, which
6 you know full well we are not going to
7 support until we see an anticorruption
8 officer in this county to provide
9 transparency to this process. Please call
10 their items first and then you can continue
11 with your games and your shenanigans
12 afterwards. Can we do that, please?

13 CHAIRWOMAN GONSALVES: No, no,
14 no, no. Hold on. If you're not going to do
15 this in an orderly fashion, I don't care if
16 I stay here until 8 o'clock. It's up to
17 you. You should understand --

18 LEGISLATOR ABRAHAMS: You can
19 very easily call these items in bulk. You
20 are doing it for some reason to think that
21 somehow we are going to be intimidated
22 because you guys are calling the items
23 individually.

24 LEGISLATOR NICOLELLO: That's
25 Democracy.

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2 CHAIRWOMAN GONSALVES: No, it's
3 not --

4 LEGISLATOR ABRAHAMS: It's not
5 Democracy. How many items did we call in
6 roll call? Come on, Rich, 99 percent of our
7 items we do not call by roll call.

8 CHAIRWOMAN GONSALVES: Motion to
9 table 13.

10 LEGISLATOR SCHAEFER: So moved.

11 LEGISLATOR FORD: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Schaefer, seconded by Legislator
14 Ford. All those in favor of tabling Item
15 13, yes?

16 (Aye.)

17 We are tabling it. So we can
18 call it again.

19 CHAIRWOMAN GONSALVES: I have two
20 people at home that are waiting for a dinner
21 break.

22 LEGISLATOR ABRAHAMS: Why are we
23 making them wait? Why don't we just call
24 their items? Why are they caught up in this
25 stuff?

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2 CHAIRWOMAN GONSALVES: We have
3 71, 72, 73, 74, and I know the first ones
4 are going to 71, 72, 73. I know you guys
5 are sitting and enjoying the show that we
6 presented to you today?

7 We're going to begin with Item
8 71, Resolution 130. It's a resolution
9 requesting the Legislature of the State of
10 New York to enact and the governor to
11 approve an act providing disability benefits
12 to sheriffs, deputy sheriffs, under
13 sheriffs, and correction officers.

14 Motion, please.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR SCHAEFER: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicolello, seconded by Legislator
19 Schaefer.

20 MR. BECKER: Madam Chair, in
21 essence, 71, 72, and 73 are all the same.
22 But it's up to you. They are all the same
23 basically just applies to different
24 departments, county employees.

25 CHAIRWOMAN GONSALVES: At this

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2 point, before we even move forward with the
3 other two items, Mr. Becker, we need a
4 motion to suspend the rules.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR GAYLOR: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Nicolello, seconded by Legislator
10 Gaylor. All those in favor of suspending
11 the rules signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The motion to suspend the rules
16 is unanimous.

17 71, 72, 73 are all Home Rule
18 Messages, and they are sitting very
19 patiently back there.

20 The first one I called was 71,
21 Resolution 130, requiring a Home Rule
22 Message providing disability benefits for
23 sheriffs, deputy sheriffs, under-sheriffs,
24 and correction officers;

25 72, Home Rule for disability

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2 benefits for ambulance, AMT supervisors, AMT
3 technician coordinators, and AMT medical
4 technicians;

5 73, another Home Rule Message, is
6 for providing for accidental disability
7 benefits for chief marshals, chief fire
8 marshal, assistant chief fire marshals,
9 division supervising fire marshals,
10 supervising fire marshals, fire marshals,
11 and fire marshal trainees.

12 Motion, please.

13 LEGISLATOR RHOADS: So moved.

14 LEGISLATOR GAYLOR: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Rhoads, seconded by Legislator
17 Gaylor. Who wants to talk about these? Do
18 we need anymore? Did they go through
19 committees? They went committees, I believe
20 the testimony was heard in committees. Is
21 there anyone else that want to add?
22 Mr. Podlesak.

23 MR. PODLESAK: No. I'm just here
24 in case of a question.

25 CHAIRWOMAN GONSALVES: Do you

1 Full Legislature/6-5-17

2 have any questions anyone?

3 (No verbal response.)

4 Is there any public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of 71, 72, and 73 signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 They pass unanimously. Now you
13 can go home and have dinner.

14 The next item is Resolution 133,
15 or Item 74, a resolution requesting the
16 Legislature of the State of New York to
17 enact and the governor to approve an act
18 extending the authority of the County of
19 Nassau to impose additional sales and
20 compensating use taxes and extend the local
21 government assistance programs in Nassau
22 County.

23 Motion, please.

24 LEGISLATOR WALKER: So moved.

25 LEGISLATOR DUNNE: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Walker, seconded by Legislator
4 Dunne. I believe it calls for an amendment.

5 I need an amendment in the nature
6 of a substitution.

7 LEGISLATOR FORD: So moved.

8 LEGISLATOR DUNNE: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Ford, seconded by Legislator
11 Dunne. All those in favor of the amendment
12 in the nature of a substitution add subpart
13 A to the resolution.

14 All those in favor of the
15 amendment in the nature of a substitution
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item is now amended.

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 It is unanimous.

3 The next one is 75, Resolution
4 134, a resolution requesting the Legislature
5 of the State of New York to enact and the
6 governor to approve an act extending the
7 authority of the County of Nassau to impose
8 hotel and motel taxes.

9 Motion, please.

10 LEGISLATOR KENNEDY: So moved.

11 LEGISLATOR MACKENZIE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Kennedy, seconded by Legislator
14 MacKenzie. Any comments or questions on
15 this one? It went through committees. Item
16 anything else you want to add to it? If
17 not, this is not amended. 75 is not amended
18 as far as I understand.

19 74, Resolution 133 passed as
20 amended. Now we are on 75. All those in
21 favor of Item 75 --

22 LEGISLATOR ABRAHAMS: We just
23 want to make sure the records from finance
24 and rules especially asking for the report
25 is incorporated into the meeting by

1 Full Legislature/6-5-17

2 reference.

3 (Whereupon, please refer to the
4 minutes of the Rules Committee dated 6-5-17
5 pertaining to Clerk Item 75, Resolution 134,
6 at pages 97-98^.)

7 CHAIRWOMAN GONSALVES: Any other
8 comment?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item 75, Resolution 174 signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes 12 to 7.

19 Let's go to the three or four
20 bond issues and then I'm going to put this
21 meeting in recess again. I'm not sure.

22 We're on Item 14, Ordinance 60,
23 bond ordinance providing for a capital
24 expenditure to finance the capital project
25 identified herein within the County of

1 Full Legislature/6-5-17
2 Nassau and authorizing \$1 million of bonds
3 of Nassau County to finance such expenditure
4 pursuant to the Local Finance Law of New
5 York and the County Governmental Law of
6 Nassau County.

7 Motion, please.

8 LEGISLATOR RHOADS: So moved.

9 LEGISLATOR GAYLOR: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Rhoads, seconded by Legislator
12 Gaylor.

13 MR. ARNOLD: Ken Arnold,
14 Department of Public Works. Item 14 is a
15 bond ordinance resolution for the
16 improvements for Merrick Bellmore Road for
17 \$1 million. Bellmore Merrick Road is a
18 concrete panel road.

19 While I initially thought this
20 was looking for street scape improvements,
21 the underlying issue that was brought to my
22 attention was the road pavement.

23 We looked at the resurfacing
24 program and there is an inadequate funds
25 program for this road out of that funding

1 Full Legislature/6-5-17
2 source, this bond ordinance would cover
3 concrete patch panel repairs on both of
4 these roads in the amount of \$1 million.

5 CHAIRWOMAN GONSALVES: Any
6 comments or questions for Mr. Arnold? Mr.
7 Rhoads.

8 LEGISLATOR RHOADS: Thank you,
9 Madam Presiding Officer. This is the same
10 bond ordinance that I had raised at the last
11 meeting. I brought in the chunk of concrete
12 which was a portion of Merrick Road to
13 demonstrate the condition that Merrick Road
14 was in.

15 As Mr. Arnold said, first off
16 there is a legal question as to whether you
17 can use road resurfacing funds for a roadway
18 that cannot be resurfaced.

19 But secondly, even if you could,
20 there is insufficient funds to make the
21 necessary repairs to Merrick Road.

22 We do have a responsibility to
23 the public to ensure that our road
24 conditions are safe.

25 Unfortunately, clearly, with

1 Full Legislature/6-5-17
2 respect to Merrick Road in the area of
3 Bellmore Avenue, the answer to that question
4 is that they are not.

5 The funds are needed for us to be
6 able to make those repairs and I would
7 respectfully urge my colleagues on the other
8 side of the aisle to please support our
9 ability to be able to make those roadways
10 safe for those constituents, my
11 constituents.

12 CHAIRWOMAN GONSALVES: Minority
13 Leader.

14 LEGISLATOR ABRAHAMS: Ken, let me
15 make sure I actually understand the scope of
16 this project. So this project is strictly
17 for resurfacing?

18 MR. ARNOLD: Concrete panel roads
19 cannot be resurfaced. You have to chop out
20 the poor conditioned concrete and replace
21 the concrete with a doweling system, full
22 depth concrete repair, it's not just
23 covering over the concrete panels.

24 LEGISLATOR ABRAHAMS: Back up.
25 Was that the original scope of the project?

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2 MR. ARNOLD: I misinterpreted
3 what they were looking to do initially.
4 When I went back and I looked at it, it was
5 brought to my attention that they were
6 looking to focus on the concrete panels.

7 LEGISLATOR ABRAHAMS: Back up
8 again. When did you misinterpret it, at the
9 last meeting?

10 MR. ARNOLD: I just assumed based
11 on all the information that I had that this
12 was the continuation of other street scape
13 projects we had done there and I did not
14 speak to the local community about what they
15 were looking to achieve, and the department
16 has recognized that the panels are in poor
17 condition and looking to address them.

18 LEGISLATOR ABRAHAMS: Ken, I'm
19 sorry, I'm not trying to put you on the
20 spot. It sounds like you changed since the
21 last meeting. Does this change go back
22 years?

23 MR. ARNOLD: When I was at the
24 last meeting it was brought to my attention
25 what I heard. So I went back --

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2 LEGISLATOR ABRAHAMS: So this was
3 at the last meeting. So Legislator Rhoads
4 said what he thought it was, it wasn't, it's
5 based off the change in the last two weeks?

6 MR. ARNOLD: What I present was
7 incorrect. I did not speak to Mr. Rhoads
8 prior to the meeting. I did not understand
9 that the biggest issue was the concrete
10 panels. I assumed based on past experience
11 that we were doing street scape section by
12 section and this was the next section.

13 LEGISLATOR ABRAHAMS: So this is
14 a new item is what I'm saying. It's not
15 what Legislator Rhoads was advocating for
16 two weeks ago? This sounds like it's a
17 changed item. What we saw in the backup was
18 a street scape that -- let me backtrack
19 again.

20 Is this project a street scape in
21 any nature in regards to brick pavers or the
22 crosswalks, or decorative lighting? Does
23 this project have any of those cosmetic
24 upgrades along the road?

25 MR. ARNOLD: No. This project

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2 was just the concrete panels that are in the
3 roadway.

4 LEGISLATOR ABRAHAMS: So you're
5 no longer doing the street scape?

6 MR. ARNOLD: That is correct.

7 CHAIRWOMAN GONSALVES: Legislator
8 Rhoads.

9 LEGISLATOR RHOADS: With all due
10 respect, there is no change. If you look at
11 the backup materials, nowhere in that backup
12 material does it say it was a street scape
13 project. I know because I'm the one that
14 fought for the project to be included.

15 CHAIRWOMAN GONSALVES: Legislator
16 DeRiggi-Whitton, you are out of order.

17 LEGISLATOR RHOADS: I know what I
18 asked for. I can't control how the
19 Department of Public Works scores or
20 categorizes an individual project. What I
21 asked for was road improvements in the area
22 of Bellmore Avenue and Merrick Road.

23 In fact, just to clarify, there
24 has already been a street scape project in
25 the area of Merrick Road and Bellmore

1 Full Legislature/6-5-17
2 Avenue. There is no more street scaping to
3 be done. It would not be a street scape
4 project. It is to replace the concrete bed
5 in areas where it's damaged in the vicinity
6 of Bellmore.

7 LEGISLATOR ABRAHAMS: I wasn't
8 done before, Madam Presiding Officer.

9 CHAIRWOMAN GONSALVES: Now,
10 Minority Leader, you may speak.

11 LEGISLATOR ABRAHAMS: But, Ken,
12 you had mentioned before this -- you have
13 done street scapes along this corridor and
14 this was to continue those kinds of
15 projects?

16 MR. ARNOLD: I made a poor
17 assumption. I thought this was to continue
18 the street scape. I incorrectly stated that
19 in my summary, when I went out there and
20 looked at the project.

21 In fact, the underlying concern
22 was the concrete surface of the road.

23 LEGISLATOR ABRAHAMS: So let's go
24 with that premise. When you made that
25 assumption that the project was to continue

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2 a street scape, tell me the description that
3 was in the backup to explain what kind of
4 project it was before you realized that you
5 had the wrong assumption. I believe you
6 provided an email to all of us.

7 MR. ARNOLD: Correct. And that
8 email I said was incorrect.

9 LEGISLATOR ABRAHAMS: So give me
10 an understanding of what was in that
11 narrative explaining that project before you
12 realized that that was incorrect.

13 I remember something completely
14 different than what Legislator Rhoads is,
15 but I could be mistaken.

16 MR. ARNOLD: The narrative in the
17 staff summary strictly says, road
18 improvements Merrick Road, Bellmore.

19 LEGISLATOR ABRAHAMS: No, no.
20 I'm talking about, this is tied to a capital
21 item. The capital description of the
22 project prior to any debate or discussion
23 two weeks ago. What did that say?

24 MR. ARNOLD: Let me check. I
25 don't have the capital amendment in front of

1 Full Legislature/6-5-17

2 me, but the bond ordinance strictly talks
3 about road improvements. Does not specify
4 what type of improvements it includes.

5 LEGISLATOR ABRAHAMS: What are
6 you reading from?

7 MR. ARNOLD: From the bond
8 ordinance.

9 LEGISLATOR ABRAHAMS: No, no. In
10 the capital plan, don't you guys describe
11 each project?

12 MR. ARNOLD: This was added after
13 the capital plan was put together as an
14 amendment.

15 LEGISLATOR ABRAHAMS: But the
16 description that you provided us via email
17 indicated street scape but that was before
18 you realized that it shouldn't be called
19 street scape it should be called road
20 improvements.

21 MR. ARNOLD: That is correct.

22 LEGISLATOR ABRAHAMS: I got it.
23 So it changed in the last two weeks. I ask
24 the question, did it change in the last two
25 weeks?

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2 MR. ARNOLD: I made a poor
3 assumption when I put together the project
4 description.

5 LEGISLATOR ABRAHAMS: I got that.
6 I make mistakes too. What I'm saying is,
7 did it change in the last two weeks?

8 MR. ARNOLD: No. When I came
9 into that session and I heard what was going
10 on, I realized I made a poor assumption and
11 the next day I went out and looked at what
12 our backup information was and I indicated
13 that I was going to correct it on the record
14 the next time I came to the podium.

15 LEGISLATOR ABRAHAMS: So in
16 essence what you're explaining should take
17 place in the bonding that took place in
18 October? It's basically a road improvement
19 project; not a street scape, shouldn't it
20 have taken place with that bonding?

21 MR. ARNOLD: I believe the
22 wording in the capital plan amendment was
23 probably very vague and it didn't discuss,
24 so at that time I probably assumed it was
25 also street scape, not realizing what the

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2 local community was looking to achieve.

3 LEGISLATOR ABRAHAMS: But how
4 much money had you spent from the October
5 money?

6 MR. ARNOLD: On resurfacing?

7 LEGISLATOR ABRAHAMS: On
8 resurfacing.

9 MR. ARNOLD: I would have to go
10 back and look at the records, but we're
11 currently putting out phases as we speak to
12 cover different items. And this road is not
13 part of the phases that are currently being
14 programed using that \$26.2 million.

15 LEGISLATOR ABRAHAMS: But we
16 don't know how much we've spent versus how
17 much is left over. I would just think we
18 should get those numbers clarified and maybe
19 the money for this project can get paid for
20 out of that.

21 MR. ARNOLD: Well, I supplied
22 both sides of the aisle our program of what
23 spending is on that money and what we are
24 designing and working towards.

25 Unfortunately, this road is not

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2 included -- is being programmed there, and
3 for me to program it would mean I would have
4 to eliminate some other road being looked
5 at.

6 LEGISLATOR ABRAHAMS: When you
7 come up with this list of roads, you do it
8 based off of need and priority, correct?

9 MR. ARNOLD: Yes.

10 LEGISLATOR ABRAHAMS: Let me ask
11 you, is Merrick Road, this stretch of road
12 that Legislator Rhoads is advocating for,
13 does it have a greater need than any other
14 roads currently in there?

15 MR. ARNOLD: Our database talks
16 about reassessing that road this summer
17 which at that time we probably would have
18 put it on a priority list for our next bond
19 ordinance request.

20 LEGISLATOR ABRAHAMS: So that
21 road has a greater priority than some of the
22 other roads that are on there already?

23 MR. ARNOLD: No. It needs to be
24 addressed after the roads we're currently
25 working on.

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2 LEGISLATOR ABRAHAMS: So how are
3 we determining -- I'm sure there is
4 crumbling roads all throughout Nassau
5 County. How are we determining one stretch
6 of road versus another stretch of road?

7 MR. ARNOLD: We work with out
8 road maintenance bosses and find out what
9 roads they're having issues with and they
10 identify them. We do an assessment and then
11 we prioritize the roads we can address.

12 LEGISLATOR ABRAHAMS: To me, it's
13 astonishing we missed Merrick Road if
14 Merrick Road is as bad as these roads that
15 were part of the original list in October.
16 I don't know. Did you give him the list,
17 Legislator Rhoads, did you request this road
18 back in October?

19 LEGISLATOR RHOADS: We requested
20 a specific project for this particular
21 roadway. It was included in the capital
22 plan as an addendum. That's the item that's
23 before you today.

24 LEGISLATOR ABRAHAMS: That was a
25 street scape.

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2 LEGISLATOR RHOADS: It's not a
3 street scape, never a street scape, Mr.
4 Minority Leader. I'm the one that requested
5 it and I'm the one that fought for it. I
6 know what it is. You can speculate all you
7 want.

8 LEGISLATOR ABRAHAMS: I guess
9 what I'm asking, Legislator Rhoads, is that
10 normally, projects that you're describing
11 are rolled into our resurfacing program.

12 LEGISLATOR RHOADS: We don't know
13 that you can actually roll it into the
14 resurfacing program because you cannot
15 resurface that roadway.

16 LEGISLATOR ABRAHAMS: Mr. Arnold,
17 can this project be done under normal
18 circumstances if there was another \$1
19 million? Would this project fall under the
20 guise of the road resurfacing project?

21 MR. ARNOLD: The commissioner and
22 I spoke with Conal Denion last week when
23 this came up. It is a debatable issue.

24 I believe it should be. Conal
25 Denion was not as clear and believed that it

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2 may not be a road resurfacing item because
3 you're reconstructing the road by replacing
4 the complete panel.

5 I have asked them that it should
6 be reconsidered because of the flexibility
7 of the project of the road condition is
8 important to the department, but we have
9 still not come to a final conclusion on
10 that.

11 LEGISLATOR ABRAHAMS: So we
12 determined that last week?

13 MR. ARNOLD: No. That was a
14 question we raised last week.

15 LEGISLATOR ABRAHAMS: But,
16 according to Legislator Rhoads, this should
17 have been done, included, possibly this
18 question should have been brought up in
19 October if he was advocating for it. Were
20 you advocating for it in October?

21 LEGISLATOR RHOADS: Which is why
22 it was in the capital --

23 LEGISLATOR ABRAHAMS: But then
24 why --

25 LEGISLATOR RHOADS: Mr. Minority

1 Full Legislature/6-5-17

2 Leader, you asked a question, I would like
3 the courtesy of being able to answer it.

4 LEGISLATOR ABRAHAMS: What do you
5 mean, after you cut me off just now before?
6 You did.

7 CHAIRWOMAN GONSALVES: I have a
8 question.

9 LEGISLATOR RHOADS: Can I give my
10 answer?

11 CHAIRWOMAN GONSALVES: No. I
12 have a question. Mr. Arnold, we all -- I
13 have the floor. Give me the respect I
14 deserve for putting up with you guys.

15 Mr. Arnold, there is a difference
16 in resurfacing a road that is asphalt as
17 opposed to a road that is in concrete or
18 cement, whatever you want to call it.

19 I have a road in my district that
20 is cement. That cannot be resurfaced in the
21 same way as if I had a road that was
22 asphalt; is that correct?

23 MR. ARNOLD: That's correct.

24 CHAIRWOMAN GONSALVES: That's why
25 this road is very, very difficult to

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2 refurbish because of the nature of the road.

3 I'm not defending anybody here.
4 But knowing there is a difference between
5 asphalt and concrete, it really demands
6 different attention; am I right?

7 MR. ARNOLD: That is correct.

8 CHAIRWOMAN GONSALVES: Now you
9 want to finish saying what you want to say,
10 Mr. Minority Leader, be my guest.
11 Legislator Birnbaum.

12 LEGISLATOR BIRNBAUM: So we all
13 know there's two different kinds of
14 surfaces; asphalt or concrete.

15 So in the list of roads that
16 you're doing in other areas, aren't there
17 other concrete roads as part of that capital
18 project? Road resurfacing, even though
19 they're concrete.

20 MR. ARNOLD: The only road that
21 is being looked at right now is Wantagh
22 Avenue. Wantagh Avenue, we're applying a
23 special treatment where we're going to
24 overlay the road with asphalt, a very
25 expensive project. The concrete panels are

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2 in fairly okay shape but the road surface is
3 so smooth it's actually a skidding hazard
4 which is why it needs to be resurfaced.

5 But Merrick Road in Bellmore,
6 it's not the issue of the slickness of the
7 concrete, just the falling apart of the
8 concrete. We would treat that differently.
9 So we would replace the panels.

10 LEGISLATOR BIRNBAUM: So you are
11 just doing concrete on Merrick Road and I'm
12 just trying to understand, that's the only
13 road in the county that has to be fixed like
14 that?

15 MR. ARNOLD: That's correct.

16 LEGISLATOR NICOLELLO: You can do
17 Mineola Boulevard while you're at it.
18 That's concrete also.

19 MR. ARNOLD: Yes.

20 CHAIRWOMAN GONSALVES: I would
21 like to move on. Any other concerns or
22 comments?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

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2 There being none, all those in
3 favor of Item 14?

4 LEGISLATOR RHOADS: Ask for a
5 roll call vote.

6 CHAIRWOMAN GONSALVES:

7 Mr. Pulitzer, call the vote.

8 CLERK PULITZER: Thank you.
9 Deputy Presiding Officer Richard Nicolello?

10 LEGISLATOR NICOLELLO: Yes.

11 CLERK PULITZER: Alternate
12 Presiding Officer Howard Kopel?

13 LEGISLATOR KOPEL: Yes.

14 CLERK PULITZER: Legislator
15 Siela Bynoe?

16 LEGISLATOR BYNOE: No.

17 CLERK PULITZER: Legislator
18 Carrie Solages?

19 LEGISLATOR SOLAGES: No.

20 CLERK PULITZER: Legislator
21 Denise Ford?

22 LEGISLATOR FORD: Yes.

23 CLERK PULITZER: Legislator
24 Laura Curran?

25 LEGISLATOR CURRAN: No.

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2 CLERK PULITZER: Legislator C.

3 William Gaylor, III?

4 LEGISLATOR GAYLOR: Yes.

5 CLERK PULITZER: Legislator

6 Vincent Muscarella?

7 LEGISLATOR MUSCARELLA: Yes.

8 CLERK PULITZER: Legislator Ellen

9 Birnbaum?

10 LEGISLATOR BIRNBAUM: No.

11 CLERK PULITZER: Legislator Delia

12 DeRiggi-Whitton?

13 LEGISLATOR DERIGGI-WHITTON: It

14 sounds to me like this project should have

15 been included in the bonding in October and

16 I'm sorry the ball was dropped. This is

17 unbelievable, so I vote no.

18 CLERK PULITZER: Legislator

19 James Kennedy?

20 LEGISLATOR KENNEDY: Yes.

21 CLERK PULITZER: Legislator

22 Laura Schaefer?

23 LEGISLATOR SCHAEFER: Yes.

24 CLERK PULITZER: Legislator

25 Dennis Dunne, Sr.?

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2 LEGISLATOR DUNNE: Yes.

3 CLERK PULITZER: Legislator

4 Arnold Drucker?

5 LEGISLATOR DRUCKER: No.

6 CLERK PULITZER: Legislator

7 Rosemarie Walker?

8 LEGISLATOR WALKER: Yes.

9 CLERK PULITZER: Legislator

10 Donald MacKenzie?

11 LEGISLATOR MACKENZIE: Yes.

12 CLERK PULITZER: Legislator

13 Steven Rhoads?

14 LEGISLATOR RHOADS: The minority
15 has already grossly underfunded the number
16 of projects that have to be included as part
17 of the road resurfacing program. There was
18 \$41 million of bonding asked for in October
19 of which only 26 was approved.

20 Adding this particular project to
21 that, one, has questionable legal
22 consequence key consequences, which is why
23 it was called out separately as a bond item,
24 that is what we are voting on today. I'm
25 voting in the affirmative, I wish you would

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2 join me.

3 CLERK PULITZER: Minority Leader

4 Kevan Abrahams?

5 LEGISLATOR ABRAHAMS: No.

6 CLERK PULITZER: Presiding

7 Officer Norma Gonsalves?

8 CHAIRWOMAN GONSALVES: Yes.

9 CLERK PULITZER: 12 to 7, madam.

10 CHAIRWOMAN GONSALVES: Thank you

11 very much.

12 LEGISLATOR NICOLELLO: Motion to

13 reconsider.

14 CHAIRWOMAN GONSALVES: Motion to

15 reconsider by Legislator Nicolello.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRWOMAN GONSALVES: Seconded

18 by Legislator MacKenzie. All those in favor

19 of reconsidering Item 14 signify by saying

20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Now a motion to table.

25 LEGISLATOR NICOLELLO: So moved.

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2 LEGISLATOR RHOADS: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Nicoletto, seconded by Legislator
5 Rhoads. All those in favor of tabling Item
6 14 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 We have two more. We're going to
11 do the same procedure. Item 15, Ordinance
12 51, a bond ordinance providing for a capital
13 expenditure to finance the capital project
14 identified here within the County of Nassau
15 and authorizing \$1 million of bonds of the
16 County of Nassau to finance such expenditure
17 pursuant to the Local Finance Law of New
18 York and the County Governmental Law of
19 Nassau County.

20 Motion, please.

21 LEGISLATOR KENNEDY: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Kennedy, seconded by Legislator
25 Walker. Mr. Arnold, sorry we are belaboring

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2 this.

3 MR. ARNOLD: Item 15 is a bond
4 ordinance for \$1 million to address issues
5 on Main Street in East Rockaway. It has
6 inconsistent curbs along the length of the
7 road. It puddles, it floods, it causes a
8 hazard to the traveling public.

9 In addition, with the lack of
10 curbs, impacts the pedestrian access along
11 the sidewalk. This project will look to
12 introduce curbs along the length of the
13 project and address the road as needed in
14 addition to that.

15 CHAIRWOMAN GONSALVES: Any
16 questions of Mr. Arnold? Legislator
17 DeRiggi-Whitton.

18 LEGISLATOR DERIGGI-WHITTON:
19 Thank you, Presiding Officer. Was this
20 project included in the bonding for October?

21 MR. ARNOLD: This would not be
22 considered a road resurfacing project. This
23 would be a curb type of project which is not
24 considered a road resurfacing project.

25 MR. ARNOLD: But there are many

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2 other DPW projects on the bonding as well,
3 correct?

4 MR. ARNOLD: And none of which
5 passed.

6 LEGISLATOR DERIGGI-WHITTON: For
7 the bonding?

8 MR. ARNOLD: Correct.

9 LEGISLATOR DERIGGI-WHITTON:
10 Well, with the \$50 million?

11 MR. ARNOLD: The only other
12 projects that passed were associated with
13 TIP projects for New York State that were
14 getting reimbursed.

15 LEGISLATOR DERIGGI-WHITTON: It's
16 interesting. I just want to put on the
17 record, there were negotiations, Legislator
18 Rhoads mentioned, from 41 million to \$26
19 million. I wasn't even aware of that that
20 day. We didn't even know what was coming
21 down at 10 o'clock that night.

22 You guys are lucky that you had
23 the advantage of knowing what was being
24 negotiated, but I don't understand how you
25 didn't get your own projects in there. It's

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2 really bizarre. If you had the morning and
3 you had the information and still you let
4 your constituents down by not getting your
5 own projects in.

6 LEGISLATOR NICOLELLO: Are you
7 taking a shot at Legislator Curran? Didn't
8 Legislator Curran vote for the \$26 million,
9 taking a shot, that's not right.

10 LEGISLATOR MACKENZIE: She's a
11 candidate for County Executive.

12 LEGISLATOR DERIGGI-WHITTON: How
13 do you do this as far as not knowing that
14 your own projects were involved?

15 MR. ARNOLD: Let me just state
16 that the department looks at road
17 conditions, does not have political
18 boundaries on each side of what roads need
19 to be resurfaced.

20 CHAIRWOMAN GONSALVES: Thank you
21 very much, Mr. Arnold. And we are moving
22 on.

23 If there are no other comments,
24 all those in favor of Item 15, Ordinance 61
25 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 Legislator Curran.

5 LEGISLATOR CURRAN: Ken, am I
6 mistaken in thinking that what we just
7 approved for the ADA compliance was a
8 survey, so since this includes ramps and
9 pedestrian access and ADA compliance, et
10 cetera, I'm wondering if maybe we should
11 wait for that to happen before we do this.
12 Would that make sense?

13 MR. ARNOLD: Legislator, what the
14 department does, we have specific projects
15 to address segments of roads.

16 If we cannot do something on a
17 segment of road to bring a ramp up to ADA
18 standards based by the federal government
19 and the state, we put these ramps on what we
20 call the transition plan.

21 We can continue the main part of
22 the project and get it done which in this
23 case would be curbs along East Rockaway and
24 Main Street.

25 We go back with that other bond

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2 ordinance at a later date when we get the
3 proper utility permits, right of way maps
4 and everything else that would have delayed
5 the main project and then we would use our
6 transition plan funding which was approved
7 today to address those ramps at that time.

8 Otherwise none of my projects
9 would ever move forward if I had to wait to
10 do the ramps as part of the project. There
11 are so many different issues of utility
12 poles, right of way, that would delay me
13 forever.

14 LEGISLATOR CURRAN: Thank you for
15 explaining that.

16 CHAIRWOMAN GONSALVES: Legislator
17 Kopel has one quick question.

18 LEGISLATOR KOPEL: I just want to
19 ask, after today who still wants to run for
20 reelection and I think we should have a roll
21 call.

22 LEGISLATOR NICOLELLO: Roll call.

23 CHAIRWOMAN GONSALVES: Let's go.
24 What is the question?

25 LEGISLATOR MACKENZIE: Mr.

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2 Arnold, it was just brought up Item Number
3 6, the handicapped ramp accessibility you
4 were just asking questions about that in
5 comparison to this item, that Item Number 6
6 and this Item Number 15 both go through the
7 same procurement process; is that correct?

8 MR. ARNOLD: That is correct.

9 CHAIRWOMAN GONSALVES: Roll call
10 requested by Legislator Nicolello. One more
11 time.

12 CLERK PULITZER: Deputy Presiding
13 Officer Richard Nicolello?

14 LEGISLATOR NICOLELLO: Yes.

15 CLERK PULITZER: Alternate
16 Presiding Officer Howard Kopel?

17 LEGISLATOR KOPEL: Yes.

18 CLERK PULITZER: Legislator Siela
19 Bynoe?

20 LEGISLATOR BYNOE: No.

21 CLERK PULITZER: Legislator
22 Carrie Solages?

23 LEGISLATOR SOLAGES: No.

24 CLERK PULITZER: Legislator
25 Denise Ford?

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2 LEGISLATOR FORD: Yes.
3 CLERK PULITZER: Legislator
4 Laura Curran?
5 LEGISLATOR CURRAN: No.
6 CLERK PULITZER: Legislator C.
7 William Gaylor, III?
8 LEGISLATOR GAYLOR: Yes.
9 CLERK PULITZER: Legislator
10 Vincent Muscarella?
11 LEGISLATOR MUSCARELLA: Yes.
12 CLERK PULITZER: Legislator Ellen
13 Birnbaum?
14 LEGISLATOR BIRNBAUM: No.
15 CLERK PULITZER: Legislator Delia
16 DeRiggi-Whitton?
17 LEGISLATOR DERIGGI-WHITTON: No.
18 CLERK PULITZER: Legislator James
19 Kennedy?
20 LEGISLATOR KENNEDY: Yes.
21 CLERK PULITZER: Legislator
22 Laura Schaefer?
23 LEGISLATOR SCHAEFER: Yes.
24 CLERK PULITZER: Legislator
25 Dennis Dunne, Sr.?

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2 LEGISLATOR DUNNE: Yes.
3 CLERK PULITZER: Legislator
4 Arnold Drucker?
5 LEGISLATOR DRUCKER: No.
6 CLERK PULITZER: Legislator
7 Rosemarie Walker?
8 LEGISLATOR WALKER: Yes.
9 CLERK PULITZER: Legislator
10 Donald MacKenzie?
11 LEGISLATOR MACKENZIE: Yes.
12 CLERK PULITZER: Legislator
13 Steven Rhoads?
14 LEGISLATOR RHOADS: Yes.
15 CLERK PULITZER: Minority Leader
16 Kevan Abrahams?
17 LEGISLATOR ABRAHAMS: No.
18 CLERK PULITZER: Presiding
19 Officer Norma Gonsalves?
20 CHAIRWOMAN GONSALVES: Yes.
21 CLERK PULITZER: Roll call 12 to
22 7, ma'am.
23 CHAIRWOMAN GONSALVES: Thank you
24 very much.
25 LEGISLATOR NICOLELLO: I move to

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2 reconsider.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Motion to
5 reconsider by Legislator Nicoletto, seconded
6 by Legislator Kopel. All those in favor of
7 reconsidering signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 Now a motion to table, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR GAYLOR: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Gaylor. All those in favor of tabling Item
17 15 signify by saying aye.

18 (Aye.)

19 The item is tabled.

20 One more item to go. Item 16,
21 Ordinance 62, a bond ordinance providing for
22 a capital expenditure to finance the capital
23 project identified herein within the County
24 of Nassau and authorizing the \$1,700,000 of
25 bonds of the County of Nassau to finance

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2 such expenditure pursuant to the Local
3 Finance Law of New York and the County
4 Governmental Law of Nassau County.

5 Motion, please.

6 LEGISLATOR GAYLOR: So moved.

7 LEGISLATOR SCHAEFER: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Gaylor, seconded by Legislator
10 Schaefer. Talk to us, Mr. Arnold.

11 MR. ARNOLD: Item 16 is
12 associated with the capital improvement for
13 Jerusalem Avenue. Jerusalem Avenue is a
14 four lane road, two lanes in each direction,
15 on street parking with both sides, sections
16 of road in Bellmore have seen street scapes
17 improvements over the years however there is
18 still segments adjacent to businesses that
19 have not seen these types of improvements.
20 This project would address those areas.

21 CHAIRWOMAN GONSALVES: Any
22 questions or comments for Mr. Arnold?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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2 There being none, all those in
3 favor of Item 16, Ordinance 62 signify by
4 saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 (Nay.)

9 It's 12 to 6.

10 LEGISLATOR NICOLELLO: Motion to
11 reconsider.

12 LEGISLATOR DUNNE: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Nicolello, seconded by Legislator
15 Dunne. All those in favor of reconsidering
16 Item 16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Motion to reconsider passes.

21 LEGISLATOR MUSCARELLA: So moved.

22 LEGISLATOR KENNEDY: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Muscarella, seconded by
25 Legislator Kennedy. All those in favor of

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2 tabling Item 16 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Now, before I recess this
7 meeting, Mr. Arnold, let me say something to
8 you, I thank you on behalf of this body for
9 being so patient, and certainly giving us
10 all the information we needed today. I know
11 that it was not an easy task today but you
12 are up to the task to do what you did today.

13 I say thank you for being the
14 individual that you are. I thank you.
15 Laura Schaefer.

16 LEGISLATOR SCHAEFER: I just
17 wanted to ask you, relative to my project
18 that we are talking about Westbury Avenue,
19 part of the reason we are trying to get that
20 funding and get the study done is because
21 our sidewalks are also ADA compliant right
22 now.

23 MR. ARNOLD: That's correct.

24 LEGISLATOR SCHAEFER: I just
25 wanted to clarify. Thank you.

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2 MR. ARNOLD: Legislator Dunne, a
3 pleasure working with you. Good luck in
4 your endeavors.

5 CHAIRWOMAN GONSALVES: I'm
6 recessing.

7 LEGISLATOR ABRAHAMS: If I may,
8 real quick, I know there has been a lot of
9 back and forth today and I understand
10 everybody has their own positions and I
11 respect that, but I do want to wish my good
12 friend Dennis Dunne since I've known since
13 2002 all the best in his future endeavors.
14 He's been truly a pleasure and I've always
15 thought you advocated for the people of
16 Nassau County.

17 You have been the chair of Public
18 Safety, and I thought you did an admirable
19 job in that position and I just want to wish
20 you the best publically. I didn't get a
21 chance to do it earlier, but I wanted to
22 wish you the best publically.

23 LEGISLATOR DUNNE: Thank you,
24 Kevan.

25 CHAIRWOMAN GONSALVES: This

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2 meeting is now in recess.

3 (Whereupon, the Full Legislative

4 Committee recessed at 6:42 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 5th day of June, 2017.

FRANK GRAY