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## **PUBLIC NOTICE**

PLEASE TAKE NOTICE THAT

**THE NASSAU COUNTY LEGISLATURE WILL HOLD  
A SPECIAL MEETING OF THE FULL LEGISLATURE**

**ON**

**MONDAY, JUNE 7, 2021 AT 1:00 PM**

**IN**

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER  
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING  
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501**

*Please be advised that due to health and safety concerns associated with the COVID-19 virus, the Peter J. Schmitt Memorial Legislative Chamber will be open to a maximum of thirty-five members of the public. Further, this meeting will be available for viewing online at <http://www.nassaucountyny.gov/agencies/Legis/index.html>*

*Public comment on any item may be emailed to the Clerk of the Legislature at [LegPublicComment@nassaucountyny.gov](mailto:LegPublicComment@nassaucountyny.gov) and will be made part of the formal record of this Legislative meeting.*

*While Chamber capacity is limited, the Nassau County Legislature is committed to making its public hearings accessible to individuals with disabilities. If, due to a disability, you need an accommodation or assistance to participate in the public hearing or to obtain a copy of the transcript of the public hearing in an alternative format in accordance with the provisions of the Americans with Disabilities Act, please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office of the Physically Challenged at 227-7101 or TDD telephone No. 227-8989.*

**DATED: June 2, 2021  
Mineola, NY**

**MICHAEL C. PULITZER  
Clerk of the Legislature  
Nassau County, New York**

AN EMERGENCY RESOLUTION DECLARING AN EMERGENCY FOR IMMEDIATE ACTION UPON A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK TO ENACT AND THE GOVERNOR TO APPROVE AN ACT TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW IN RELATION TO PROVIDING A HEART DISEASE PRESUMPTION FOR CERTAIN FIRE MARSHALS IN NASSAU COUNTY

WHEREAS, the Honorable Richard Nicoletto, Presiding Officer, has submitted to this County Legislature a written recommendation dated June 7, 2021, pursuant to the provisions of the County Government Law of Nassau County; and

WHEREAS, the said recommendation refers to an emergency resolution declaring an emergency for immediate action upon a resolution requesting the Legislature of the State of New York to enact and the Governor to approve an Act to amend the Retirement and Social Security Law, in relation to providing a heart disease presumption for certain fire marshals in Nassau County; and

WHEREAS, the said recommendation is that the County Legislature adopt a resolution declaring that an emergency exists in Nassau County the nature of which is to take immediate action upon the aforesaid resolution; now, therefore be it

RESOLVED, that the County Legislature hereby declares that an emergency exists within Nassau County, the nature of which is to consider and to take immediate action upon the aforesaid resolution now before this Legislature.

RESOLUTION NO. 89-D- 2021

A RESOLUTION REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK TO ENACT AND THE GOVERNOR TO APPROVE AN ACT TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW IN RELATION TO PROVIDING A HEART DISEASE PRESUMPTION FOR CERTAIN FIRE MARSHALS IN NASSAU COUNTY

RESOLVED, that the Nassau County Legislature pursuant to Section Two of Article IX of the Constitution of the State of New York, hereby requests the Legislature to enact and the Governor to approve the following bills:

S. 7167

A. 6547A

ENACTED: "AN ACT" to amend the retirement and social security law, in relation to providing a heart disease presumption for certain fire marshals in Nassau County.

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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, June 7, 2021  
1:08 P.M.

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

LEGISLATOR RICHARD J. NICOLELLO

Presiding Officer  
9th Legislative District

LEGISLATOR HOWARD KOPEL

Deputy Presiding Officer  
7th Legislative District

LEGISLATOR DENISE FORD

Alternate Presiding Officer  
4th Legislative District

LEGISLATOR KEVAN ABRAHAMS

Minority Leader  
1st Legislative District

LEGISLATOR CARRIE SOLAGES

3rd Legislative District

LEGISLATOR DEBRA MULE

5th Legislative District

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2       LEGISLATOR C. WILLIAM GAYLOR III  
3               6th Legislative District  
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5       LEGISLATOR VINCENT T. MUSCARELLA  
6               8th Legislative District  
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8       LEGISLATOR ELLEN BIRNBAUM  
9               10th Legislative District  
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11       LEGISLATOR DELIA DERIGGI-WHITTON  
12              11th Legislative District  
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14       LEGISLATOR JAMES KENNEDY  
15              12th Legislative District  
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17       LEGISLATOR THOMAS MCKEVITT  
18              13th Legislative District  
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20       LEGISLATOR LAURA SCHAEFER  
21              14th Legislative District  
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23       LEGISLATOR JOHN FERRETTI, JR.  
24              15th Legislative District  
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LEGISLATOR ROSE WALKER  
17th Legislative District

LEGISLATOR JOSHUA LAFAZAN  
18th Legislative District

LEGISLATOR STEVEN RHOADS  
19th Legislative District

MICHAEL PULITZER  
Clerk of the Legislature



1 Full - 6-7-21

2 LEGISLATOR NICOLELLO: I would  
3 like to call this meeting of the legislature  
4 to order and ask that Legislator Ellen  
5 Birnbaum lead us in the pledge of Allegiance.

6 Welcome to our emergency meeting.

7 Mike could you please call the  
8 roll.

9 MR. PULITZER: Thank you  
10 Presiding Officer. Roll call. Deputy  
11 Presiding Officer Howard Kopel.

12 LEGISLATOR KOPEL: Here.

13 MR. PULITZER: Thank you.  
14 Alternate Presiding Officer Denise Ford.

15 LEGISLATOR FORD: Here.

16 MR. PULITZER: Legislator Siela  
17 Bynoe. Come back to Siela. Legislator Carrie  
18 Solages.

19 LEGISLATOR SOLAGES: Here.

20 MR. PULITZER: Thank you.  
21 Legislator Debra Mule.

22 LEGISLATOR MULE: Here.

23 MR. PULITZER: Legislator C.  
24 William Gaylor the third.

25 LEGISLATOR GAYLOR: Present.

1 Full - 6-7-21

2 MR. PULITZER: Thank you.

3 Legislator Vincent Muscarella.

4 LEGISLATOR MUSCARELLA: Here.

5 MR. PULITZER: Legislator Ellen

6 Birnbaum.

7 LEGISLATOR BIRNBAUM: Here.

8 MR. PULITZER: Legislator Delia

9 DeRiggi-Whitton. Come back to that.

10 Legislator James Kennedy.

11 LEGISLATOR KENNEDY: Here.

12 MR. PULITZER: Legislator Laura

13 Schaefer.

14 LEGISLATOR SCHAEFER: Here.

15 MR. PULITZER: Legislator John

16 Ferretti.

17 LEGISLATOR FERRETTI: Here.

18 MR. PULITZER: Legislator Arnold

19 Drucker. Legislator Rose Marie Walker.

20 LEGISLATOR WALKER: Here.

21 MR. PULITZER: Legislator Joshua

22 Lafazan.

23 LEGISLATOR LAFAZAN: Here.

24 MR. PULITZER: Legislator Steven

25 Rhoads.

1 Full - 6-7-21

2 LEGISLATOR RHOADS: Present.

3 MR. PULITZER: Minority Leader

4 Kevan Abrahams.

5 LEGISLATOR ABRAHAMS: Here.

6 MR. PULITZER: Presiding Officer

7 Richard Nicoletto may I just go back to the

8 other people?

9 LEGISLATOR NICOLELLO: Yes.

10 MR. PULITZER: Legislator Siela

11 Bynoe. Legislator Delia DeRiggi-Whitton.

12 LEGISLATOR DERIGGI-WHITTON: I'm

13 here.

14 MR. PULITZER: Legislator Arnold

15 Drucker. Sir, we have a quorum.

16 LEGISLATOR NICOLELLO: Thank

17 you. Please read the emergency resolution.

18 MR. PULITZER: Yes, sir. An

19 emergency resolution declaring an emergency

20 for immediate action upon a resolution

21 requesting the legislature of the state of

22 New York to enact and the governor to approve

23 an act to amend the retirement and social

24 security law in relation to providing a heart

25 disease presumption for certain fire marshals

1 Full - 6-7-21

2 in Nassau County.

3 LEGISLATOR NICOLELLO: Thank  
4 you. Motion to establish the emergency.  
5 Moved by Legislator Ford. Seconded by  
6 Legislator Walker. Any discussion on the  
7 emergency nature of this? Obviously this  
8 needs to get done as soon as possible. The  
9 legislature in Albany is likely to be  
10 adjourning by the end of this week.

11 Any debate or discussion on the  
12 emergency? All those in favor signify by  
13 saying aye. Those opposed? Carries  
14 unanimously.

15 189 of 2021 is a resolution  
16 requesting the legislature of the state of  
17 New York to enact and the governor to approve  
18 an act to amend the retirement and social  
19 security law in relation to providing a heart  
20 disease presumption for certain fire marshals  
21 in Nassau County.

22 Motion by Legislator Ford.

23 Seconded by Legislator Walker.

24 This is a legislation that we  
25 originally passed, a home rule message that we

1 Full - 6-7-21  
2 original passed in April. There were some  
3 differences or additional or changed language  
4 which necessitates us to do another home rule  
5 message. Provides a heart disease presumption  
6 for fire marshals, supervising fire marshals,  
7 division supervising fire marshals, assistant  
8 chief fire marshals, chief fire marshal or  
9 fire marshal trainee. Similar presumptions  
10 are applied to other volunteers in other  
11 professions.

12 Anyone have any discussion or  
13 debate on this item? Hearing none, all in  
14 favor signify by saying aye. Those opposed?  
15 Carries unanimously.

16 Make a motion to adjourn.  
17 Legislator Rhoads. Seconded by Legislator  
18 McKevitt. All in favor of adjourning signify  
19 by saying aye. Those opposed? We are  
20 adjourned.

21 (Meeting was adjourned at 1:13  
22 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 ninth day of  
June 2021

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FRANK GRAY