

1.
PROPOSED ORDINANCE

Documents:

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2.
Legislative Calendar

Documents:

R-8-23-17.pdf

3.
Meeting Minutes

Documents:

FULL LEGISLATIVE COMMITTEE, 08-07-17.pdf

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE NASSAU COUNTY LEGISLATURE WILL HOLD COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, JULY 24, 2017 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, AUGUST 7, 2017 STARTING AT 1:00 PM IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1ST FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

FULL LEGISLATIVE SESSION 1:00 PM

COMMITTEE	TIME
RULES	1:00PM
PUBLIC SAFETY	1:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	1:00PM

TOWNS, VILLAGES AND CITIES	1:00PM
ECONOMIC & COMMUNITY DEVELOPMENT & LABOR	1:00PM
PUBLIC WORKS AND PARKS	1:00PM
HEALTH AND SOCIAL SERVICES	1:00PM
GOVERNMENT SERVICES AND OPERATIONS	1:00PM
MINORITY AFFAIRS	1:00PM
VETERANS AND SENIOR AFFAIRS	1:00PM
FINANCE	1:00PM

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

Dated: July 17, 2017
Mineola, NY

As per the Nassau County Fire Marshall's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins and attendees will be given an opportunity to sign in to address the Legislature for a maximum of three minutes. Public comment is limited to Agenda items. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>.

PROPOSED ORDINANCE NO. 98 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 20, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
205,233	U.S. Department of Justice	GRT	PD	BB	205,233

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6

N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 99 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE HEALTH DEPARTMENT.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 20, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
16,350	New York State Division of Health	GRT	HE	AA	11,912
		GRT	HE	AB	4,438

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 100 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 20, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
218,100	New York State Office of Homeland Security	GRT	PD	AA	30,677
		GRT	PD	AB	9,323
		GRT	PD	BB	178,100

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 101 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 27, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
530,704	New York State Division of Criminal Justice Services	GRT	ME	AA	125,000
		GRT	ME	BB	77,025
		GRT	ME	DD	328,679

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6

N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 102 –2017

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 3, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
1,678	New York State Department of Health	GRT	HE	AA	1,558
		GRT	HE	AB	120

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that

this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 103 –2017

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 6, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
6,180	New York State Department of Health	GRT	HE	AA	4,606
		GRT	HE	AB	1,511
		GRT	HE	HH	63

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 104 –2017

AN ORDINANCE supplemental to the annual appropriation ordinance in connection with the Department of Health.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 6, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
4,326	New York State Department of Health	GRT	HE	AA	3,227
		GRT	HE	AB	1,055
		GRT	HE	HH	44

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 105 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 3, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
21,500,000	Federal Transit Authority and New York State	GRT	RE	AA	218,366
		GRT	RE	AB	89,792
		GRT	RE	DE	10,191,842
		GRT	RE	LB	6,000,000
		GRT	RE	DE	5,000,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 106 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PARKS.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 17, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
1,655,462	Hotel/Motel Tax Account GRT 9700OTH	GRT	PK	AA	659,540
		GRT	PK	AB	140,460
		GRT	PK	DE	855,462

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 107 –2017

**AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PARKS.**

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 17, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
288,288	Hotel/Motel Tax Account GRT 9800OTH	GRT	PK	DE	288,288

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section

617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 108 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE HEALTH DEPARTMENT.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 17, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
54,172	New York State Department of Health	GRT	HE	AA	39,127
		GRT	HE	AB	15,045

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this

supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 109 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 17, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
85,090	New York State Division of Criminal Justice Services	GRT	ME	DD	63,490
		GRT	ME	BB	9,600
		GRT	ME	AA	12,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6

N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 110 –2017

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION
ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated July 17, 2017, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of Section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
328,950	Unified Planning Work Program	GRT	PL	AA	211,204
		GRT	PL	AB	83,320
		GRT	PL	DE	0
		GRT	PL	HH	34,426

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

AUGUST 23, 2017 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Vincent Muscarella
Howard Kopel
Kevan Abrahams – Ranking
Delia DeRiggi-Whitton

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
317-17	AT	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION DECLARING A CAPITAL BUDGET EMERGENCY PURSUANT TO §310(D) OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 317-17(AT)
318-17	PW	F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE TO AMEND ORDINANCE NO. 13-2016, ADOPTING THE CAPITAL BUDGET FOR THE YEAR TWO THOUSAND SIXTEEN FOR THE COUNTY OF NASSAU, CORRESPONDING TO THE FIRST YEAR OF THE FOUR YEAR CAPITAL PLAN, PURSUANT TO THE PROVISIONS OF SECTION 310 OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 318-17(PW)
319-17	PW	F, R	<u>ORDINANCE NO. -2017</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECT(S) IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$9,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY. 319-17(PW)
320-17	PW	F, R	<u>ORDINANCE NO. -2017</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECT(S) IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$3,260,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY. 320-17(PW)
326-17	OMB	F, R	<u>PROPOSED LOCAL LAW NO. -2017</u> A LOCAL LAW AMENDING LOCAL LAW 18-1984, AS LAST AMENDED BY LOCAL LAW 4-2015 AND AS INCORPORATED IN CHAPTER 4 OF TITLE 9 OF THE MISCELLANEOUS LAWS OF NASSAU COUNTY, IN RELATION TO IMPOSING ADDITIONAL RATES OF SALES AND COMPENSATING USE TAXES AUTHORIZED BY SECTION TWELVE HUNDRED TEN OF THE TAX LAW AND CONTINUING A LOCAL GOVERNMENT ASSISTANCE PROGRAM AUTHORIZED BY SECTION TWELVE HUNDRED SIXTY-TWO-E OF THE LAW. 326-17(OMB)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
331-17	CE	F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE EXTENDING A VOLUNTARY SEPARATION INCENTIVE TO CERTAIN OFFICERS AND EMPLOYEES REPRESENTED BY CSEA. 331-17(CE)
B-17-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND POSILICO CIVIL, INC. B-17-17
B-18-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND PRATT BROTHERS, INC. B-18-17
B-19-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND POSILICO CIVIL, INC. B-19-17
B-20-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND PRATT BROTHERS, INC. B-20-17
E-174-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND LIRO ENGINEERS, INC. E-174-17
			THE FOLLOWING ITEMS MAY BE UNTABLED

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
A-4-16	PR	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO REQUEST OVERSIGHT OF A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF VARIOUS NASSAU COUNTY DEPARTMENTS AND HVAC INC. A-4-16
B-4-16	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND R.J. INDUSTRIES, INC. B-4-16
E-132-17	OMB	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF MANAGEMENT AND BUDGET, TO PROCEED WITH KPMG LLP ON TASKS II, III, AND IV AS SET FORTH IN COUNTY CONTRACT NUMBER CQBU16000005. E-132-17
E-160-17	IT	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY AND LOCALITY MEDIA, INC. E-160-17
E-162-17	IT	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY AND SVAM INTERNATIONAL, INC. E-162-17
E-163-17	DA	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DISTRICT ATTORNEY’S OFFICE AND ACISS SYSTEMS, INC. E-163-17

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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES, Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, August 7, 2017
1:08 P.M.

1

2 A P P E A R A N C E S:3 NORMA GONSALVES,
4 Presiding Officer5 RICHARD NICOLELLO,
6 Deputy Presiding Officer

7 HOWARD KOPEL

8 VINCENT MUSCARELLA

9 KEVAN ABRAHAMS,
10 Minority Leader

11 DELIA DERIGGI-WHITTON

12 SIELA BYNOE

13 CARRIÉ SOLAGES

14 DENISE FORD

15 LAURA CURRAN

16 C. WILLIAM GAYLOR III

17 ELLEN BIRNBAUM

18 JAMES KENNEDY

19 LAURA SCHAEFER

20 ROSE MARIE WALKER

21 DONALD MACKENZIE

22 STEVEN RHOADS

23 MICHAEL C. PULITZER,
24 Clerk of the Legislature

25

1

2

LIST OF SPEAKERS

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PATRICK RYDER 9

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WILLIAM MASSARI 17

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JESSICA CRAWLEY 17

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SCOTT SOIFER 21

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4	JUSTIN RAMAL 1 2 8
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7	BILL NIMMO 1 4 2
8	CATHY GOTTSCHALK 1 5 9
9	HOWARD LUTZ 1 6 9
10	CATHY GOTTSCHALK 1 9 5
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2 PRESIDING OFFICER GONSALVES: I'm
3 going to ask Legislator Gaylor to lead us in
4 the pledge.

5 (The Pledge of Allegiance was
6 recited.)

7 PRESIDING OFFICER GONSALVES:
8 Thank you. At this point in time each month
9 as been tradition with the Legislature to
10 honor several cops from the Nassau County
11 Police Department, and today is no
12 exception.

13 In addition we have points of
14 personal privilege, but we'll begin with the
15 top cops that are being honored, and there
16 are four, and these four cops transported a
17 patient to Mount Sinai Hospital in time to
18 receive lifesaving transplant, and I think I
19 have the President of the PBA.
20 Mr. McDermott, are you here? Are you here,
21 sir?

22 Pete Patterson is here as well.
23 Are you going to do the introductions?

24 MR. PATTERSON: Yes.

25 PRESIDING OFFICER GONSALVES: Are

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2 they all present?

3 MR. PATTERSON: They are all
4 present.

5 PRESIDING OFFICER GONSALVES: And
6 I believe you also have the Commissioner
7 Ryder with you as well, correct? I think I
8 saw him somewhere.

9 MR. PATTERSON: Yes, we have him
10 as well. We'll start off with the top cops
11 of this month, Police Officers John Coop,
12 Michael Passarelli from the 7th and Police
13 Pilot Thomas Fabian from Aviation and Police
14 Officer Medic Greg Millwater from also
15 Aviation.

16 I'll start off by saying police
17 work is a very unique profession. Every day
18 you come into work, you could face different
19 situations. Sometimes you have basic days
20 where you're just going through alarms,
21 handling criminal mischiefs. Other days
22 you're facing life-and-death situations.

23 You get involved in possibly a
24 shooting, serious aided, baby not
25 breathing, and the stress level goes from

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2 here to here.

3 This month's story, you are going
4 to listen to it, and this situation is
5 basically one of those stress levels that go
6 from here to here. It's police officers
7 acting on a situation, something that you
8 can't learn in the academy, you can't learn
9 from the street. We call it police officer
10 instinct.

11 Back in June 26th, Mrs. Sepulveda
12 came into the 7th Precinct at 6:00 in the
13 morning and basically stated the following.
14 She had 90 minutes to get to Mount Sinai
15 Hospital where she was due to receive a
16 liver transplant. Ninety minutes, 6:00 in
17 the morning on Long Island, that's about a
18 four-hour drive.

19 The police officers realized
20 there's no way they are going to get there
21 in time and immediately notified our
22 Aviation Unit, and while they were doing it,
23 they placed the aided in the police car and
24 had an escort right to Bethpage.

25 Our Police Aviation Unit

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2 responded quickly getting helicopters ready,
3 and once again, this is not a one, two,
4 three situation. They realized that time
5 was of the essence, so they are getting the
6 copter ready while the police officer
7 transporting.

8 They get to Bethpage, they place
9 her in a helicopter, and Tom Fabian, the
10 pilot, transported the aided into the City
11 where they were met by a transplant team
12 with NYPD.

13 She was transported right to the
14 hospital, and fortunately she was there in
15 time to successfully get the surgery. I
16 believe she is here today. I'd like her to
17 stand up.

18 MS. SEPULVEDA: I just want to
19 say that I now have four heroes. They saved
20 my life and they saved my family's ability
21 to have a mom, and I couldn't be more
22 thankful to them, so thank you.

23 MR. PATTERSON: Once again, on
24 behalf of Nassau County PBA, we do
25 appreciate and recognize our officers every

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2 this month, particularly this month. This
3 was a special situation.

4 I guess I'll ask the Commissioner
5 to say some words.

6 COMMISSIONER RYDER: Thank you.
7 Good afternoon. First, I'd like to bring
8 you some good news. Yesterday I spoke with
9 Police Officer Sherlock and Sergeant Turner.
10 They were the officers that were attacked
11 down in Massapequa, the officer that
12 received a slash along his face from the man
13 with the scissors and also a puncture to his
14 neck. One inch either way, we would be
15 having a different conversation today. It
16 was pretty scary.

17 They did a great job, and then
18 they used another tool that they were given
19 to restrain the individual.

20 The officers behind me go through
21 those same things every single day, and it
22 changes, whether it's a life saving, helping
23 give birth to a child, helping getting
24 someone to a hospital, but again, using the
25 tools and the training that they get.

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2 They don't get that training and
3 they don't get those tools if it's not for
4 this board, so I want to thank you for all
5 of the support that you give to the Police
6 Department, and I'm actually honored to be
7 their Commissioner, and I want to thank the
8 PBA for the great job that they do also
9 taking care of their police officers, so
10 thank you very much.

11 PRESIDING OFFICER GONSALVES:
12 Anyone else, Mr. Patterson, would like to
13 say anything on behalf of the police
14 officers or the police officers themselves?

15 MR. PATTERSON: No. Thank you.
16 They are a little shy today, but like I
17 said, once again, on behalf of us, we really
18 do appreciate. This is one of the better
19 programs that you guys started. It's
20 bipartisan, which we like to see. We like
21 to see a lot of that and particularly with
22 this thing, so we thank both sides of the
23 aisle for this. Thank you.

24 PRESIDING OFFICER GONSALVES: I
25 don't know how you want to arrange the

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2 picture. I'm sorry. Legislator Walker
3 would like to say a few words.

4 LEGISLATOR WALKER: Certainly,
5 and I know I really speak for all of us
6 here, but I just want to thank each and
7 every one of you that played a part in
8 really making a difference in this
9 beautiful, young mom's life and the life of
10 her family.

11 I was a match for a kidney donor
12 for my husband, and unfortunately he needed
13 a heart and kidney transplant, and we never
14 got that far, but transplants are so few and
15 far between, and you wait for that phone
16 call. I know we used to have our phones
17 ready constantly hoping that call would come
18 and we could rush to a hospital.

19 Sometimes you just don't have
20 been that ability to get to where you need
21 to get. Here you have that organ ready for
22 you, but you couldn't possibly get to it
23 unless you had all of those people standing
24 behind you ready to go, so I just want to
25 give you an extra big thank you for that,

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2 God bless you and God bless your family.

3 PRESIDING OFFICER GONSALVES:

4 Where do you want to do this photograph?

5 Here, here? Where?

6 MR. PATTERSON: Wherever you

7 want.

8 PRESIDING OFFICER GONSALVES:

9 It's your day, not mine.

10 MR. PATTERSON: We'll do it up

11 there.

12 PRESIDING OFFICER GONSALVES:

13 While they are assembling here, I on behalf
14 of the 19 of us have a citation to present
15 to each of the top cops today, so I will be
16 giving them to them on behalf of the entire
17 legislative body.

18 It's also customary for our
19 Legislators to recognize individuals in
20 their legislative district who have gone
21 above and beyond, and today is no exception.

22 We have first of all I would like
23 to recognize Legislator Donald MacKenzie,
24 who has a story to tell us, and I believe
25 that there are two of the honorees here in

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2 the audience with us today, so, Legislator
3 MacKenzie, it's your turn.

4 LEGISLATOR MACKENZIE: Thank you,
5 Norma. This is a bit of an unusual story
6 for me because we sit here week after week,
7 and we honor our first responders and our
8 police officers for the heroic acts they
9 commit on a daily basis, but I was actually
10 involved in an event near my home where my
11 neighbor's house went on fire and was able
12 to see firsthand what great work our
13 volunteer firefighters, police officers and
14 first responders do.

15 In particular I'm honoring two
16 people here today, Jessica Crawley, who is a
17 firefighter in East Norwich, and, Jessica,
18 if you could please come up, and Officer
19 William Massari from the Nassau County
20 Police Department who I believe is here as
21 well.

22 Jessica is really what our
23 volunteer firefighters epitomize. When we
24 say that they are our friends and neighbors
25 and they come out in the middle of the night

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2 and run into burning buildings to save us,
3 Jessica is just that type person.

4 I know that she's joined here
5 today by her mom and many other members of
6 the East Norwich Fire Department. I saw Ty
7 Cronin is here as well and some other
8 younger people, so it's a great privilege
9 for me to honor her and what she did on that
10 day.

11 She was literally driving to work
12 and saw the flames of the house as it was
13 engulfed and turned and stopped and started
14 taking action to help make the call, stop
15 and help fight the fire and prevent a
16 greater tragedy from happening.

17 And likewise Officer Massari was
18 able -- he is one of the real heroes here
19 and he deserves credit for it -- saved the
20 person from the second-story window, and
21 small-world situation, it's my
22 understanding, and I could be incorrect,
23 that Officer Massari was actually a New York
24 City Firefighter before he became a Nassau
25 County Police Officer and strangely enough

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2 served with a guy who I went to high school
3 with who told me.

4 So I'm very privileged to honor
5 them today. They saved lives on that day,
6 and to be there firsthand is a very unique
7 experience and we should honor these people
8 everyday for what they do. They run into
9 burning buildings to keep the rest of us
10 safe, and our volunteer firefighters do it
11 for no pay.

12 So I honor you both with this
13 citation and thank you for all your hard
14 work. Chief Ryder, did you want to speak on
15 the officers' behalf?

16 COMMISSIONER RYDER: I'll take
17 chief. That works.

18 First of all we'd also like to
19 thank Legislator MacKenzie because he was
20 also there and helped with that ladder going
21 up and rescuing that person, so we commend
22 him also for his brave actions.

23 I think the PBA said it earlier.
24 This is what these cops do every day, and
25 when you work with your first responders

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2 like the fire department, and we work as one
3 team as we do in this county, this is how we
4 get things done, and to all -- to both of
5 them and to Legislator MacKenzie, you cannot
6 have a better group working together, doing
7 the right thing, and that person saved that
8 person's life, so it's a good day, so thank
9 you again and congratulations.

10 MR. PATTERSON: I just want to
11 say again on behalf of the PBA and my
12 biggest fan behind me, we do appreciate your
13 honoring our officer. This is like I said
14 another one of those situations where
15 whether you are off duty, on duty, it's
16 24-hour day. The firefighter did a great
17 job. Our officer did a great job.
18 Legislator MacKenzie, I take my hat off to
19 you. The only thing is I hear you were the
20 only one that put in for overtime that day.
21 I'll question that.

22 Like I said, deep down inside we
23 learned after 9/11 if we learned anything
24 that people are basically good deep down
25 inside and they will do the right thing, and

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2 these three people saw what they needed to
3 do. They did it. They did the right thing
4 for the right reasons, and once again on
5 behalf of PBA, we do appreciate it. Thank
6 you.

7 PRESIDING OFFICER GONSALVES: You
8 would you like to say something? Where's
9 Jessica? Jessica, would you like to say
10 anything? No? Okay. I won't put you to
11 the test. Officer William? Okay. You're
12 on.

13 MR. MASSARI: First I'd like to
14 say thank you, Legislator MacKenzie, and I
15 was just happy to be at the right place at
16 the right time and help someone that needed
17 help. Thank you.

18 PRESIDING OFFICER GONSALVES:
19 Okay, Jessica. I'm waiting. Go ahead.

20 MS. CRAWLEY: Sorry. I'm a
21 little short. I just want to say thank you
22 to Mr. MacKenzie for recognizing me. He
23 definitely played a part that day, and we
24 were all there at the right time.

25 PRESIDING OFFICER GONSALVES: God

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2 bless. Legislator MacKenzie will take a
3 picture with you, but before he does, we are
4 not going to ignore the fact that he played
5 the role of a hero that day as well, so we
6 have a citation on behalf of the Legislators
7 for Legislator MacKenzie.

8 Thank you. More and more each
9 day, I think we surprise the people we serve
10 in many, many ways, and this certainly was a
11 surprise to all of us.

12 God bless you, Jessica, God bless
13 you, William, and certainly God bless you
14 Legislator MacKenzie. Go down and take your
15 picture, and I will move on, and because we
16 -- would you like to go outside in the
17 antechamber? It would be a lot easier
18 because we have another point of personal
19 privilege.

20 I'm now going to call on the
21 Alternate Deputy Presiding Officer, Howard
22 Kopel, who has a point of personal
23 privilege, and I'm not going to speak for
24 him, but again like always it's a pleasure
25 and an honor for us to be doing this each

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2 and every Legislature meeting, and
3 Mr. Kopel.

4 LEGISLATOR KOPEL: Thank you,
5 Madam Presiding Officer. Yes, it is indeed
6 a pleasure and an honor.

7 What I'd like to talk about
8 today, who I'd like to talk about today is a
9 remarkable young man who lives nearby, near
10 me, and he may actually be in Legislator's
11 Ford district where we kind of overlap quite
12 a bit, but this young man's name is Scott
13 Soifer. Scott, why don't you come up to the
14 podium, please?

15 In any event, I'll just tell you
16 a little bit about this young man. He is a
17 senior at the North Shore Hebrew Academy and
18 he's pursuing a career in electrical
19 engineering, robotics.

20 Just to give you an example of
21 what goes on, he built his own 3d printer
22 from scratch, from loose wires, threaded
23 bolts, printed circuit boards and so forth.
24 He's a pitcher on his varsity team in
25 school, and one of the other pitchers was

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2 curious about how fast he was pitching, so
3 Scott went and built a radar gun during
4 lunch break.

5 I guess what we are dealing with
6 is a real, honest to goodness, real life
7 MacGyver, but the interesting thing that's
8 been going on is that Scott was interested
9 in a veritable plague that we face in this
10 country, which is the fact that people
11 neglect to think when they leave their cars
12 in hot weather, and something like I think
13 700 babies a year die because they are left
14 in hot cars. We have also got to think of
15 adults who are perhaps not able to fend for
16 themselves, and what about pets?

17 So Scott was concerned about
18 that, and so of course he built a prototype
19 that will protect against it, and I think it
20 works automatically. It detects when the
21 car is off. It monitors the heat, and it
22 automatically turns the car back on and the
23 air-conditioning when it reaches a bad point
24 it notices -- if it sees that there's a
25 person in the car.

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2 And what else? Does it notify
3 the police?

4 MR. SOIFER: Yes. It contacts
5 the police and the caregivers through the
6 app I developed.

7 LEGISLATOR KOPEL: Tell us more
8 about it.

9 MR. SOIFER: Basically if a child
10 is detected -- it detects a child based off
11 respiratory physiology, so the air we
12 breathe in is less concentrated with carbon
13 dioxide than the air we breathe out, so my
14 system detects an increase in carbon dioxide
15 levels. That's how it detects a child.

16 And if a child is detected, and
17 the and car is too hot, my system turns on
18 the engine and air conditioning system by
19 accessing the car's electrical system
20 through the OBD-II port or on board
21 diagnostic port of the vehicle, and so once
22 the car turns on, the engine, and the air
23 conditioning also turns on, it also contacts
24 the police and the caregiver, letting them
25 know that the child is in danger of

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2 suffering from heat stroke through the app I
3 developed.

4 LEGISLATOR KOPEL: When you
5 figured this out, what did you do after
6 lunch? What's next for you Scott? In any
7 event, what happens is he's got some patents
8 pending, right?

9 MR. SOIFER: Yes. I have a US
10 non-provisional and also an international
11 non-provisional patent.

12 LEGISLATOR KOPEL: And you've won
13 awards. Let's see. There's the first place
14 in the Long Island Science and Engineering
15 Fair and one of the grand prize award
16 winners in the Intel International Science
17 and Engineering Fair, and where did you work
18 last summer?

19 MR. SOIFER: I just got back
20 actually on Friday from Harvard University.
21 I was doing research in solid mechanics. I
22 was working on a self-dividing gripper that
23 basically turns a simple input such as air
24 into complex motions, and also at ISEF, at
25 Intel ISEF last may, MIT recognized my

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2 project, and they saw my potential, so they
3 contacted me, so now I'm working them, and
4 we are trying to solve problems, energy
5 problems in third world countries, so I'm
6 going to be developing some inventions that
7 actually generate electricity from
8 playgrounds using electric flooring, floor
9 tiles, so just turning simple items into
10 electricity for third world countries is
11 also a big need.

12 LEGISLATOR KOPEL: Well, it's a
13 pleasure to know you, and I should mention I
14 know Scott's father, Todd, and he just
15 happened to mention to me he knew about this
16 interesting gizmo that his son developed,
17 and I said, hey, wait, we've got to hear
18 more about this.

19 In any event, Legislator Ford.

20 LEGISLATOR FORD: Thank you.
21 Scott, thank you very much, and I think that
22 everybody should be reminded that -- how old
23 are you now?

24 MR. SOIFER: I'm 17.

25 LEGISLATOR FORD: So when you

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2 think about your accomplishments so far, and
3 you're still only 17 years old, I can only
4 imagine what the future holds for you and
5 with your bright future and considering the
6 fact that it seems that many of the
7 initiatives and things that you've developed
8 have been not to your own benefit but the
9 benefit and safety of so many of us that we
10 ourselves can look at a brighter future with
11 you doing what you have to do, and I guess
12 being a MacGyver so to speak, just thank you
13 for everything.

14 I look at this, and even when you
15 sent your résumé, sometimes we don't even
16 get these many awards and these many I guess
17 awards and citations and whatever else that
18 you did that for people that could even be
19 double or triple your age, so keep on doing
20 what you're doing. The world stands very
21 proud knowing that you are here with us, and
22 I think when we look at today was such a
23 phenomenal day where we celebrated and
24 recognized so many heroes that live amongst
25 us, that you are right there with them, and

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2 thank you because you're going to help save
3 a lot of children's lives.

4 And even for those who don't have
5 children and that they have pets, how many
6 times do we read about people leaving their
7 dogs in their cars? It's going to be good
8 for everybody. Thank you very much, and I
9 thank your parents for raising such a fine,
10 fine young man. It's a great day for you
11 and for your sister as well. Thank you.

12 PRESIDING OFFICER GONSALVES:

13 Scott, I have to say on behalf of this
14 entire body we are reassured today with your
15 presence here and your accomplishments that
16 our future is in good hands, so thank you
17 very much.

18 LEGISLATOR NICOLELLO: Please
19 call the roll.

20 CLERK PULITZER: Yes, sir.

21 Presiding Officer Richard Nicoletto, Deputy
22 Presiding Officer Richard Nicoletto.

23 LEGISLATOR NICOLELLO: Here.

24 CLERK PULITZER: Alternate Deputy
25 Presiding Officer Howard Kopel.

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2 LEGISLATOR KOPEL: Right here.

3 CLERK PULITZER: Legislator Siela

4 Bynoe. Legislator Carrié Solages.

5 LEGISLATOR SOLAGES: Here.

6 CLERK PULITZER: Legislator

7 Denise Ford.

8 LEGISLATOR FORD: Here.

9 CLERK PULITZER: Legislator C.

10 William Gaylor III.

11 LEGISLATOR GAYLOR: Present.

12 CLERK PULITZER: Legislator

13 Vincent Muscarella.

14 LEGISLATOR MUSCARELLA: Here.

15 CLERK PULITZER: Legislator Ellen

16 Birnbaum.

17 LEGISLATOR BIRNBAUM: Here.

18 CLERK PULITZER: Legislator Delia

19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON:

21 Here.

22 CLERK PULITZER: Legislator James

23 Kennedy.

24 LEGISLATOR KENNEDY: Here.

25 CLERK PULITZER: Legislator Laura

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2 Schaefer.

3 LEGISLATOR SCHAEFER: Here.

4 CLERK PULITZER: Legislator

5 Arnold Drucker. Legislator Rose Marie

6 Walker.

7 LEGISLATOR WALKER: Here.

8 CLERK PULITZER: Thank you.

9 Legislator Donald MacKenzie. Legislator

10 Steven Rhoads. Minority Leader Kevan

11 Abrahams.

12 LEGISLATOR ABRAHAMS: Here.

13 CLERK PULITZER: Presiding

14 Officer Norma Gonsalves.

15 LEGISLATOR NICOLELLO: She just

16 stepped out.

17 CLERK PULITZER: We have a

18 quorum, sir. Testimony

19 LEGISLATOR NICOLELLO: Thank you.

20 Before we do what is business, I would like

21 to introduce Chuck Lavine, our State

22 Assemblyman. Why don't you get up and take

23 a bow, Chuck?

24 Our first speaker is Jerry

25 Laricchiuta.

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2 MR. LARICCHIUTA: Good afternoon
3 and thank you for giving me this opportunity
4 real quick to talk about an important topic
5 that's popping up in Nassau County and
6 actually around New York State all over.

7 Before I do that, wow. I was
8 just like so floored by the talents of that
9 17-year-old kid, Scott. It's really great
10 to know that we have youth coming up that
11 are going to lead us into the future with
12 that kind of talent, that kind of brains and
13 that kind of just ingenuity, and I hope we
14 have thousands more like him because we're
15 going to need people like Scott so we can
16 become less dependent on others and run our
17 own country. It was really good to see him.

18 And of course thanks to the
19 heroes, our police officers in Nassau
20 County, who are med techs. Our police
21 medics also work with them alongside out on
22 the street. We need more people like that
23 too. They do a great job every day. Thank
24 you.

25 I'm here to talk real quick about

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2 an idea, a concept, that I have been reading
3 in the paper, and I have had some
4 conversations with the administration here.
5 It's called "shared services." That's the
6 shared services are the new hot word going
7 around. We have Governor Cuomo, who is very
8 interested in making this plan work if we
9 get it.

10 We are not against the idea, the
11 concept of shared services. It could be a
12 little tricky, but anything that can save
13 the residents and the taxpayers money, CSEA
14 is all for it as long as CSEA members, we
15 don't lose our jobs and we don't get hurt
16 over it.

17 Of course that's a pretty strong
18 statement, right? But we will love to be
19 part of any plan that the communities and
20 municipalities in Nassau County can work
21 together, which will actually make things
22 more efficient, hopefully provide more and
23 better services throughout the County and do
24 it for less money, saving the taxpayers
25 money.

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2 What we want to also caution and
3 just say, remember, seven years ago the hot
4 trend back then was these public-private
5 partnerships. We have seen a couple of them
6 come and go, and things need to be vetted
7 out. Ideas and concepts need to be thought
8 out in realtime, and you need to include the
9 union because, as we know, some of these
10 public-private partnerships don't actually
11 work out in the end.

12 We are about to -- the public
13 workers are about to take back the health
14 care at the Correctional Center because the
15 private partners, the private company that
16 took it over did not work out, which we said
17 seven or eight years ago. I don't remember
18 exactly. We knew there were going to be
19 issues there.

20 So what we are asking for is if
21 you are going to move forward, and I know
22 you are going to vote today on the concept
23 of shared services, and this is something
24 that Governor Cuomo is pushing statewide.

25 Some unions are resisting it. We

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2 are not locally. We are not with
3 quotations. We are not with qualifying the
4 fact that by bringing the unions into the
5 conversation from day one, now we can do
6 this correctly. Now we can do this without
7 having all kinds of litigation.

8 There is a thing called a
9 collective-bargaining agreement. I know
10 that since NYSA's been here, some people
11 question that, but there really are
12 contracts out there the County and various
13 unions here in Nassau County have entered
14 into, and there's language in these
15 contracts that stipulate certain work is
16 supposed to be done by certain titles in the
17 County.

18 We are willing to work alongside
19 the County. It just has to be a two-way
20 street. When you say "share," it means
21 share both ways, so if some County work is
22 going to be done by municipalities other
23 than Nassau County, towns or villages, and
24 it makes sense and they can do it better or
25 more efficiently, that's fine.

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2 I know for a fact there's plenty
3 of work that the County workforce can do
4 that will probably benefit the taxpayers and
5 get the services done more efficiently. We
6 are all here for the same reason. We are
7 all here to serve the residents of Nassau
8 County, just in different capacities, so I'm
9 just asking that we do in right from the
10 beginning.

11 And since this is the first step
12 that you're taking today, this would be the
13 appropriate time for us to ask that we be
14 included in these conversations. Not after
15 the fact. I don't know that there's a
16 shared services committee, so maybe you
17 would want to consider putting a union,
18 either a union leader or a union person on
19 that committee, or at least put us on the
20 must-talk-to list so that we're not fighting
21 this because the idea sounds good on paper
22 but it doesn't work, and that could happen.

23 I'm not going to go into examples
24 because I'm not here to put this down. I'm
25 here to work with the -- our union is

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2 looking to make sure we can get this done
3 and save the taxpayers money, but protect
4 our members too. That's our job. That's my
5 job. That's the union's job.

6 Let's do it correctly, and let's
7 see maybe moving forward maybe we can
8 collaborate and work together and make a
9 better county for Nassau County residents,
10 less costly, more efficient, and do it
11 in-house because you have great unions here
12 in Nassau County that can do this work
13 in-house and throughout all, Town of
14 Hempstead, North Hempstead, Oyster Bay, the
15 villages. They are all dedicated workers.

16 We are willing to work together
17 as long as we get the respect and we get the
18 position of what do you think about this,
19 can you agree with this concept or is this a
20 violation of your collective-bargaining
21 agreement, and if it is, what can we do to
22 resolve it. That's all I ask and I
23 appreciate your time. Thank you.

24 PRESIDING OFFICER GONSALVES:

25 Mr. Laricchiuta, Legislator Nicoletto would

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2 like to comment.

3 LEGISLATOR NICOLELLO: Jerry,
4 just with the process is mandated by the
5 State, and it's been the administration has
6 taken the lead as required, and in fact we
7 don't even get to approve it as the
8 Legislature. It's something put before us.

9 We have this whacky thing that
10 we're doing today, which is simply votes on
11 it, but it's not an approval, but it's good
12 to think about these things. It's good to
13 consider ways to save money, but you're a
14 hundred percent right. They have to be
15 vetted. They have to be thought through.

16 Time and time again, we make
17 mistakes if we do things too quickly, and I
18 agree a hundred percent that the unions
19 should be part of the process. You have a
20 unique outlook and unique things to
21 contribute to the process and to avoid those
22 mistakes, so I think you raise some very
23 good points today.

24 MR. LARICCHIUTA: That makes us
25 feel a lot better, Mr. Nicoletto, and I

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2 appreciate that sentiment towards the County
3 workforce, and I think we can do a pretty
4 good job for you too. Thank you.

5 PRESIDING OFFICER GONSALVES:

6 Legislator Ford.

7 LEGISLATOR FORD: Jerry, I echo
8 what Richard is saying as well because I
9 think it's very imperative that if this is
10 something that we are being I guess
11 basically compelled to do, to do the shared
12 services, that we try to make it work as
13 best as possible.

14 And obviously that is the intent
15 with the words that you have spoken, so I
16 think that it would be something that
17 perhaps some of the Legislators, even though
18 we may not be able to direct a lot of this
19 stuff, but we are responsible for the work
20 and the services that are provided by the
21 County and that we work with you as well,
22 and we need to form a committee to look at
23 this to start looking at some of the
24 problems because I think -- maybe the
25 potential problems I should say because I

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2 know not only we're here to protect your
3 members, but when we look at even the towns,
4 the villages and the cities, to even look at
5 their work, we want to make sure that
6 everybody is hopefully on the same page and
7 that whatever we do we endeavor to make sure
8 we protect our workers as well as providing
9 the services that people expect of the
10 County.

11 So call me. I'll be more than
12 happy to meet with all of you and set up
13 something so that we can get this going.
14 Okay?

15 MR. LARICCHIUTA: Thank you,
16 Legislator Ford. I just wanted to say a
17 comment. It will work. As long as we do
18 this together and collaborate together, it
19 can work possibly, right? I think there's a
20 future in that.

21 However, it doesn't make sense if
22 we are ignored and trampled on because the
23 Governor wants it done, and there's really
24 no way of getting it done without trampling
25 on the union, and we wind up suing and

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2 winning more money than we saved, which is
3 not out intent. We don't want to do that,
4 but I would be failing in my job if I just
5 let all our work get done by others outside
6 the bargaining unit without any
7 consideration, so I'm asking for my members'
8 sake a fair share and for the residents'
9 sake a fair share because they could save
10 some money possibly if we do this right.

11 LEGISLATOR FORD: Also even aside
12 from saving the money, you save a lot of
13 problems then because if we anticipate -- I
14 mean I can tell you legislatively what can
15 be done, but it's up to you. You have the
16 expertise as well your members and the other
17 people on your board to let us know these
18 are some of the problems we may face if we
19 try to do the job this way.

20 Maybe you can come up with an
21 agreement say this is the way that we should
22 approach it. Then instead of having it hit
23 snares, and then we have problems, people
24 are fighting, if we can show the residents
25 in Nassau County that by all of us working

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2 together we can actually do something
3 seamlessly and make this a success.

4 MR. LARICCHIUTA: That's why I'm
5 here right now. For what you just said,
6 that's better than I could say it myself.
7 That's why we're here right now, to actually
8 get that whole idea together.

9 We'd rather work together and
10 collaborate than fight.

11 LEGISLATOR FORD: Right. Then
12 let's meet before we start.

13 MR. LARICCHIUTA: Thank you very
14 much. Have a nice day.

15 PRESIDING OFFICER GONSALVES: I'm
16 sorry. Minority Leader.

17 LEGISLATOR ABRAHAMS: Sorry,
18 Jerry. And obviously to confer with
19 Legislator Ford and Deputy Presiding Officer
20 Nicolello, we agree.

21 I think what most people lose
22 sight of obviously with any effort, and I
23 think you said it best, with regard to
24 trying save taxpayers' money, that is always
25 the ultimate goal within one of the highest

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2 tax jurisdictions in the country, but
3 ultimately at the same time we are trying to
4 strengthen and protect families, which your
5 members are.

6 People forget that. They not
7 just workers and bodies and bean counters
8 here in the County. They are people that
9 actually live in this county. They pay
10 taxes in this county. They are taxpayers in
11 this county.

12 From that standpoint, any
13 perspective we ant to do, the ultimate goal
14 is to strengthen families, not just those
15 that are union employees that you're here to
16 protect, but all families, and from that
17 standpoint we encourage and look forward to
18 your input as well as other members of this
19 body to ensure that we come up with the best
20 plan that works in strengthening families in
21 this county.

22 MR. LARICCHIUTA: Thank you,
23 Legislator Abrahams. I couldn't ask for
24 more than what you just said. Thank you.

25 PRESIDING OFFICER GONSALVES:

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2 Thank you, Mr. Laricchiuta.

3 Rosemary Sherry is it? Good
4 afternoon, Rosemary.

5 MS. SHERRY: Good afternoon,
6 everyone. Thank you for having me here
7 today.

8 I was here a few years ago before
9 you. Delia DeRiggi-Whitton brought me in,
10 and I stood before you and shared my
11 personal story of a mom on Long Island whose
12 family was inflicted with the scourge of
13 addiction, and fortunately I had been Narcan
14 trained at the time and my son is now doing
15 well.

16 This morning I was part of the
17 press conference with Delia and others, and
18 I am in total support of the bill proposing
19 to put a bigger warning in pharmacies
20 indicating the high danger of narcotics,
21 opioids and the dangers and what everyone
22 should be aware of this morning and what
23 should be there. I expect that everyone
24 should support this. I beg of you to do
25 that please. It will begin conversations.

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2 It will bring it to the forefront of
3 everyone's mind as you stand there and
4 perhaps think twice about things.

5 I stood before you a few years
6 ago, and here I am today again asking that
7 we continue the conversation dialogue and
8 make the changes that are necessary.

9 And of course if there are any
10 questions that anyone wants to speak to me
11 about, I am willing through Delia to come
12 back and discuss it further, but I beg of
13 you please to put this forward.

14 PRESIDING OFFICER GONSALVES:
15 Thank you very much, Rosemary. Joanne
16 Borden.

17 LEGISLATOR DERIGGI-WHITTON: Can
18 I respond to that real quick, to Rosemary?

19 PRESIDING OFFICER GONSALVES:
20 Yes.

21 LEGISLATOR DERIGGI-WHITTON: I
22 just want to mention that that piece of
23 legislation was clocked in this morning, and
24 there's nothing that I would like more than
25 to have everyone's name added to it and have

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2 a bipartisan attempt.

3 We lost 16 people in Nassau
4 County to overdoses just last month.
5 Unfortunately as a county, there isn't too
6 much we can do as far as regulating things,
7 but I think that this is a really good
8 example.

9 It's okay, Rosemary. Her son had
10 shoulder surgery and was given a
11 prescription, which is really what started
12 it. My daughter broke her foot and was
13 given a prescription.

14 I left the bottle in the room
15 with her. I didn't really know about it
16 back then. Thank God she only took a few,
17 but this is how this epidemic, a lot of it
18 is starting, and if we have a sign up near,
19 hopefully near the cash register of Nassau
20 County pharmacies, it might just trigger in
21 a parent's brain at that time, oh, boy,
22 maybe I'll give them a couple of days worth
23 and then dispose of the rest of the opiates
24 correctly.

25 Again, I hope you take a look at

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2 it and consider it, and if we can pass this
3 in a bipartisan way, whoever wants to add
4 their name to it, I would be happy to add
5 you to it. Thank you.

6 PRESIDING OFFICER GONSALVES:

7 Okay. Joanne Borden, it's your turn.

8 MS. BORDEN: I'm still here.

9 Good afternoon, everyone.

10 Conservative Governor Christie
11 previously vetoed any law specific to
12 transgender student bathroom rights. He now
13 realizes that issue has nothing to do with
14 conservatism.

15 Retired Republican Senator Alan
16 Simpson, for those of you old enough to
17 remember, he was respected by both sides,
18 and he agrees. He criticized his party for
19 wasting energy by fighting social issues.
20 He said, "For God's sakes, we're all God's
21 children. What is this?"

22 On the basis of a new study,
23 Christie signed a law giving transgender
24 students gender rights, gender identify
25 rights in the bathrooms and another insuring

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2 transgender health care. The new service
3 convinced him -- the new studies, pardon me,
4 convinced him transgenderism is not a
5 choice.

6 It showed under two percent of
7 the general population attempts suicide in
8 their lifetime whereas 41 percent of
9 transgender people, mostly kids. That's
10 over 2500 times the general population.

11 Extremists have hijacked
12 conservatism and use it to mask their hate.
13 True conservatism is based on limiting the
14 size of government, not meanness and hate
15 toward others. Don't allow radicals to
16 control your actions under the guise of
17 conservatism. Don't surrender the true
18 principles of conservatism and harm your
19 agenda's success.

20 Extremists push you against
21 conservative principles and Judeo-Christian
22 teachings, teachings that discourage hate
23 and say love thy neighbor. You can and you
24 must help end the harassment, the bullying
25 and the driving transgender children to

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2 suicide for daring to be themselves.

3 The same study found 56 percent
4 of transgender, mostly kids, avoid using any
5 restroom and thus damage their bladder and
6 kidneys. You see, it's really not who's
7 more afraid, the woman or the mouse.

8 It's up to you to stop the hate
9 towards your transgender neighbors by
10 passing the Transgender Human Rights Law
11 now. Perpetuating hate is a sin. It's an
12 affront to your God. Thank you for
13 listening.

14 PRESIDING OFFICER GONSALVES:
15 Thank you, Joanne.

16 Pete Gaffney.

17 MR. GAFFNEY: Good afternoon. My
18 name is Pete Gaffney. I reside in Westbury
19 Carle Place School District, and I'm here
20 before the Legislature just regarding two
21 issues.

22 I'd like to know what the
23 procedure is between the County and North
24 Hempstead Town to resolve what each
25 governing body's responsibility is as it

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2 pertains to Westbury Avenue.

3 What's clear is that the roadway
4 is the County's responsibility, and I just
5 want to thank Legislator Schaefer for just
6 getting our roadway -- we've been told that
7 it's going to get done in this fall, so
8 thank you, but I want to know who is
9 responsible for the sidewalks, the curbs and
10 also the maintenance of it.

11 It's in disarray, and what's
12 happened is that apparently the attorneys
13 for the County and the attorneys for North
14 Hempstead, they have two different things
15 involved, and they say two different things,
16 so nothing is getting resolved. Meanwhile,
17 we have issues. Does this thing have to go
18 to arbitration or what? That's issue number
19 one.

20 The other issue, I've repeatedly
21 asked about this again. We need more
22 community policing throughout Nassau County.
23 Traffic, people are out of control getting
24 in their cars. I don't know what happens to
25 them. They get into a speed-racer

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2 mentality. They just do whatever the heck
3 they want. They go 20, 30, 40 miles an hour
4 over the speed limit.

5 Every single day -- in fact
6 today, if you look at Newsday, there's three
7 crashes that they show, a picture of
8 somebody driving a truck through a fence,
9 hitting a car through a fence and knocking
10 down a pole.

11 Another person knocking down --
12 hitting a car, knocking down a telephone
13 pole and crashing. Tell me that they
14 weren't speeding. It's become ridiculous,
15 and part of the issue is also people are
16 circumventing ways to get around maybe
17 possibly having cameras, speed cameras
18 detection throughout the County.

19 They are taking out-of-state
20 plates. They are using them. They are
21 covering their own plates. It's really
22 become out of control.

23 Just before they mentioned about
24 opioids. Some of these guys are actually
25 coming from various states and they're

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2 actually bringing in drugs. I'm just
3 throwing it out at you, not that everybody
4 is doing it, but the reality is it's
5 affecting us.

6 And the other thing I would like
7 to do minimally is that, I'll recap the
8 Legislature, anybody that leaves the actual
9 scene of an accident where there's an injury
10 to somebody is that the penalty gets
11 increased. It's happening way, way too
12 much.

13 They showed on TV the other day a
14 young kid, while a car was making a right
15 turn, the kid was skateboarding. Now, the
16 kid made a mistake, and he just continued,
17 and the car, unfortunately, hit him.

18 Well, if the guy stopped, he
19 would have lived. He left. The kid died.
20 That's unbelievable, ridiculous that
21 somebody would actually do that to a human
22 being.

23 So I urge you just let's do
24 something about it. We need to stiffen the
25 penalties for this and increase the

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2 community presence of our police force.

3 Thank you.

4 PRESIDING OFFICER GONSALVES:

5 Legislator Nicoletto.

6 LEGISLATOR NICOLELLO: Just with
7 respect to your first point, I don't know
8 what the Town's position is with respect to
9 the sidewalks now, but I could tell you that
10 ten to 15 years ago then Supervisor Kaiman
11 had this whole visioning thing going on.

12 He had multiple sessions in the
13 high school, all the community leaders in to
14 discuss what they wanted to see with respect
15 to Westbury Avenue. Again, talking about
16 the sidewalks. They had schematics.

17 So at one point the Town
18 apparently was very interested in doing a
19 streetscape beautification project involving
20 the sidewalks in Westbury, Westbury Avenue,
21 so I'm not sure why ten to 15 years later
22 they have now decided they have no
23 responsibility with respect to it. It's
24 completely inconsistent.

25 MR. GAFFNEY: I understand what

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2 you're saying. That streetscape and all
3 that stuff, that was way in the past. We've
4 moved on from that.

5 Now what I'm talking about is we
6 are having the road repaved, and there's
7 going to be some traffic, serious traffic
8 issues on there. Westbury Avenue has over
9 10,000 cars on average every single day
10 traveling that route. They're bypassing Old
11 Country Road, doing all sorts of crazy
12 things, and the road is a baha. We know
13 that. That's why we're having it repaved.

14 But now you come in and you look
15 at the curbs. Some of the curbs are in
16 total disarray. All we are asking for is --
17 and we're an unincorporated village, so
18 maybe sometimes it's an afterthought that we
19 treat about us.

20 That whole streetscape thing,
21 that was ten/15 years ago. This has been an
22 ongoing issue. I would like to get it
23 resolved between Nassau County attorneys and
24 also North Hempstead attorneys, and maybe to
25 go to arbitration is the way to go so this

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2 way we have one final plan that says, okay,
3 the County's responsibility is for the
4 curbs, North Hempstead Town is responsible
5 for the sidewalks and for the maintenance.

6 If that's going to be the answer,
7 fine, not he said/she said and nothing gets
8 done. We need to have that resolved. How
9 do we go about doing that?

10 LEGISLATOR NICOLELLO: But what
11 I'm saying to you though is whatever the
12 Town's position is now, it wasn't their
13 position in the past. In the past they had
14 a proposal, a process to work on those
15 sidewalks, which I assume would include the
16 curbs, so whatever position they are taking
17 now is completely opposite from what they
18 did ten to 15 years ago.

19 MR. GAFFNEY: Again, that was in
20 past. Let's get it resolved so we can get
21 it corrected now. Can we do that? How do
22 we go about doing that? Is it arbitration?

23 LEGISLATOR NICOLELLO: There's no
24 arbitration between municipalities, but from
25 my perspective a municipality that promises

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2 the residents they are going to do something
3 with respect to their sidewalks and then ten
4 or 15 years later says not my problem, I
5 think that municipality should step up to
6 the table and do what they do everywhere
7 else in the town adjacent to County roads,
8 which is take care of the sidewalks. Curbs
9 aren't a big issue.

10 MR. GAFFNEY: Taking care of the
11 sidewalks is maintenance. I'm talking about
12 repair/replace.

13 LEGISLATOR NICOLELLO: That's
14 what I'm saying. Taking care of the
15 sidewalks means putting in new sidewalks,
16 whatever has to be done.

17 MR. GAFFNEY: Okay. How do we
18 get it so that there's an agreement, not
19 that they should take care of it because 15
20 years ago this was said?

21 LEGISLATOR SCHAEFER: Because
22 it's a sidewalk district is why they are
23 supposed to take care of them, which means
24 they collect taxes to pay for the repairs of
25 the sidewalk. That's where this dispute is

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2 happening. It's something I know you and I
3 had spoken about, and we can certainly speak
4 more about it, but my interest is getting it
5 resolved as well.

6 MR. GAFFNEY: No offense,
7 Legislator Schaefer. Let's just get it
8 done. How do we go about doing that?

9 LEGISLATOR SCHAEFER: You get two
10 parties to the table, and we have done that
11 several times. Listen, I'm not going to
12 stop trying to get it resolved. I'm
13 definitely not going to. We are trying to
14 move forward here and we're trying to get it
15 done, so we will keep working on that.

16 MR. GAFFNEY: To me this should
17 be very easy and very simple. He said, she
18 said, this is what's it's going to be going
19 forward. That's all. Thank you, and don't
20 forget about the community policing please.
21 It's important. It really is for everybody
22 in the County. Thank you very much.

23 PRESIDING OFFICER GONSALVES:
24 You're welcome, Mr. Gaffney. Ms. Mereday.

25 MS. MEREDAY: Good afternoon.

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2 Meta Mereday, Baldwin. Where does one even
3 begin?

4 Primarily I wanted to speak on my
5 concern with regard to the consolidated
6 services since Nassau County has such an
7 interesting track record when they combine
8 anything. Let's look at the history.

9 When you talked about
10 consolidating those police precincts, that
11 was a whammy; wasn't it? We are still
12 paying for the overtime for the police
13 officers, and no disrespect, but, Legislator
14 Ford, I almost fell off my chair when you
15 mentioned to the gentleman from the CSEA
16 that it's important after you get the
17 viewpoint from the people who are out here
18 and representing constituencies so that you
19 can address the problems we may face and
20 talk about how to avoid it because there
21 were residents from numerous communities,
22 Baldwin, Roosevelt, Elmont, Westbury, who
23 talked about many of those same issues when
24 this legislative body talked about
25 consolidating some of the same agencies that

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2 have led us to this crisis that we have in
3 the opioid and mental health arena.

4 I guess folks have selective
5 retention because this same body
6 consolidated a number of those same agencies
7 that are responsible for taking care of the
8 residents who are facing these same issues,
9 so now we have these epidemic proportions
10 with the opioid problems in our communities
11 in Nassau and Suffolk County.

12 So I can't really see or take any
13 confidence in getting something that's
14 coming out of the administration that in
15 large part is either on the one side under
16 investigation or the other side jumping
17 quickly from abandoning ship to high-paying
18 jobs at Nassau Community College and the
19 Medical Center.

20 Now let's talk about the Medical
21 Center. Again you had residents who stood
22 before you, myself among them, those seven
23 years ago and really talked about how are we
24 going to save the County and the taxpayers',
25 more importantly the taxpayers', money by

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2 privatizing. That was the whole other big
3 catchword, let's privatize, that's going to
4 save taxpayers money.

5 You privatize the services to the
6 prisoners, Armor. At last count how many
7 inmates have died including veterans,
8 including one particular veteran who was
9 under suicide watch? How is he still able
10 to kill himself under that private company
11 that we are still paying but we have to
12 shell out over \$50,000,000 to the Medical
13 Center, but we have residents including
14 someone very close to me who cannot get
15 medical services in that same medical center
16 because he has, quote, aged out of the
17 program.

18 So we have residents, taxpayers
19 in this County, who cannot get services that
20 we pay for on a regular basis, but by law we
21 have to make sure that we take care of the
22 prisoners. We pay that overtime for the
23 police officer. We address the issues of
24 trying to consolidate services for community
25 residents who are leaving in droves because

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2 they can't afford to pay the taxes in this
3 area.

4 So please, please tell me when
5 are you ever going to listen to the voices
6 that continue to speak at this podium to our
7 issues. Do we all have to either sue the
8 County, which would require once again for
9 the County that has an office of County
10 attorneys that number close to 60, but we
11 continue to have to farm out contracts to
12 private attorneys to pay for the numerous
13 lawsuits?

14 I don't even have a running total
15 on how many lawsuits we have lost that we
16 are paying which requires us to borrow
17 additional funding, so if you think that
18 people who would actually know what's going
19 on --

20 LEGISLATOR NICOLELLO: Ma'am,
21 your time is up.

22 MS. MEREDAY: Well, since the
23 CSEA gentleman had at least 12 minutes to
24 speak, I'm hoping I can get at least another
25 three for this particular issue because a

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2 lot of the residents who would want the
3 three minutes have to work two and three
4 jobs to make at least half of what the
5 number of employees make who are not as well
6 connected as those sitting behind here.

7 So I am about to take my seat,
8 but again I am hoping that anyone who is
9 listening will question the validity, the
10 legitimacy and really the consistency in the
11 failed consolidation/collaboration programs
12 that this county has executed previously.

13 Otherwise, we're just all going
14 to be packing up on the Long Island
15 Expressway, moving out of here, but you also
16 have a program for that because you have a
17 land grant program that will pay for empty
18 houses, but you refuse to put a program in
19 place to help veterans and others to
20 maintain their residency and to maintain
21 their dignity. Thank you. I'm done.

22 PRESIDING OFFICER GONSALVES:
23 Lois Schaffer. Lois Schaffer.

24 I have two more slips, and then
25 we are going to go on to the full

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2 Legislature.

3 MS. SCHAFFER: Good afternoon.

4 PRESIDING OFFICER GONSALVES:

5 Good afternoon, Lois.

6 MS. SCHAFFER: I want to thank
7 you for allowing me to speak today about an
8 important subject and one that has greatly
9 affected our society, guns and gun violence.

10 And I just want to -- I don't
11 know if any of the policemen are still here,
12 but what I'm going to speak about should
13 resonate with them. I welcome any questions
14 or comments after my remarks.

15 More than a year ago Legislator
16 Birnbaum and the Democratic Caucus spoke,
17 well, we proposed a safe storage of guns
18 ordinance to be implemented in Nassau County
19 coordinating with the gun safety
20 organization New Yorkers Against Gun
21 Violence.

22 Subsequently, I spoke to you
23 regarding how critical it was to give
24 serious consideration to implement this
25 bill. It is a simple measure, yet it would

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2 save lives. Regrettably, nothing was done
3 in Nassau County.

4 We always think that gun violence
5 happens somewhere else, not here, and
6 certainly not in our mostly tranquil county,
7 but it has. Tragically the need to
8 implement a safe storage ordinance was
9 driven home just last week when an innocent
10 15-year-old boy got hold of a gun not safely
11 stored and not locked.

12 The accident occurred in Glen
13 Cove, too close to where we are now.
14 Immediately after the shooting, Legislator
15 Birnbaum and I spoke and want to stress
16 again the urgency to consider implementing
17 this bill, and this bill has many different
18 names. It is Child Access Prevention Bill.
19 It's the Safe Storage Bill. It's Nicholas's
20 Bill, and Nicholas's Bill was named after a
21 young man, 12 years old, who got hold of a
22 gun and shot himself.

23 Now, there are many states that
24 have enacted this bill except New York.
25 However, it is valid in New York City,

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2 Rochester, Westchester and Albany. Why not
3 Nassau County? It might have prevented the
4 senseless death we saw last week and anguish
5 it caused that young man's family. It is
6 nothing more than a preventive safety
7 measure, and I hope you will consider
8 implementing this bill after this terrible
9 tragedy. Thank you very much.

10 PRESIDING OFFICER GONSALVES:

11 Thank you, Lois.

12 LEGISLATOR BIRNBAUM: Can I make
13 a quick comment?

14 PRESIDING OFFICER GONSALVES:

15 Legislator Birnbaum.

16 LEGISLATOR BIRNBAUM: All we're
17 really asking is to please put this proposed
18 law on a calendar, and let's have some
19 discussion about it and have some public
20 input because this is a law that would
21 clearly save lives. Thank you.

22 MS. SCHAFFER: May I just say
23 that in the past what has happened is that
24 if there was an accident such as this, an
25 owner would not be held responsible. Now

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2 with this bill, and I have a child-access
3 prevention information here from the Law
4 Center to Prevent Gun Violence. Now with
5 this bill, an owner would be held
6 responsible, and if we could implement it
7 here in Nassau County, it would be a step
8 towards saving lives, not destroying them.

9 PRESIDING OFFICER GONSALVES:

10 Once again, thank you, Lois. Sandra Decker.

11 LEGISLATOR DERIGGI-WHITTON: I

12 just want to say thank you on behalf of the
13 family. I went to high school with his
14 aunt. This is a perfect situation because
15 from what I'm understanding it was a
16 grandmother's home, who was away, and the
17 gun was not locked up, and the kids were not
18 supposed to be in the house, but it would
19 have been something that really made a
20 difference in this situation, so I
21 appreciate your time. Thank you.

22 PRESIDING OFFICER GONSALVES:

23 Sandra Decker.

24 MS. DECKER: Hi. My name is

25 Sandra Decker. I reside at 169 Cold Spring

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2 Road in Syosset.

3 I'm here to talk about the mini
4 cell tower that went up on a utility pole in
5 front of my home without any notification,
6 without any type of transparency on the part
7 of local government and I believe without
8 permit.

9 Nassau County has stated that
10 they denied Crown Castle's request for a
11 permit, so how did this cell receiver get
12 put up on my utility pole? We know that
13 Crown Castle maintains and builds the
14 equipment for Verizon.

15 These cell towers are a violation
16 of our quality of life. They greatly
17 depreciate our home values. They are
18 unsightly to say the least, and now other
19 telecommunication companies can add their
20 equipment onto the existing equipment that's
21 already there owned by Verizon, and most
22 importantly I believe these towers pose a
23 serious health risk and pollute the
24 environment around them with radiation.

25 I have checked the EMF, the

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2 electromagnetic frequency radiation around
3 my home before and after the cell receiver
4 went up. Before it was 1.0 volts per meter
5 squared. Now it's a six, 6.0 volts per
6 meter squared. The meter just screams out
7 red, bright red, meaning high radiation.

8 This is extremely dangerous.

9 This pole is 150 feet away from Berry Hill
10 Elementary School, where parents with their
11 children park under this receiver every
12 single day, where my children play, which
13 they are not allowed to do anymore.

14 All of this equipment, allowing
15 this equipment to remain up is unsafe and
16 unnecessary. It's an unnecessary health
17 risk.

18 The National Toxicology Program
19 in 2016 came out with a study that indeed RF
20 does cause cancer. Is this a risk we are
21 willing to take so Verizon can make some
22 money?

23 I understand there's a bill going
24 forward in support of not allowing
25 telecommunication companies to put cell

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2 receivers up on utility poles, and I support
3 this, but I do want my cell tower taken down
4 in front of my home.

5 And I'm here also to support my
6 neighbor, Rosalie Menduni, who is going to
7 get up and speak in just a moment, and I do
8 want to thank Legislator MacKenzie also for
9 hearing me out and trying to help me with
10 this, so I hope I can get more support in
11 making this happen. Thank you.

12 PRESIDING OFFICER GONSALVES:

13 Legislator MacKenzie.

14 LEGISLATOR MACKENZIE: Thank you
15 very much for coming down today. Likewise,
16 I spoke with your neighbor as well, and I
17 share your sentiments.

18 It's amazing to any of us up here
19 when we encounter this problem that someone
20 could leave their house in the morning and
21 come back in the afternoon, and one of these
22 repeaters is placed in front of their house,
23 and they're seemingly powerless to stop it
24 or have any say in the matter. It's
25 something that us as elected officials and

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2 Legislators, frankly, people who live in
3 these areas are equally frustrated by.

4 We are taking a step today with
5 this legislation to help give us some tools
6 here in the County to try and have some
7 control and influence over this to help
8 people dealing with this situation. It
9 seems that this is the direction that these
10 companies are going with the technology, so
11 I think it's a problem that more and more of
12 us are going to deal with.

13 I think maybe I'm just dealing
14 with it sooner than others because of the
15 geography of the district that I represent
16 and the elevation changes there, so I'm
17 going to continue to work with you and your
18 neighbors, and we are going to do the best
19 that we can to help you fight it, and like I
20 said, I'm certainly going to support the
21 legislation today, and I believe most
22 everyone up here will as well.

23 It's something we've been working
24 on for a while because we see not only the
25 problem that you have addressed, but another

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2 problem is the double telephone poles that
3 seemingly never get replaced and the broken
4 telephone poles that get left along roadways
5 with no recourse for us to get these,
6 quote/unquote, utilities to move them.

7 Not only are they unsightly.
8 They are dangerous, and we complained and we
9 complained and we complained and we get
10 nowhere with utilities, so we are hoping
11 today that this legislation we have will
12 give us some tools to fight and fight on
13 behalf of people like you and your
14 neighbors.

15 MS. DECKER: Thank you. I'm
16 happy about the legislation, but again I'm
17 going to demand that mine is taken down as
18 well. Thank you.

19 PRESIDING OFFICER GONSALVES:
20 Thank you, Sandra. Rosalie Menduni. Am I
21 correct? Yes.

22 MS. MENDUNI: My name is Rosalie
23 Menduni, and thank you for the opportunity
24 to speak. I live at Two Townsend Drive on
25 the intersection of Cold Spring and

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2 Townsend, and since my birthday in May I
3 have been struggling with this cell tower
4 that just appeared, and now two towers where
5 people are putting up advertisements and all
6 kinds of things.

7 I have a small, private practice
8 where I serve children with compromised
9 immune systems in my home, and it's also a
10 bus stop right outside my home where this
11 cell tower is, and I'm very concerned about
12 the health risks. I myself struggle with
13 migraines and an autoimmune disease and have
14 actually lost work this summer over the
15 stress of this whole thing and I believe the
16 health risk.

17 It's also decreasing the property
18 value of my home and the overall quality of
19 life. This tower, the Crown Castle and
20 Verizon, we've spoken to people for three
21 months now going around in circles with the
22 County, the Town, everybody, everybody
23 passing the buck saying it's not in their
24 jurisdiction and they with they could help
25 me, but there's nothing they can do. Nobody

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2 can do it.

3 So who is responsible? They are
4 saying that bills are going to move forward,
5 but what about the existing pole that's up?
6 People I feel that the Town or the County, I
7 don't know who, but it seems that money is
8 being made at private companies for sure at
9 our expense, at citizens' expense.

10 There are other towns that have
11 taken care of their citizens, and they have
12 to have it 1500 feet away from people's
13 home, and mine is right outside my bedroom
14 window, and again I also had the radiation
15 checked, and right by my bedroom and my
16 office, the two places I hang out the most,
17 it was at a six, really high, which is
18 unsafe for people.

19 On March 17th we were told by
20 Nassau County representatives that Crown
21 Castle came in and asked to put a permit on
22 this corner on the drive and where they were
23 denied on March 17, 2017, and yet it stands
24 there, and there's no explanation for why.

25 They are saying to me now that

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2 they never needed a permit, but if they
3 didn't need a permit, why were they denied?
4 Why did they ever ask for one?

5 I've spoken to Verizon, Crown
6 Castle, PSEG. I'm just going around in a
7 complete circle in utter frustration at the
8 chaos that this cell tower has caused in my
9 personal life and my business, so I'm going
10 to ask that this pole be removed as soon as
11 possible, and I pray for the legislation to
12 move forward to protect other citizens, but
13 until that time I would like the pole on
14 Cold Spring Road, a County road, to be
15 removed.

16 PRESIDING OFFICER GONSALVES:
17 Legislator MacKenzie.

18 LEGISLATOR MACKENZIE: I know
19 that we spoke on the phone several times.
20 Again I'd like to thank you for coming down
21 as well. I've met with some of your
22 neighbors as you know, and they are
23 obviously very intelligent, well informed,
24 and as I said earlier, I agree, and this
25 legislation addresses the issue of poles

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2 that are put up without permits and allows
3 us to fine those entities and take that
4 action and in particular on putting new
5 equipment on there.

6 So it's our intent to use this as
7 a tool in just situations like this. We'll
8 continue to work with you.

9 MS. MENDUNI: Thank you, but what
10 about the ones that are existing already?

11 LEGISLATOR MACKENZIE: What I'm
12 saying is that was without a permit, so it's
13 my understanding that this legislation would
14 apply there, and that's my understanding of
15 how that will work, so we'll continue to
16 help as best we can to fight with you
17 because I agree with you wholeheartedly.

18 MS. MENDUNI: My two neighbors on
19 the other side of my block -- I just want to
20 say one more thing. My block has two, one
21 on each side, one from the Town and one from
22 Nassau County, and already two residents are
23 moving away.

24 I don't want to be forced to
25 leave my home. I've worked very hard to buy

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2 a home in this area and to live and work in
3 Nassau County. Thank you very much.

4 PRESIDING OFFICER GONSALVES:
5 Thank you very much, Rosalie. Minority
6 Leader.

7 LEGISLATOR ABRAHAMS: We plan on
8 supporting the legislation as well from our
9 side. I just think hearing these stories
10 and hearing these issues, it's just
11 concerning that, as it was said before, you
12 can leave for work in the morning and then
13 come home in the afternoon and then see this
14 device on a telephone pole.

15 I just have to beg the question
16 in regard to proper notification and
17 communication before these are actually
18 installed. We should in addition to doing
19 legislation that we're talking about today
20 in regard to the telephone poles, we should
21 also require these entities to properly
22 notify.

23 Thankful to these two ladies that
24 were actually knowledgeable enough to know
25 that something was different about their

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2 communities. A lot of people are probably
3 not that observant to see that, and I'm
4 guessing a lot of this is happening, and
5 most people don't even know the changes or
6 the differences. Maybe they think it's
7 something associated to the telephone
8 company or the electrical company.

9 We should in addition to
10 supporting this legislation today, we should
11 also come up with proper notification so
12 that the resident is not the relying factor
13 to determine whether or not these things are
14 happening because I'm guessing there's a lot
15 of communities where people have not seen
16 this happen, and they are forced to respond
17 to it months if not years later after they
18 see it happen.

19 PRESIDING OFFICER GONSALVES:
20 Rosalie and Sandra, this was brought to my
21 attention by constituents in my community
22 realizing that Crown Castle was around
23 canvassing various sites, and I contacted
24 the Town of Hempstead because it was on
25 Hempstead streets, and they told me that

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2 there are several applications for permits,
3 and I said to them and where are those
4 permits and what if those permits are
5 granted.

6 So they have not gotten back to
7 me, so it's not just prevalent in your
8 community, but it is. There are people out
9 there who are well aware of the fact that
10 companies like Crown Castle are trying to
11 install these so-called units which are
12 intended to speed up internet service at the
13 same time could be speeding up other
14 problems as well.

15 I think there's a unanimous
16 feeling on the part of this body that we are
17 going to continue to pursue it to make sure
18 that this does not happen without proper
19 notification and without good study. That's
20 the other thing.

21 If there is evidence, serious
22 evidence that these can, and, Sandra, I
23 believe it was you that said that there is
24 evidence out there. I believe that this has
25 to be part of the study that they make.

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2 LEGISLATOR ABRAHAMS: Just to
3 piggyback on what you just said, if I'm
4 understanding this correctly, obviously
5 entities like Crown Castle have to apply for
6 a permit.

7 PRESIDING OFFICER GONSALVES:
8 That's my understanding.

9 LEGISLATOR ABRAHAMS: And when
10 they apply for that permit, is part of that
11 process to notify the residents in that area
12 of them actually applying for this permit?

13 PRESIDING OFFICER GONSALVES: I'm
14 still waiting for an answer to that.

15 MS. DECKER: I believe so. I
16 believe how they notify is by taking out the
17 ad in the --

18 PRESIDING OFFICER GONSALVES: Who
19 is that, Sandra? Come back up.

20 MS. DECKER: I believe they
21 notify us by taking out an ad I think it was
22 in the Syosset-Jericho Tribune in that
23 little section where you can put your help
24 wanted, those little, tiny boxes.

25 LEGISLATOR ABRAHAMS: Public

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2 notices.

3 MS. DECKER: Perhaps, yes. Who
4 reads those papers?

5 PRESIDING OFFICER GONSALVES: It
6 should be part of the application. The
7 requirement to notify the public should be
8 part of the application.

9 MS. DECKER: I believe that's how
10 they get around it. They put in one those
11 little notices.

12 PRESIDING OFFICER GONSALVES: I'm
13 glad you came up, Sandra and Rosalie, and
14 thank you, Legislator MacKenzie. This is
15 something of concern to all of us up here.
16 We have enough to worry about with how
17 cancer is spreading in Nassau County without
18 having additional reasons to be concerned.

19 MS. DECKER: That's right. The
20 cancer rate here is very high.

21 PRESIDING OFFICER GONSALVES:
22 Thanks, Sandra. I'd like to move on. I
23 have one speaker, and I couldn't not let her
24 get up there and talk even though we are
25 well over the half hour. Is it Cathy

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2 Gottschalk?

3 MS. GOTTSCHALK: Gottschalk, yes.
4 Thank you. Unexpectedly, I did not know
5 that the cellphone legislation was being
6 discussed today. If you want to grant me
7 more than my three minutes, I have a lot of
8 information about that.

9 PRESIDING OFFICER GONSALVES: You
10 can come back and speak on it. When we
11 present the item, then you can speak on it
12 as well.

13 MS. GOTTSCHALK: I'll do that.
14 Thank you because I have been researching
15 this because the Town of Oyster Bay has been
16 dealing with it a lot, and I have been in
17 touch with their attorneys and researched
18 the federal legislation on it as well.

19 PRESIDING OFFICER GONSALVES: Was
20 there anything else on your slip that you
21 wanted to talk about?

22 MS. GOTTSCHALK: The two items
23 that I wanted to talk about is I would like
24 the County Legislature to consider repealing
25 the anti-BDS legislation that was passed

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2 about a year ago, and what inspired me to
3 come here today was the sadness of seeing
4 some of our Legislators standing in front of
5 Nassau County Coliseum trying to keep
6 musicians out because of what their beliefs
7 are.

8 And this is unsupported, number
9 one, by the legislation, and it goes to show
10 you the power that this legislation has and
11 how it's just gotten out of control, and
12 this isn't about Israel. This is about free
13 speech, and I realize the legislation was
14 passed. I couldn't come here and speak at
15 on it at the time.

16 What I saw was a lot of support
17 for it based upon feelings about what was
18 going on with Israel, but that shouldn't be
19 the subject of the debate. The debate is
20 about free speech, and I can tell you I
21 boycott a lot of things. I.

22 Boycott Canadian products. Why?
23 Because of the seal hunts. Why don't you
24 say that you won't do vendors -- I'm sorry
25 that that's amusing to you.

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2 PRESIDING OFFICER GONSALVES: No,
3 it's not.

4 MS. GOTTSCHALK: Why don't you
5 have it in there that people who boycott
6 related to the seal hunts? Because I'll
7 tell you there's a lot more chance you're
8 going to be dealing with Canadian products
9 than products from Israel, which is the
10 purported reason why you passed this because
11 I believe I spoke to your attorneys at the
12 time who said that you had to concern
13 yourself that it was going to interfere with
14 the contracts that vendors would have, that
15 they wouldn't be able to provide the product
16 in breach of contract.

17 It's purely an unconstitutional
18 law, and if anybody up here is not ethically
19 challenged like I believe that you are, you
20 should repeal this, and you can pass all
21 these ethics laws you want. We've got the
22 biggest ethics law in the world, and that's
23 our United States Constitution, and you've
24 all broken it by supporting this.

25 That's the first thing that I

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2 have to say. I'm up. May I have two more
3 minutes, please? Very quickly, the Nassau
4 County Medical Center.

5 I believe that we don't have the
6 legal authority to indemnify Nassau County
7 Medical Center. Even if we did, I don't
8 think that you should be doing it because
9 they have shown their colors before in how
10 they treated the jail prisoners or how they
11 haven't treated them, and they are already
12 fairly indemnified by the fact that they
13 have qualified immunity for their actions
14 over there, and when people are indemnified
15 and not responsible for their actions, they
16 behave differently.

17 And I don't think that Nassau
18 County should be on the hook for
19 indemnifying physicians over there for
20 malpractice. They already are limited by a
21 90-day notice of claim and a qualified
22 immunity. I don't think we need to make
23 them more irresponsible by indemnifying
24 them, and I do believe that if you read the
25 law, I believe the deal between us and

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2 Nassau County Medical Center or the Health
3 and Hospitals Center says that the hospital
4 can indemnify Nassau County. I don't see
5 anything there that says the County can
6 indemnify Nassau hospitals.

7 PRESIDING OFFICER GONSALVES:
8 Legislator Kopel would like to respond.

9 LEGISLATOR KOPEL: First of all,
10 before I even get to the meat of what
11 you were saying, I would like to say on
12 behalf of I think this entire Legislature
13 that ad hominem attacks of people that are
14 unsupported by anything are really
15 disgusting.

16 MS. GOTTSCHALK: It's supported
17 by your legislation that's
18 anti-constitutional.

19 LEGISLATOR KOPEL: Excuse me. If
20 you want to talk about people being
21 unethical, come up and talk about specific
22 events.

23 MS. GOTTSCHALK: So you're making
24 an ad hominem attack against me.

25 LEGISLATOR KOPEL: Excuse me.

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2 It's not your time to talk.

3 PRESIDING OFFICER GONSALVES:

4 This is not a debate.

5 LEGISLATOR KOPEL: Don't even
6 bother to say it here. Go to the DA if you
7 have a problem. That's first of all.

8 Second of all, I believe you
9 misunderstand --

10 MS. GOTTSCHALK: You can be
11 ethically challenged without committing a
12 crime, sir.

13 PRESIDING OFFICER GONSALVES:
14 Nobody interrupted you.

15 LEGISLATOR KOPEL: Ma'am, you're
16 very rude. You're just plain rude.

17 PRESIDING OFFICER GONSALVES: Let
18 him say what he has to say.

19 LEGISLATOR KOPEL: You're just
20 plain rude.

21 PRESIDING OFFICER GONSALVES: I
22 gave you the additional two minutes. Let
23 him have his day in Court.

24 LEGISLATOR KOPEL: It's not
25 exactly a day in court.

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2 MS. GOTTSCHALK: Well, that's
3 certainly what it feels like here.

4 LEGISLATOR KOPEL: Why don't you
5 go sit down and let me talk? You're just
6 plain rude, ma'am. Nobody interrupted you.

7 The purpose of the legislation
8 very simply is, and it operates, is to
9 prevent the flow of taxpayer dollars to
10 people who hate, and the purpose of this
11 Legislature or members I should say trying
12 to prevent the particular concert of
13 somebody who is a proven hater is very
14 simply to avoid having a Nassau taxpayer
15 constructed facility and owned facility
16 provide a platform for people who hate.

17 Now, I think that most people
18 would agree that perhaps we don't really
19 want the Ku Klux Klan holding a rally inside
20 the Coliseum or maybe the Nazi party. Where
21 does it stop?

22 It's a very simple thing. People
23 have a constitutional right to say what they
24 want. Nobody here including me wants to
25 stop anyone from saying what they want, not

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2 at all.

3 We don't want to provide any
4 taxpayer support because we are expressing
5 the view of the great majority of the County
6 because this was passed unanimously. This
7 legislation was passed unanimously.

8 We are expressing and supporting
9 the view of this County and its citizens,
10 the great majority of its citizens, that
11 this is a community that gets along. We
12 want to get along. We do get along.

13 We don't like hate speech and we
14 certainly don't want to provide any taxpayer
15 platform and microphone that enables people
16 who are purveyors of hate speech to do what
17 they do to do their nasty things.

18 PRESIDING OFFICER GONSALVES:
19 This ends public comment, and we will move
20 on, and I believe we have a consent
21 calendar, and the consent calendar is the
22 calendar where the items were vetted in
23 committees and voted upon unanimously, so
24 I'm going to call those items, ask for a
25 motion and then move on to the nonconsent

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2 calendar.

3 I'm beginning with Item 3,
4 Ordinance 98; Item 4, Ordinance 99; Item 5,
5 Ordinance 100; Item 6, Ordinance 101; Item
6 7, Ordinance 102; Item 8, Ordinance 103;
7 Item 9, Ordinance 104; Item 9, Ordinance
8 104; Item 10, Ordinance 105; Item 11,
9 Ordinance 106; Item 12, Ordinance 107; Item
10 13, Ordinance 108; Item 14, Ordinance 109;
11 Item 15, Ordinance 110; Item 17, Resolution
12 157; Item 18, Resolution 158; Item 19,
13 Resolution 159; Item 23, Resolution 163;
14 Item 24, Resolution 164; Item 25, Resolution
15 165; Item 26, Resolution 166; Item 27,
16 Resolution 167; Item 28, Resolution 168;
17 Item 29, Resolution 169; Item 30, Resolution
18 170, and I believe that's the end of the
19 consent calendar.

20 Motion please. Moved by
21 Legislator Walker, second by Legislator
22 Ford. All those in favor of the items that
23 were just called signify by saying aye.

24 (Aye.)

25 PRESIDING OFFICER GONSALVES: Any

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2 opposed? Okay. The items passed
3 unanimously.

4 Now we go on to the rest of the
5 calendar, and before we go to the Item 1 and
6 2, I'm going to call out of order there's
7 three appointments to the calendar, and the
8 first one is Item 20, and that's David
9 Chulwoo Lee to ARC, and I'm going to call
10 the two of them.

11 And then we have Item 20, which
12 is David Chulwoo Lee to the Assessment
13 Review Commission, Item 21, which is the
14 reappointment. By the way, it's the
15 reappointment for Mr. Lee and reappointment
16 of Anthony Ballato to the Assessment Review
17 Commission, and these are reappointments
18 made by the County Executive.

19 Now, they went through committee,
20 and they are now before us today. I need a
21 motion to put them on the floor. Moved by
22 Legislator Schaefer, second by Legislator
23 Kennedy.

24 Okay. Would you like to talk
25 about yourself, introduce yourself, whatever

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2 the case might be? Mr. Lee. Who's first?
3 Mr. Lee, go ahead.

4 MR. LEE: It's my great honor to
5 serve for the County, and after few months I
6 work as a commissioner and I found a lot of
7 good things I can do, and all my good heart
8 I'll do my best for the best interests of
9 Nassau County. That's what I plan to do.

10 PRESIDING OFFICER GONSALVES:
11 Thank you very much. Mr. Ballato.

12 MR. BALLATO: Good afternoon,
13 everyone. It's a pleasure to be back here
14 again. My name is Anthony Ballato. I'm a
15 practicing attorney for nearly 30 years with
16 my own practice in Massapequa. I'm a
17 lifelong resident of the County of Nassau.

18 I have been serving on the
19 Assessment Review Commission continuously
20 since in or about 2010. In fact I was here
21 just a few short months ago for
22 reappointment for the end of the term, which
23 is now back up again, so I would appreciate
24 everyone voting in favor of that. Thank
25 you.

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2 PRESIDING OFFICER GONSALVES:

3 You're welcome, Mr. Ballato. Any questions
4 or comments regarding the two
5 reappointments?

6 LEGISLATOR ABRAHAMS: Myself.

7 PRESIDING OFFICER GONSALVES:
8 Minority Leader.

9 LEGISLATOR ABRAHAMS: How are
10 you, Mr. Ballato? Mr. Lee, how are you?

11 Not mainly a question obviously.
12 More of a comment. I'm sure you are seeing
13 what's going on for the Nassau County's
14 assessment system, and obviously as we hear
15 the gripes of many of the residents, many of
16 which filed grievances which you actually
17 reviewed, it's overwhelming concern that the
18 system is not fair, that houses that are
19 adjacent to each other, houses that were
20 built at the same time, look exactly the
21 same way, there hasn't been any
22 modifications or renovations to these homes,
23 and then you have these two inequities of
24 what people are paying.

25 And their frustration bleeds out,

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2 with we hear it here in the Legislature.

3 I'm sure you see it in the applications and
4 the grievances that you receive.

5 That being said, we ask for
6 anyone that is obviously seeking our
7 confirmation in their appointment that they
8 are mindful of this and that they are also
9 are looking as well as trying to look for
10 opportunities to propose changes that can
11 make the system better and make the system
12 more fair.

13 Obviously I think you provide a
14 function in making sure that grievances are
15 reviewed and that any grievance that is
16 being reviewed that it is being handled
17 fairly and people have their fair share, but
18 we have to do something in this County, and
19 we need input from our commissioners on this
20 body to add suggestions as well as
21 opportunities for how we can make this
22 system fairer because there are thousands of
23 our constituents that go through on a daily
24 basis that feel that the system is rigged
25 and it's working against them.

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2 And obviously no one in this
3 County likes paying taxes, but I think
4 everyone would agree if they are going to
5 pay them, they want to make sure they are
6 paying their fair share and not more than
7 that.

8 So I think that as I encourage
9 you, and I believe we are going to vote in
10 the affirmative for both of you, I just
11 encourage that you use the opportunity and
12 use your appointment to ensure that you're
13 looking for opportunities to ensure that
14 there is fair and balance in our system and
15 look for opportunities to suggest even
16 though it may be out of your purview of your
17 direct responsibilities to make the system
18 better, but I thank you both.

19 MR. LEE: Thank you, sir.

20 PRESIDING OFFICER GONSALVES: All
21 right. Any public comment? There being
22 none --

23 MS. MEREDAY: Yes.

24 PRESIDING OFFICER GONSALVES:
25 Mr. Lee and Mr. Ballato, you can sit down.

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2 MS. MEREDAY: Meta Mereday,
3 Baldwin. With regard to the Assessment
4 Review Commission, I just have a question or
5 a concern since most of you, all of you,
6 seem to have the résumés, so you might not
7 need to ask the question, but the residents,
8 those of us out here who have to suffer the
9 burdens, we may not know what information
10 you have access to.

11 I'm just curious as to the
12 connections or relationships that these
13 gentlemen as well as the others who serve on
14 the Commission may have with companies who
15 can benefit from the assessment review
16 process.

17 I know previously there was an
18 issue with regard to those who served on the
19 Review Commission who also worked for
20 companies who sent out mailings to residents
21 to assist them with filling out the
22 applications.

23 Secondly, a lot of our residents
24 who are seniors, and the majority of those
25 seniors are veterans and widows of veterans,

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2 etcetera, etcetera, who do not know about
3 the process to grieve for their taxes, and
4 thank goodness for the resources from the
5 towns, unfortunately, not the County, who
6 have those forums at the libraries and at
7 facilities that have the access to the
8 seniors who can't get here or can't find a
9 parking spot at 240 Old Country Road to take
10 that trek to get up there to get the
11 information to grieve their taxes as well.

12 So when we talk about ideas and
13 how we can better help our residents, I'm
14 hopeful that this team, whether they are new
15 or continuing, cannot just look at those
16 types of ideas, but kind of be about
17 activating them so that we can protect more
18 the interest of those residents who again
19 their voices are not being heard and they
20 are definitely being stretched to the limit.

21 So just food for thought, and
22 again you all get to ask the questions, but
23 you know that silence that reigns so loudly
24 until you read something and then we read
25 something in Newsday, it really gets a

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2 little tiring after a while, so I just
3 wanted to put that out there.

4 PRESIDING OFFICER GONSALVES:

5 Thank you, Ms. Mereday. There being no
6 other comments, all those in favor of the
7 reappointment of Mr. Lee and Mr. Ballato
8 signify by saying aye.

9 (Aye.)

10 PRESIDING OFFICER GONSALVES: Any
11 opposed? Okay. The reappointments are
12 unanimous.

13 We go to the next item, which is
14 Item 22, Resolution 162, a confirmation of
15 the County Executive's reappointment of
16 Angelo Catalano to the Vocational Education
17 Extension Board pursuant to Section 205 of
18 the Nassau County Charter and 1101 of the
19 Education Law. Moved by Legislator
20 Muscarella, seconded by Legislator Rhoads.

21 Okay. I have known Mr. Catalano
22 for many years. He certainly has served
23 very well on the VEE Board, and I don't want
24 to belabor his reappointment, but I know
25 that most of you do also know Mr. Catalano,

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2 and I think we have an escort here. Do we
3 have --

4 MR. CATALANO: My grandson from
5 Rhode Island.

6 PRESIDING OFFICER GONSALVES:
7 Your grandson from Rhode Island has a name,
8 Mr. Catalano.

9 MR. CATALANO: This is Robert
10 Michener.

11 PRESIDING OFFICER GONSALVES: Hi,
12 Robert. Welcome here.

13 Any questions of Mr. Catalano?
14 Would you like to say anything,
15 Mr. Catalano?

16 MR. CATALANO: No. Just thank
17 you for reappointing me. I have been on the
18 board since 1991, and I know it's only a
19 nine-year term, and this is the first time
20 I've been reappointed, but thank you, and
21 we'll continue to work. Thank you that we
22 have everything that we have now today with
23 the board.

24 PRESIDING OFFICER GONSALVES:
25 Thanks for a good job, and thank you,

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2 Robert, for joining with us today.

3 Hopefully we didn't keep you too long.

4 Grandpa, it's his fault. He brought you
5 here.

6 Any comments or questions
7 regarding Mr. Catalano's reappointment?

8 MR. BECKER: Madam Chair, if Mr.
9 Catalano is reappointed, does his grandson
10 have to attend the meetings now too that
11 he's present?

12 PRESIDING OFFICER GONSALVES: We
13 didn't reappoint him. We didn't even
14 appoint him, never mind reappointing him.
15 Robert lives where, Rhode Island?

16 MR. CATALANO: But he's still a
17 Met fan.

18 PRESIDING OFFICER GONSALVES:
19 There's some Yankee fans up here, you know.
20 Be careful.

21 MR. CATALANO: Shame on them.

22 PRESIDING OFFICER GONSALVES: We
23 didn't take a vote yet, Mr. Catalano. All
24 those in favor signify by saying aye.

25 (Aye.)

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2 PRESIDING OFFICER GONSALVES: Any
3 opposed? The reappointment of Mr. Catalano
4 is unanimous. Thank you and have a good
5 time here, Robert.

6 MR. CATALANO: Thank you.

7 PRESIDING OFFICER GONSALVES:
8 Let's go back to the beginning of the
9 calendar. I believe this is your job, Mr.
10 Pulitzer, to call the hearing for Item #1.

11 CLERK PULITZER: Thank you.
12 Calling on Proposed Local Law Clerk Item
13 311, a hearing on the Proposed Local Law
14 Clerk Item 311, a local law to amend Nassau
15 County Administrative Code in relation to
16 screening and fingerprinting of applicants
17 to the Nassau County Society for Prevention
18 of Cruelty to Animals.

19 PRESIDING OFFICER GONSALVES:
20 Motion to open the hearing made by
21 Legislator Kopel, seconded by Legislator
22 Nicolello. All those in favor of opening
23 the hearing signify by saying aye.

24 (Aye.)

25 PRESIDING OFFICER GONSALVES: Any

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2 opposed? Hearing is now opened, and I think
3 we have Ms. Tatum Fox here and Gary Rogers.

4 MS. FOX: Yes. Good afternoon,
5 Presiding Officer Gonsalves and Minority
6 Leader Abrahams and fellow Legislators.
7 Good to see you all.

8 The purpose of the amendment is
9 so that the local law not only reflects the
10 peace officer's status that is conferred
11 upon as PCA officers under the Criminal
12 Procedure Law of New York, but to authorize
13 them to conduct fingerprint checks through
14 DCJS for their applicants as the Police
15 Department does as well.

16 In addition recently the Office
17 of the District Attorney, the SPCA and the
18 Police Department entered into a memorandum
19 of agreement that memorializes the
20 collaborative approach towards animal abuse
21 crime. For that I commend the President of
22 the SPCA, Gary Rogers, and his team for
23 their commitment to the call.

24 MR. ROGERS: Thank you, Deputy
25 Commissioner. Legislators, presiding

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2 Legislators, members of this body, this
3 legislation is very important so we can go
4 forward.

5 Our peace officer status gives us
6 the ability to make arrests, charge people,
7 get search warrants. We want to make sure
8 that all these people have the proper
9 background checks, so we're asking your help
10 today to amend this so it reflects that
11 agreement and allows us to proceed forward.
12 Any questions?

13 PRESIDING OFFICER GONSALVES: Any
14 questions? Legislator Birnbaum.

15 LEGISLATOR BIRNBAUM: Could you
16 tell us what the processing fee costs?

17 MR. ROGERS: It's \$75 and the
18 SPCA will absorb that themselves. It's no
19 cost to the County at all.

20 PRESIDING OFFICER GONSALVES: Any
21 other questions or comments? Any public
22 comment?

23 LEGISLATOR DERIGGI-WHITTON: Hi.

24 PRESIDING OFFICER GONSALVES:
25 Legislator DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: Is
3 there a way to have this information
4 conveyed to like shelters before adoption?
5 Is there any connection with the shelters?

6 MR. ROGERS: No, that information
7 is not. The shelters, our background checks
8 is for our SPCA peace officers. This body
9 passed an animal abuse registry about two
10 years ago. That information is put up
11 online. The Police Department maintains it.
12 We put it up online.

13 That is e-mailed to the shelters.
14 They can -- as soon as we put somebody new
15 up, but they can always, and they're
16 supposed, not only the shellers, every group
17 that adopts and every pet shop is supposed
18 to check that before they sell any animal or
19 deliver any animal to somebody.

20 LEGISLATOR DERIGGI-WHITTON: When
21 you are aware of an abuse, it's put on to
22 the website, and that's publically
23 accessible by the shellers. That's what
24 you're saying.

25 MR. ROGERS: Yes, it is. You can

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2 actually go to the SPCA website. It's on
3 the main page. You can click it. It will
4 give you all the people's names and
5 addresses. In fact right now we are
6 contacting all the attorneys of others,
7 people that have been charged to make sure
8 they put their names up there too.

9 LEGISLATOR DERIGGI-WHITTON: Is
10 there any penalty or repercussions to the
11 shelter or store not to check that list?

12 MR. ROGERS: I have to check. I
13 know it's a misdemeanor if you don't
14 register.

15 LEGISLATOR DERIGGI-WHITTON: But
16 there's nothing regarding the shelter or
17 anything obligating other than goodwill.

18 MR. ROGERS: Again, off the top
19 of my head, I believe it is. I just don't
20 know what the penalty is.

21 LEGISLATOR DERIGGI-WHITTON:
22 Okay. Thanks so much.

23 PRESIDING OFFICER GONSALVES:
24 Legislator Birnbaum.

25 LEGISLATOR BIRNBAUM: Could you

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2 tell us how many appointed peace officers
3 there are?

4 MR. ROGERS: Right now we have
5 ten. They've already had our own internal
6 background checks. We do check with DCJS
7 before they go on. Most of us have been
8 here a long time, long term. This is
9 actually for people that we're appointing in
10 the future.

11 LEGISLATOR BIRNBAUM: Right, so
12 do you have a schedule for how many new
13 officers you will be appointing?

14 MR. ROGERS: Actually we have one
15 in mind right now, but if they can -- it's
16 extensive training beforehand, and we're
17 very particular on who we appoint. It's a
18 very specialized field, and we want to make
19 sure the person can handle it.

20 PRESIDING OFFICER GONSALVES: Any
21 other questions or comments? Any public
22 comment regarding this Item? There being
23 none, a motion to close the hearing, please?
24 Moved by Legislator Schaefer, seconded by
25 Legislator Gaylor. All those in favor of

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2 closing the hearing signify by saying aye.

3 (Aye.)

4 PRESIDING OFFICER GONSALVES: Any
5 opposed? The hearing is now closed.

6 Now for the item itself, which is
7 Item 2, the local law to amend the
8 Administrative Code in relation to screening
9 or fingerprinting of applicants to the
10 Nassau County Society for Prevention of
11 Cruelty to Animals.

12 LEGISLATOR WALKER: So moved.

13 PRESIDING OFFICER GONSALVES:
14 Moved by Legislator Walker, seconded by
15 Legislator Ford.

16 Any additional questions or
17 comments from the Legislators regarding this
18 item? Any public comment?

19 There being none, all those in
20 favor of Item 2, the local law regarding the
21 Nassau County Society for Prevention of
22 Cruelty of Animals signify by saying aye.

23 (Aye.)

24 PRESIDING OFFICER GONSALVES: Any
25 opposed? The item passes unanimously.

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2 Thank you very much, Mr. Rogers and Ms. Fox
3 as well, and we are going to move on.

4 We have one more item, which is
5 not on the -- I believe two items not on the
6 consent calendar, and that's the Calendar
7 Item on #16, which is Resolution 156, a
8 resolution to review and consider the
9 Countywide Shared Services Plan as required
10 by the New York State Laws of 2017, Chapter
11 59, Section BBB, 208-17, moved by Legislator
12 Rhoads, seconded by Legislator MacKenzie.

13 Who is here to speak on this
14 item, Mr. Becker?

15 MR. BECKER: I apologize, Madam
16 Chair. I was running around the chamber.

17 PRESIDING OFFICER GONSALVES:
18 Item 16, shared services.

19 MR. BECKER: The Deputy County
20 Executive Ed Ward was supposed to be here.
21 I might have to give him a quick call.

22 PRESIDING OFFICER GONSALVES: I
23 can move on to the next item.

24 MR. BECKER: Yes, if you don't
25 mind. He was planning on being here.

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2 PRESIDING OFFICER GONSALVES:

3 Okay. I'll table this item until he gets
4 here.

5 Motion to table Item 16, moved by
6 Legislator Rhoads, second by Legislator
7 Ford. All those in favor of tabling Item 16
8 signify by saying aye.

9 (Aye.)

10 PRESIDING OFFICER GONSALVES: Any
11 opposed? Okay. This is tabled until we get
12 Mr. Ward.

13 The next item, which is not on
14 the consent calendar, is -- no. Item 26.
15 There are no other items on the calendar, so
16 we do not have to recall -- do you have
17 Mr. Ward coming back down?

18 MR. BECKER: He is on his way
19 down.

20 PRESIDING OFFICER GONSALVES: How
21 imminent is his arrival?

22 MR. BECKER: A minute or two.

23 PRESIDING OFFICER GONSALVES: A
24 minute or two.

25 MR. BECKER: Ready to go, Madam

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2 Chair.

3 PRESIDING OFFICER GONSALVES:

4 Motion to un-table, please. Moved by
5 Legislator Kopel, second by Legislator
6 Nicolello. All those in favor of un-tabling
7 Item 16 signify by saying aye.

8 (Aye.)

9 PRESIDING OFFICER GONSALVES: Any
10 opposed? The item is now un-tabled. Okay.
11 Tell us all about it.

12 MR. WARD: Good afternoon. As I
13 said at the Rules Committee, what happened
14 was the State Legislature came down with a
15 shared service program in April.

16 On May 11 the County Executive
17 called a meeting in OEM with all elected
18 officials from Nassau County who by the very
19 nature of the legislation are mandatory
20 members of the panel.

21 All villages were -- actually 98
22 percent of the village elected officials
23 were there, towns, cities and the County.
24 It was an informational meeting in which we
25 laid out a time frame and the policies and

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2 procedures of the shared services program,
3 and we asked the towns or rather the
4 villages to participate either village to
5 village, village to town, village to city,
6 village, town, city to county. Any type of
7 inter-municipal shared services program
8 project was eligible.

9 They started to submit the
10 projects. We also held three informational
11 sessions, which we call public hearings, in
12 the County on June 26th, June 28th and June
13 30th, the morning, the afternoon in the
14 County, in which any interested party,
15 unions, municipalities particularly that had
16 submitted, school districts, anyone could
17 come and comment on the program, the shared
18 services projects. Anything that they
19 wanted to say was included in the record,
20 which I think you have before you.

21 And now we are at the midpoint of
22 this process because at the end of September
23 15th, we have to finalize and submit the
24 final projects to the State Department of
25 State.

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2 The initiative there is if you
3 file and can show actual savings, then the
4 State will match that savings in the
5 municipalities that are saving.

6 We held the three informational
7 sessions as I said. Now according to the
8 legislation, we presented to the legislative
9 body of the county for their review,
10 considerations and basically to say, okay,
11 keep going, and that's where we are today.

12 We submitted to you the staff
13 summary, the projects that have been sent
14 in. You have to keep in mind that these are
15 rough. We encouraged all municipalities to
16 participate and also to send in rough.

17 It's very hard to figure out the
18 actual cost of the savings of a different
19 program or project right now. Even the
20 State has conceded that to us as well as
21 other counties throughout the state, so
22 right now it's a guesstimate.

23 What we now have to do as a
24 county and with those municipalities who
25 want to participate with the county is flesh

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2 out the savings, in other words determine
3 how much would actually be saved by both
4 parties in a town-county, city-county,
5 village-county relationship.

6 And I've also encouraged the
7 towns to reach out to all the villages who
8 want to participate with the towns to do the
9 same thing, and that will result in the
10 final plan, which will be submitted to the
11 State. That's basically why we are here
12 today for your review.

13 PRESIDING OFFICER GONSALVES: Any
14 questions or comments from the Legislators?
15 Legislator Ford has a question or comment.

16 LEGISLATOR FORD: Thank you very
17 much for presenting this, but I wasn't hear
18 for the committees. When you say that the
19 State is going to match the savings, so if
20 you were going to do a project, and it was
21 \$80,000,000, and then you decide to let's
22 say a city and you are going to do a project
23 with the county so that like now your
24 estimated savings will be \$40,000,000, you
25 are saying that the State will match the

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2 \$40,000,000 that was saved.

3 MR. WARD: No. What I'm saying
4 is you have to do an actual cost out. In
5 other words if a city or a town wants to
6 participate with the county -- in fact
7 before you have projects like where a
8 village says we can save \$400,000 if the
9 county plows all our snow. That may be
10 true, but that's not a savings to the
11 county, so there has to be a mutual savings
12 in addition to the fact that the county
13 doesn't have that small equipment that will
14 go down small village roads, so it's almost
15 an impossible project.

16 However, with bigger projects
17 with cities and with towns, there would be
18 an actual fleshing out of what the savings
19 would be. If a city has to build a
20 wastewater treatment center plant, and the
21 county was able to accommodate it, and this
22 will be one that we put forward, was able to
23 accommodate it within our own waste disposal
24 system, then there would be a savings on the
25 city side as well as on the county because

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2 whatever the city would have to spend to
3 build a new one would be saved, and whatever
4 the city would have to pay to participate
5 with the county would be a savings to the
6 county. It has to be a mutual beneficial
7 savings.

8 LEGISLATOR FORD: Let's go to
9 wastewater treatment plant, like City of
10 Long Beach. They are estimating that in
11 order to repair the city sewage treatment
12 plant, it would cost upwards up to
13 \$178,000,000, but by converting the sewage
14 treatment plant to a pumping station and by
15 connecting to pumping their sewage into the
16 Bay Park Sewage Treatment Plant, it would
17 say cost just say for argument's sake
18 \$60,000,000, so they save \$110,000,000,
19 right? That's a savings of \$110,000,000.
20 That's an actual savings. Okay.

21 MR. WARD: Right, except it's
22 going to cost the County money to accept
23 them into the system and to upgrade and to
24 facilitate their --

25 LEGISLATOR FORD: Say it's

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2 40,000,000. Like they save -- they say it's
3 \$100,000,000 to do this, but you saved
4 \$78,000,000 by not having to upgrade one
5 sewage treatment plant, correct?

6 MR. WARD: By not having to go
7 out and get a brand new sewage plant,
8 correct.

9 LEGISLATOR FORD: Right. So
10 there's a savings of \$78,000,000. Is the
11 State going to give 78 --

12 MR. WARD: No. Go ahead.

13 LEGISLATOR FORD: Is the State
14 going to give \$78,000,000?

15 MR. WARD: No. What I'm trying
16 to show you --

17 LEGISLATOR FORD: When you say
18 the match. You keep saying the match. Are
19 you saying the State's going to match the
20 savings?

21 MR. WARD: No. What I'm saying
22 it will cost on the other side of the
23 ledger, the County will have to expend money
24 to improve its system to bring in the city,
25 so in the middle there's a savings, and the

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2 State says they will match that.

3 It's not going to be all savings
4 for the City of Long Beach. It will be an
5 expense of the County. That has to be
6 subtracted from the savings the County is
7 going to make, the village, the city is
8 going to make as well.

9 LEGISLATOR FORD: So that's
10 savings, whatever it is, say it's a
11 \$30,000,000 savings, they come up with this,
12 and you realize that both projects after the
13 cost of everything there is a true savings
14 of \$30,000,000 that both sides by sharing
15 this and by combining the sewage treatment
16 plants, they save an actual \$30,000,000, and
17 the State is going to match it, correct?

18 MR. WARD: I don't have
19 limitations on how much the State is going
20 to actually spend to match the savings. Do
21 you know what I mean? They didn't pass that
22 in the legislation up to an amount. They
23 just said the State will match -- they kind
24 of rushed to judgment on this project to put
25 it out so quickly with a very unique

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2 timetable that it almost makes it very hard
3 for people, municipalities, to account for
4 the actual savings.

5 They also say to us, the State,
6 that the true up, the true up of the actual
7 savings. We could put guesstimates here.
8 We could put actualities on smaller
9 projects, but the true up won't occur until
10 2019, and that's when the State would be
11 called upon to match those exact numbers.

12 LEGISLATOR FORD: So actually
13 there's no incentives at this point for them
14 to share other than where they -- like in
15 the case of the city, they will see a
16 savings, but they don't have to spend
17 \$178,000,000 to upgrade the sewage treatment
18 plant, so they feel it's in the best
19 interests of the residents in the City of
20 Long Beach to change the sewage treatment
21 plant to a pump station and then go into the
22 Bay Park Sewage Treatment Plant, so that's
23 the incentive basically for the city, and
24 also there probably would be a benefit to
25 the County because they would have more

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2 customers paying into their sewage treatment
3 plant, their sewer services and things like
4 that.

5 But the way that you're
6 explaining it then is that there really is
7 not a direct benefit right now for anybody
8 who does the sharing, whether or not they
9 are going to mow the lawns or somebody is
10 going to plow the streets or whatever, that
11 that's something that will be fleshed out in
12 about after two years of doing this, right,
13 for 2019?

14 MR. WARD: Yes. The State did
15 not say -- the incentive in the legislation
16 is only that the State will match the
17 savings. That's all it says. It doesn't
18 say to a certain amount. It doesn't say
19 under a certain amount. It just says what I
20 told you. We don't know the exact nature of
21 their participation.

22 LEGISLATOR FORD: Then for the
23 cities or the government, municipalities
24 that opt not to go into this, is there any
25 punishment?

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2 MR. WARD: No. Many
3 municipalities are saying to me that the
4 time constraints were too tight this year,
5 that they would look forward to new projects
6 in '18/19.

7 LEGISLATOR FORD: So they don't
8 have to opt into this year, the shared
9 services. They can wait till next year.

10 MR. WARD: That's correct,
11 however, each of the elected CEOs of the
12 village, the town, city and the county are
13 mandated members of the panel, and they will
14 vote as such on the final plan.

15 LEGISLATOR FORD: So if we decide
16 not -- what if we decided not to do this
17 today, the shared services?

18 MR. WARD: I would include that
19 in the record and send it to Albany. I'm
20 not really asking for your approval. The
21 terminology is very weak on what the State
22 says we have to go before you for.

23 This is the Legislators'
24 opportunity to add a program, add a project,
25 review a project that they'd be developing

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2 in your area at this point, withhold comment
3 until the final plan is worked out, that
4 type of thing.

5 LEGISLATOR FORD: Thank you very
6 much.

7 PRESIDING OFFICER GONSALVES:
8 Legislator Kopel.

9 LEGISLATOR KOPEL: Mr. Ward, how
10 are they going to calculate the savings?
11 What do they measure it against in each
12 case?

13 MR. WARD: What do we do? How do
14 we calculate?

15 LEGISLATOR KOPEL: In other words
16 when you say we are going to save a shared
17 savings, what are you going to do? Is it
18 measured against last year, the previous
19 year? How do you come to a number?

20 MR. WARD: I will give you a
21 couple case in points. Three Village is on
22 the north shore. They decided to join
23 together and hire only one clerk to
24 facilitate paperwork or permits within the
25 Three Villages, very small villages.

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2 They also decided to come
3 together and hire one graphic artist for all
4 of their village brochures, so there's a
5 net/net savings there for each of the Three
6 Villages in contributing to hire three
7 different people.

8 There's also villages and the
9 towns who are going to share gasoline
10 services.

11 LEGISLATOR KOPEL: I get how you
12 do that, but I get that it comes out
13 cheaper, but would each individual village
14 in the example that you've given first have
15 to go out for individual bids and then do a
16 joint bid? In other words what's their
17 yardstick?

18 MR. WARD: On employee?

19 LEGISLATOR KOPEL: No. Going to
20 buy gasoline, right? Do you have to go
21 Village A and Village B each go out and
22 submit an RFP to get proposals, and then a
23 third one is joined and see if it comes out
24 cheaper?

25 What I'm asking is how do you

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2 figure out if you've saved money to the
3 satisfaction of the State?

4 MR. WARD: I can tell you in
5 Nassau County. We pay -- I just got a memo
6 today, which I don't have on me, but we pay
7 something like 2.04 a gallon, no, 1.51 a
8 gallon, and the going rate is 2.04, so we
9 only charge that municipality the same rate
10 that we receive, which they don't. That
11 would be ultimately a savings.

12 LEGISLATOR KOPEL: Okay. When
13 will the final program be flushed out?

14 MR. WARD: It won't be flushed
15 out until the end of the month.

16 LEGISLATOR KOPEL: I suppose that
17 that will set forth rules and guidelines.

18 MR. WARD: That will have the
19 actual savings as determined by the
20 municipalities that are participating
21 together.

22 LEGISLATOR KOPEL: It should be
23 interesting. Thank you.

24 PRESIDING OFFICER GONSALVES:
25 Legislator Curran.

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2 LEGISLATOR CURRAN: If I
3 understand it correctly, today this vote
4 will, according to the resolution,
5 encourages the County, Nassau County
6 Executive to continue to develop a plan, but
7 if we're going to be enacting any actual
8 projects, any proposed projects, that would
9 have to come before the Legislature.

10 MR. WARD: Yes.

11 LEGISLATOR CURRAN: Correct?

12 MR. WARD: All --

13 LEGISLATOR CURRAN: So all
14 particular projects, mergers, whatever,
15 would come before us.

16 MR. WARD: Would need an
17 inter-municipal agreement.

18 LEGISLATOR CURRAN: So what we
19 are doing now is agreeing to develop a plan
20 today, right; is that correct?

21 MR. WARD: Well, the County has
22 already decided. As a clearinghouse for
23 everybody, the County is developing the
24 plan. What you're doing is reviewing the
25 plan. You are not making a pro or con vote.

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2 You are just reviewing the plan, where we
3 are today.

4 LEGISLATOR CURRAN: So we're
5 acknowledging that there is a plan.

6 MR. WARD: There is a plan. The
7 villages are participating. The townships
8 and the cities are participating. This is
9 where we are now. Suddenly they put this in
10 the Legislature.

11 Now, as we go forward, yes,
12 you're exactly right. Village to village,
13 city to town, whatever it is, they're all
14 going to have to do inter-municipal
15 agreements, which made the timing so hard on
16 this.

17 LEGISLATOR CURRAN: And anyone
18 involving the County would have to come
19 before the Legislature.

20 MR. WARD: Absolutely.

21 LEGISLATOR CURRAN: If it's city
22 to village, we have nothing to do with it.

23 MR. WARD: Correct.

24 PRESIDING OFFICER GONSALVES: Any
25 other comments or questions? Any public

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2 comment?

3 MS. MEREDAY: Meta Mereday,
4 Baldwin. My questions have to do with I
5 believe it was mentioned that there was some
6 public outreach, three sessions. I believe
7 they were morning, afternoon and evening.

8 I would just be curious as to how
9 many residents actually attended, one, two
10 what was the consensus from that
11 participation. Do you all over there have
12 their notes, their recommendations, their
13 thoughts, and, three, when does the public
14 get to have some input before these
15 agreements that sadly will continue at this
16 particular rate to have the same
17 connections, the same patronage, the same
18 nepotism, the same cronyism that seems to
19 have infiltrated this county to address our
20 concerns because savings always means in
21 essence when you're talking about cuts, that
22 means you're either cutting services,
23 programs and losing jobs because the
24 duplication of those services require
25 someone to lose a job.

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2 And lately what you have done in
3 terms of consolidating is that you merge
4 agencies and organizations, and as I said
5 earlier, the fact that you basically
6 decimated what was a very strong drug and
7 alcohol program in this county resulting in
8 now this opioid crisis that we have, what
9 else can you actually combine and
10 collaborate and not further inflict hardship
11 on the residents?

12 So I get that this is just in the
13 initial stages, but unfortunately the
14 taxpayers do not find out about the
15 decisions that are made until we are again
16 taxed or surcharged or fined or penalized in
17 some aspect, but the majority always likes
18 to tell that they haven't raised property
19 taxes. Well, you haven't raised the
20 integrity or the credibility or the
21 confidence in the residents of this county
22 either.

23 So again if you choose not to ask
24 the questions and you choose to continue to
25 put your head in the sand until Newsday or

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2 News 12 of Channels two, four, five, 11,
3 nine, whatever New Jersey gets their own
4 station back, until they come up with an
5 exposé or an allegation or an additional
6 indictment from the DA's office, that's
7 generally when we find out what exactly is
8 going on.

9 So this again is your opportunity
10 to take a step back, get more answers and
11 truly be more transparent and be more aware
12 and be more conscious of the impact that
13 you're putting on residents.

14 Let's think about the buses. You
15 privatize NICE, and it's not so nice to
16 residents. Let's think about that
17 consolidation of those police precincts. It
18 didn't work. Think about it. Thank you.

19 PRESIDING OFFICER GONSALVES:
20 Thank you, Ms. Mereday. There being no
21 other comments or questions -- Legislator
22 Bynoe.

23 LEGISLATOR BYNOE: Thank you,
24 Presiding Officer. I have a question, and
25 it might be along the lines of where

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2 Ms. Mereday was going. My question is
3 regarding procurement.

4 Has there been discussions
5 regarding who would handle procurement under
6 these situations and modifying the different
7 municipalities' procurement policies for
8 purchasing?

9 MR. WARD: There's been
10 discussions in those projects that have been
11 forwarded to us for participation with the
12 County. I haven't gotten into procurement
13 from village to village or village to town
14 or city to town. Is that what you're
15 talking about?

16 LEGISLATOR BYNOE: Yes, because
17 it's going to be important for I guess the
18 different levels of municipalities and some
19 of the funding that might be actually
20 involved in the purchasing. Even here at
21 the County, we have women and minority
22 business enterprise initiatives, also
23 service-disabled initiatives and other
24 different targets that we are supposed to
25 hit for procuring, and I'm just wondering

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2 how that will be taken into account if we
3 are purchasing on levels across the
4 different municipalities, so has that been
5 discussed or at least trying to flush out
6 the process or policy?

7 MR. WARD: We don't want to step
8 on any other processes, but if they are
9 proposing that the County take over their
10 purchasing or service them with gasoline for
11 their village or town car, then we would
12 follow our guidelines in the purchasing of
13 gasoline for our cars. Do you know what I
14 mean? In projects we would follow along
15 with whatever our laws are.

16 LEGISLATOR BYNOE: So the local
17 municipality then would have to -- the town
18 or the village would then have to modify
19 their policy to be in compliance with ours.

20 MR. WARD: No. I think mostly
21 it's about following the same purchasing
22 laws of the State, you know. I think if
23 there was a problem, then that project may
24 not be a go.

25 LEGISLATOR BYNOE: Even at the

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2 county level we have our own targets. We
3 set our own targets, so that might be much
4 different than what the towns or the
5 villages have on their books, so I'm just
6 asking if -- I think we need to look at
7 that.

8 MR. WARD: I do understand what
9 you're saying, but I don't think the town or
10 villages would enter a program that would
11 violate their targets.

12 LEGISLATOR BYNOE: I'm just
13 saying or ours, right?

14 MR. WARD: Where we enter one
15 that would violate our targets.

16 LEGISLATOR BYNOE: I'm just
17 saying I haven't heard that discussed at
18 all, and I would like to at some point
19 understand where we are with that. I think
20 it would be important for this body to have
21 some gauge as to how that's being dealt
22 with. Thank you.

23 MR. WARD: Let me just say also
24 in that regard because I heard comments
25 earlier. There were three public hearings

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2 that were noticed in Newsday. We had a
3 myriad of people that showed up.

4 All of the unions by the way were
5 told of the meeting on May 11th and the
6 three public hearings, so they've been a
7 partner all along. Their level of
8 participation will increase as the projects
9 are come to fruition and as inter-municipal
10 agreements are put before you and the
11 village boards and the town boards and all
12 like that.

13 So we advertised in Newsday three
14 days, very costly for us. We also
15 videotaped the three conferences, the four
16 conferences, the informational center, the
17 informational meeting in May and the three
18 subsequent public hearings, so everybody who
19 knew and had any interested was involved in
20 a very early stage of this.

21 PRESIDING OFFICER GONSALVES:

22 There being no other comments or questions,
23 all those in favor of Item 16, Resolution
24 156, signify by saying aye.

25 (Aye.)

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2 PRESIDING OFFICER GONSALVES: Any
3 opposed? The item passes unanimously.
4 Thank you, Mr. Ward.

5 Before I put the August 7th
6 meeting into recess, I just want to ask the
7 two scouts that are in the room, and I don't
8 intend to embarrass you, but I hope you
9 enjoyed our session today and you have gone
10 away with a wealth of knowledge and making
11 sure that why you were sent here it was a
12 good reason to be sent here. What troop are
13 you in? What is it? Come on. I cannot
14 resist when it comes to the Scouts. I'm
15 sorry.

16 MR. DOTY: I'm Jack Doty.

17 MR. RAMAL: I'm Justin Ramal.

18 MR. DOTY: And we're from Troop
19 362 from East Meadow.

20 PRESIDING OFFICER GONSALVES: So
21 you mean Scoutmaster Surless sent you on a
22 mission here.

23 MR. DOTY: I suppose you can say
24 that.

25 MR. RAMAL: I'm Justin and we are

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2 here for our citizenship and community merit
3 badge.

4 PRESIDING OFFICER GONSALVES: I
5 know both of you. I'm familiar with Troop
6 362. Thank you and hopefully you gained a
7 great deal from being here today, and your
8 scoutmaster, Mr. Surlless, will be certainly
9 proud that you attended and you stayed so
10 long to get it all, so thank you and good
11 luck.

12 MR. DOTY: Thank you very much.
13 Thank you.

14 PRESIDING OFFICER GONSALVES: The
15 August 7th meeting is in recess. Now we
16 have another meeting that was put in recess
17 on July 10th, full Legislature meeting. At
18 this point in time we are going to reconvene
19 the July 10th meeting and are going to call,
20 ask the Clerk to please reconvene the
21 Calendar Item #1 on the hearing on local
22 law. Got it?

23 CLERK PULITZER: A local law to
24 amend the Administrative Code of Nassau
25 County with respect to imposition of

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2 wireless communication service surcharges
3 pursuant to the authority of Tax Law to
4 186-G, 241-17.

5 PRESIDING OFFICER GONSALVES:
6 This hearing is now reconvened, and I
7 believe --

8 MS. KRISEL: Good afternoon,
9 Legislators. My name is Martha Krisel. I'm
10 a Deputy County Attorney appearing to
11 explain this legislation, which is an opt-in
12 legislation, and it's important that this
13 body pay attention to it today and make a
14 decision with regard to it today.

15 It is legislation that is
16 required by New York State Law, which
17 amended its Tax Law, to allow counties to
18 opt into a surcharge system, and the impact
19 of the County on funding is \$745,000, and
20 the impact on the ratepayers or the
21 customers is 30 cents per month, both for
22 those customers with a regular service as
23 well as those customers with prepaid
24 wireless communication.

25 And just that I was always

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2 curious about this as an advocate for our
3 county of course, I did review the
4 legislation with NYSAC just to get a sense
5 of what's happening with other counties, and
6 the counties are moving forward with this
7 type of legislation as well.

8 If there are any questions, I'll
9 be happy to try to answer them, but the
10 staff summary is pretty concise and the
11 dollars are pretty specific.

12 PRESIDING OFFICER GONSALVES: Any
13 questions of Martha from the Legislators?
14 Legislator Bynoe.

15 LEGISLATOR BYNOE: Hi. Good
16 afternoon.

17 MS. KRISSEL: Good afternoon,
18 Legislator.

19 LEGISLATOR BYNOE: Was there any
20 data collected to determine the cost for
21 prepaid phone services by minute?

22 MS. KRISSEL: I don't know the
23 answer to that question. I don't know what
24 the data collected was. I do know that the
25 goal -- I know what this money is going to

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2 be spent for. I know what it's limited to,
3 and that is the enhancement of the 911
4 systems, which is very, very important.
5 That was one of the primary objectives, but
6 I don't know the backdrop of how the
7 decision was made to go forward with this.
8 I don't have that information.

9 LEGISLATOR BYNOE: Because while
10 I'm always concerned about public safety,
11 I'm also concerned about the least of us,
12 those that are relying on these prepaid
13 services as an economical way to be able to
14 maintain phone service, so my concern is
15 that 30 cents could equate to a certain
16 amount of minutes on the phone if they
17 purchase, and right now having a phone is a
18 basic necessity.

19 A lot of people have decided to
20 give up their house phones to have a home
21 phone, and it was prepaid, and they were
22 able to kind of budget appropriately so they
23 could have phone service, and the least of
24 us in many cases are our elderly, and they
25 would be the ones that are utilizing the

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2 phone maybe for Able-Ride and things like
3 that, and if they are out and need to have
4 their phone service, and 30 cents may not
5 sound like a lot to all of us, but I suspect
6 30 cents is going to cost them some minutes
7 on their phones.

8 So I'm concerned about the idea
9 of us tapping into this opt-in practice for
10 the 30 cents for prepaid services, and I'm
11 also concerned that we don't even know what
12 the impact of that will be for that
13 population. We don't know whether we are
14 taking ten minutes off their phone or if
15 it's in excess of that.

16 So I'm really concerned about it
17 and I just want --

18 MS. KRISEL: I don't mean to
19 interrupt you. I share your concern. I
20 think these days people would rather lose
21 their wallet than their cell phone. That's
22 how crucial they are. I know that I'd feel
23 that way, and I know that all of us feel
24 that panic when you can't find it for three
25 seconds let alone can't pay for it.

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2 And that's why I began by
3 emphasizing, and I'm not minimizing the 30
4 cents either. I don't put my hand in
5 anybody's pocket and I take any kind of
6 charges very, very seriously, but that is
7 the dollar amount that the Legislator has
8 set on, and as stated it's an opt-in piece
9 of legislation, one that was not subject to
10 any type of I'm going to use the word
11 negotiation.

12 I do understand what you're
13 saying, and I don't mean to minimize it at
14 all, Legislator.

15 LEGISLATOR BYNOE: I don't think
16 that you are, but again I think we are
17 judged on how we treat the least of us, and
18 I think going into the pockets of those who
19 are already challenged to make ends meet and
20 they are trying their best to economically
21 have phone service, and especially since we
22 haven't even done the research to find out
23 what 30 cents equates to in minutes, in time
24 on their phones, I just feel it a little
25 inappropriate, and maybe it could

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2 potentially be reckless.

3 That person might need that phone
4 to call 911, and now we've eaten up the last
5 30 cents of time on their phone. I'm not in
6 support of it. I don't think it's a good
7 idea.

8 MS. KRISEL: Any other questions
9 that I can help with? One of the things
10 when I spoke with NYSAC about the
11 legislation is that the enhancements to the
12 911 are such that it would be not just the
13 building, but where in the building the
14 person is calling for help from, and some of
15 the technology was actually fairly
16 compelling, and I thought I would share that
17 with this body as well.

18 PRESIDING OFFICER GONSALVES:
19 Legislator Bynoe.

20 LEGISLATOR BYNOE: Could you tell
21 me what the cost of the enhancements are?

22 MS. KRISEL: The revenue that we
23 are receiving is the 745,000. How much it
24 costs to enhance the whole --

25 LEGISLATOR BYNOE: Yes.

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2 MS. KRISEL: I don't know.

3 LEGISLATOR BYNOE: I would be
4 very interested to understand what the
5 enhancements cost.

6 MS. KRISEL: And I would be happy
7 to follow up and get you any information.

8 LEGISLATOR BYNOE: And if there's
9 some annual overhead that results from the
10 enhancements because according to this if we
11 were to move forward with this, kind of it
12 would bring I guess an additional 750,000 to
13 a \$4.2 million pool of money that we're
14 receiving annually, so we are talking about
15 \$5,000,000.

16 So I'm just wondering what the
17 cost of the enhancement is and what are the
18 expenses for maintaining that. Is there
19 somebody who you think within the County
20 government can give me that information?

21 MS. KRISEL: Not from that. I
22 have been given specific information from
23 the Office, from the County Attorney's
24 Office and of course from legislative staff.

25 LEGISLATOR BYNOE: Could you let

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2 somebody know?

3 MS. KRISEL: Yes. I would be
4 happy to follow up.

5 LEGISLATOR BYNOE: I'd appreciate
6 that. Thank you.

7 PRESIDING OFFICER GONSALVES: Any
8 other comments or questions from the
9 Legislators? Public comment?

10 PRESIDING OFFICER GONSALVES:
11 Before we close the hearing, Ms. Mereday.

12 MS. MEREDAY: Meta Mereday,
13 Baldwin. Just a couple of questions, and
14 thank you, Legislator Bynoe, for at least
15 throwing a rock on the pine because it kind
16 of gets a little stagnant when folks just
17 kind of sit there and wait to get their
18 coffee or something from the back, so it
19 does help a little bit here.

20 I have a couple questions, again,
21 not having the access to the information
22 that you all have. I'm just concerned
23 about, one, how will this program be
24 implemented. Again, this is the no property
25 tax raising County administration, but you

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2 like to couch these additional increases in
3 other terms, surcharges, fees, things of
4 that nature, so how will this be
5 implemented?

6 How will the residents be
7 notified, and for those who may lose or get
8 their phones turned off or just kind of
9 running out of town because they can't
10 afford to stay to live here, what number is
11 going to satisfy what I guesstimate is at
12 least the 2.5 million people that are
13 included in the calculation for that 745,000
14 that will be the annual take, and do those
15 enhancements cost \$745,000 every year?

16 Again, these are questions that
17 residents might want to hear about because,
18 again, you see these additional taxes,
19 particularly the seniors and those who have
20 these prepaid phones for a reason because
21 they have limited income. Those of you who
22 can vote yourselves your own increases in
23 salaries and staff, I don't see how anybody
24 else is going to accommodate that \$3 and 60
25 cents.

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2 So for some people \$3 and 60
3 cents a year when we have our water
4 increased and all the other utilities
5 increased and we have no voice to be able to
6 address that, how will this be implemented,
7 how will residents be notified and how will
8 the numbers be addressed to reflect the
9 amount of people needed to bring in this
10 annual take? Thank you.

11 PRESIDING OFFICER GONSALVES:

12 Thank you, Ms. Mereday. Motion to -- all
13 those in favor of closing the hearing
14 signify by saying aye.

15 (Aye.)

16 PRESIDING OFFICER GONSALVES: Any
17 opposed? The hearing is now closed.

18 Now for the item itself, which is
19 Calendar Item #3 on the July 10th
20 legislative meeting, is a local law to amend
21 the Administrative Code of Nassau County
22 with respect to imposition of wireless
23 communication service surcharges pursuant to
24 the authority of Tax Law.

25 Motion, please. Moved by

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2 Legislator Kennedy, second by Legislator
3 Gaylor.

4 Any further questions regarding
5 this item? Any public comment? There being
6 none, all those in favor of Item 3 on the
7 July 10th calendar signify by saying aye.

8 (Aye.)

9 PRESIDING OFFICER GONSALVES: Any
10 opposed?

11 (Nay.)

12 PRESIDING OFFICER GONSALVES: So
13 we have the item passes 11 to 6. The item
14 passes 11 to 6.

15 The other item on -- there are
16 two other items on the July 10th calendar,
17 and the item is Calendar #5, an ordinance to
18 regulate County rights-of-way in relation to
19 utilities.

20 I believe if I'm not mistaken
21 moved by Legislator MacKenzie, second by
22 Legislator Schaefer.

23 Now the item is on the floor, but
24 I believe there is a -- if I'm not mistaken,
25 there is an amendment that is required, and

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2 so I'm going to ask for an amendment in the
3 nature of a substitution to this item. A
4 motion please to put the amendment in the
5 nature of a substitution.

6 LEGISLATOR NICOLELLO: So moved.

7 PRESIDING OFFICER GONSALVES:

8 Moved by Legislator Nicolello, seconded by
9 Legislator Kopel. All those in favor of the
10 amendment in the nature of a substitution
11 signify by saying aye.

12 (Aye.)

13 PRESIDING OFFICER GONSALVES: Any
14 opposed? Okay. It is now -- the item is
15 now amended and it requires DPW to maintain
16 a web page on the official website of Nassau
17 County to allow residents to report
18 abandoned, damaged or doubled poles and
19 requires a utility to notify an entity with
20 equipment on a utility pole to remove this
21 equipment within five days of the
22 installation of the new pole.

23 All right. Any comments or
24 questions regarding this item? Is there
25 anybody else here who wants to speak on it?

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2 I believe there is someone.

3 I think I know who you are, so
4 suppose you talk to us about this first.

5 MR. NIMMO: Bill Nimmo, Deputy
6 Commissioner of Public Works for Nassau
7 County.

8 PRESIDING OFFICER GONSALVES:
9 Welcome, Bill. Tell us about it.

10 MR. NIMMO: The Permit
11 Department, we struggle a little bit right
12 now with utilities just putting poles
13 wherever they'd like. The wireless
14 equipment goes on wherever they want to put
15 it. We'd like a little more teeth to be
16 able to regulate our rights-of-way in that
17 regard.

18 I know there's women who were
19 here before to speak about the wireless
20 communications. Those permits were denied
21 for new equipment on poles but yet no poles
22 were put in. Those were equipment that were
23 attached to existing or new poles that were
24 owned by LIPA or Verizon as part of the
25 storm hardening.

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2 That's a big challenge we have
3 right now, the FEMA funded storm hardening.
4 Poles are going up all over Long Island.
5 They're being put in by outside contractors
6 all over the place. They're punching them
7 through handicap ramps. They're putting
8 them wherever they'd like.

9 They don't really seek permits
10 from us, so it's a challenge for us to
11 monitor and see what they're doing, so this
12 legislation will help us in doing that.

13 PRESIDING OFFICER GONSALVES:
14 Legislator Ford, now is your turn.

15 LEGISLATOR FORD: Bill, just bear
16 with me because we do have -- only because
17 this is something that many of us up here
18 have been working on for a very, very long
19 time, and I thank you very much for the DPW
20 partnering with us.

21 I know that over the years we've
22 had meetings with DPW and a lot of the
23 utilities in trying to get this passed, this
24 much-needed legislation passed, and we know
25 that it is for us the goal of the

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2 legislation is to lay out a framework
3 whereby the utility companies may be
4 notified of doubled and damaged poles as
5 Norma had said or abandoned equipment, and
6 it will set the time frame by which utility
7 companies must respond to face significant
8 daily fines.

9 We have known that somebody -- I
10 used to climb these poles, so I know exactly
11 --

12 MR. NIMMO: When you were a
13 teenager or legitimate.

14 LEGISLATOR FORD: When I was a
15 teenager. You better believe it.

16 PRESIDING OFFICER GONSALVES: She
17 worked there.

18 LEGISLATOR FORD: Well, I was
19 young, but I actually did. I know. I'm
20 very familiar with the right-of-ways, the
21 easements that were always granted to the
22 utilities to allow them, and that's why I
23 guess they feel that no matter where they
24 want to plop them, they are going to put
25 them in because over the years they have

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2 always gotten the right-of-way to be able to
3 put them in people's backyards, in certain
4 parking lots and certain streets and stuff
5 like that.

6 But I think now is the time that
7 we need to start controlling them because
8 they do have it where the poles have been
9 left whenever there is a problem. PSE&G or
10 LIPA at the time would come out, replace the
11 poles, and then because either Cablevision
12 would be slow in removing their wires and
13 Verizon would be slow in removing their
14 wires, and we have seen this cropping up of
15 more and more of these unsightly poles.

16 And not only are they unsightly.
17 Many times they can be dangerous as well,
18 especially when they cut them off in the
19 middle of it, and sometimes you might see
20 crazy situations where they may be suspended
21 just by the wires holding them up.

22 So I think it's time that we
23 start saying to them enough is enough.
24 Let's keep up what you've already done,
25 moving forward we need to regulate them so

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2 that we are not in the same boat.

3 I know I went to a meeting, like,
4 Howard, we did. I think it's the Village of
5 Cedarhurst. They have 343 double poles in
6 their little hamlet. I can only imagine
7 some of the other areas how bad that they
8 are, and the fact is that even with them
9 putting up this equipment, this wireless
10 equipment, and a lot of times they can fall
11 back on the fact that they do have the right
12 to do it, but I think by passing this
13 legislation we'll be able to say not so
14 fast.

15 We need to be able to look at
16 what safety and what health risks that we
17 are allowing to go before our residents
18 because I would be afraid to have something
19 this close to me as well, so I wanted to
20 thank you and I want to thank everybody for
21 supporting this because I think it needs to
22 be done to be able to take control of this
23 situation, to be able to enforce them to
24 repair whenever they put a new pole in, to
25 start bringing it back to the condition that

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2 it should be, and hopefully by making sure
3 that they just can't willy-nilly put up some
4 of these wireless boxes and stuff like that
5 and we would be able to control them.

6 MR. NIMMO: It's going to be a
7 little more than just the legislation
8 because we have no enforcement abilities
9 right now at DPW. We have no fining
10 mechanism. We don't have a collections
11 system in place, so we may need some support
12 from the Legislature as well on that.

13 LEGISLATOR FORD: And I know that
14 we've spoke and we were looking at that we
15 know you'll probably need more personnel, so
16 we need to start looking at that, and
17 especially with the budget coming up to see
18 by putting it in so that we can bring people
19 in to specifically do this because I think
20 that to me maybe I would equate it, that
21 type of job where you're going out to look
22 at, to see who is violating the law, whether
23 or not they be fined, similar to what
24 Consumer Affairs does with the fire
25 marshals.

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2 A lot of times they go out to do
3 these types of enforcements, and we've
4 always found out that when they do their
5 work they end up bringing in revenue that
6 not only pays for their salaries but adds to
7 the revenue overall, but it is important.
8 This is something that is throughout all of
9 Nassau County.

10 I think that there's probably
11 well over I guess maybe 5,000 if not more by
12 this time because I know that when I first
13 got involved it was almost like that, so --
14 and I don't see too many poles having been
15 taken out, so we need to do it, and whatever
16 assistance we can give you, I'm sure that we
17 will all find a way to help. Thank you.

18 PRESIDING OFFICER GONSALVES:
19 Legislator MacKenzie.

20 LEGISLATOR MACKENZIE: Mr. Nimmo,
21 I want to thank you as well for meeting with
22 me and many of the other Legislators and for
23 all of your help and join in Denise Ford's
24 sentiment that we want to continue the
25 dialogue here because we want to solve the

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2 problem. We don't want to just pass
3 legislation because people are very
4 concerned in their communities. We all
5 share this problem with the double poles and
6 the repeaters being installed.

7 So we plan to support what you
8 need to make this meaningful and make it
9 effective, and we thank you for your input
10 and your assistance.

11 MR. NIMMO: Thank you.

12 PRESIDING OFFICER GONSALVES: Any
13 other questions, comments? Legislator
14 DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON: Are
16 you familiar with a Telecommunication Act of
17 1996?

18 MR. NIMMO: Section 704 and 705.

19 LEGISLATOR DERIGGI-WHITTON:

20 Regarding --

21 MR. NIMMO: What we can and can't
22 regulate?

23 LEGISLATOR DERIGGI-WHITTON:

24 Right.

25 MR. NIMMO: I am not an attorney,

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2 but I have read it, yes.

3 LEGISLATOR DERIGGI-WHITTON: From
4 what I understand, it says if there's any
5 environmental or health concern regarding
6 these transmitters being put out, we have no
7 right.

8 MR. NIMMO: I think that the
9 governing body, the local governing body has
10 no jurisdiction based on a perceived health
11 threat.

12 LEGISLATOR DERIGGI-WHITTON:
13 That's amazing to me.

14 MR. NIMMO: I did a little
15 research, but I am not a doctor as well and
16 I can't tell you as far as any evidence out
17 there whether there is a health threat from
18 the wireless communications.

19 LEGISLATOR DERIGGI-WHITTON: So
20 that health threat or proposed health threat
21 or increase in radiation is not enough to
22 have it removed.

23 MR. NIMMO: I'm not capable of
24 comment on that.

25 LEGISLATOR DERIGGI-WHITTON: I

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2 did see that it said something about the
3 aesthetic, the aesthetics of it.

4 MR. NIMMO: The New York State
5 Department of Health had said that there is
6 no evidence of health effects.

7 LEGISLATOR DERIGGI-WHITTON: If
8 we wanted to have something removed, I think
9 one reason that we can or one way we can is
10 because of the aesthetic portion of it.

11 MR. NIMMO: I guess we can, but
12 then there's going to be a case of leapfrog
13 because wherever a wireless antenna is going
14 to go, if it can't go there, it's going to
15 go somewhere else, and there's going to be
16 someone else complaining about it, so it's
17 going to be a challenge to find locations.

18 LEGISLATOR DERIGGI-WHITTON: This
19 is one supposedly by a school.

20 MR. NIMMO: My opinion is the
21 right-of-way is there for utilities. These
22 are private companies that want to put
23 things in our right-of-way using public
24 resources for private profit. That's one
25 way where we can have some teeth as far as

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2 allowing antennas in our right-of-way.

3 LEGISLATOR DERIGGI-WHITTON: Do
4 you know of any that were taken down for
5 aesthetic reasons and how we can do that
6 with some of these?

7 MR. NIMMO: I do not know. We
8 don't have a pole department. We don't have
9 anyone monitoring what's on the poles. At
10 this point we don't monitor. We get
11 complaints and we do what we can, but we are
12 not in charge of the poles, so we don't know
13 who is putting on and taking off stuff.

14 LEGISLATOR DERIGGI-WHITTON:
15 That's basically what I was -- my question
16 is do you have any ideas? Are you going to
17 try to propose any kind of regulations as
18 to --

19 MR. NIMMO: We are going to have
20 to come up with rules and regulations. We
21 have some started already, and we can move
22 forward with completing a good set of rules
23 and regulations that everybody can agree to.

24 LEGISLATOR DERIGGI-WHITTON: Do
25 you know if any other county has done that

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2 in our general --

3 MR. NIMMO: I know there are the
4 Town of Hempstead proposed and has an
5 ordinance that I'm not completely familiar
6 with, and I'm sure this is going to be
7 looked at by a lot of other municipalities
8 as well for whatever we do.

9 LEGISLATOR DERIGGI-WHITTON: One
10 last thing. Right now you do not feel that
11 you are staffed well enough to handle the
12 calls and everything.

13 MR. NIMMO: I don't have
14 code-enforcement officers. I have
15 inspectors that are monitoring road-opening
16 permits now, people that are digging,
17 restoring our roadways. I don't have people
18 specifically looking for double poles.

19 LEGISLATOR DERIGGI-WHITTON: Just
20 one more. When you do the regulations that
21 you are proposing whenever that's complete,
22 are you going to be presenting that to us
23 for approval, or are you self-regulated?
24 How does that work?

25 MR. NIMMO: I don't know if

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2 that's an item that would need to be looked
3 at by the Legislature, but of course -- you
4 know.

5 LEGISLATOR DERIGGI-WHITTON: We
6 would definitely like to see what you're
7 thinking of, and if there's a way to get
8 around -- I understand the leapfrog thing,
9 but possibly I don't know if we can somehow
10 try to put something in that might -- I
11 don't know if we could -- I understand that
12 it's federal with the whole communications
13 bureau, but to -- I shouldn't say that.
14 I'll say if there's any way we could
15 or specify our own standards in the County
16 requiring maybe a certain distance from the
17 schools, certain distance from homes.

18 MR. NIMMO: My communications
19 with Crown Castle and others is they like to
20 have these about every 200 yards, and so a
21 wireless repeater every 200 yards, any
22 regulations from schools or houses is going
23 to be impossible. It's their challenge.
24 It's not ours. It's up to them to figure
25 out how to redo this. We are going to

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2 regulate what we can.

3 LEGISLATOR DERIGGI-WHITTON: In
4 your opinion we have no authority over
5 regulating this.

6 MR. NIMMO: Again, I'm not an
7 attorney. The Telecommunications Act of
8 1996 strictly forbids the refusal for
9 allowing anyone to attach, but that
10 specifically says wired communications. It
11 does not mention wireless, but then it does
12 in the next paragraph talk about wireless
13 communications and how the perceived health
14 threat cannot be a reason.

15 PRESIDING OFFICER GONSALVES: Mr.
16 Nimmo, I have to say to you that this is a
17 worthwhile legislation. However, it needs
18 teeth, and we are approaching budget time,
19 so you are going to have to come up with a
20 way to provide the teeth so that we can
21 truly enforce this legislation.

22 MR. NIMMO: I'll do my best.

23 PRESIDING OFFICER GONSALVES:
24 You're going to have to do it because I will
25 tell you right now I have gotten complaints

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2 about in particular Crown Castle arbitrarily
3 putting up their boxes with those little
4 antennas so that they can speed up internet
5 service, and they don't ask for permission.

6 MR. NIMMO: I have asked Crown
7 Castle to move some of the poles,
8 specifically the ones that those women were
9 speaking about earlier, and they have given
10 it to their legal counsel.

11 PRESIDING OFFICER GONSALVES:
12 And?

13 MR. NIMMO: And --

14 PRESIDING OFFICER GONSALVES:
15 That's it. All right, sir. Legislator
16 Rhoads. Hold on. Sorry. Legislator
17 Schaefer.

18 LEGISLATOR SCHAEFER: I think you
19 might have already answered the question
20 with Legislator DeRiggi-Whitton's questions
21 as well. My concern was whether or not this
22 will, this legislation can enable DPW to
23 affect where and whether or not those
24 wireless repeaters can be placed.

25 MR. NIMMO: The legislation

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2 specifically states that we have control of
3 the equipment that is placed on the poles in
4 our right-of-way. Not our poles, but
5 existing poles, we don't have that teeth
6 right now. We can't tell someone they can't
7 put that on a pole.

8 LEGISLATOR SCHAEFER: Until you
9 put the regulations in?

10 MR. NIMMO: This legislation in
11 effect it says that we can.

12 PRESIDING OFFICER GONSALVES:
13 Legislator Rhoads.

14 LEGISLATOR RHOADS: Fran, now
15 that you're back, just a quick point. I
16 know we were mentioning, Mr. Nimmo was
17 mentioning the fact that we don't have, we
18 actually don't have code-enforcement
19 officers to be able to go out.

20 Since we were just talking about
21 shared services, if you could take back to
22 the administration, perhaps that might be
23 something you want to take a look at to see
24 if the towns' code-enforcement officers as
25 they're going around various neighborhoods

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2 would be able to take a look at those poles.

3 MR. BECKER: Absolutely, sure.

4 I'll bring that to the attention of the

5 Deputy County Executive of the Board.

6 Sounds like a good idea.

7 PRESIDING OFFICER GONSALVES:

8 There being no other comments -- yes.

9 LEGISLATOR FORD: May I be
10 recognized?

11 PRESIDING OFFICER GONSALVES:

12 Yes, you may.

13 LEGISLATOR FORD: Stay there.

14 Two seconds. Bill doesn't have to come up.

15 Just to let you know, residents
16 can also because they have that online
17 portal where people are able to if I see
18 double-pole situations, and now that you're
19 all aware of it you are going to notice more
20 and more how many double poles you have in
21 your neighborhood, but isn't it that we have
22 it so that we can set up, and if I can also
23 send over to DPW a condition of double poles
24 --

25 MR. NIMMO: I believe the

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2 beginning phases of this would be complaint
3 driven, and it would start with dealing with
4 that in the beginning.

5 LEGISLATOR FORD: And I think
6 even hopefully that if you can just
7 automatically send it over to either,
8 usually it's Verizon that has to take the
9 poles out, to let them know, and if they
10 know that they are going to be assessed,
11 fined for not removing the poles, I think
12 they are going to start doing it much sooner
13 rather than later, so hopefully we will be
14 able to scare them into getting some of this
15 stuff done. I'm sorry for jumping in.

16 PRESIDING OFFICER GONSALVES: All
17 right. Come back and put your name back on
18 the record.

19 MS. GOTTSCHALK: Cathy Gottschalk
20 speaking. I've done a lot of research on
21 this issue. I read word for word the
22 legislation that the Town of Oyster Bay has
23 been considering.

24 I would think there's some
25 awareness here, I don't know how much, of

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2 what they're doing over there. They've
3 actually removed some poles, and they are
4 being sued by Crown Castle for removing the
5 poles.

6 These work poles I believe that
7 there were not permits for, but I'm not
8 really sure whether they were permitted or
9 un-permitted poles, and they were removed.

10 I believe the Town of Hempstead
11 is also being sued. There's three
12 defendants. I think there's a city, not
13 sure if it's Glen Cove, but there's three
14 defendants on Long Island that are being
15 sued by Crown Castle on this issue.

16 I'd like to see Nassau County
17 take a real strong stand because this is
18 coming from the FCC, and they are rolling
19 out 5G. 5G are microwaves. These are not
20 your normal cell-phone waves. Microwaves
21 are a higher frequency so they can carry
22 more data.

23 Yes, there are health effects,
24 and if you want to know how to challenge it,
25 you challenge it on a free-speech issue

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2 because as you can see and as I could see
3 while I was sitting here, the free speech of
4 our legislatures was even impaired because
5 you don't want to bring up the health issues
6 and talk about it, so because then you'll be
7 accused of regulating these things related
8 to health, and the effect that that has is
9 to stifle speech on this issue, so if I were
10 to challenge this federal regulation, excuse
11 me, federal law, that's how I would
12 challenge it.

13 We have a big problem on our
14 hands because they are putting these things
15 out there because they want -- these
16 repeaters need to be on these poles very
17 close together. They cover a 400-foot area,
18 which is probably about what he was saying
19 about the 200 yards. The goal is to have
20 the United States covered with these things.

21 I have watched the FCC
22 commissioner speak on these things, and they
23 are rolling them out really fast because
24 it's hard to take back once they do it.

25 This is a very serious issue.

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2 From what I can tell, the municipalities are
3 very perilous, and I think that by letting
4 the public think that you can do something,
5 we're going to lose some precious time.

6 The best thing that I can see is
7 that the states do have some power to stand
8 up because of the 10th Amendment. There
9 have been a couple of times that the states
10 have regulated, and the federal government
11 has tried to say that you can't do that, and
12 it has been allowed, but that's the States
13 restricting the power of these things and
14 giving -- saying how they want these things
15 done.

16 I don't know what the limitations
17 are, but the state certainly has more power
18 over these than the municipalities do, and I
19 think everybody is going to have to wake up
20 to how dangerous this stuff is. Just
21 because you can't see it or smell it, it's
22 scary, and the reason why the FCC --

23 CLERK PULITZER: Ma'am, your time
24 is up.

25 MS. GOTTSCHALK: Yes, sir. Thank

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2 you.

3 PRESIDING OFFICER GONSALVES:

4 Thank you, Cathy.

5 MS. GOTTSCHALK: That's okay. I
6 lost my train of thought.

7 PRESIDING OFFICER GONSALVES:

8 Mr. Nimmo has a comment. Mr. Nimmo.

9 MR. NIMMO: I just wanted to let
10 all the Legislators know that about six
11 months ago I came to the decision that we
12 are no longer going to be issuing permits
13 for towers to go in the right-of-way,
14 specifically Crown Castle, Mobilight or
15 anything due to the fact that, again, it's
16 private facilities located in a public
17 right-of-way, so we have denied any permit
18 requests for equipment specifically
19 installed, but that's not on others' poles.
20 That's when they want to put a tower or pole
21 in our right-of-way for just the Verizon or
22 for that.

23 PRESIDING OFFICER GONSALVES: I
24 may have one right in the heart of my
25 district, and it's a new pole.

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2 MR. NIMMO: If they put them on
3 an existing pole, we have no control or
4 knowledge of that happening.

5 PRESIDING OFFICER GONSALVES:
6 It's a new pole. I'm going to send it to
7 you. Okay?

8 Minority Leader.

9 LEGISLATOR ABRAHAMS: Just real
10 quick, sir, can you get back to us on how
11 many poles actually have these towers?

12 MR. NIMMO: I would have no way
13 of knowing that. There's probably 35,000
14 poles I think in Nassau County, and they are
15 all residential streets that are not
16 controlled by Nassau County and our streets.
17 I don't have anyone that can count who would
18 know.

19 If we had permits issued for
20 them, I would know, but like I said, when
21 they're attached to others' poles, we have
22 no idea what equipment goes up.

23 PRESIDING OFFICER GONSALVES:
24 Just to clarify, I don't mean to interrupt,
25 just to clarify, if it's a new pole, they

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2 need to get permission to do it.

3 MR. NIMMO: Yes, but what's
4 happening with this right now just so
5 everyone is aware, the new FEMA hardening
6 poles that are being installed, Crown Castle
7 is very ambitious. As soon as those poles
8 go up, they are the first ones to attach.

9 So it looks like the poles just
10 for wireless communication, but it's not.
11 There's a financial incentive for them to
12 get on that right away. The other is
13 Cablevision. They are on the other poles.
14 They take their time moving stuff for us.

15 PRESIDING OFFICER GONSALVES: Let
16 me ask another question. Crown Castle, are
17 they working in conjunction with the other
18 utilities?

19 MR. NIMMO: Crown Castle is a
20 reseller. What they do is they install the
21 equipment, and they then sell the bandwidth
22 to Verizon. I'm just making up names. Any
23 cell carrier can use their equipment on the
24 poles, so they are basically renting the
25 space, renting the bandwidth or whatever

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2 from Crown Castle to use, so they are a
3 private company.

4 PRESIDING OFFICER GONSALVES: Go
5 ahead. You don't come to the mic, we can't
6 hear you.

7 MR. NIMMO: Crown Castle used to
8 be Next-G.

9 PRESIDING OFFICER GONSALVES:
10 That's right because this has come to my
11 attention a while ago in my particular
12 community.

13 MR. NIMMO: We met out there on
14 Salisbury Drive discussing with that.

15 PRESIDING OFFICER GONSALVES:
16 Thank you. Try the rest of East Meadow.
17 They are notorious and right outside
18 people's homes. Minority Leader.

19 LEGISLATOR ABRAHAMS: When you
20 said Next-G, I know Next-G. I didn't know
21 they changed their name. Crown Castle's
22 competitors would be some of the big ones.

23 MR. NIMMO: I couldn't comment on
24 that. I believe like I said they are
25 installing in this area for Verizon, AT&T.

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2 I don't know what other companies. They
3 come and go so often, but they are
4 facilitating the bandwidth.

5 LEGISLATOR ABRAHAMS: So to your
6 knowledge the one entity you know of that's
7 installing these towers is Crown Castle.

8 MR. NIMMO: Yes. I've also been
9 asked by Mobilight.

10 PRESIDING OFFICER GONSALVES: All
11 I know is that we need to be more vigilant.
12 We need to be more vocal and we need to get
13 your help to do what you have to do
14 financially, but you have to do your work
15 too.

16 MR. NIMMO: Yes, ma'am.

17 PRESIDING OFFICER GONSALVES: You
18 tell us what you need, and that's how we
19 work on it. You got it. Thank you, Bill,
20 and thank you, Cathy.

21 There being no other comments, I
22 will like to call for a vote. All those in
23 favor of Item #5 as amended signify by
24 saying aye.

25 (Aye.)

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2 PRESIDING OFFICER GONSALVES: Any
3 opposed? Unanimous? Yes.

4 LEGISLATOR ABRAHAMS: Yes.

5 PRESIDING OFFICER GONSALVES:
6 Okay already. We have one more item on the
7 July 10th calendar, and that's Item 21, an
8 item authorizing the County of Nassau to
9 participate in a federal aid transportation
10 project providing for variable message signs
11 Capital Project 62175, PIN #0760.40 and
12 authorizing the County Executive of the
13 County of Nassau to execute the agreement on
14 behalf of the County with the New York State
15 Department of Transportation for the
16 advancement of said federal aid
17 transportation projects in Nassau County,
18 New York.

19 Moved by Legislator Rhoads,
20 seconded by Legislator Walker. I'm sorry.
21 Moved by Legislator Kennedy and seconded by
22 Legislator Walker.

23 Okay. Moved by Legislator
24 Nicolello, seconded by Legislator Walker.
25 Putting it on the floor, that's all it is.

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2 Howard, it's yours.

3 MR. LUTZ: Good afternoon. Thank
4 you. Howard Lutz, Nassau County Department
5 of Public Works, Traffic Engineering.

6 This is an agreement to allow us
7 to enter into a contract with the New York
8 State DOT so that we can receive
9 reimbursement for the construction of 25 VMS
10 signs throughout the County.

11 These 25 signs are not
12 transmitters. They receive information, not
13 wirelessly, through our existing traffic
14 management system. It's a total of 25 signs
15 throughout the County on our primary
16 roadways, Old Country Road, Peninsula
17 Boulevard and Merrick Road, which are our
18 heaviest-traveled roads.

19 We have since -- I believe we've
20 provided some information in regard to
21 locations. They are mostly in proximity to
22 the larger expressways serviced by our
23 roadways such as Seaford-Oyster Bay
24 Expressway, Meadowbrook Parkway and Wantagh
25 Parkway.

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2 The signs, we are looking to
3 install them in commercialized areas, not in
4 residential areas, where we're servicing the
5 most drivers.

6 The signs themselves will convey
7 messages just in terms of accidents and
8 incidents so that a driver can make an
9 informed decision regarding their commute
10 for that particular moment in time.

11 PRESIDING OFFICER GONSALVES: Any
12 questions? Legislator Birnbaum.

13 LEGISLATOR BIRNBAUM: I think I
14 asked this question last time, but I just
15 want to be reassured. These signs cannot be
16 used for advertising purposes whatsoever.

17 MR. LUTZ: Absolutely not. They
18 are federally funded, hence the federal
19 reimbursement program, which we do receive
20 80 percent back from New York State DOT
21 through the FHWA. There's absolutely no use
22 for advertising.

23 PRESIDING OFFICER GONSALVES:
24 Legislator Rhoads has his hand up and then
25 Legislator Gaylor. Let's go, Legislator

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2 Rhoads.

3 LEGISLATOR RHOADS: I appreciate
4 it. Thank you, Madam Presiding Officer.

5 I have had in the interim an
6 opportunity to speak to a couple of our
7 civic leaders in the area who are concerned
8 about the signs and concerned about how
9 obtrusive they are.

10 I understand the purpose behind
11 them. However, even though we are
12 indicating that we're attempting to put them
13 in a commercial area, our commercial areas
14 along Merrick Road are fairly closely
15 bordered by residential areas. It's fairly
16 dense. If in fact we support this project,
17 are we committed to installing all of the
18 signs?

19 MR. LUTZ: Since this was last
20 presented on the previous legislative
21 session, we have had contact with the
22 Village of Lynbrook. We have removed those
23 signs from that.

24 Also we have received
25 confirmation from the Village of Hempstead,

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2 Freeport, Rockville Centre, confirming the
3 installation of the sign, and they have
4 consented to the installation of those
5 signs.

6 LEGISLATOR RHOADS: The issue
7 that I have, and I don't mean to speak for
8 Legislator Kennedy, he's going to speak on
9 his own, is that with respect to the
10 Wantagh-Seaford area, with respect to the
11 Merrick area right by the Meadowbrook
12 Parkway, Wantagh-Seaford is obviously 135,
13 there's going to be opposition to those.

14 Do we have the option if in fact
15 we elect to participate in the program to
16 back out of certain locations?

17 MR. LUTZ: We do but what we have
18 to consider is the consequence of when we do
19 back out of something like this and if we
20 can find an alternate location that FHWA
21 will look and they would look favorably upon
22 that.

23 If we are to continually downsize
24 our program, our federal-aid program is
25 rated and ranked against Suffolk County and

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2 New York State DOT as well. If we start to
3 see that we are unable to bring our projects
4 to fruition, we are going to get lower
5 ratings and rankings, and therefore there's
6 a chance that we receive less federal aid
7 for other contracts.

8 Just for instance a lot of our
9 signal reconstruction on our quarters is all
10 done through this federal-aid program. If
11 we receive lower ratings and rankings,
12 there's a chance we have less funding to do
13 those reconstructions.

14 LEGISLATOR RHOADS: Are we
15 committed to a specific number?

16 MR. LUTZ: Right now, yes.
17 There's 25. There were 27 in the plan. We
18 have since removed two. Can we make
19 modifications? Yes, we can, but there's an
20 impact.

21 LEGISLATOR RHOADS: Now if in
22 fact we were to eliminate signs in the
23 Massapequa area, eliminate signs in the
24 Seaford area, eliminate signs in the Merrick
25 area, where else would those signs go?

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2 MR. LUTZ: We'd have to take a
3 look really and see where the need was. It
4 could end up being a downsizing of the
5 program, so instead of 25 signs, maybe the
6 overall program is 18 signs or something
7 like that, but if it gets to the point where
8 it's so small and we're not communicating to
9 enough people, FHWA is going to review this
10 and just say that it's a less effective
11 program at a certain point.

12 We don't know what that
13 break-even point is for something like that.
14 We haven't gotten that far because we were
15 on the understanding we were moving forward
16 with the project.

17 LEGISLATOR RHOADS: What's the
18 deadline within which we have to opt into
19 that program or apply for that program?

20 MR. LUTZ: For right now to enter
21 into the agreement, we need to be in there
22 by September 15th, so we really need this
23 authorization. However, we can still make
24 modifications to the project itself after
25 the obligation. Our finances and our money

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2 has to be obligated from New York State DOT
3 by September 15th.

4 LEGISLATOR RHOADS: But my
5 opportunity to --

6 MR. LUTZ: It goes beyond the
7 15th, yes.

8 LEGISLATOR RHOADS: I was going
9 to say my opportunity to be able to affect
10 the program if I want to keep it at
11 particular areas is with today's vote unless
12 there's a mechanism for this to come back to
13 the Legislature. Is there another
14 alternative or am I mistaken?

15 MR. LUTZ: This is to enter into
16 an agreement. We still have to come back
17 here and bid the construction contract as
18 well, so you certainly would have a second
19 opportunity to look at this.

20 We've already met I believe with
21 some of the Legislators who had concerns.
22 We would certainly be happy to meet with you
23 to discuss this as well.

24 LEGISLATOR RHOADS: Thank you.

25 PRESIDING OFFICER GONSALVES:

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2 Legislator Kennedy.

3 LEGISLATOR KENNEDY: Hi. Yes.

4 I'm the Legislator from the Massapequa area,
5 and like Legislator Rhoads, I reached out to
6 the community, and there are concerns about
7 the specific area, the corner of Merrick
8 Road and Park Boulevard.

9 Is there an opportunity to move a
10 sign to a different area, some other place
11 in the County that might make more sense
12 let's say than in an area where there is a
13 lot of foot traffic, and like Legislator
14 Rhoads said, Merrick Road is not -- I don't
15 believe Merrick Road in that specific area
16 is a very good spot for a sign that size and
17 for that area.

18 MR. LUTZ: Yes, there is an
19 opportunity to reconsider that location.

20 LEGISLATOR KENNEDY: At this
21 point I know for a fact that it's not
22 something that the community would like in
23 that specific area, so I definitely would
24 like to sit down with Legislator Rhoads as
25 well. That would be very helpful.

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2 MR. LUTZ: Understood.

3 PRESIDING OFFICER GONSALVES: Go
4 ahead, Legislator Bynoe. Then Legislator
5 Gaylor.

6 LEGISLATOR BYNOE: Good
7 afternoon. I have concerns too. I know
8 that you have mentioned that you have spoken
9 to the Village of Hempstead, but I'm unaware
10 of where these signs are going. No one has
11 talked to me about those signs, and then if
12 we are going up Peninsula, we are abutting
13 the Lakeview, Rockville Centre, West
14 Hempstead area where I represent those
15 families as well, so I would love to sit
16 down with you and see where these signs are
17 going.

18 MR. LUTZ: Absolutely.

19 LEGISLATOR BYNOE: And did the
20 Village -- was there a formal approval
21 process?

22 MR. LUTZ: Yes. I have copies of
23 the letters from the Village. Just so
24 you're aware, one of the signs is the
25 existing sign on Peninsula Boulevard now.

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2 We are looking to replace that. It's very
3 similar in size to that sign and not exactly
4 the same. It's just more modern.

5 LEGISLATOR BYNOE: Then you are
6 planning to install how many others?

7 MR. LUTZ: Additional on
8 Peninsula, right now it's a total of two.

9 LEGISLATOR BYNOE: Two in
10 addition to the one that you're replacing.

11 MR. LUTZ: No. One additional.

12 LEGISLATOR BYNOE: On additional.

13 MR. LUTZ: Correct.

14 LEGISLATOR BYNOE: So if we can
15 just briefly sit down and go over the
16 placement of that sign, I would appreciate
17 it.

18 MR. LUTZ: You bet.

19 LEGISLATOR BYNOE: Thank you.

20 PRESIDING OFFICER GONSALVES:
21 Legislator Gaylor.

22 LEGISLATOR GAYLOR: Thank you,
23 Madam Presiding Officer.

24 You went from 27 signs to 25
25 signs. The two that were removed were the

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2 two that were programmed for Lynbrook; is
3 that correct?

4 MR. LUTZ: That's correct.

5 LEGISLATOR GAYLOR: Then as I've
6 previously indicated to you before, the
7 Mayor of Rockville Centre has expressed his
8 opposition to any signs within the Rockville
9 Centre area, so we take that into
10 consideration because I think one of them is
11 on Peninsula in the Rockville Centre area.

12 Now, you are not replacing the
13 existing sign that's in the residential area
14 on Peninsula and Lynbrook; are you? It's
15 just south of Sunrise Highway between --

16 MR. LUTZ: No.

17 LEGISLATOR GAYLOR: You are not
18 replacing that one.

19 MR. LUTZ: No. That's New York
20 State DOT signage, not Nassau County's.

21 LEGISLATOR GAYLOR: But those are
22 the similar type signs.

23 MR. LUTZ: Yes, similar type
24 sign.

25 LEGISLATOR GAYLOR: And that's

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2 placed right in a residential area right in
3 front of somebody's house.

4 MR. LUTZ: Understood.

5 LEGISLATOR GAYLOR: And that's
6 what we're trying to avoid.

7 MR. LUTZ: I believe when we went
8 through with the design of this, we're
9 representing Nassau County. We live and
10 work in Nassau County. We're understanding
11 of where we do these things.

12 When we locate signage, we locate
13 traffic signals, we do our best to try to
14 accommodate, but we still have to follow
15 certain standards when we do the
16 installation.

17 LEGISLATOR GAYLOR: Right, and
18 one of the signs you had programmed for
19 Lynbrook you've actually moved just west of
20 Horton Avenue on Merrick Road in Valley
21 Stream. Can you tell me exactly where that
22 is? Because there's a train trestle there,
23 and I don't see how the traffic traveling
24 from west to east passing under the train
25 trestle, where the sign is going to be in

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2 relation to the train trestle.

3 MR. LUTZ: I have to send the
4 plan to you to show you exactly. I just
5 would like to point out though we have
6 worked with Rockville Centre, and they have
7 signed a letter consenting to the
8 installation, and we've worked with their
9 public works people as well.

10 PRESIDING OFFICER GONSALVES:

11 Mr. Rhoads, ask your question.

12 LEGISLATOR RHOADS: If in fact
13 the signs were eliminated by Park Boulevard,
14 by Seaford-Oyster Bay Expressway, by the
15 Meadowbrook Parkway, at what point does the
16 program become too small to actually
17 participate in this?

18 MR. LUTZ: I have to give that a
19 little bit more thought before I can give
20 you an answer. I don't want to just stand
21 here and give you that answer today.

22 One or two signs, three or four
23 signs, I don't think that makes it too
24 small, but if you start to get a large scale
25 dismissal of the program, then it really

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2 doesn't give you the benefit that we need.

3 Again, this is to give a driver
4 an informed decision in terms of their
5 commute. The everyday commuter that comes
6 through and sees that their drive is 30
7 minutes, 20 minutes, comes up in the morning
8 and sees that it's now 65 minutes, they can
9 then make a decision to go another route and
10 do something.

11 If there's an incident, an
12 accident, they are going to make an informed
13 decision based on what the conditions are.

14 LEGISLATOR RHOADS: I certainly
15 understand the purpose, but I know that
16 Legislator Bynoe has some concerns,
17 Legislator Kennedy has concerns. I have
18 concerns about location. Legislator Gaylor
19 has already expressed concerns about
20 location. I feel as though we should --

21 PRESIDING OFFICER GONSALVES:
22 Hold on. Let me ask you how our vote today,
23 what does it bind us to.

24 MR. LUTZ: I'm sorry. Repeat
25 that.

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2 PRESIDING OFFICER GONSALVES: The
3 vote we take today, let's say we pass this,
4 what does it bind us to and is there an
5 opportunity for us to make changes?

6 MR. LUTZ: Absolutely. What this
7 binds us to is that we can receive the
8 federal aid from New York State DOT for
9 reimbursement for this. We still have to
10 move forward with the final design of the
11 project. We need the State to sign off and
12 consent on the project, and during that
13 process we can then rework and retool this
14 if we need to at certain locations. It
15 still has to be bid and sent out to
16 construction as well, which will take time.

17 PRESIDING OFFICER GONSALVES: If
18 at that time -- let's say we vote for this
19 today. At that time when we have to do all
20 of this other groundwork and there's still
21 concerns on the part of the Legislators
22 here, is there an opportunity for them to
23 address those concerns and of course have
24 those concerns heard?

25 MR. LUTZ: Absolutely.

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2 PRESIDING OFFICER GONSALVES:

3 Make sense? Legislator Bynoe and then
4 Legislator Birnbaum.

5 LEGISLATOR BYNOE: I have a
6 question regarding the usage of signs
7 overall. It seems to me that that might be
8 an antiquated way to inform drivers about
9 traffic ahead and that kind of thing because
10 it seems like a lot of people are using
11 technology and so like Waze and that kind of
12 stuff, so I'm unsure if even -- you know,
13 there seems to be opposition to the signs in
14 the local municipalities, so I'm wondering
15 whether this is even a good use of money and
16 if there's any type of technology that might
17 be a little more cutting edge or innovative
18 that we should be considering as opposed to
19 signs in general.

20 MR. LUTZ: We have second by
21 second communication from our traffic
22 management center that's going to relay
23 information that Waze does not have.
24 Additionally, somebody's using Waze, if they
25 don't have it hooked up in their car, their

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2 head is down, they are looking at their
3 phone. We have enough people driving and
4 texting, talking on the phone that we cannot
5 control, we cannot enforce. By giving them
6 another option to receive this data, we are
7 hopefully reducing that head-down activity
8 in the car by putting something where it's a
9 sign that's out in front of you. You're
10 forced to look up where you're driving and
11 paying attention to the roadway.

12 LEGISLATOR BYNOE: I hear you
13 loud and clear, but most people who are
14 using those kind of devices hopefully have
15 them at an angle that is appropriate to be
16 used as opposed to in their hand. I'm not
17 encouraging anyone to break the law and look
18 at a device in their hand. That's not what
19 I am implying.

20 What I am implying is I think,
21 I'm wondering whether the signs are out of
22 touch with what how people are using
23 technology today and if there might be not
24 be another way to do that.

25 I would argue that even with the

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2 signs that are above -- I drive -- I live --
3 I come off the Northern State, head into the
4 LIE. That big sign that's there where
5 everybody feeds in from the Meadowbrook,
6 everybody is jamming their brakes because
7 they have to be able to read the sign.

8 I'm not sure overall if even the
9 sign is a better way, and I would argue
10 probably that these signs are going to then
11 drive if people are hearing that their
12 commute is going to be backed up, it's going
13 to drive cars into local residential streets
14 trying to find side streets to get out of
15 whatever jam they are potentially going to
16 be in.

17 So overall I'm just concerned
18 that this may not be the best approach, and
19 I'm wondering if any other municipalities
20 are doing something that might be a little
21 more cutting edge. Do you have an answer
22 for that?

23 MR. LUTZ: I can tell you what
24 other municipalities are doing. New York
25 State DOT has the Inform System, which is

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2 very similar to -- this is a smaller version
3 of the Inform System. These are not
4 tremendous sign gantries that are cantilever
5 signs.

6 The Port Authority of New York
7 and New Jersey, the New Jersey Turnpike
8 Authority, California, every state has ITS,
9 intelligent transportation system, and what
10 we are proposing is still modern technology
11 in terms of intelligent transportation
12 systems.

13 LEGISLATOR BYNOE: I don't do a
14 lot of long-distance driving. The furthest
15 I'll go is from here to like Maryland or
16 Washington, but I remember being on a
17 roadway in one state where it had some sign
18 up there that said to call some number and
19 then they will tell you about traffic
20 because I was stuck in traffic and I wanted
21 to know what was going on, and there was no
22 sign up there to inform me, so I dialed this
23 number, and it told me exactly what I needed
24 to know. You set your location services to
25 on, and by calling them, they knew exactly

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2 where I was, and it told me what to expect.

3 So again I'm just wondering if
4 technology could be used to alleviate even
5 the aesthetic issues that everybody is
6 concerned about with these signs. Thank
7 you.

8 PRESIDING OFFICER GONSALVES: I
9 didn't forget, Legislator Birnbaum. Go
10 ahead.

11 LEGISLATOR BIRNBAUM: I
12 understand that we were getting \$4.2 million
13 in aid, right, for these?

14 MR. LUTZ: That's correct.

15 LEGISLATOR BIRNBAUM: Do you have
16 any estimation how much it would cost the
17 County in terms of installation and
18 maintenance of these signs?

19 MR. LUTZ: The maintenance is
20 covered already under our existing
21 maintenance contract. It's not an
22 additional fee.

23 As far as the installation, that
24 is part of that, the five. It's just under
25 \$6,000,000 for the total cost of the

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2 installation of these signs. \$4.8 million
3 is the 80 percent reimbursement that we
4 received for the installation and purchase
5 of these signs. The total project is
6 6,000,000, 80 percent reimbursement at 4.8.

7 LEGISLATOR BIRNBAUM: So we would
8 be paying the 20 percent.

9 MR. LUTZ: Yes. That's all of
10 our federal aid construction contracts
11 regard. Some of them we do receive
12 additional federal aid that doesn't come
13 until the very end of the project if we are
14 entitled to it, and it's somewhat
15 indiscriminate over the years what the
16 process has been, which would almost be
17 upwards of 95 percent reimbursement, but
18 there's no guarantee of that. What we are
19 guaranteed is 80 percent reimbursement right
20 now.

21 LEGISLATOR BIRNBAUM: And are you
22 and the members of your department -- how
23 are you choosing the locations?

24 MR. LUTZ: We go through our
25 busiest roadways connecting to the busiest

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2 roadways in the County to service the most
3 people with minimum intrusion to local
4 residents.

5 LEGISLATOR BIRNBAUM: Is there
6 any kind of standards on how far apart they
7 have to be?

8 MR. LUTZ: It's really more it's
9 servicing -- if you just think about Old
10 Country Road, you're coming across
11 Seaford-Oyster Bay Expressway, you're coming
12 across Wantagh Parkway, you're coming across
13 the Meadowbrook Parkway. We're looking to
14 service those.

15 Keep in mind we are talking right
16 now 25 total for the entire County, and it's
17 something that I know looking at it on paper
18 looks very intrusive. I would ask you if
19 you are familiar with the one on Peninsula
20 Boulevard, it's not a tremendous sign like
21 you would see on Southern State Parkway.

22 LEGISLATOR BIRNBAUM: What size
23 is it?

24 MR. LUTZ: It's about three-feet
25 high by 12-feet wide, and it's up over

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2 typically on the right-hand side. Sometimes
3 if we have a median where we can install it,
4 it goes into the median area.

5 Obviously we have to follow ADA
6 compliance. Walkways and sidewalk paths
7 would remain clear.

8 PRESIDING OFFICER GONSALVES:
9 Thank you. Legislator MacKenzie.

10 LEGISLATOR MACKENZIE: I
11 apologize if I missed this. Quick question.
12 You used words like approval and village
13 consent with respect to these signs. Is
14 that required or just done as a courtesy?

15 MR. LUTZ: I believe it's
16 required. The villages have jurisdiction
17 with regard to sidewalk, and this would be
18 installed within the sidewalk of an
19 incorporated village.

20 LEGISLATOR MACKENZIE: And that
21 would likewise apply if it was a township
22 with authority over the sidewalk. Then the
23 town's consent would be required.

24 MR. LUTZ: That would be correct.

25 LEGISLATOR MACKENZIE: Thank you.

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2 PRESIDING OFFICER GONSALVES:
3 Legislator Rhoads.

4 LEGISLATOR RHOADS: This
5 hopefully will be the final question, but
6 any time that an attorney says one more
7 question, you know it's never one more
8 question.

9 I certainly understand the
10 purpose of the signs, but I think the issue
11 that we have is that the signs really aren't
12 consistent with, don't appear to be
13 consistent with the suburban character of
14 our neighborhoods.

15 If we approve this today, is it
16 going to cost the County anything if we wind
17 up removing so many signs that we have to
18 back out of the program?

19 MR. LUTZ: There would be the
20 soft cost of design if the job were not to
21 move forward, which is approximately
22 \$250,000. If the project were not to move
23 forward at all, we have spent that for the
24 design.

25 LEGISLATOR RHOADS: That's money

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2 that's already been spent. In other words
3 are we spending any additional money if we
4 approve this today, we sit down and we
5 decide, hey, we're going to lose six or
6 seven of these signs at potential locations,
7 we have nowhere else to put them?

8 MR. LUTZ: No, but we do run the
9 risk of receiving lower ratings and rankings
10 on future projects for federal aid. I can't
11 put a cost to that. I don't know what that
12 impact will be only unfortunately after it
13 happens.

14 We have a good relationship with
15 New York State DOT and Local Programs Unit
16 and FHWA, but they want to see these things
17 moving forward. They want to get the most
18 bang for the buck that they are spending as
19 well.

20 These projects are vetted and
21 reviewed by New York State DOT and by
22 Federal Highways as well prior to approval.

23 PRESIDING OFFICER GONSALVES:

24 Thank you, Howard. Legislator Solages.

25 LEGISLATOR SOLAGES: What are the

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2 other ways we can use this money?

3 MR. LUTZ: This particular money,
4 I don't think we would be -- we would have
5 to develop a project, and because it's
6 obligated, it's money to be obligated this
7 year, we would lose the money. It's not
8 something we could just roll it over into
9 another project.

10 LEGISLATOR SOLAGES: So if we
11 don't vote on this today, we lose the
12 opportunity for this passthrough.

13 MR. LUTZ: That's correct, yes.
14 Again, so it's understood, this is to enter
15 into the agreement with New York State DOT.
16 We still have a second opportunity to review
17 this further and make a modification where
18 needed.

19 If we do not get the permission
20 to move forward and enter into the agreement
21 with New York State DOT, we lose this
22 funding for 2017. You can't just roll it
23 into 2018. If they roll it over, and we
24 decide to keep the project, we have to bump
25 another project out, so there's still a cost

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2 of that \$4.8 million. It would be lost.

3 PRESIDING OFFICER GONSALVES:

4 Howard, as was previously said, this does
5 not bind us. It's just to make sure we are
6 in the mix for receiving the money.

7 MR. LUTZ: Absolutely. That's
8 correct.

9 PRESIDING OFFICER GONSALVES:

10 There's still opportunities to say yes, no,
11 whatever. Okay. Thank you very much. I
12 thank my colleagues.

13 Yes, Cathy? Yes, come on. Let's
14 go because we would like to go home too.

15 MS. GOTTSCHALK: I'd like to say
16 to Legislator Kennedy that's my hometown
17 there. I'm very familiar with that
18 intersection, and the reason I bring that up
19 is that it goes to show me how little
20 thought has been put into these signs
21 because I can't imagine --

22 I've been driving for 40 years
23 around that intersection. It's about a mile
24 away from my house. I can't imagine that we
25 need a sign there to tell me about traffic

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2 or where to go. It never crossed my mind it
3 was an issue, and when I hear it, so I have
4 to wonder are we getting money and looking
5 for something to do with this money because
6 I don't get it.

7 I think we should look at all the
8 locations. Because that is such an obvious
9 non-location, it makes me question the
10 others.

11 The other thing I'm not really
12 sure. This is from a technical standpoint.
13 He said it wasn't wireless. I briefly read
14 the legislation, and I thought that it was
15 wireless, and if you have a receiver,
16 whether it's receiving or transmitting,
17 there's radiowaves going back and forth, so
18 people have this idea that if you are not
19 near a transmitter, then you're not around
20 radio waves, but if you're near a receiver,
21 it's receiving something, so I don't know
22 how it wouldn't be wireless. I thought that
23 it was.

24 Also these signs on the Southern
25 State and all over the place, I don't know

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2 about anybody else, but I find them
3 basically useless. They are never accurate,
4 so I don't know why we want to do something
5 that we've already seen just doesn't work.

6 They're ugly. They block your
7 vision. They are a distraction and a safety
8 issue, and besides that, if anybody cares
9 about our environment, all of the chemicals
10 in the building products and the oil and
11 everything to produce these things to just
12 have some visual pollution and create more
13 physical pollution, I don't see the point.
14 Thank you.

15 PRESIDING OFFICER GONSALVES:

16 Thank you, Cathy. There being no other
17 comments -- Mereday, don't you want to go
18 home either?

19 MS. MEREDAY: I'll be quick.

20 Meta Mereday, Baldwin.

21 My question has to do with again
22 the procurement. We talked about getting
23 federal and state funding, and this county
24 has yet to have an effective program that
25 incorporates outreach and utilization of

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2 service-disabled and veteran-owned
3 businesses.

4 Now, you can laugh and nod your
5 heads and say, yes, she keeps saying this
6 and she keeps bringing this up, and the fact
7 that we already have significant numbers of
8 lawsuits that, again, the County can't seem
9 to defend, this truly is indefensible that I
10 continue to come before this body to look at
11 the vacant faces of those who are not
12 looking at their phones or whatever, and
13 there has not been any proactive movement in
14 this regard.

15 It is against the law. It is
16 against the law. So now you're going to be
17 receiving federal and state funding and you
18 have yet to implement a program that is
19 federally mandated and state mandated to do
20 best efforts and quantifiable efforts to
21 outreach and develop service-disabled and
22 veteran-owned business.

23 Veterans are twice as likely to
24 be on these prescription and opioid drugs
25 that you claim that you want to fight, but

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2 you continue to make the same noise and do
3 nothing to make a difference. Enough is
4 enough. I'm done. Now feel free to
5 adjourn.

6 PRESIDING OFFICER GONSALVES: I
7 have to take a vote, Mereday. How about
8 that?

9 LEGISLATOR ABRAHAMS: I just
10 wanted to acknowledge that Shelley Brazley
11 is here. She has been here very quietly and
12 very attentively.

13 PRESIDING OFFICER GONSALVES: I
14 also saw Bishop Elliot.

15 LEGISLATOR ABRAHAMS: Yes, and
16 Bishop Elliot was here as well, Deputy
17 County Executive, but Shelley has been here
18 probably for the entire meeting. I looked
19 up and I noticed she was here, and Ms.
20 Mereday note, Shelley Brazley, we have both
21 written a letter to her office, and she's
22 been very kind to be here to participate.
23 She's with the Office of Minority Affairs,
24 and I just wanted to make sure that you made
25 a connection to Ms. Brazley.

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2 She, Mrs. Mereday, is one of the
3 reasons why we contacted your office to
4 ensure that obviously you are hearing this
5 firsthand. Maybe after the meeting we can
6 make the connection between Ms. Brazley and
7 Ms. Mereday as well.

8 MR. BECKER: Minority Leader, if
9 I can just jump in here a minute, I'm
10 arranging a lunch between Ms. Brazley, and
11 as a matter of fact we already had a lunch
12 scheduled, but then I had a family issue, so
13 I'm bringing them together. I'm taking them
14 out to lunch one day if you want to join us.

15 But actually Ms. Brazley has been
16 very open to working on this issue, and we
17 are working on bringing them together to
18 make some real headway so that Meta can save
19 some of her efforts for another cause.

20 LEGISLATOR ABRAHAMS: Fran, this
21 is a Ruth's Chris lunch?

22 MR. BECKER: Jonathan's is not
23 bad.

24 LEGISLATOR ABRAHAMS: If it's
25 Ruth's Chris, I'll be there.

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2 PRESIDING OFFICER GONSALVES: At
3 this point then, all those in favor of
4 Calendar Item 21, which is the July 10th
5 calendar, signify by saying aye.

6 (Aye.)

7 PRESIDING OFFICER GONSALVES: Any
8 opposed? To two no's. What about over
9 there?

10 LEGISLATOR DERIGGI-WHITTON: I'm
11 a no also.

12 PRESIDING OFFICER GONSALVES:
13 Four no's. Four no's. That leaves us
14 seven. I have three no's. I have three
15 no's here, which will leave us to eight.

16 So we got eight here. How about
17 you tell me who yes is? One, two, three.

18 We have Steve Rhoads, James
19 Kennedy. Who is the other one on this side
20 of the aisle?

21 Howard, you need to keep us
22 updated. Motion to adjourn the July 10th
23 meeting.

24 MR. BECKER: Madam Chair, what
25 was the final vote?

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2 PRESIDING OFFICER GONSALVES: We
3 had the vote, Mr. Becker, 13 to four.

4 Motion to adjourn to the July
5 10th meeting? Moved by Legislator Kopel,
6 seconded by Legislator Nicoletto. All those
7 in favor of adjourning the July 10th
8 meeting?

9 (Aye.)

10 PRESIDING OFFICER GONSALVES: Any
11 opposed? The July 10th meeting is now
12 adjourned. Don't go away. More to come.
13 We have two other meetings that are opened.
14 Stay put.

15 We have the April 24th meeting,
16 2017. Motion to reconvene? Moved to
17 reconvene, and all those in favor of
18 reconvening the April 24th is --

19 (Aye.)

20 PRESIDING OFFICER GONSALVES: Any
21 opposed? Guess what? Excuse me. A motion
22 to adjourn the April 24th meeting. So moved
23 by Legislator Muscarella, seconded by -- the
24 poor gentleman here is trying to make sense.
25 And seconded by MacKenzie.

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2 All those in favor of adjourning
3 the April 24th meeting signify by saying
4 aye.

5 (Aye.)

6 PRESIDING OFFICER GONSALVES: And
7 opposed? Muscarella made the motion to
8 adjourn, and who did the second? Kopel did
9 it. Okay. Kopel seconded it and Muscarella
10 made the motion.

11 All those in favor of adjourning
12 the April 24th meeting signify by saying
13 aye.

14 (Aye.)

15 PRESIDING OFFICER GONSALVES: Any
16 opposed? It is adjourned.

17 And now the last one is the June
18 19 meeting. Motion to adjourn the June 19th
19 meeting? Moved by Legislator Nicolello,
20 seconded by Legislator Walker. All those in
21 favor of adjourning the June 19th meeting
22 signify by saying aye.

23 (Aye.)

24 PRESIDING OFFICER GONSALVES: Any
25 opposed? It is adjourned. So we got two

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2 adjournments. We have the 24th, April 24th,
3 and June 19th, so those meetings are now
4 closed. I put today's in recess. Today is
5 in recess.

6 (Whereupon, the Legislature
7 adjourned at 4:37 p.m.)

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C E R T I F I C A T E

I, ALBERT HAGLUND, 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 20th day of August, 2017.

ALBERT HAGLUND