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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES

PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, January 4, 2016
2:27 P.M.

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

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4 LEGISLATOR NORMA L. GONSALVES

5 Presiding Officer

6 13th Legislative District

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8 LEGISLATOR RICHARD J. NICOLELLO

9 Deputy Presiding Officer

10 9th Legislative District

11

12 LEGISLATOR HOWARD KOPEL

13 Alternate Presiding Officer

14 7th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR CARRIE SOLAGES

21 3rd Legislative District

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23 LEGISLATOR DENISE FORD

24 4th Legislative District

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3 LEGISLATOR LAURA CURRAN

4 5th Legislative District

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6 LEGISLATOR C. WILLIAM GAYLOR III

7 6th Legislative District

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9 LEGISLATOR VINCENT T. MUSCARELLA

10 8th Legislative District

11

12 LEGISLATOR ELLEN BIRNBAUM

13 10th Legislative District

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15 LEGISLATOR DELIA DERIGGI-WHITTON

16 11th Legislative District

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18 LEGISLATOR JAMES KENNEDY

19 12th Legislative District

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21 LEGISLATOR LAURA SCHAEFER

22 14th Legislative District

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24 LEGISLATOR DENNIS DUNNE, SR.

25 15th Legislative District

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3 LEGISLATOR JUDY JACOBS

4 16th Legislative District

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6 LEGISLATOR ROSE WALKER

7 17th Legislative District

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9 LEGISLATOR DONALD MACKENZIE

10 18th Legislative District

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12 LEGISLATOR STEVEN RHOADS

13 19th Legislative District

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15 WILLIAM MULLER

16 Clerk of the Legislature

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2 LEGISLATOR GONSALVES: This is
3 the first meeting of the 11th term of the
4 Nassau County Legislature, and I will now
5 call it to order on the fourth day of
6 January 2016. At this point I will ask
7 Legislator Dunne to lead us in the pledge
8 of allegiance.

9 (Pledge of allegiance was
10 recited.)

11 LEGISLATOR GONSALVES: I will
12 now call the roll. First legislature
13 district Kevan Abrahams.

14 LEGISLATOR ABRAHAMS: Here.

15 Second legislative district Siela
16 Bynoe. And unfortunately Siela I believe
17 was called away due to a death in the
18 family. So, our condolences to Siela and
19 here family.

20 Third legislative district Carrie
21 Solages.

22 LEGISLATOR SOLAGES: Here.

23 LEGISLATOR GONSALVES: The
24 fourth legislative district Denise Ford.

25 LEGISLATOR FORD: Here.

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2 LEGISLATOR GONSALVES: The
3 fifth legislative district Laura Curran.

4 LEGISLATOR CURRAN: Here.

5 LEGISLATOR GONSALVES: The
6 sixth legislative district and welcome to
7 William Gaylor III.

8 LEGISLATOR GAYLOR: Here.

9 LEGISLATOR GONSALVES: Seventh
10 legislative district Howard Kopel.

11 LEGISLATOR KOPEL: Here.

12 LEGISLATOR GONSALVES: The
13 eighth legislative district Vincent
14 Muscarella.

15 LEGISLATOR MUSCARELLA: Here.

16 LEGISLATOR GONSALVES: The
17 ninth legislative district Richard
18 Nicoletto.

19 LEGISLATOR NICOLELLO: Here.

20 LEGISLATOR GONSALVES: Tenth
21 legislative district Ellen Birnbaum.

22 LEGISLATOR BIRNBAUM: Here.

23 LEGISLATOR GONSALVES: The 11th
24 legislative district Delia
25 DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON:

3 Here.

4 LEGISLATOR GONSALVES: The 12th
5 legislative district James Kennedy.

6 LEGISLATOR KENNEDY: Here.

7 LEGISLATOR GONSALVES: The 13th
8 legislative district Norma Gonsalves and I
9 am here. The 14th legislative district
10 Laura Schaefer.

11 LEGISLATOR SCHAEFER: Here.

12 LEGISLATOR GONSALVES: The 15th
13 legislative district Dennis Dunne.

14 LEGISLATOR DUNNE: Here.

15 LEGISLATOR GONSALVES: The 16th
16 legislative district Judy Jacobs.

17 LEGISLATOR JACOBS: Here.

18 LEGISLATOR GONSALVES: The 17th
19 legislative district Rose Walker.

20 LEGISLATOR WALKER: Here.

21 LEGISLATOR GONSALVES: The 18th
22 legislative district Donald MacKenzie.

23 LEGISLATOR MACKENZIE: Here.

24 LEGISLATOR GONSALVES: And the
25 19th legislative district Steven Rhoads.

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2 LEGISLATOR RHOADS: Here.

3 LEGISLATOR GONSALVES: 18

4 members of the Nassau County Legislature are
5 now present in the legislative chamber.

6 The first order of business is
7 procedural resolution 1-2016, a resolution
8 as to procedure to appoint a clerk pro temp
9 of the Nassau County Legislature pursuant to
10 the Nassau County Charter Section 110
11 Subsection 1. I hereby nominate William
12 Muller as clerk pro temp of the Nassau
13 County Legislature. Seconded by Dennis
14 Dunne.

15 Are there any other nominations?

16 There being none, I'll entertain
17 a motion to close. Moved by Legislator
18 Rhoads moving the nominations be closed. A
19 second? All those in favor of closing
20 the nominations signify by saying aye. Any
21 opposed? I guess at this point all those in
22 favor of William Muller as clerk pro temp
23 signify by saying aye.

24 (All say aye.)

25 LEGISLATOR GONSALVES: Any

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2 opposed?

3 I was going to call a roll call
4 but I think that would be unnecessary at
5 this point because there are no nays. I did
6 say all those in favor and any opposed.

7 William Muller is the clerk pro
8 temp by a vote of 18 to zero.
9 Congratulations, Mr. Muller.

10 MR. MULLER: Thank you very
11 much.

12 LEGISLATOR GONSALVES: Now it's
13 your responsibility to conduct the
14 meeting.

15 MR. MULLER: The next order of
16 business is procedural resolution two of
17 2016 which is the election of the presiding
18 officer pursuant to Section 106 of the
19 Nassau County Charter. The legislator who
20 receives the highest number of votes shall
21 be presiding officer and the legislator who
22 receives the second highest shall be
23 minority leader. Can I have nominations
24 please?

25 LEGISLATOR KOPEL: Nominate

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2 Norma Gonsalves.

3 MR. MULLER: Legislator Kopel
4 nominates Norma Gonsalves. Seconded by
5 Dennis Dunne. Are there any other
6 nominations?

7 LEGISLATOR JACOBS: I would
8 like to place the name of Kevan Abrahams in
9 nomination also.

10 MR. MULLER: Is there a second
11 to that?

12 LEGISLATOR DERIGGI-WHITTON:
13 I'll second that.

14 MR. MULLER: We have, to have
15 the record clear, Legislator Gonsalves is
16 nominated by Howard Kopel. Seconded by
17 Legislator Dunne. Legislator Abrahams is
18 nominated by Legislator Jacobs. Seconded
19 by Legislator DeRiggi-Whitton.

20 LEGISLATOR MUSCARELLA: I move
21 to close nominations.

22 MR. MULLER: Seconded?

23 LEGISLATOR SCHAEFER: Second.

24 MR. MULLER: I don't know if we
25 need for that. I think we do. Is everybody

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2 in favor of that, closing the nominations.
3 Let the record reflect it's 18 to zero. I
4 don't know if you want to rethink the clerk
5 thing.

6 The nominations of Norma
7 Gonsalves and Kevan Abrahams are now before
8 this legislature for a vote. I will call
9 the roll. Legislator Abrahams.

10 LEGISLATOR ABRAHAMS: Abrahams.

11 MR. MULLER: Legislator Bynoe
12 is not here. Legislator Solages.

13 LEGISLATOR SOLAGES: Abrahams.

14 MR. MULLER: Legislator Ford.

15 LEGISLATOR FORD: Gonsalves.

16 MR. MULLER: Legislator Curran.

17 LEGISLATOR CURRAN: Kevan
18 Abrahams.

19 MR. MULLER: Legislator Gaylor.

20 LEGISLATOR GAYLOR: Gonsalves.

21 MR. MULLER: Legislator Kopel.

22 LEGISLATOR KOPEL: Gonsalves.

23 MR. MULLER: Legislator
24 Muscarella.

25 LEGISLATOR MUSCARELLA:

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2 Gonsalves.
3 MR. MULLER: Legislator
4 Nicolello.
5 LEGISLATOR NICOLELLO: Norma.
6 MR. MULLER: Legislator
7 Birnbaum.
8 LEGISLATOR BIRNBAUM: Abrahams.
9 MR. MULLER: Legislator
10 DeRiggi-Whitton.
11 LEGISLATOR DERIGGI-WHITTON:
12 Abrahams.
13 MR. MULLER: Legislator
14 Kennedy.
15 LEGISLATOR KENNEDY: Gonsalves.
16 MR. MULLER: Legislator
17 Gonsalves.
18 LEGISLATOR GONSALVES:
19 Gonsalves.
20 MR. MULLER: Legislator
21 Schaefer.
22 LEGISLATOR SCHAEFER:
23 Gonsalves.
24 MR. MULLER: Legislator Dunne.
25 LEGISLATOR DUNNE: Legislator

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2 Norma Gonsalves.

3 MR. MULLER: Legislator Jacobs.

4 LEGISLATOR JACOBS: Kevan

5 Abrahams.

6 MR. MULLER: Legislator Walker.

7 LEGISLATOR WALKER: Norma

8 Gonsalves.

9 MR. MULLER: Legislator

10 MacKenzie.

11 LEGISLATOR MACKENZIE: Norma

12 Gonsalves.

13 MR. MULLER: Legislator Rhoads.

14 LEGISLATOR RHOADS: Gonsalves.

15 MR. MULLER: Ladies and
16 gentlemen and members of this legislature,
17 by a vote of 12 to 6 with Legislator Bynoe
18 not present, Norma Gonsalves is hereby
19 elected to serve as presiding officer of
20 the Nassau County Legislature.

21 And ladies and gentlemen and
22 members of this legislator, Legislator
23 Kevan Abrahams, having received the
24 second highest number of votes, is
25 elected to serve as minority leader of

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2 the Nassau County Legislature.

3 I will now call on the Presiding
4 Officer Gonsalves to preside and to
5 appoint members to serve as deputy
6 presiding officer and alternate deputy
7 presiding officer.

8 LEGISLATOR GONSALVES: At this
9 time I am proud to appoint Legislator
10 Nicolello as deputy presiding officer and
11 Legislator Howard Kopel as alternate deputy
12 presiding officer. Any comments?

13 Any questions regarding those
14 appointments? There being no other
15 comments, all those in favor of -- I don't
16 need a vote. Legislator Nicolello,
17 Legislator Kopel thank you.

18 The next item of business is
19 procedural resolution 3-2016, a resolution
20 as to procedure to appoint William Muller as
21 clerk of the legislature pursuant to the
22 county government law of Nassau County.

23 May I have a motion please.
24 Moved by Legislator Walker. Seconded by
25 Legislator Ford. Is there any debate or

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2 discussion regarding that nomination or that
3 appointment? There being none, all those in
4 favor signify by saying aye.

5 Any opposed? And the vote is 18
6 to zero.

7 MR. MULLER: Thank you very
8 much. It's a pleasure to serve all of
9 you.

10 LEGISLATOR GONSALVES:
11 Congratulations Bill.

12 The next item of business is
13 procedural resolution 4-2016, a resolution
14 as to procedure to establish and adopt the
15 rules of procedure for the 11th Nassau
16 County Legislature pursuant to county
17 government law of Nassau County. May I have
18 a motion to consider these rules as
19 proposed. Moved by Legislator Dunne.
20 Seconded by Legislator Schaefer. Any debate
21 or discussion?

22 LEGISLATOR ABRAHAMS: If I may?

23 LEGISLATOR GONSALVES: Yes
24 Minority Leader Kevan.

25 LEGISLATOR ABRAHAMS: I believe

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2 to your attention and we submitted it to the
3 clerk of the legislature as well, we
4 submitted changes to the rules of procedure
5 of the legislature. All things that we
6 believe that would make the legislature more
7 transparent, while at the same time at a
8 level of seriousness and community
9 involvement. Just to summarize there are
10 seven different things.

11 The first one is that all
12 contracts and legislative approval shall be
13 approved by the Rules Committee, the
14 Finance Committee and the appropriate
15 committee or committees of the jurisdiction
16 overseeing the issue. That would pertain
17 obviously to public work contracts having an
18 opportunity to go through Public Works. As
19 well as some contracts that are finance
20 related have an opportunity to go through
21 Finance.

22 Also, the legislature shall hold
23 four evening meetings. The legislature
24 used to do this and obviously, we are
25 looking out in the audience now where most

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2 of the folks are not here today that could
3 be here normally if the meetings were at
4 night. We are requesting that we have at
5 least four meetings in the evening.

6 The legislature also shall
7 establish a publicly accessible web-based
8 bill tracking system to increase
9 transparency as well as public engagement
10 in the legislative process.

11 Also, we wanted to give, which we
12 don't have any authority on this, we
13 believe it is actually part of the charter,
14 but just to clarify, we wanted to give each
15 of the chairs of the respective committees
16 the authority to call hearings. There's no
17 reason why the Public Safety chair or the
18 Government Services chair be able to call
19 hearings so that they can be able to
20 schedule them and be able to have public
21 comment and proceed on the process.

22 We also want to have public
23 comment from 30 minutes to one hour and have
24 unrestricted public comment before committee
25 and hearing dates.

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2 Six, we wanted to require all
3 legislative initiatives to be up and down on
4 a roll call vote in committee and the
5 full legislature. This is to prevent needed
6 reforms from being left in limbo.

7 Many times we have submitted
8 bills that have not seen the light of day on
9 this floor and we believe that this
10 legislative body should take action.
11 There should be debate or discussion.
12 The public should have input. And we
13 should make a formal decision how we
14 should proceed.

15 Last but not least, we are
16 requesting to change the legislative
17 meetings to Tuesday rather than Monday to
18 allow one full business day for preparation
19 for last minute issues.

20 LEGISLATOR GONSALVES: These
21 are amendments in the nature of a
22 Substitution?

23 LEGISLATOR ABRAHAMS: Madam
24 Presiding Officer, I'm advised by counsel
25 that we have offered this as part of a

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2 separate bill. But if the bill will not be
3 called we are offering these ideas as
4 amendments to the rules of procedures
5 that are in front of us today.

6 LEGISLATOR GONSALVES: Those
7 seven or eight items are amendments that
8 you are offering?

9 LEGISLATOR ABRAHAMS: The
10 amendments would be in conformity with
11 the separate bill that we have filed.

12 LEGISLATOR GONSALVES: Those
13 amendments will require a second on your
14 part.

15 LEGISLATOR JACOBS: I'm
16 seconding.

17 LEGISLATOR GONSALVES: Any
18 other comments from the legislators? Any
19 discussion or debate regarding these
20 amendments?

21 LEGISLATOR ABRAHAMS: We can
22 break out any of them if there is any
23 willingness to do any of them.

24 LEGISLATOR GONSALVES: I don't
25 think so. I will then ask that we take a

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2 vote. All those in favor of the amendments
3 offered by the minority signify by saying
4 aye. Any opposed?

5 Nay. Those amendments fail.

6 However, I'm going to say this
7 Minority Leader, that does not mean that
8 we cannot sit and discuss these items
9 individually, and I think I mentioned
10 that you to earlier today. We need to
11 continue the dialogue that we did have
12 during the 10th legislative session and

13 I'm certainly going to be willing
14 to sit down and talk to you about these
15 items.

16 They may be doable without having
17 an amendment. Absolutely. We are going to
18 start the new year off on the right
19 foot.

20 The resolutions or the amendments
21 that were just proposed received a vote
22 of 12 for and six against.

23 At this point the resolution of
24 4-2016, which was to establish and adopt
25 the rules of procedure for the 11th Nassau

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2 County Legislature. A vote to adopt those
3 rules of procedure. All those in favor
4 signify by saying aye.

5 Any opposed? I would like to
6 know who's nay? These are the rules of
7 procedure.

8 I said all those in favor signify
9 by saying aye. All those opposed signify by
10 saying nay. We have 12 ayes and six nays.

11 We move on to the next item
12 before us which is procedural resolution
13 5-2016, a resolution as to procedure to
14 establish a calendar for meetings of the
15 legislature of the County of Nassau for
16 the calendar year 2016 pursuant to the
17 county government law of Nassau County.
18 A motion please. Moved by Legislator Kopel.
19 Second by Legislator Nicoletto.

20 Any debate or discussion
21 regarding the calendar for 2016?

22 LEGISLATOR ABRAHAMS: If I may?

23 LEGISLATOR GONSALVES: Yes, you
24 may.

25 LEGISLATOR ABRAHAMS: Thank

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2 you.

3 Now that we are getting ready to
4 consider the legislative calendar, one of
5 the points I did bring up, which we
6 discussed with our counsel, is the need to
7 have the meetings on Tuesdays. I don't know
8 if that works for everybody's personal
9 calendars and work calendars. But that
10 would give us one full business day. We
11 know there's a lot of stuff that comes down
12 from the administration on Monday at the
13 last minute and if we had one business day
14 rather than going up against Sunday the
15 administration would have the ability to do
16 something on a business day which would give
17 us more opportunity to review it. Granted,
18 the administration could very easily start
19 sending things on Tuesday but at least they
20 wouldn't have the excuse of the weekend
21 before. If it can work with everybody -- I
22 know it's busy with everybody's working
23 schedule -- but if it could work with
24 everybody's working schedule it does make
25 some sense to be able to try to do that. So

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2 before we actually adopt the calendar for
3 the year I do want to recommend that one at
4 least again.

5 LEGISLATOR GONSALVES: I will
6 say to you Minority Leader that Tuesday the
7 towns meet on Tuesday and that's one of
8 the reasons why Monday has always been the
9 day for the Board of Supervisors as well as
10 the legislature. We would be in conflict
11 with the towns who meet on Tuesdays. Many
12 people who come to the legislature meeting
13 on Monday show up at the town meetings on
14 Tuesday. So that's partially the reason why
15 we are looking to keep the meetings to a
16 Monday. Any other comments?

17 LEGISLATOR ABRAHAMS: We should
18 be open to the idea. I mean, obviously
19 we're not locked into any particular day
20 of the week. We are trying to give us some
21 separation.

22 LEGISLATOR GONSALVES: I'm
23 going to bring up something else Minority
24 Leader. The time as you notice is not
25 stipulated on the calendar. The times of

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2 the meetings are not on that calendar that
3 we are voting on today. Which leaves --
4 this is what I wanted to say to you before
5 -- the door open to having legislative
6 meetings at night. So it's not a closed
7 issue. Okay?

8 Any other comments? No other
9 comments. All those in favor of the
10 calendar for 2016 signify by saying aye.

11 Any opposed? The calendar passes
12 unanimously.

13 The next item is resolution
14 6-2016, a resolution as to procedure to
15 establish a committee on Economic and
16 Community Development and Labor. Is there a
17 motion please. Moved by Legislator Dunne.
18 Second by Legislator Walker. Any debate or
19 discussion on this item? Any public
20 comment? There being none, all those in
21 favor say aye. Any opposed? The procedural
22 resolution 6-2016 passes by a vote of 18 to
23 zero.

24 Resolution 7-2016 as to procedure
25 to establish a committee on Towns, Villages

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2 and Cities. Is there a motion please?

3 Moved by Legislator MacKenzie.

4 Seconded by Legislator Schaefer.

5 Any debate or discussion on this item? Any

6 public comment? There being none, all those

7 in favor signify by saying aye.

8 Any opposed? The committee on

9 Towns, Villages and Cities is established to

10 a vote of 18 to zero.

11 Resolution 8-2016 as to procedure

12 and a resolution to establish a committee on

13 Veterans and Seniors Affairs. Moved by

14 Legislator Dunne. Seconded by Legislator

15 Gaylor. Any debate or discussion on this

16 committee? Any public comment? There being

17 none, all those in favor signify by saying

18 aye. Any opposed? The item passes

19 unanimously.

20 Pursuant to Section 2211 of the

21 Nassau County Charter the members of the

22 Nassau County Legislature representing two

23 political parties as candidates who receive

24 the highest and its next highest number of

25 votes in the county of the general election

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2 in which the governor was chosen shall
3 designate in writing an official newspaper
4 and file this designation with the office of
5 the clerk of the legislature.

6 Both designations have been
7 submitted. The Republicans delegation
8 has selected Newsday as the official
9 newspaper and the minority has designated
10 Newsday. Any questions or comments
11 regarding that item? There being none, all
12 those in favor of selecting Newsday as the
13 official newspaper of Nassau County -- no
14 vote. Sorry.

15 At this time the floor is open
16 for the purpose of announcing committee
17 assignments and the appointments of the
18 chair and vice-chair of all committees
19 pursuant to Section 111 of the Nassau County
20 Charter. The Nassau County Legislature
21 shall have the following committees. Rules,
22 Finance, Public Works, whose jurisdiction
23 will also include matters involving the
24 Nassau County parks, Public Safety, Health
25 and Social Services, Government Services and

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2 Operations, Planning, Development
3 and the Environment, Minority Affairs,
4 Towns, Villages and Cities, Economic and
5 Community Development and Labor, Veterans
6 and Seniors Affairs.

7 Additionally, Section 182 of the
8 charter requires that the county legislature
9 shall create a Budget Review

10 Committee for the purpose of
11 maintaining general supervision of and
12 liaison with the Office of Legislative
13 Budget Review.

14 The members of this committee
15 shall also be designated.

16 Minority Leader Abrahams I would
17 like to begin with my designations and
18 then I ask that you make yours as the
19 committees are called.

20 On Rules Committee, Norma
21 Gonsalves as chair, Richard Nicollelo as
22 vice-chair, Howard Kopel and Dennis
23 Dunne.

24 LEGISLATOR ABRAHAMS: On Rules
25 Committee, myself as ranking, Legislator

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2 Jacobs and Legislator Solages.

3 LEGISLATOR GONSALVES: For the
4 Finance Committee, Richard Nicoletto as
5 chair. Vincent Muscarella as vice-chair.
6 Donald MacKenzie and Rose Walker.

7 LEGISLATOR ABRAHAMS: On
8 Finance, Ranking Legislator Delia
9 DeRiggi-Whitton, Legislator Laura Curran and
10 Legislator Siela Bynoe. Did I distinguish
11 Legislator Delia DeRiggi-Whitton as
12 ranking?

13 LEGISLATOR GONSALVES: Yes.
14 For Public Works and Parks
15 Committee, Vincent Muscarella as chair.
16 Steve Rhoads as vice-chair. William
17 Gaylor and Donald MacKenzie.

18 LEGISLATOR ABRAHAMS: We're
19 jumping out of order. I apologize.
20 Legislator Ellen Birnbaum as ranking.
21 Legislator Jacobs and Legislator Laura
22 Curran.

23 LEGISLATOR GONSALVES: For the
24 Public Safety Committee, Dennis Dunne as
25 chair. Donald MacKenzie as vice-chair.

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2 Vincent Muscarella and Denise Ford.

3 LEGISLATOR ABRAHAMS: On Public
4 Safety Legislator Laura Curran as ranking.
5 Legislator Siela Bynoe and myself,
6 Legislator Kevan Abrahams.

7 LEGISLATOR GONSALVES: For the
8 health and Social Services Committee Rose
9 Walker as chair. William Gaylor as
10 vice-chair. Laura Schaefer and James
11 Kennedy.

12 LEGISLATOR ABRAHAMS: As Health
13 and Social Services Legislator
14 DeRiggi-Whitton as ranking. Legislator Judy
15 Jacobs and Legislator Siela Bynoe.

16 LEGISLATOR GONSALVES: For the
17 Government Services and Operations Committee
18 James Kennedy as chair. Denise Ford as
19 vice-chair. Richard Nicoletto and Laura
20 Schaefer.

21 LEGISLATOR ABRAHAMS: On the
22 Government Services and Operations Committee
23 Legislator Siela Bynoe as ranking.
24 Legislator Carrie Solages and Legislator
25 Ellen Birnbaum.

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2 LEGISLATOR GONSALVES: For the
3 Planning, Development and Environment
4 Committee Laura Schaefer as chair. Dennis
5 Dunne as vice-chair. Steve Rhoads and
6 Denise Ford.

7 LEGISLATOR ABRAHAMS: On the
8 Planning, Development and Environment
9 Committee, Legislator Judy Jacobs as
10 ranking. Legislator Laura Curran and
11 Legislator Carrie Solages.

12 LEGISLATOR GONSALVES: For the
13 Minority Affairs Committee Steve Rhoads as
14 chair. James Kennedy as vice-chair. Dennis
15 Dunne and Rose Walker.

16 LEGISLATOR ABRAHAMS: On the
17 Minority Affairs Committee Legislator
18 Siela Bynoe as ranking. Legislator
19 Carrie Solages and Legislator Laura
20 Curran.

21 LEGISLATOR GONSALVES: For the
22 Economic and Community Development and
23 Labor Committee, Denise Ford as chair.
24 Howard Kopel as vice-chair. James Kennedy
25 and Steve Rhoads.

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2 LEGISLATOR ABRAHAMS: On the
3 Economic and Community Development
4 Committee Legislator Carrie Solages ranking.
5 Legislator Ellen Birnbaum and Legislator
6 Siela Bynoe.

7 LEGISLATOR GONSALVES: For the
8 Towns, Villages and Cities Committee
9 Donald MacKenzie as chair. Laura Schaefer
10 as vice-chair. William Gaylor and Howard
11 Kopel.

12 LEGISLATOR ABRAHAMS: On the
13 Towns, Villages and Cities Committee
14 Legislator Delia DeRiggi-Whitton ranking.
15 Legislator Laura Curran and Legislator Ellen
16 Birnbaum.

17 LEGISLATOR GONSALVES: For the
18 Veterans and Senior Affairs Committee
19 William Gaylor as chair. Rose Walker as
20 vice-chair. Dennis Dunne and Vincent
21 Muscarella.

22 LEGISLATOR ABRAHAMS: On the
23 Veterans and Senior Affairs Committee,
24 Legislator Carrie Solages ranking.
25 Legislator Delia DeRiggi-Whitton and

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2 Legislator Ellen Birnbaum.

3 LEGISLATOR GONSALVES: Finally
4 for the Budget Review Committee Howard Kopel
5 as chair. Norma Gonsalves as vice-chair and
6 Richard Nicoletto.

7 LEGISLATOR ABRAHAMS: On the
8 Budget Review myself Legislator Abrahams
9 and Legislator Delia DeRiggi-Whitton.

10 LEGISLATOR GONSALVES: At this
11 point I'm going to put the full legislature
12 in recess and each committee will be called
13 to order by the chair from their assigned
14 seat. Every committee will vote on their
15 statement purpose and their rules. I'm
16 going to begin and I will tell you the
17 Budget Review Committee will not convene.

18 Committees will convene in the
19 following order. Veterans and Senior
20 Affairs, Chairman William Gaylor. Towns,
21 Villages and Cities. Economic and Community
22 Development and Labor. Chair is Denise
23 Ford. By the way Towns, Villages and Cities
24 chair is Don MacKenzie.

25 Minority Affairs Steve Rhoads is

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2 chair. Planning Development and Environment
3 chair Laura Schaefer.

4 Government Services and
5 Operations -- I hope you're listening
6 because this is the order you are going
7 present your rules of procedure. I'm not
8 going to repeat them. Government Services
9 and Operations chair James Kennedy. Health
10 and Social Services chair Rose Walker.
11 Public Safety chair Dennis Dunne. Public
12 Works chair Vincent Muscarella. Finance
13 chair Richard Nicolello. And Rules chair
14 Norma Gonsalves.

15 If there is public comment, and I
16 know there is, we will listen to those who
17 wish to speak after the first meeting of the
18 Nassau County Legislature is adjourned. I'm
19 not ignoring you. I know you're there.

20 So, at this point the committees
21 need to vote on their rules of procedures.
22 And so beginning with the first committee
23 and I'm going to tell you who it is Veterans
24 and Senior Affairs get ready.

25 (Meeting was recessed at 2:53

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2 p.m.)

3 (Meeting was reconvened at 3:17

4 p.m.)

5 LEGISLATOR GONSALVES: At this
6 point it's in order for me to reconvene
7 the first meeting of the 11th Nassau County
8 Legislature. There being no other business
9 I'm going to ask for a motion to adjourn.
10 Moved by Legislator Dunne.

11 Seconded by Legislator Walker.

12 All those in favor of adjourning
13 the first meeting of the 11th Nassau County
14 Legislature signify by saying aye. Any
15 opposed? The meeting is now adjourned.

16 (Meeting was adjourned at 3:18

17 p.m.)

18 LEGISLATOR GONSALVES: I really
19 and truly say thank you to the four ladies
20 sitting here very patiently. But this was
21 truly an organizational meeting as you can
22 see and it sets the stage for the rest. I
23 have four slips here. I have Christine
24 Flood. And I ask my legislators to please
25 sit here, since they sat here very

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2 patiently, to listen to their concerns.

3 Christine Flood.

4 MS. FLOOD: I'm just here today
5 because I witnessed an exchange between
6 our mayor and the two legislators that
7 support our community, Richard Nicoletto and
8 Vincent Muscarella. In that exchange there
9 was a lot of talk about impact studies and
10 numbers and having facts straight. And I
11 encourage again the Village of Floral Park
12 and all our representatives to vet those
13 numbers with you.

14 After leaving last month's
15 meeting I decided to do a little fact
16 checking of my own relating to not to
17 traffic, because that's not my primary
18 concern, crime and the change to my
19 community is my primary concern.

20 I came here today to introduce a
21 report that was compiled by our police
22 commission that had a lot of interesting
23 facts. Facts compiled in partnership with
24 the 106th Precinct and facts that go back a
25 few decades and span multiple states and

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2 locales where casinos have been introduced
3 to the community. I want to share with you
4 my most impactful take on this. Again,
5 crime at 106th Precinct and as reported at
6 Aqueduct Racetrack in the year 2014 compared
7 to 2015 and the types of crimes that have
8 increased significantly. 62 percent
9 increase in grand larceny. It's a great
10 number on paper.

11 My takeaway from reading this
12 report was not just those crime statistics
13 but the negotiations that take place between
14 legislators, between government agencies and
15 these companies that bring casinos, or in
16 this instance it will be Nassau County OTB,
17 the negotiations that take place to slip
18 these establishments into the local
19 communities far outweigh -- the host
20 communities are impacted more significantly
21 than any negotiation could support.

22 In certain towns in Pennsylvania
23 they were given whole schools, a whole
24 entire school was built at the negative
25 impact of the community once this casino

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2 establishment opened.

3 It was very interesting to me and
4 the results are unanimous, the cost to
5 these host communities far surpass any
6 benefits that could be negotiated.

7 I'm interested, very interested to see what
8 kind of impact studies are on the docket
9 from the county. What are you looking at?
10 What is going to be the impact on my local
11 community?

12 I'm very interested, Legislator
13 Muscarella and Nicolello like what studies
14 are in place, when they will be published.
15 I did hear again through some media that OTB
16 was putting together a survey themselves, a
17 study themselves on the impact of such
18 casinos. I want to know when it's going to
19 be available and how you both will be
20 supporting such negative impacts.

21 LEGISLATOR NICOLELLO: The OTB
22 is actually the entity that makes the
23 decision where to place the video slot
24 machines, and they would be the ones that
25 will prepare any sort of impact study or any

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2 of the other studies that relate to the
3 placement at Belmont or any other location
4 for that matter. We would be interested in
5 seeing what Commissioner McCallister has
6 come up with. So, if you have something
7 from him we would be happy to look at it.

8 Some of the other places where
9 the casinos were placed they were actually
10 full blown casinos. It's kinds of apples
11 and oranges. You're going to compare
12 something like a Taj Mahal that was placed
13 in Atlantic City as opposed to 1,000 slot
14 machines.

15 Again, we would be happy,
16 speaking for myself I guess and Legislator
17 Muscarella, we both would be happy to look
18 at whatever information is out there.

19 LEGISLATOR MUSCARELLA: And we
20 would be happy to turn over any information
21 that we have with respect to studies from
22 OTB. But again, we don't make that
23 decision. OTB proposes a site and is able
24 to put the site where they decide it best
25 goes.

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2 MS. FLOOD: What I learned from
3 the last meeting is you do have the
4 opportunity to overthrow the OTB board.

5 LEGISLATOR MUSCARELLA: We do
6 not.

7 MS. FLOOD: You can vote them
8 down.

9 LEGISLATOR MUSCARELLA: Again,
10 I will state this again. There are those
11 who believe that we can call in the members
12 of OTB and tell them under threat of their
13 jobs that they will not vote for this site
14 or else. I do not believe that that's a
15 valid course for us to be taking.

16 MS. FLOOD: Are you able to ask
17 OTB for their study?

18 LEGISLATOR MUSCARELLA: Yes.
19 And we will turn it over to you. And we
20 would ask if the commissioner has a study or
21 you have a study we would be happy to
22 look at that also.

23 MS. FLOOD: I will definitely
24 ask the Village of Floral Park to do so.

25 Again, under the assumption of

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2 what was discussed at last month's meeting,
3 I'm very optimistic that there will be
4 partnership between our local community and
5 you as our legislators as this moves
6 forward. This is not something that the
7 community of Floral Park and the individuals
8 that I'm here with today are willing to
9 negotiate. There's no negotiation. So,
10 we're here to fight that. We are here to
11 spread the awareness. Spread the word.

12 I had a personal phone call on my
13 cell phone from somebody who works for the
14 OTB after I registered my opposition with
15 the OTB. My cell phone rang and it was
16 somebody who works for the OTB had an intern
17 call me to kind of harass me. I don't know
18 what I'm up against here. All I know is,
19 you were so kind to let us speak last month.
20 We're here again. You represent our
21 districts. We are going to be pursuing our
22 senators as well. But where it relates to
23 your authority with the Nassau County OTB,
24 information sharing, anything that you can
25 do to help support the proper due diligence

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2 behind this now that their announcement has
3 been made would be appreciated.

4 LEGISLATOR GONSALVES: We are
5 going to let them speak.

6 Legislator Solages.

7 LEGISLATOR SOLAGES: Thank you.
8 Happy new year to everyone. Thank you
9 Ms. Flood for being here today. I want
10 to clarify something that was stated before
11 as to the OTB board. They serve at the
12 pleasure of this legislature. We can
13 discontinue their service without any reason
14 being stated. If the reason is a reason
15 that should draw concern for your entire
16 community in terms of your public safety,
17 then this body can remove the OTB board.
18 This body has the legal authority and the
19 power to do so, yet they are choosing not to
20 do so and choosing to look the other way.
21 That is unacceptable when clearly your
22 community has spoken very strongly through
23 the print media, through the internet,
24 through organizing, through petitions. I
25 commend you for doing so. But again, this

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2 body has the power to remove the board. I
3 encourage you to please continue writing to
4 this body to ask them to do so. Thank you.

5 LEGISLATOR MUSCARELLA: If I
6 might. We may have the power to remove them
7 but the exercising of that power doesn't
8 make it right nor does it make it
9 necessarily legal.

10 LEGISLATOR GONSALVES: I would
11 like to call up Deidre. Thank you
12 Christine.

13 For the record state your full
14 name.

15 MS. CUNNINGHAM: Dr. Deidre
16 Cunningham. Thank you for giving me the
17 opportunity to speak.

18 On December 21st Mayor Tweedy and
19 Floral Park residents spoke about our
20 opposition to a VLT casino at Belmont.
21 They spoke of the negative effects a casino
22 would bring to our communities and they made
23 the point that we don't want a casino
24 anywhere in Nassau.

25 This casino plan is not about

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2 revitalizing Elmont. In the words of Dan
3 Keating project manager for Wynn Casino
4 Philadelphia, quote, no one should plan on a
5 casino to bring about urban renewal because
6 that's not what casinos do.

7 This plan is solely about money.
8 OTB claims VLTs at Belmont will generate
9 \$150 million and give Nassau \$20 million.
10 OTB also claims that attendance will be
11 approximately 5,000 persons a day with
12 slightly more on weekends. OTB is lying.

13 In order for a casino at Belmont
14 to generate \$150 million net each VLT
15 machine must generate an average of \$415
16 a day 365 days a year. I imagine OTB looked
17 to Aqueduct for those numbers. Aqueduct has
18 5,000 VLTs and each one averages \$447 a day.
19 But this number is far above average. The
20 remaining nine casinos combined in New York
21 average \$290 per machine per day.

22 Why does Aqueduct do better?
23 Because Aqueduct gets a million visitors a
24 month. It's completely unrealistic to think
25 Belmont will generate those numbers with

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2 5,000 people coming a day. It's more likely
3 that Belmont will possibly generate
4 something closer to Yonkers, which is \$280
5 per machine. That would leave us \$50
6 million below the optimistic target. After
7 45 percent to state, ten percent to state
8 gaming, five percent to NYRA, ten percent to
9 marketing and the remaining percent to
10 Nassau OTB what is left for us?

11 OTB uses the money to cover
12 operating costs. Then the county gets
13 money if there's money left. But with OTB's
14 \$16 million debt and 45 million in unfunded
15 retiree health benefit costs I'm not holding
16 my breath.

17 But OTB knows this. They know
18 they'll need over 25,000 people per day
19 coming to their casino to make their goal.
20 As Legislator Nicoletto pointed out, most of
21 those people will travel in coaches and
22 buses which are not allowed on the Cross
23 Island. They will be driving through our
24 communities in Elmont and New Hyde Park and
25 Garden City.

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2 They know this. They know this
3 casino will bring crime, lower property
4 values and strain the resources of our
5 police and emergency responders.

6 But they stress it will bring
7 jobs. Yes. 200 jobs paying approximately
8 \$12 an hour. Which is far fewer than the
9 number of people currently employed at
10 Westbury's Costco.

11 OTB seeks to cannibalize county
12 revenue by capturing monies that otherwise
13 might go to more productive investments and
14 activities.

15 I'm shocked that a good number of
16 you support this plan which is nothing more
17 than a bailout for an organization that
18 hasn't turned a profit since 2008.

19 This is called planning a
20 hurricane because it would be good for a
21 roofing business. Thank you.

22 LEGISLATOR GONSALVES: Legislator
23 Solages.

24 LEGISLATOR SOLAGES: May I
25 please have a copy of some of the

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2 information that you have? I would truly
3 appreciate that. I thank you very much for
4 clearly combining many facts throughout the
5 past several months in several different
6 hearings. I have tried to extract some of
7 that information from the administration. I
8 appreciate you sharing that with us.

9 Economically it's not possible.
10 The benefit would not be there. There is
11 no reason for to us bear a cost like that.
12 So again, I thank you very much for being
13 here today and I encourage you to continue
14 advocating against this casino.

15 LEGISLATOR GONSALVES: Terri
16 Paterno.

17 MS. PATERNO: Good afternoon.
18 Thank you for letting us speak today.

19 My name is Terri Binkley Paterno
20 and I am the current president of the
21 Wednesday Mothers Club. The Wednesday
22 Mothers Club has been in existence for 67
23 years in the town of Floral Park. Which
24 means that we currently have members in our
25 club whose mothers and grandmothers were

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2 members. They are all very connected
3 alumni. We speak to them quite frequently.

4 We're standing firmly with Mayor
5 Tweedy and the rest of the village to say
6 that we do not want gambling casinos in ur
7 neighborhood. Basically my backyard is what
8 you're suggesting.

9 Over the years WMC's relationship
10 with Belmont has been one of inclusion
11 and friendship. We've embraced all Belmont
12 has to offer. We take our children to
13 breakfast at Belmont. We take our kids to
14 twilight racing where we put blankets down
15 and we play at the playground in Belmont
16 Park. We walk to and through Belmont and
17 patronize the open air farmer's market set
18 up at gate six teaching our kids where their
19 food comes from. And the horses, you can't
20 put a price on a child when they look at
21 a thoroughbred horse.

22 We taught our kids to be kind and
23 generous by working with Anna House, a
24 school that's located on property at
25 Belmont. And you're suggesting casinos

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2 are a natural fit for that area. Our
3 children in Floral Park Bellerose we border
4 that park. We border the racetrack and
5 we've lived very happily with them.

6 While gambling is at the races, I
7 see that we gamble at the races, I find it
8 unbelievable that you can make a comparison
9 between casino gambling on slot machines and
10 the kind of cliental that that brings to
11 horse racing.

12 While you're projecting \$20
13 million again in revenue, and Deidre spoke
14 more eloquently then I could, but I will
15 tell you I don't know how you could get to
16 \$20 million without really doing some
17 serious business at Belmont. And basically
18 I don't want Atlantic City in my backyard.

19 My son lives three blocks away.
20 We just built a house there. It's very
21 upsetting to have this committee look the
22 other way. How are you not taking care
23 of us?

24 I am the president of the Mothers
25 Club and you might think that that's okay, a

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2 bunch of moms, 67 years of moms.

3 That means we are a big voting
4 block. We are watching you. We are looking
5 to you, Mr. Nicoletto, to help us. Save our
6 neighborhood. Would any of you like to have
7 this casino in your backyard? Three blocks,
8 four blocks, five blocks, around the corner
9 from where you live? I have to say we don't
10 want it either.

11 I appreciate you listening to us
12 and taking the time and I hope that you see
13 the voting block that we are.

14 Because we're going to remember
15 in November. There's no way we're not going
16 to remember in November. We invest in our
17 community. We invest in our children. And
18 we certainly have invested in you. And I
19 look for you to invest back in us. Please.
20 I'm asking you. Thank you.

21 LEGISLATOR GONSALVES: Thank
22 you Terri. And Patricia.

23 MS. MANGAN: Hello. Happy New
24 Year. I'm a little emotional based on that
25 as well. My name is Patricia Mangan, and I

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2 have been a resident of Floral Park for 40
3 years. I've also been an advocate for
4 children for 40 years. I'm an educator. I
5 just recently retired after teaching for 25
6 years at Floral Park Memorial High School.
7 Which is directly across the street from
8 Belmont Racetrack. From every classroom in
9 that school you can see Belmont Racetrack.

10 I also taught for several years
11 at Elmont High school. A wonderful high
12 school in the Sewanhaka Central High School
13 District.

14 I do not want to see our young
15 people subjected to VLTs, a racino or
16 anything else on the Belmont Racetrack
17 property. We have coexisted for all of
18 these years with Belmont Racetrack in a
19 positive way. I believe in the communities
20 of Elmont and Floral Park and do not want to
21 see our communities destroyed by this plan.
22 And they will be.

23 I'm also in an unique position
24 because in addition to being an educator,
25 which I hold near and dear to my heart, I

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2 am also a licensed New York State real
3 estate salesperson with the Donnelly Group
4 in Garden City and Floral Park. And I've
5 worked in real estate for eight years now,
6 and I know what it's going to do to property
7 values in our communities. It's going to
8 hurt us terribly. And it's not about the
9 money. It's about changes that we will see
10 come to our community as a result of
11 decreased property values, decreased revenue
12 for our county as well as our town. And
13 just decreased everything in the village of
14 Floral Park.

15 I have been a lifelong Republican
16 and I voted for several of you up there. I
17 know people on the board and I need to turn
18 your minds around. I know some people think
19 their hands are tied, but they're never
20 tied. I have to do my best to reach out to
21 influence you to change your minds. I'm a
22 member of the Citizens Party of Floral Park,
23 a staunch Republican, and one out of every
24 four residents of the village of Floral Park
25 right now are children. So, I'm here to

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2 talk for those 25 percent of those
3 individuals who are under the age of 21 and
4 ask you to please, please reach into your
5 hearts and realize that this is not a good
6 fit for the village of Floral Park. This is
7 not a good fit for the community of Elmont.
8 We oppose this vehemently and we will do
9 whatever within in our power to make sure
10 that VLTs and OTB do not come to Belmont
11 Racetrack.

12 I really do thank you for your
13 service and for all that you have done for
14 our county. But I appeal to you please help
15 us in this endeavor to stop this from
16 happening. Thank you.

17 LEGISLATOR GONSALVES: Thank
18 you and that's the end of public comment.
19 That's the only slips I have. So, again,
20 I thank you for being so patient and waiting
21 for us to go through this organizational
22 meeting and wish you best in your endeavors
23 for the new year.

24 I already adjourned the meeting
25 so you can go.

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have
hereunto set my hand this 7th day of
January 2016.

FRANK GRAY