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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES
PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building
1550 Franklin Avenue
Mineola, New York

Monday, October 16, 2017
1:12 P.M.

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

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4 LEGISLATOR NORMA L. GONSALVES

5 Presiding Officer

6 13th Legislative District

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8 LEGISLATOR RICHARD J. NICOLELLO

9 Deputy Presiding Officer

10 9th Legislative District

11

12 LEGISLATOR HOWARD KOPEL

13 Alternate Presiding Officer

14 7th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

22

23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

25

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2 LEGISLATOR DENISE FORD

3 4th Legislative District

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5 LEGISLATOR LAURA CURRAN

6 5th Legislative District

7

8 LEGISLATOR C. WILLIAM GAYLOR III

9 6th Legislative District

10

11 LEGISLATOR VINCENT T. MUSCARELLA

12 8th Legislative District

13

14 LEGISLATOR ELLEN BIRNBAUM

15 10th Legislative District

16

17 LEGISLATOR DELIA DERIGGI-WHITTON

18 11th Legislative District

19

20 LEGISLATOR JAMES KENNEDY

21 12th Legislative District

22

23 LEGISLATOR LAURA SCHAEFER

24 14th Legislative District

25

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2 LEGISLATOR ANDREW DRUCKER

3 16th Legislative District

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5 LEGISLATOR ROSE WALKER

6 17th Legislative District

7

8 LEGISLATOR DONALD MACKENZIE

9 18th Legislative District

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11 LEGISLATOR STEVEN RHOADS

12 19th Legislative District

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14 MICHAEL PULITZER

15 Clerk of the Legislature

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2 LEGISLATOR GONSALVES: Legislator
3 Gaylor would you lead us in the pledge.

4 (Whereupon Pledge of Allegiance was
5 recited.)

6 LEGISLATOR GONSALVES: Thank you
7 Legislator Gaylor.

8 At this point in time we have a
9 point of personal privilege from Deputy
10 Presiding Officer Richard Nicolello, and I
11 will let him tell us what that point of
12 personal privilege is.

13 LEGISLATOR NICOLELLO: Thank you
14 Madam Chair. Nassau County has an outstanding
15 foster care program. Nevertheless, it can be
16 a very difficult time for the boys and girls
17 involved in the program. I'm very pleased
18 today to recognize three girl scouts who came
19 up with a plan designed to brighten a very
20 special day for those foster children. Last
21 year Grace Quinn, Sage Silber and Madeline
22 Lindenhauer worked together to develop a
23 special Silver Award Project. The girls
24 partnered with Lynn Campbell, a volunteer
25 coordinator at the Nassau County Department of

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2 Social Services, to create Birthday In a Box,
3 which is our individualized gift boxes for
4 foster children ages two to 14 years who are
5 currently in the care of social services.

6 Grace, Sage and Madeline
7 fund-raised to purchase the gift box items,
8 balloons, party paper plates, cups and
9 birthday cards for the foster children
10 celebrating upcoming birthdays. Thanks to
11 their outstanding efforts the girls collected
12 and wrapped 40 unique age-appropriate gift
13 boxes. Along with their family and guests,
14 it's our honor to recognize Grace, Sage and
15 Madeline for their compassion and their
16 commitment to service. Great jobs girls.

17 MS. SILBER: Hello Legislators
18 I'm Sage.

19 MS. QUINN: I'm Grace.

20 MS. LINDENHAUER: And I'm
21 Madeline.

22 LEGISLATOR NICOLELLO: I will
23 come down but thank you very much and we are
24 all very proud of you.

25 MS. SILBER: For our silver award

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2 we came up with the idea because we
3 volunteered at the foster care holiday party
4 for three years in a row each December, and we
5 thought that we wanted to help out foster care
6 children and that birthday boxes were a good
7 idea because some children for their birthday
8 it would be really nice to give them a present
9 and they'd be happy.

10 MS. QUINN: We got some of the
11 stuff for the birthday boxes by talking to
12 younger troops like Boy Scouts and Girl Scouts
13 and they donated stuff to put in the boxes and
14 they made birthday cards to put in the boxes
15 that wished the kids happy birthday.

16 MS. LINDENHAUER: And to help
17 others realize the importance of foster care
18 we made a website that people ought to see
19 soon so they can learn the awareness of foster
20 care.

21 LEGISLATOR GONSALVES: Legislator
22 Ford.

23 LEGISLATOR FORD: I want to
24 congratulate you. How many years have you
25 been in scouting now?

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2 MS. LINDENHAUER: Ten.

3 LEGISLATOR FORD: I think it's
4 wonderful. I want to say when I was younger
5 my parents used to take in foster children and
6 foster babies. So I know what this probably
7 has meant to those children that are in foster
8 homes that have somebody come in and care so
9 much for them and to take away your time where
10 you could be hanging out with your friends.
11 You went out and made sure you got these
12 gifts, you got cards and everything to make it
13 a very, very special day for these children.
14 I have to say you really made a real impact in
15 some kids' lives and always take that with you
16 because you know what? Your stars are shining
17 very brightly today.

18 LEGISLATOR GONSALVES: Legislator
19 Gaylor I believe has a message for us as
20 well.

21 LEGISLATOR GAYLOR: Thank you
22 Madam Presiding Officer. For those that know
23 me I'm from Lynbrook and it's with great
24 sadness that I report today that the village
25 mayor William Hendricks succumbed to a heart

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2 attack he had on September 11th and passed
3 away. Bill had been a faithful servant of
4 government for more than 25 years. The last
5 seven years he served as the mayor. Prior to
6 that 18 years as a trustee deputy mayor in the
7 village of Lynbrook. He was at a chamber of
8 commerce meeting on Tuesday when he suffered a
9 heart attack and just never recovered.

10 For those that know him, he was a
11 seven days a week kind of mayor who totally
12 loved the village of Lynbrook, its community
13 its residents and considered it his family and
14 treated it as though it was his family. I
15 just ask that we take a moment of silence to
16 remember Bill, the mayor of Lynbrook, for all
17 he gave and ultimately gave his life.

18 LEGISLATOR GONSALVES: Legislator
19 Birnbaum has a request for a moment of
20 silence. Legislator Birnbaum.

21 LEGISLATOR BIRNBAUM: This past
22 Saturday former mayor of the village of Great
23 Neck Estates Murray Seaman passed away at the
24 young age of 103. He was the husband of
25 current Town of North Hempstead councilwoman

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2 Lee Seaman. He was a lawyer for well into his
3 90s he practiced law. He enjoyed playing
4 tennis, an avid player, and he led a very full
5 life. But in honor of former village mayor
6 Murray Seeman I would like to declare a moment
7 of silence.

8 LEGISLATOR GONSALVES: Thank
9 you. May his soul rest in piece.

10 Mr. Pulitzer please call the roll.

11 MR. PULITZER: Thank you Madam.
12 Roll call. Deputy Presiding Officer Richard
13 Nicolello.

14 LEGISLATOR NICOLELLO: Here.

15 MR. PULITZER: Alternate Deputy
16 Presiding Officer Legislator Howard Kopel.

17 LEGISLATOR KOPEL: Here.

18 MR. PULITZER: Legislator Siela
19 Bynoe.

20 LEGISLATOR BYNOE: Here.

21 MR. PULITZER: Thank you.

22 Legislator Carrie Solages.

23 LEGISLATOR SOLAGES: Here.

24 MR. PULITZER: Legislator Denise
25 Ford.

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2 LEGISLATOR FORD: Here.

3 MR. PULITZER: Thank you.

4 Legislator Laura Curran.

5 LEGISLATOR CURRAN: Here.

6 MR. PULITZER: Legislator C.

7 William Gaylor III.

8 LEGISLATOR GAYLOR: Present.

9 MR. PULITZER: Legislator Vincent
10 Muscarella.

11 LEGISLATOR MUSCARELLA: Here.

12 MR. PULITZER: Legislator Ellen
13 Birnbaum.

14 LEGISLATOR BIRNBAUM: Here.

15 MR. PULITZER: Legislator Delia
16 DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON:
18 Here.

19 MR. PULITZER: Legislator James
20 Kennedy.

21 LEGISLATOR KENNEDY: Here.

22 MR. PULITZER: Legislator Laura
23 Schaefer.

24 LEGISLATOR SCHAEFER: Here.

25 MR. PULITZER: Legislator Arnold

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2 Drucker.

3 LEGISLATOR DRUCKER: Here.

4 MR. PULITZER: Legislator Rose
5 Marie Walker.

6 LEGISLATOR WALKER: Here.

7 MR. PULITZER: Thank you.

8 Legislator Donald MacKenzie.

9 LEGISLATOR MACKENZIE: Here.

10 MR. PULITZER: Legislator Steven
11 Rhoads.

12 LEGISLATOR RHOADS: Present.

13 MR. PULITZER: Minority Leader
14 Kevan Abrahams.

15 LEGISLATOR ABRAHAMS: Here.

16 MR. PULITZER: Presiding Officer
17 Norma Gonsalves.

18 LEGISLATOR GONSALVES: Present.

19 MR. PULITZER: We have a quorum
20 ma'am.

21 LEGISLATOR GONSALVES: Thank you
22 Mr. Pulitzer.

23 As is customary with every full
24 legislative meeting we have 30 minutes of
25 public comment. Today there are several

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2 speakers, and I do ask on behalf of each and
3 every one who wishes to speak to adhere to the
4 three minute limit. I will begin with Randy
5 Kaplan.

6 MR. KAPLAN: Randy Kaplan. Good
7 afternoon. I can spend the next three minutes
8 just saying I can't believe I'm here again
9 because every year it's the same thing again.
10 Everyone says they want to attract and retain
11 young people here in Nassau County but let's
12 think about it. You want to keep raising the
13 fees. How is that going to attract and retain
14 young people or folks who are looking to
15 refinance their homes?

16 We've met with many of you, told
17 you the problems we have with this. Isn't
18 there something that can be more broad-based
19 that's fairer to everybody else instead of
20 targeting the folks looking to purchase a
21 home? To possibly refinance? The regulations
22 that you're proposing are sending the costs
23 soaring, financial obstacles for homebuyers
24 and of course, as I said before, the people
25 that are refinancing too these fees create a

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2 drag on the local economy and adversely impact
3 sales tax revenue.

4 In they year 2015 the fees were
5 \$225. Reasonable, right? In 2016 they got
6 raised to a total of \$525. Last year we asked
7 you all to please not put the fees in the
8 budget proposal. You agreed and we were very
9 thankful. Then uncle NIFA came around and
10 uncle NIFA said no, no, no. This is not going
11 to work. So we realized you had to put them
12 back in last year unfortunately.

13 Here we are again trying to fight
14 these proposals. If these proposals are
15 passed and it's going to be in the budget we
16 are talking about \$855 for the combined tax
17 map and block fee. That's ludicrous.
18 Absolutely ludicrous that we are trying to
19 once again, I'll say it a third time, Nassau
20 County claims that they are trying to attract
21 and retain young people to this region.
22 There's probably nothing else you could do to
23 send a stronger message than you are against
24 that than proposing these fees.

25 I want to let everybody know that

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2 the Long Island Board of Realtors stands tall
3 with the National Association of Realtors, the
4 New York State Association of Realtors and our
5 coalition member partners including the
6 builders here on the island, the developers,
7 the Long Island Association. We're not going
8 to stand for this anymore. Thank you.

9 LEGISLATOR GONSALVES: Legislator
10 Kopel.

11 LEGISLATOR KOPEL: Randy, good to
12 see you here. As you know, I couldn't
13 possibly agree with you more. Just to correct
14 one thing that you said. No one here proposed
15 those fees. Those were proposed by the
16 administration.

17 MR. KAPLAN: Point well taken.

18 LEGISLATOR KOPEL: And I believe
19 that we have some good company over here in
20 not intending to raise those fees.

21 MR. KAPLAN: But they did pass
22 the Rules and Finance Committee Howard.

23 LEGISLATOR KOPEL: I tried to
24 explain it at the time. What happens is
25 you've got to have a hearing on the budget.

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2 Instead of having two hearings, since this is
3 a type of hearing that all the legislators
4 need to participate in, the Rules Committee,
5 as a matter of procedure, just passed it on to
6 the full legislature and we will have the
7 hearing at that point. But it was explained
8 at that time that, very clearly, that passing
9 the budget on was just a matter of form and
10 just a means of getting the whole thing over
11 to the full legislature for a better hearing
12 and a full discussion. So don't read anything
13 in that at all.

14 LEGISLATOR GONSALVES: Legislator
15 MacKenzie.

16 LEGISLATOR MACKENZIE: One other
17 point I think that wasn't lost from your
18 statement was the role of NIFA in this
19 process. While we listen to you and agree
20 with you in most regards in what you said, I
21 think you also should be addressing your
22 comments to NIFA and address them to them
23 because that is the impediment to us in this
24 process and we think your comments would be
25 better placed there to let them know. Thank

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2 you.

3 MR. KAPLAN: With all due
4 respect, if I can say one more thing. Where
5 is the political guts to make this a
6 broad-base increase across the board as
7 opposed to attacking the folks who are looking
8 to buy and sell homes, to refinance. Thank
9 you?

10 LEGISLATOR GONSALVES: Minority
11 Leader.

12 LEGISLATOR ABRAHAMS: Thank you
13 Presiding Officer. Not a question Randy. I
14 wanted to make sure I clearly delineated where
15 we stood. We feel, such as you do, when you
16 brought up the fact that this passed through
17 the Rules Committee this was something
18 normally when we tee something up there is
19 some possibility that all sides haven't really
20 decided which direction they want to go in and
21 they want to hear more and you want to provide
22 it to the full body and I get that.
23 Legislator Kopel is correct in that vein.
24 That's the way I look at it.

25 However, it sounds like to me,

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2 based off of the comments I heard from the
3 presiding officer and the seven of us on this
4 side, are vehemently against these fees and we
5 are in the process and will announce our
6 amendments which will remove these fees come
7 Monday as we are required to do as per the
8 charter.

9 It doesn't make much sense if both
10 sides are in agreement why it even went
11 through the Rules Committee if both sides are
12 against it. I understand the process and the
13 procedure on how things are done. But to me,
14 the way we've always done this and the way I
15 understood it, when we considered policy and
16 procedure in voting these things up in the
17 process we call it teeing it up, which has
18 been done through Judy Jacobs to Diane Yatauro
19 to Peter Schmidt to Norma Gonsalves, the way
20 it's been done is that it provided debate and
21 discussion for items that this body was not
22 clearly made a decision on what direction we
23 wanted to go in. It was never done as a
24 practice where it seemed like there was a
25 willingness to not to vote for these fees and

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2 still tee it up and pass through the body.
3 Which sounds like to me there's a willingness
4 to do that based on what I've heard from the
5 presiding officer. So we voted against them.

6 It is our hope that there will be
7 amendments from both sides. I can speak for
8 our side there will be. But we need both
9 sides, as you know, to be able to support
10 those fees not going through.

11 But I wanted to clearly explain to
12 you that those measures passed in committees
13 without votes from the Democratic caucus and
14 we plan to put up amendments on Monday to
15 remove those fees as well.

16 LEGISLATOR GONSALVES: Thank you
17 Minority Leader.

18 LEGISLATOR DRUCKER: I have one
19 comment.

20 LEGISLATOR GONSALVES: Legislator
21 Drucker.

22 LEGISLATOR DRUCKER: I just
23 wanted to make one comment in response to
24 Legislator Kopel's comment not to read
25 anything into the fee increase. But by the

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2 words of the current county clerk the fees
3 have increased by 4,000 percent since 2010. I
4 think there's something to be read into that.

5 LEGISLATOR GONSALVES: Legislator
6 Kopel.

7 LEGISLATOR KOPEL: I just wanted
8 to make sure that we understand over here that
9 as far as we're concerned there are no valid,
10 no actually experienced mind readers on your
11 side as far as I can tell. So don't read
12 anything in as I said. The fact that they've
13 gone up 4,000 percent is something with which
14 I certainly agree, it's a bad thing. Unless,
15 as I said, when I said don't read anything
16 into it earlier that's precisely what I
17 meant. Don't sit here and try to assume that
18 I really meant or any of us here really meant
19 something else. We didn't.

20 LEGISLATOR GONSALVES: Thank
21 you. Let's go on. Carlos Rivera.

22 MR. RIVERA: Thank you very
23 much. How are you everybody? My name is
24 Carlos Rivera. I'm a delegate in the Sixth
25 Precinct Nassau County. I'm here on behalf on

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2 James McDermott, who has a previous
3 engagement, and I was asked on his behalf to
4 ask for a moment of silence for the victims in
5 Las Vegas. I was wondering if we can all
6 please just stand a moment.

7 LEGISLATOR GONSALVES: We did,
8 Mr. Rivera, recognize the situation at our
9 committee meetings but we're only too happy to
10 do it again.

11 MR. RIVERA: Thank you very
12 much.

13 LEGISLATOR GONSALVES: You're
14 welcome Mr. Rivera.

15 Joanne Borden.

16 MS. BORDEN: Good afternoon. An
17 interesting thing happened to me recently. I
18 looked through my window and noticed that the
19 world is indeed flat because I could see with
20 my own eyes it ended out in the distance.
21 However, my intellect took over and it told me
22 that scientists have proven that the world is
23 not flat. And I accepted it.

24 The Republican legislators are
25 doing a similar thing with the word gender.

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2 Since I have been asking for the inclusion of
3 gender identity and gender expression in our
4 human rights law you see that the word gender
5 is already in the law. However, I ask you to
6 use your intellect and realize that if you
7 don't specifically include our proposed
8 amendment that defines gender to include
9 transgender people a court will use a legal
10 dictionary and find the word gender means the
11 state of being a man or a woman. All
12 dictionaries say nothing about transgender
13 people which leaves us without protection.

14 So I ask you once again to include
15 transgender people in our law. Without that
16 we must hide our true selves and live in fear
17 of discovery. If exposed to our employers we
18 will likely be fired and end up in a low
19 paying job or none at all because of who we
20 are, not the work we do.

21 Most children are born with a birth
22 variation of some kind. And scientists tell
23 us that transgenderism is just another birth
24 variation. Like red hair, green eyes, left
25 handedness. It's an American principle and

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2 the duty and responsibility of legislators at
3 all levels, that includes you, to protect all
4 its constituents, that includes me, from the
5 evils of harmful discrimination.

6 So again, I ask you to include
7 transgender people in our human rights law by
8 passing the proposed human rights amendment.
9 Thank you for listening.

10 And Mr. Pulitzer, will you please
11 distribute these cards to the legislators. It
12 is an invitation to you to attend the
13 Transgender Day of Remembrance, which is an
14 international memorial service to those
15 transgender people killed or committed suicide
16 due to transphobia in the past one year.
17 Thank you.

18 LEGISLATOR GONSALVES: Thank you
19 Joanne.

20 Kevin Moran.

21 MR. MORAN: Good afternoon. My
22 name is Kevin Moran. I'm from the Long Island
23 Builders Institute. I'm here to make a
24 statement on behalf of the organization.

25 The Long Island Builders Institute,

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2 New York's largest residential trade
3 organization, would like to express its
4 opposition to the administration's proposed
5 increase of tax map verification fees and land
6 recording fees in this year's budget. Just
7 last year we spoke in opposition of increasing
8 the tax map verification fee from \$255 to \$355
9 after it was raised from \$75 to \$255 in 2015.
10 Now, if passed, the fee will increase to \$455
11 just a year later. Three consecutive years of
12 fee hikes is not only unreasonable but
13 unacceptable.

14 Once again, the answer should not
15 and cannot be another raise on the tax map
16 verification fee and land recording fee. The
17 revenue from a fee is meant to pay for the
18 costs of a specific government program or
19 service, not to close budget gaps. That is
20 what taxes are for.

21 Raising fees on real estate
22 transactions will have an adverse effect on
23 potential buyers, particularly young people
24 and those who are seeking to access affordable
25 housing on Long Island. While these fee

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2 increases may be seen as a solution to
3 Nassau's budgetary woes, it will only make
4 homeownership on Long Island further out of
5 reach for potential buyers. Real estate
6 transactions already have a positive economic
7 impact on the community, but it's extent can
8 be stifled by creating more financial
9 obstacles. It's unfair to continue to single
10 out one industry and one set of residents to
11 pay for the expenses of the county which are
12 open to all.

13 Based on the foregoing, it is
14 respectfully requested that these proposed
15 increases be rejected. Thank you.

16 LEGISLATOR GONSALVES: Thank you
17 Mr. Moran. Timothy Lachapelle.

18 MR. LACHAPELLE: My name is Tim
19 Lachapelle. I'm a legislature liaison from
20 the Long Island Board of Realtors. I'm here
21 today to urge the legislature to scrap the
22 existing budget proposal that raises real
23 estate related fees and work to find
24 sustainable and legal solutions to balancing
25 the budget.

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2 The revenue from these fee hikes is
3 extremely uncertain because it's dependant on
4 the number of homes sold and refinanced.
5 Current real estate statistics point to an
6 extremely low inventory. This means that the
7 county will need higher fees to recoup the
8 same amount of revenue they would in years of
9 higher inventory.

10 In 2015 the county projected an
11 increase of \$43.5 in revenue by increasing the
12 mortgage recording fee and the tax map
13 verification fee by \$150 each. In 2016 a \$130
14 increase to the tax map verification fee was
15 implemented to raise \$15 million in revenue.
16 This year the county is proposed raising the
17 tax map and the block fee by \$100 each in
18 order to raise \$24 million in revenue. Each
19 year the fees have been raised the county has
20 to come back one year later and raise them
21 again. Presumably because the fees did not
22 raise enough revenue in the first place.

23 As I've continually stated in front
24 of this legislature, a fee is not a tool for
25 raising revenue. A fee should only generate

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2 enough revenue to provide a related service.

3 In the past three years the tax map

4 verification fee has increased from 75 to 225

5 to \$335, and now the proposed hike would bring

6 the total up to \$455. The last two fee hikes

7 raised a total of \$39.2 million. Which begs

8 the question, what did the Assessment

9 Department need with \$39.2 million? How did

10 they use it to improve the services of their

11 department?

12 When the per block fee was raised

13 from 150 to \$300 to in 2016 the county clerk's

14 office was expected to generate an extra \$19.3

15 million. This year's fee hike is expected to

16 bring in \$11.6. The question from the

17 legislature should be the same. What did the

18 clerk's office need with \$30.9 million and how

19 did they use it to improve the services of

20 their department?

21 In order to pass these fees with

22 the presumption that they are legal the

23 legislature must justify why the county clerk

24 and the assessment department needs this

25 revenue. My suggestion to the legislature is

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2 this; call on a representative from the
3 assessment department and call on a
4 representative from the clerk's office to
5 testify in front of this legislature on the
6 next budget hearing on the 20th and ask them
7 to justify the increases in revenue to their
8 department. We will all be back here on the
9 20th waiting for that to happen. But if it
10 cannot be done these fees need to be
11 scrapped. Thank you.

12 LEGISLATOR GONSALVES: Thank you
13 Mr. Lachapelle. Melissa Gomez.

14 MS. GOMEZ: I was here two weeks
15 ago. I want to say thank you to the
16 legislators that are in agreement regarding
17 not increasing the recording taxes and for
18 everybody else. I think at this point you've
19 already heard obviously from multiple people
20 we're going to continuously be coming to say
21 we are in opposition of the fee increases.

22 As I've sat on the board for the
23 Long Island Board of Realtors and as I come in
24 as secretary I do look at every line item. I
25 do think it's a responsibility of the body to

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2 look at each thing and know where is it going,
3 what is the purpose for it and that's what we
4 are here asking you to say, why are these
5 increases happening continuously? It's
6 obviously an easy picking there. What's the
7 purpose and why? Because something is gone
8 amiss. There is a question in your budget and
9 it is your job at this point to ask those
10 questions and then try to figure out how we
11 can resolve that. Thank you.

12 LEGISLATOR GONSALVES: Thank you
13 Ms. Gomez.

14 Johnny Mora.

15 MR. MORA: Good afternoon. My
16 name is Johnny Mora. I'm the coordinator for
17 the National Black Leadership Commission on
18 AIDS. The National Black Leadership
19 Commission on AIDS is one of the oldest and
20 largest organizations in the nation. It's
21 mission is to educate, mobilize and empower
22 communities of color and their leaders in the
23 fight of HIV, AIDS and other health
24 disparities.

25 I'm here to not only to present our

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2 NBLCA to you and Nassau but also to invite you
3 to participate in any way or help us to
4 advocate the awareness in Long Island. HIV
5 it's still an issue in the communities in all
6 levels. World AIDS Day is December 1st, every
7 year it's December 1st, and I would like you
8 to participate in any way with NBLCA and other
9 organizations to raise the awareness of HIV
10 among the communities of color and all other
11 communities here in Nassau and Suffolk as
12 well. Thank you very much.

13 My card and our NBLCA's mission
14 statement, who we are and what we do, hand it
15 to them so you can all have my information.
16 Thank you very much.

17 LEGISLATOR GONSALVES: Mr. Mora,
18 I do have your information on the slip and we
19 will get back to you.

20 MR. MORA: It has my personal
21 business card. Thank you so much.

22 LEGISLATOR GONSALVES: Pearl
23 Jacobs.

24 MS. JACOBS: Pearl Jacobs,
25 Uniondale. Of course I'm coming to ask the

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2 question again. The status of the Uniondale
3 streetscaping program, contract B11-16. Any
4 status?

5 LEGISLATOR ABRAHAMS: Pearl, the
6 contract has not been called.

7 MS. JACOBS: I expected that but
8 I have to ask anyway.

9 LEGISLATOR ABRAHAMS: I
10 appreciate you doing that because it
11 establishes a record and I appreciate you
12 doing that and giving up your Monday. Taking
13 a day off from work.

14 MS. JACOBS: I give up a lot of
15 time. Time that I can't get back but it's for
16 the community.

17 I always give credit when credit is
18 due so I do want to congratulate the
19 legislators for East Meadow. That would be I
20 guess Legislator Gonsalves and maybe is it
21 Dunne? Congratulations on the aggressive
22 development going on in East Meadow with the
23 Stew Leonard shopping complex, which is
24 beautiful. I have been there a few times.
25 It's wonderful. And the development of all of

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2 the eateries on Hempstead Turnpike and the
3 medians and the walk-in health facilities.
4 All of that is really, really good for the
5 community. It's aggressive development going
6 on and it's good for the community. And I do
7 not envy that.

8 But my question is, how did this
9 all come about being that we can't get
10 anything done in Uniondale? Was this a
11 collective quid pro quo between the
12 legislative body? How is this going on?
13 Maybe somebody can answer that. Again,
14 silence is golden.

15 LEGISLATOR GONSALVES: Ms.
16 Jacobs, let me say something to you. These
17 are independent entities. These are entities
18 who looked to the community for the
19 possibility of establishing their business.
20 We as legislators have nothing to do with them
21 coming into our community or any other
22 community. This is a commercial and their
23 applications are made to the town and none of
24 them have anything to do with the county or
25 with this body. It is not something that we

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2 have promoted and we're happy I have to say --
3 I live in East Meadow -- that there is
4 progress. But there seems to be an interest
5 in coming to East Meadow, especially along
6 Hempstead Turnpike, and you need to go to the
7 Town of Hempstead to apply for permits and for
8 applications.

9 MS. JACOBS: Good for East
10 Meadow. I'm really happy. Just as usual not
11 good for Uniondale.

12 I drove -- this is a question for I
13 would say my legislator -- I drove through
14 Roosevelt yesterday. I don't take that path
15 too often down Nassau Road, and I must say
16 it's atrocious. And nothing against the good
17 people of Roosevelt because Uniondale is not
18 much better. It's atrocious. Egregious and
19 atrocious. It's terrible. My question would
20 be, why is there such a great divide between
21 LD1 and other legislative districts in Nassau
22 County? That's a question I guess anyone can
23 answer.

24 LEGISLATOR GONSALVES: Minority
25 Leader.

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2 LEGISLATOR ABRAHAMS: Thank you
3 Madam Presiding Officer. I can answer that
4 question. Obviously, I mean, if it sounds
5 like what you are alluding to, there was a
6 period of well before I even came on the
7 legislature of neglect for the Roosevelt
8 community.

9 MS. JACOBS: And Uniondale.

10 LEGISLATOR ABRAHAMS: You brought
11 up Roosevelt. Which one are we talking
12 about?

13 MS. JACOBS: We're talking about
14 both. You can expound on Roosevelt, that's
15 fine.

16 LEGISLATOR ABRAHAMS: You brought
17 up Nassau Road. There was tremendous neglect
18 for the Nassau Road community up until the
19 time I got there when we were able to do the
20 median as well as the brick paved crosswalks
21 and we were able to do the decorative lighting
22 with the town. That didn't happen until the
23 mid 2000s. There's a lot more work to be
24 done.

25 Unfortunately, as the people in

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2 Roosevelt well know, the areas of Nassau Road
3 are segmented into various separate
4 jurisdictions between the town, not much the
5 county, between the town owning many of the
6 parcels it's very hard to get anything done in
7 a I shouldn't say bipartisan but in a cohesive
8 effort to be able to get substantial change to
9 that area done.

10 Unfortunately, as it pertains to
11 Uniondale, Uniondale there was actually an
12 agreement. The reason why nothing could start
13 off in Uniondale is because the lack of
14 ability of this legislative body to actually
15 approve phase one of Uniondale. We were all
16 there. There was a commitment. I see former
17 supervisor Kate Murray, who is here in another
18 capacity, she was there. The county executive
19 was there. I was there. The councilwoman was
20 there. There was total agreement that we were
21 going to move forward. From that standpoint
22 it doesn't make much sense why it doesn't go
23 forward because you have agreements from all
24 bodies of government as well as all different
25 parties and persuasions in government. It

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2 should go forward.

3 I think both issues are unique in
4 their difference, but ultimately you need both
5 levels of government, which you have in this
6 case the county and the town, county being the
7 road, town as it pertains to the parcels, that
8 needs to be able to work together to get it
9 done.

10 MS. JACOBS: Thank you for that
11 answer. I still relate it to systematic
12 normalized racism. It is what it is. It's
13 always been this way and it will probably be
14 this way. But no it will not always be this
15 way. There's change coming. Frankly, people
16 of Nassau County are tired of the divide and
17 the systematic normalized racism that has
18 always existed in Nassau County. A divide
19 that should not be. It should be we all pay
20 taxes, we all contribute to the well being of
21 Nassau County and we should all be given fair
22 and equal opportunity.

23 It's not just the way it is.
24 Basically there are two Nassau Countys, the
25 haves and the have nots. It has to stop. It

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2 will stop.

3 And for everyone that's running I
4 wish you well on your elections, and just
5 remember that the promises that you make to
6 your constituents you should uphold and keep
7 your promises because people are not sleeping
8 anymore. We are wide awake.

9 LEGISLATOR GONSALVES: Thank you
10 Ms. Jacobs.

11 Ms. Harris.

12 MS. HARRIS: Good afternoon. My
13 name is Patty Harris. I'm here for myself as
14 a resident of Uniondale. And I just have a
15 question. How many of you guys, you
16 legislators I should say, can say that you're
17 not racist? How many of you can say that?
18 Can you say that? State it on the record.
19 Because being silent is just another answer
20 too. Okay. Since you're being silent on that
21 there's different forms of racism. There's
22 the old school racism and the modernized
23 racism that they have now. Holding Uniondale
24 back in the residential area, not in the
25 commercial area, in the residential area, is

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2 just another form of racism.

3 You keep saying that you agreed on
4 passing the bill, the bond or whatever for the
5 streetscaping, and then you get into here, the
6 chambers, and you start saying no, you're not
7 going to do it because this one won't sign
8 this and this one won't back me for that. But
9 you know? what it's the people who voted you
10 in and after a while the people get tired of
11 this. Uniondale may be smaller than your
12 areas or might be bigger than your areas. We
13 may not have enough people right now to get
14 you out of office but one day we are going to
15 spread to the next town, to East Meadow,
16 spread to Hempstead and going to spread to
17 Garden City. Maybe Garden City will agree
18 with us. Rockville Centre. These are areas
19 that are beautiful, look nice. I can't even
20 afford to live there because my taxes for
21 Uniondale is high enough. So coming to these
22 areas, Rockville Centre, Garden City, Jericho,
23 Mineola. I might be able to do Carle Place
24 one day. I'm just saying.

25 You need to have this different

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2 levels of people who can stay in certain
3 areas. Just because we can't move to other
4 areas that doesn't mean we don't want our area
5 to be nice. We put you in office because we
6 need a voice for each town to speak for the
7 government. And because we vote you in and
8 you promise this and you promise that and when
9 you get in you do these backhanded deals. And
10 when we realize that you're not doing what you
11 were asked to do when you asking us to vote
12 for you then one day your time comes up.

13 You might retire from the area.
14 You might retire from doing what you're
15 supposed to do. You might leave quietly. You
16 might get in trouble with the law. Anything.
17 Guess what? It catches up to you. Because
18 guess what? God has a time for your
19 backhanded deals. Thank you.

20 LEGISLATOR GONSALVES: Thank you
21 Ms. Harris. That ends public comment. Now on
22 to the calendar and I believe we have the
23 first item is a hearing. Mr. Pulitzer please
24 call it.

25 MR. PULITZER: Thank you madam.

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2 A hearing on a proposed local law clerk item
3 361. A local law amending Title 24 of the
4 miscellaneous laws of Nassau County in
5 relation to extending the hotel and motel
6 occupancy tax.

7 LEGISLATOR GONSALVES: Motion by
8 Legislator Nicoletto to open the hearing.
9 Seconded by Legislator Walker. All those in
10 favor of the hearing signify by saying aye.
11 Any opposed? The hearing is now open.

12 MS. KRISSEL: Deputy Attorney
13 Martha Krisel. Some of the extension is from
14 2017 to 2020.

15 LEGISLATOR GONSALVES: What can
16 you tell us today on this item? Regarding
17 this item?

18 MS. KRISSEL: With regard to this
19 item it's been drafted, it's been properly put
20 forward and calendared and that is the
21 extension of the taxes. It's the law that had
22 been in existence with the additional years
23 added to it.

24 LEGISLATOR GONSALVES: Any
25 questions or comments from the legislators?

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2 Legislator Birnbaum.

3 LEGISLATOR BIRNBAUM: Are we
4 following the allocation that the state
5 mandates us to do?

6 MS. KRISEL: Was Jerry here one
7 minute ago? I'm going to get the DCA that
8 drafted the legislation to answer that
9 precisely.

10 LEGISLATOR BIRNBAUM: I know
11 there's a Nassau County tourism agency. It's
12 combined Nassau-Suffolk. I want to make sure
13 Nassau is contributing the amount it's
14 supposed to because we would to promote people
15 coming to our county.

16 MS. KRISEL: I'm going to get the
17 drafter of the legislation to respond to that
18 Legislator Birnbaum.

19 LEGISLATOR GONSALVES: I would
20 like to know what is the purpose of this
21 hearing? What is on the calendar for this
22 particular hearing?

23 MS. KRISEL: It's an extender.
24 There is a law in existence that would
25 otherwise expire and this is what is known as

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2 an extender amendment.

3 LEGISLATOR GONSALVES: This is
4 giving the county the ability to do so?

5 MS. KRISEL: The continued
6 ability to do so, correct.

7 LEGISLATOR GONSALVES: Any other
8 comments or questions? Legislator
9 DeRiggi-Whitton.

10 LEGISLATOR DERIGGI-WHITTON: Is
11 there a way to put a provision into the
12 statute which would require equal distribution
13 of funds throughout the county?

14 MS. KRISEL: An equal
15 distribution of the tax throughout the
16 county?

17 LEGISLATOR DERIGGI-WHITTON: No.
18 Of the funding from the revenue from the
19 hotel-motel just to promote tourism throughout
20 the county and not to specific districts?

21 MS. KRISEL: Again, I will check
22 with the drafter of the legislation.

23 LEGISLATOR DERIGGI-WHITTON: I
24 think it would behoove us because it's one of
25 those things that's important to have

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2 throughout the entire county not just certain
3 districts.

4 MS. KRISEL: Sure.

5 LEGISLATOR GONSALVES: Any other
6 comments from the legislators? Any public
7 comment? Sorry. Legislator Bynoe.

8 LEGISLATOR BYNOE: Thank you
9 Presiding Officer. Hi. Good afternoon. I
10 have some questions as to the actual
11 activities of the tourism board. Do we have a
12 report from the tourism board to say there's
13 joint county board that gives us an account of
14 their activities? I think I have a report
15 that says they get roughly about a million
16 dollars from us annually.

17 MS. KRISEL: Do you know the
18 approximate date of the report to which you
19 refer from the tourism board? I would want to
20 know whether it's been updated since you
21 received that. And that again I would have to
22 check with the back office.

23 LEGISLATOR BYNOE: 2016. I'm
24 just asking if we have an account of the
25 activities of that joint collaborative board

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2 as to what type of information they're
3 providing or I should say marketing,
4 advertising. What are they doing with that \$1
5 million that we provide to them annually?

6 MS. KRISSEL: My assistant is
7 contacting over to the drafter and we will
8 find out if there is an updated report on that
9 as well.

10 LEGISLATOR BYNOE: I also wanted
11 to know whether members of that body interface
12 with our museums and other attractions to
13 determine how the money could best be used?
14 Because I know for a fact that the
15 African-American Museum in Hempstead has
16 stated if they were able to have the proper
17 equipment installed to provide climate control
18 that they could actually have artifacts and
19 other pieces of art come to and be on
20 exhibition at the museum. But absent of that
21 particular equipment they're not able to do
22 so. I think if we were able to interface with
23 the tourist attraction directors of those
24 tourist attractions in our museums we might be
25 in a better position to make sure we are

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2 resourcing them properly so that we can
3 attract people to come out to Nassau County.

4 MS. KRISSEL: You're interested in
5 the interplay between the hotel-motel and
6 sight-seeing activities?

7 MR. BECKER: I would recommend
8 you put in a request for that or the museum
9 itself put a request into parks.

10 LEGISLATOR BYNOE: I don't want
11 to just look at the African-American. I have
12 lobbied on their behalf or advocated for them
13 on their behalf because it does sit in my
14 district. But I'm saying we should be looking
15 at that countywide. I don't want to just look
16 out for the African-American Museum. I'm
17 asking whether there is a process in place --

18 MR. BECKER: The process normally
19 is for someone to make a request. That's the
20 way it happens to parks. They would not know
21 of this. I don't think they know unless it's
22 already been requested by the museum. I know
23 that they have gotten hotel-motel tax before,
24 the museum, in the past.

25 LEGISLATOR BYNOE: That's the way

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2 they are currently planning.

3 MR. BECKER: That's kind of the
4 way it works.

5 LEGISLATOR BYNOE: I'm saying I
6 don't know if that's the most advantageous way
7 to moving forward in planning. I think
8 sometimes you have to sit down and just vet
9 those things out. I would like to know what
10 type of activities that body employs when it
11 comes to planning. How they are going to
12 utilize that money. That's the question that
13 I've asked.

14 MR. BECKER: All I'm saying to
15 you at this particular point what you are
16 saying makes sense. But in the end the way
17 the current process is the requests from the
18 various museums in Nassau County is made to
19 the Parks Department.

20 LEGISLATOR BYNOE: I know that
21 some of those requests were made. They don't
22 get funded.

23 MR. BECKER: I don't know if
24 there's any what you call necessarily planning
25 per say where they go out. I'm sure there are

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2 cases where they say there is a need at a
3 particular park, but most of the time the
4 money is allocated by request.

5 LEGISLATOR BYNOE: So, I'm going
6 to leave my comments there but I think I was
7 pretty clear in saying there's another way to
8 plan.

9 MR. BECKER: Then I would
10 recommend that you send an email or a letter
11 on your stationary directly to the parks and
12 tell them of your ideas. What you're saying
13 is not totally clear to me either so I would
14 like to have a copy of it as well.

15 LEGISLATOR BYNOE: I don't know
16 how to respond to that. Thank you Mr. Becker.

17 MR. BECKER: When you say
18 planning --

19 LEGISLATOR BYNOE: Thank you Mr.
20 Becker.

21 LEGISLATOR GONSALVES: I'm going
22 ask you this question. Since this is state
23 mandated, would it be correct to say that the
24 state stipulates qualifications for use of
25 this money?

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2 MR. BECKER: Absolutely. That's
3 true too.

4 LEGISLATOR GONSALVES: Do we know
5 what these qualifications are?

6 MR. BECKER: As outlined by the
7 Parks Department you are correct. You want to
8 know it?

9 LEGISLATOR GONSALVES: Yeah.

10 MR. BECKER: I thought you knew
11 it already.

12 LEGISLATOR GONSALVES: I know a
13 lot of things but I don't have to know that.

14 MR. BECKER: Had I known this
15 question was coming up I would have had Parks
16 here. They have a lot more information.

17 LEGISLATOR GONSALVES: Since this
18 question was raised and it's not apropos to
19 the particular item before this hearing, I
20 think as a matter of education and information
21 and whatever else you may want to call it, it
22 would be nice to know what the state
23 qualifications are for anyone to access the
24 use of this money.

25 MR. BECKER: We will do that.

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2 LEGISLATOR GONSALVES: Thank
3 you. Any public comment? I'm sorry.
4 Legislator Birnbaum.

5 LEGISLATOR BIRNBAUM: Could I
6 move to postpone the hearing? I believe a
7 hotel owner of many hotels is on his way here
8 to speak on this item and I don't see him
9 here.

10 LEGISLATOR GONSALVES: The item
11 is coming before us for a vote. Do you expect
12 that individual to be here shortly?

13 LEGISLATOR BIRNBAUM: Yes.

14 LEGISLATOR GONSALVES: He or she
15 can speak at that particular time.

16 LEGISLATOR BIRNBAUM: After the
17 hearing is closed?

18 LEGISLATOR GONSALVES: Yeah. Why
19 not? People can speak on the item. There's
20 an item to vote on the proposed law. That's
21 based on the hearing.

22 LEGISLATOR BIRNBAUM: It's the
23 next item, right?

24 LEGISLATOR GONSALVES: That's
25 right. Somebody here? No that's not him.

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2 MS. KRISEL: I also have a deputy
3 county attorney that we are reaching at this
4 time as well. Christie has reached out and
5 will be getting information.

6 LEGISLATOR BIRNBAUM: Can I make
7 a motion to recess the hearing?

8 LEGISLATOR GONSALVES: We were
9 just considering the fact that until we have
10 these individuals we will recess the hearing.
11 All those in favor of recessing the hearing --
12 the hearing on this item is recessed. Now
13 let's move on to the next item.

14 Number two is -- I'm going to make
15 it a little simple if we can at this point.
16 There are several items that are part of the
17 consent calendar and those are items that
18 passed the committees unanimously. And I will
19 begin with item three Ordinance 129. Item
20 four Ordinance 130. Item five Ordinance 131.
21 Item seven Resolution 188. Item eight
22 Resolution 189. Item nine Resolution 190.
23 Item 10 Resolution 191. And I believe that's
24 the end of the consent calendar.

25 A motion please. By Legislator

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2 Kopel. Second by Legislator Muscarella. All
3 those in favor of the items that were just
4 called signify by saying aye. Any opposed?
5 The items pass unanimously.

6 Now let's move on to the next item
7 which is number six. Number six is Resolution
8 187, a resolution ratifying the act of the
9 county executive in executing a memorandum of
10 agreement between the County of Nassau and the
11 Nassau Community College Federation of
12 Teachers.

13 Motion by Legislator Nicoletto.
14 Second by Legislator Kopel.

15 MS. MURRAY: Thank you Madam
16 Presiding Officer. Kate Murray from Nassau
17 Community College. Minority Leader Abrahams
18 and all of the members of this body. I'm here
19 on behalf of Nassau Community College. I'm
20 also joined by Mr. John Gross, who is our
21 outside counsel for the college.

22 Before you is the NCCFT MOU which
23 is a three-year agreement. It starts
24 September 1, 2017 with your approval and goes
25 through August 31, 2020. There will be modest

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2 increases in each of those years in the
3 agreement. One percent in the '17-'18 year.
4 One and a quarter percent in the '18-'19
5 year. And in the 2019-2020 year it will be
6 1.5 percent.

7 There was a question in the Rules
8 Committee, which voted this agreement by a
9 seven to zero vote, about the budgetary
10 implications of this MOU. We go on a yearly
11 basis and the one percent increase for the
12 2017-2018 year has been contemplated and is
13 covered in the budget which this body approved
14 back in June.

15 LEGISLATOR GONSALVES: Any
16 questions from the legislators? Any
17 comments? Nice to see you Mr. Gross.

18 Legislator Drucker.

19 LEGISLATOR DRUCKER: Ms. Murray
20 always a pleasure to see you. John, always a
21 pleasure to see you too. How are you? Who
22 are the contract administrators? Who are they
23 and who would be appointing them?

24 MR. GROSS: The contract
25 administrators are appointed by both sides,

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2 one by the NCCFT and one by the president.
3 They work together on issues that arise
4 relative to administration of the contract.

5 LEGISLATOR DRUCKER: If the
6 contract were to be changed, the ordinance
7 were to be changed, would the board of
8 trustees have a greater role in that process?

9 MR. GROSS: I understand your
10 question now. I was filled in on the
11 questions that arose. The reason for the
12 suggested amendment to the ordinance, the
13 ordinance goes back to 1977 and the college
14 has lived under that for 43 years. The
15 language of the original ordinance, which was
16 adopted by the Board of Supervisors, was not
17 terribly artfully written. It indicated that
18 the board of trustees would be the bargaining
19 agent for the college and the county because
20 the college and county are joint employers.
21 The county essentially delegated to the
22 college the authority to administer the
23 contract.

24 The ordinance should have
25 referenced the president of the college,

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2 because under the Taylor Law of the state of
3 New York, which was only ten years old in
4 1977, the law denominates the chief executive
5 officer as the bargaining agent.

6 I've spoken to Kate and we are
7 prepared to revise the language what was
8 submitted to the legislature. The only reason
9 that that amendment was suggested is because
10 the college -- a new union was formed at the
11 college, which is the NCCAA, which is a union
12 of middle level administrators. Under the
13 Taylor Law administrators can organize. Since
14 it's not a CSEA type unit, which is
15 administered by the county, the college sought
16 the amendment to the existing Board of
17 Supervisors ordinance to include the NCCAA in
18 that language.

19 I've been apprised of the concerns
20 that were raised by the legislature. We are
21 undertaking a revision of that language. But
22 I'm absolutely confident that the legislature
23 will be comfortable with when we do that.

24 MS. MURRAY: I do want to note
25 for the record that Mr. Frank Facenda is here

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2 as well. He's president of to the NCCFTA
3 union.

4 LEGISLATOR GONSALVES: Any other
5 questions from the legislators?

6 LEGISLATOR DRUCKER: The proposed
7 language, the proposed amended language of the
8 ordinance states that the board of trustees
9 shall act as bargaining agents for the college
10 in addition to being solely responsible for
11 the administration of collective bargaining
12 agreements.

13 LEGISLATOR GONSALVES: May I just
14 ask a question. Are you speaking to this
15 item?

16 LEGISLATOR DRUCKER: Yes, this is
17 the item.

18 LEGISLATOR GONSALVES: Is it
19 germane to this particular item?

20 MR. GROSS: It's peripherally
21 germane. You have the MOU before you. It
22 will take me two seconds to answer it.

23 That is the inartful language that
24 existed back in 1977. That's what we will
25 change and modify.

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2 LEGISLATOR DRUCKER: But it says
3 proposed amended language in the 2000
4 ordinance. It's the new language that we have
5 here.

6 MR. GROSS: That amends 1977
7 county ordinance.

8 LEGISLATOR DRUCKER: Just that
9 the confusion is that the proposed amended
10 language talks about the administration of the
11 collective bargaining agreement.

12 MR. GROSS: I understand that.
13 We will fix that.

14 LEGISLATOR GONSALVES: Any other
15 questions or comments? Any public comment?
16 There being none, all those in favor of item
17 six Resolution 187 signify by saying aye. Any
18 opposed? The item passes unanimously.

19 MS. MURRAY: Thank you for your
20 support everybody.

21 LEGISLATOR GONSALVES: You're
22 welcome.

23 Now are those individuals who are
24 asked to be here at the present time?

25 MS. KRISEL: A couple of things.

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2 First of all, Roseanne is here to speak about
3 the Nassau-Suffolk issue that Legislator
4 Birnbaum raised.

5 Second of all, I did receive from
6 minority counsel as well as from Roseanne the
7 charting to which I believe Legislator Bynoe
8 was referring and that was amended, that chart
9 was set up in January of 2017. We expect the
10 next update to be January 2018.

11 LEGISLATOR GONSALVES: Would you
12 say that we have the information we need to
13 reconvene this hearing?

14 MS. KRISEL: I don't know about
15 Legislator Birnbaum's witness but I have what
16 I need.

17 LEGISLATOR GONSALVES: I know the
18 individual you are waiting for but hopefully
19 in the next few minutes that person will be
20 here and that person will have an opportunity
21 to speak on the item itself. So now
22 addressing the questions that were raised.

23 MS. KRISEL: In my mind two
24 questions were raised that I can answer at
25 this time. One is the charting to which

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2 Legislator Bynoe referred. That will be
3 updated in January. And the second question
4 that Legislator Birnbaum raised had to do with
5 Nassau and Suffolk and Roseanne D'Alleva can
6 address that at this time.

7 MS. D'ALLEVA: The sales tax rate
8 is similar to Nassau County sales tax rate on
9 hotel-motel. But in terms of the allocation
10 that's mandated by state statute that differs
11 between Nassau and Suffolk but they have
12 something similar.

13 LEGISLATOR BIRNBAUM: When you
14 say it differs but are we both following the
15 state's code?

16 MS. D'ALLEVA: Yes,
17 individually. So Legislator Bynoe and
18 Legislator Curran had asked for how the
19 funding of the sales tax revenue is actually
20 allocated because there is certain funding
21 that has to go to Old Bethpage versus the
22 treasurer's office versus the parks department
23 and there's an allocation device in the state
24 statute. So Suffolk has their own mandate in
25 terms of their own state statute as to how to

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2 allocate sales tax revenues from hotel-motel
3 and we have our own.

4 LEGISLATOR GONSALVES: Before you
5 go on, I don't think the clerk heard the fact
6 that I reconvened the hearing. So the hearing
7 is reconvened and whatever testimony that was
8 given prior to my statement should be
9 incorporated. Go on Roseanne.

10 LEGISLATOR BIRNBAUM: I want to
11 understand. The amount given to the tourism
12 agency is it the same percentage from Nassau
13 as from Suffolk?

14 MS. D'ALLEVA: I can't speak to
15 that. I can only speak to Nassau County's
16 percentage.

17 LEGISLATOR BIRNBAUM: What I've
18 been told is it's not. That Suffolk
19 contributes a higher rate.

20 MR. NAUGHTON: Eric Naughton
21 Deputy County Executive for Finance. Suffolk
22 gives a flat dollar amount, they give \$2
23 million out of their hotel-motel tax for
24 tourism to the tourism agency.

25 LEGISLATOR BIRNBAUM: So it's not

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2 mandated by the state how much we have to
3 give?

4 MR. NAUGHTON: Ours is spelled
5 out in a law. It's a percentage. Theirs is a
6 dollar amount.

7 LEGISLATOR BIRNBAUM: We can
8 amend ours if we chose to?

9 MR. NAUGHTON: I'm not the lawyer
10 so I won't speak to that.

11 MS. KRISEL: I would have to
12 research that. I want to be honest with you
13 legislator.

14 LEGISLATOR BIRNBAUM: My attorney
15 is saying we would need to amend the enabling
16 part of the statute.

17 MS. KRISEL: DCA Podlesak is on
18 his way. He should be here any moment if
19 there are any further questions.

20 LEGISLATOR BIRNBAUM: I'm just
21 questioning this because I'm looking into the
22 idea of tourism for Nassau County.

23 LEGISLATOR GONSALVES: Any other
24 questions or comments from the legislators?
25 Any public comment? There being none, motion

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2 to close the hearing. Moved by Legislator
3 Nicoletto. Second by Legislator Kopel. All
4 those in favor of closing the hearing signify
5 by saying aye. Any opposed? The hearing is
6 now closed.

7 Now on the item itself. The item
8 is item two, the local law amending Title 24
9 of the miscellaneous laws of Nassau County in
10 relation to extending the hotel and motel
11 occupancy tax.

12 Moved by Legislator Nicoletto.
13 Second by Legislator Muscarella. Any other
14 comment? This is the opportunity for any
15 other comments from the legislators or the
16 public. Ms. Harris, am I correct?

17 MS. HARRIS: I would like to know
18 how much does the tax revenue without the
19 board okaying?

20 LEGISLATOR GONSALVES: Are you
21 asking this body a question? Please address
22 the question to us.

23 MS. HARRIS: I'm asking how much
24 do the hotel and motel generate on a tax
25 without you okaying this? How much do they

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2 make a year from the taxes?

3 LEGISLATOR GONSALVES: Nothing.

4 MS. HARRIS: They don't make
5 nothing with the occupancy tax?

6 LEGISLATOR GONSALVES: It's based
7 on the sales tax that is generated.

8 MS. HARRIS: How much is that?

9 LEGISLATOR GONSALVES: At this
10 particular time Roseanne D'Alleva please
11 answer that question.

12 MS. D'ALLEVA: In 2016 the county
13 generated \$5.5 million.

14 MS. HARRIS: Thank you.

15 LEGISLATOR GONSALVES: Any other
16 comments regarding this item? There being
17 none, we had public comment and I believe it
18 would be appropriate if people who have
19 questions to please put them in writing so we
20 can address them adequately and as promptly as
21 possible.

22 There being no other comments, all
23 those in favor of item two, the local law
24 amending the miscellaneous laws of Nassau
25 County in relation to extending the

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2 hotel-motel occupancy tax. All those in favor
3 signify by saying aye. Any opposed?

4 Unanimous. The item passes unanimously. That
5 ends the calendar.

6 I believe that we do have another
7 individual from the public who would like to
8 address us. Mr. Budnick you put in a slip. I
9 have a slip for you.

10 MR. BUDNICK: Honorable members
11 of the board, Madam Chair I have been trying
12 to get some clarification as to what happened
13 with the resolution to extend our having a
14 permit from New York State for what I can best
15 describe as the northwest section of the
16 Massapequa Preserve? Okay. I'd just like to
17 ask somebody to get back to me what's
18 happening with that. Also recently I was
19 here --

20 LEGISLATOR GONSALVES: We will
21 get back to you with that answer.

22 MR. BUDNICK: Also with regard to
23 the correctional center. I heard the other
24 day at a budget hearing the terrible
25 conditions. The fact that it seems to be

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2 raining inside. The roof is not functional.
3 Why isn't somebody trying to declare an
4 emergency for the benefit of those who work
5 and those who are current residents there?
6 The innocent and the guilty ones.

7 I'm also asking for consideration
8 at some point in the future to be given to the
9 creation of a Mitchell Field historical
10 district. I have spoken before the board of
11 trustees of the college and I intend to speak
12 before the Town of Hempstead about that.

13 Also the creation of a
14 rehabilitation facility to replace the one
15 that was lost about nine years ago when the
16 Michael M. Petito Memorial Inpatient
17 Rehabilitation Facility Topic House was shut
18 down in Plainview. We have almost blood on
19 our hands because we haven't done that.

20 I'd also like to suggest perhaps
21 consideration be given to creation of
22 referendums to consider whether to once again
23 elect the county sheriff and the county
24 chairman of the board of assessment. Thank
25 you all very much for putting up with me.

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2 Have a very nice evening.

3 LEGISLATOR GONSALVES: You are

4 welcome Mr. Budnick. Motion to adjourn

5 please. Moved by Legislator Nicolello.

6 Second by Legislator Schaefer. All those in

7 favor signify by saying aye. Any opposed. We

8 are now adjourned.

9 (TIME NOTED: 2:24 P.M.)

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CERTIFICATION

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

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 17th day of
October 2017

FRANK GRAY