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NASSAU COUNTY LEGISLATURE

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NORMA GONSALVES

8

PRESIDING OFFICER

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LEGISLATIVE SESSION

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County Executive and Legislative Building

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1550 Franklin Avenue

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Mineola, New York

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Monday, June 19, 2017

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1:10 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

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12 LEGISLATOR HOWARD KOPEL

13 Alternate Presiding Officer

14 7th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

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20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

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23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

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2 LEGISLATOR DENISE FORD
3 4th Legislative District
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5 LEGISLATOR LAURA CURRAN
6 5th Legislative District
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8 LEGISLATOR C. WILLIAM GAYLOR III
9 6th Legislative District
10
11 LEGISLATOR ELLEN BIRNBAUM
12 10th Legislative District
13
14 LEGISLATOR DELIA DERIGGI-WHITTON
15 11th Legislative District
16
17 LEGISLATOR JAMES KENNEDY
18 12th Legislative District
19
20 LEGISLATOR LAURA SCHAEFER
21 14th Legislative District
22
23 LEGISLATOR ANDREW DRUCKER
24 16th Legislative District
25

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2 LEGISLATOR ROSE WALKER

3 17th Legislative District

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5 LEGISLATOR DONALD MACKENZIE

6 18th Legislative District

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8 LEGISLATOR STEVEN RHOADS

9 19th Legislative District

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11 MICHAEL PULITZER

12 Clerk of the Legislature

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2 LEGISLATOR GONSALVES: Mr. Gaylor
3 would you please lead us in the pledge of
4 allegiance.

5 LEGISLATOR GAYLOR: If you could
6 please rise for the pledge of allegiance.

7 LEGISLATOR GONSALVES: Thank you
8 Legislator Gaylor. Again, it's our privilege
9 to recognize two of Nassau County top cops.
10 The story behind it is very fascinating and I
11 don't want to tip my hand. I'm going to let
12 the president of the PBA tell us all about the
13 two top cops and who they are and what
14 precinct they are in and what they did and the
15 whole nine yards.

16 MR. McDERMOTT: I'm James
17 McDermott, president of PBA. They're not
18 precinct cops they're from the Sert team which
19 is part of BSO, so I brought a BSO supervisor
20 with me today. BSO slash Sert supervisor
21 today, and he's going to do the second half of
22 the reading here. That's Richard Soto.

23 On January 2, 2017 officers Thomas
24 Mulligan and Anthony Uvena, both members of
25 the Sert team were on patrol in Oceanside, the

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2 Island Park Avenue. The officers observed a
3 truck driving at a high rate of speed weaving
4 in and out of traffic. They followed the
5 truck. The vehicle continued southbound on
6 Austin Boulevard towards the Long Beach
7 Bridge. The officers eventually caught up to
8 the vehicle and stopped the car and did a car
9 stop. They got out of the car, approached the
10 vehicle. Got the vehicle's operator out of
11 the vehicle and they spoke with him. They
12 asked why you are driving at such a rate of
13 speed and driving so recklessly? The driver,
14 who we are not going to name by name, we'll
15 call him Mr. Smith, explained to the officers
16 that he just recently lost his father to brain
17 cancer, he just lost his job and also in a
18 heated custody battle over his three year old
19 daughter.

20 The officers they took the time.
21 The took about an hour of their time and spoke
22 with him and they offered him reasons to look
23 at the brighter side of things and they spoke
24 to him, they saw that he was in a good frame
25 of mind. They issued him a warning and they

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2 set him on his way and the officers resumed
3 normal patrol.

4 This is where sergeant Richard Soto
5 received a phone call several weeks later.
6 Richard come on over.

7 MR. SOTO: Good afternoon.
8 Approximately March I got a phone call from
9 Mr. Smith basically stating that what James
10 McDermott just explained to you. He got a
11 little more in depth with it though. He was
12 pretty much down on his luck. He was upset he
13 lost his father. His girlfriend was trying to
14 take his three year old daughter away from
15 him. Lost a great job. It was bad.

16 He decided he wanted to end his
17 life. Basically what he told me on the
18 phone. So was on his way down to the Long
19 Beach Bridge and he decides he's just going to
20 drive his truck off the bridge until the
21 officers stopped him as Jimmy just explained.

22 What he doesn't tell the officers
23 though during this whole conversation is that
24 he was looking to end his life. He was just
25 hoping that if he explained to them some of

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2 the problems he was having that the officers
3 would let him go and he could continue to go
4 end his life. But that's not what happened.

5 They did something miraculous.

6 They did spent almost an hour with him
7 discussing all the problems. Again, not
8 knowing he was looking to end his life. At
9 some point he explained to me he realizes that
10 from speaking with them that there is a lot
11 more to live for.

12 So since that time I had spoken to
13 him and I know he got another job, a job he's
14 happy that he got. There's a good chance he's
15 going to win custody of his daughter. He
16 wanted to thank the officers. He didn't know
17 what their names were. He just explained it
18 to me. He wanted to thank them personally and
19 let them know that because of the officers
20 they saved his life, he has a new life to
21 live, and without them things could have been
22 a lot different.

23 I also explained to him that day
24 and I have spoken to him since then things
25 seem to be going on the right path for him. I

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2 also told him any time he wants to speak with
3 me or the officers, he has a good rapport with
4 them, to do so and we can walk him through
5 whatever problems he has. Thank you.

6 LEGISLATOR GONSALVES: I have to
7 say I a read description of the event and the
8 event that followed and I said to myself this
9 is a story book --

10 MR. McDERMOTT: -- ending.

11 LEGISLATOR GONSALVES: It gives
12 us another look at the police department and
13 to attest to the fact that they're just more
14 than people on a beat or in a car but people
15 with a heart. I say thank you, God bless you
16 officer Mulligan and I believe Uvena for doing
17 what you did and saving a man's life. I like
18 that certainly he is most precious to his
19 little three year old as well as to himself.

20 So, I say I thank you, God bless
21 you and continued good work. Would you like
22 to say something? I want to know when you
23 went home that night you must have been able
24 to sleep pretty well.

25 MR. McDERMOTT: I will let the

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2 officers speak. We also have chief patrol
3 Kevin Cannavan here. We will let the chief
4 say something first.

5 I just want to add the moral of the
6 story is you don't always have to write a
7 ticket.

8 MR. CANNAVAN: I'll just say
9 thank goodness it wasn't a highway cop that
10 stopped him.

11 Just one thing I would say. First
12 of all, on behalf of Commissioner Krumpter, we
13 appreciate the recognition that we get every
14 month. We come to these, we hear a lot of
15 stories about cops making split second
16 decisions involving life or death situations.
17 This wasn't the case. This was a case where
18 these officers took the time, spent the time.
19 And these guys, Sert, they're mostly a
20 plainclothes unit. They're the hammers of
21 the police department. They make a lot of
22 arrests. They write a lot of summones. For
23 them to take the time to do this out of their
24 tour to show that compassion is above and
25 beyond. So we appreciate it.

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2 And not to disagree with you, but I
3 will say it's not really a story book ending
4 it's really a story book beginning.

5 MR. McDERMOTT: Do you want to
6 question them?

7 LEGISLATOR GONSALVES: No. I
8 think Legislator Ford wants to say something.

9 LEGISLATOR FORD: Considering the
10 Fourth Precinct is in my district, I want to
11 thank you very much for what you did. Because
12 you truly have made us all realize that every
13 life is worth living and to help this person
14 to be able to restart his life. My community
15 has been on edge because we've had a number of
16 suicides and it devastates. I think now the
17 word has to get out that through your efforts
18 and the work you have done, and I would like
19 to maybe add to when you say they're the
20 hammer of the police department I have to say
21 obviously these officers are the soul of the
22 police department. I thank you very much for
23 what you did not only for this man's life but
24 for his child and for everyone else who loves
25 him and is connected to him. They don't

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2 realize truly the miracle that you performed
3 that day and I want to thank you from the
4 bottom of my heart.

5 LEGISLATOR GONSALVES: I have a
6 citation.

7 MR. McDERMOTT: They showed
8 discretion when discretion was desperately
9 needed.

10 LEGISLATOR GONSALVES: I have a
11 citation on behalf of all us on the dais for
12 Thomas and for Anthony. So I don't know if
13 you want to come up here.

14 MR. McDERMOTT: I want to thank
15 the legislators again one more month. Thank
16 you so much for honoring our cops.

17 LEGISLATOR GONSALVES: Mr.
18 Pulitzer would you please call the roll.

19 MR. PULITZER: Yes ma'am. Will
20 do. Deputy Presiding Officer Richard
21 Nicoletto.

22 LEGISLATOR NICOLELLO: Here.

23 MR. PULITZER: Alternate Deputy
24 Presiding Officer Howard Kopel.

25 LEGISLATOR KOPEL: Here.

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2 MR. PULITZER: Legislator Seila
3 Bynoe.

4 LEGISLATOR BYNOE: Here.

5 MR. PULITZER: Legislator Carrie
6 Solages.

7 LEGISLATOR SOLAGES: Here.

8 MR. PULITZER: Legislator Denise
9 Ford.

10 LEGISLATOR FORD: Here.

11 MR. PULITZER: Legislator Laura
12 Curran.

13 LEGISLATOR CURRAN: Present.

14 MR. PULITZER: Legislator C.
15 William Gaylor the Third.

16 LEGISLATOR GAYLOR: Present.

17 MR. PULITZER: Legislator Vincent
18 Muscarella.

19 Legislator Ellen Birnbaum.

20 LEGISLATOR BIRNBAUM: Here.

21 MR. PULITZER: Legislator Delia
22 DeRiggi-Whitton.

23 LEGISLATOR DERIGGI-WHITTON:

24 Here.

25 MR. PULITZER: Legislator James

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2 Kennedy.

3 LEGISLATOR KENNEDY: Here.

4 MR. PULITZER: Legislator Laura

5 Schaefer.

6 LEGISLATOR SCHAEFER: Here.

7 MR. PULITZER: Legislator Arnold

8 Drucker.

9 LEGISLATOR DRUCKER: Here.

10 MR. PULITZER: Legislator Rose

11 Marie Walker.

12 LEGISLATOR WALKER: Here.

13 MR. PULITZER: Legislator Donald

14 MacKenzie.

15 LEGISLATOR MACKENZIE: Here.

16 MR. PULITZER: Legislator Steven

17 Rhoads.

18 LEGISLATOR RHOADS: Present.

19 MR. PULITZER: Minority Leader

20 Kevan Abrahams.

21 LEGISLATOR ABRAHAMS: Here.

22 MR. PULITZER: Presiding officer

23 Norma Gonsalves.

24 LEGISLATOR GONSALVES: Present.

25 MR. PULITZER: We have a quorum.

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2 LEGISLATOR GONSALVES: Thank you
3 very much Mr. Pulitzer.

4 At this point I would like to call
5 on Minority Leader Kevan Abrahams for a point
6 of personal privilege. So, Mr. Minority
7 Leader.

8 LEGISLATOR ABRAHAMS: Thank you
9 Madam Presiding Officer. At this time I do
10 want to ask chief Ray McGuire as well as Gatha
11 Ballard to come to the podium.

12 Today it gives me great honor to
13 recognize a great individual that basically
14 risked his life. Mr. Ballard is a Freeport
15 Fire Department. He's been a part of the fire
16 department now for about five years. But in
17 March, and we've been trying to bring him down
18 for quite some time but schedules never met
19 up, but in March he risked his own life while
20 he was an off-duty fireman and help rescue
21 four individuals from a burning home in
22 Freeport at 9:25 in the morning. While
23 driving down Union Avenue in Freeport he
24 noticed that a house was on fire. Because of
25 his quick action and his bravery and his

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2 training he was able to park his car, knock
3 down the door and get those four people to
4 safety.

5 It just goes to show he would have
6 do that whether he was off duty or on duty.
7 But it's important to recognize the fact that
8 we have some of the bravest individuals in our
9 midst in this county. And I put Freeport Fire
10 Department, as well as any fire department in
11 this county, up against anything we see
12 outside this area. The New York City area.
13 Anywhere. These guys do not get enough
14 recognition because everybody says they
15 volunteer, but I'd take these volunteers any
16 day of the week when it comes to saving
17 lives.

18 I wanted to recognize Mr. Ballard
19 for his great achievement as well as his
20 bravery to the county and to his family. That
21 being said, I have a citation from the Nassau
22 County Legislature which I will come down to
23 present. And I would be honored if Legislator
24 Rhoads as well as Legislator Curran would join
25 me in this picture, because we all share in

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2 Freeport. And actually I think Union is
3 actually in your legislative district
4 Legislator Curran. But obviously I would be
5 honored if we all shared in the presentation
6 to Mr. Ballard. But please join me in a round
7 of applause for this young man of great
8 bravery.

9 Mr. Ballard, would you like to say
10 anything?

11 MR. MCGUIRE: Just on behalf of
12 the chief officer and members of the Freeport
13 Fire Department I want to thank you for
14 recognizing at the time of the incident it was
15 fire fighter Gatha Ballard. He's subsequently
16 been promoted to lieutenant. This is another
17 testimony to the training that he's taken on
18 to get to that level. I don't have to tell
19 anybody that sits up there about the
20 dedication of the volunteer fire fighters of
21 the Freeport Fire Department and for that
22 matter throughout the county. The amount of
23 time they sacrifice not only responding to
24 alarms but even more importantly the amount of
25 training they have to do to be able to execute

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2 the way he did is just testimony to their
3 dedication.

4 So we want to thank you for
5 recognizing Lieutenant Ballard and the
6 Freeport Fire Department today. It really
7 means a lot and it doesn't go unnoticed.

8 LEGISLATOR GONSALVES: Thank you
9 chief. If you are comfortable, if you can,
10 since it ended in such a positive note can you
11 share some of your thoughts that day in March
12 when you rescued those folks. I hate to put
13 you on the spot. I definitely want to
14 recognize bravery when we see it.

15 MR. BALLARD: I was just
16 fortunate to see the family get out and be
17 together. There is nothing like being with
18 your family after a situation like that.
19 Seeing them cry and holding them, that made it
20 more memorable for me to know that they have
21 another day together. I' happy I was at the
22 right place at the right time.

23 LEGISLATOR ABRAHAMS: You're
24 actually a pretty good speaker. Thank you so
25 much. Legislator Rhoads, Legislator Curran

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2 please join me. Thank you Madam Presiding
3 Officer.

4 MR. MCGUIRE: If I may. I also
5 on behalf of the Freeport Fire Department to
6 Legislator Denise Ford. On Saturday it was 16
7 years since her family and the fire service
8 family lost her husband and two other brave
9 fire fighters at the Father's Day fire. I
10 just want to let her know that we will never
11 forget that day and we always honor him on
12 that day.

13 LEGISLATOR FORD: I want to thank
14 you very much because I know all of you,
15 especially here in Nassau County, all the fire
16 services throughout Nassau County, always send
17 their well-wishes to me, to Mary and to Ann.
18 And with all of the work all of you did in
19 supporting us and also then unfortunately with
20 9-11 how you all rose to the occasion to help
21 bury over 300 fire fighters. With all the
22 work you did I want to say thank you. You
23 always have a special place in my heart. I
24 love your bravery and the way you spoke was
25 beautiful. How you talked about saving this

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2 but how you brought it to let people know that
3 it is a family that you kept intact. I think
4 that really means a lot, especially when we
5 celebrate not only Mother's Day but Father's
6 Day and it's all about families. God bless
7 you.

8 LEGISLATOR GONSALVES: At this
9 time it is customary for us to have 30 minutes
10 of public comment, and I have a number of
11 slips. And please understand that when the 30
12 minutes are reached we will recess public
13 comment until after the full legislature.
14 However, I will tell you right now, so that
15 you don't get too upset, the calendar is not
16 that long. So the wait will not be that long,
17 hopefully.

18 So, I'm going to begin with those
19 who are here. Please abide by the time.
20 Primarily because the more who do abide by the
21 time makes it possible for others to speak
22 within the three minutes limit without any
23 further ado, Jack McCloy.

24 MR. MCCLOY: Thank you for the
25 opportunity. Today I want to talk about wrong

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2 way driving. I sent an email to each of you
3 within two days afterwards to let you know
4 about the unfortunate coincident of a wrong
5 way driving accident that happened that same
6 day. I would like to quickly read it for the
7 record.

8 Dear Nassau County Legislators, I
9 appreciate the opportunity to address you this
10 past Monday during public session. As you
11 know, one of my repeated recommendations has
12 been for you to consider embedding one way
13 strips in the exits of major highways in
14 Nassau County. Especially at exits of LIE,
15 Southern State and Norther State Parkways.
16 One way strips would have no affect on normal
17 traffic but they would prevent wrong way
18 drivers from entering an exit ramp on these
19 roads. Once installed they would require
20 little or no maintenance since they are
21 passive in nature.

22 I mentioned this past Monday to
23 your well respected former colleague, Judy
24 Jacobs, had advocated serious consideration of
25 my suggestion. You can see her letter to me

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2 attached. That was back in 2010. Wrong way
3 driving results in head-on collisions which
4 are among the most horrendous of all vehicular
5 traffic accidents. This should be an issue
6 without political consideration as it affects
7 drivers of all party affiliations.

8 Furthermore, the cost to implement
9 this suggestion is a one-time expenditure with
10 benefits that will last for many years to
11 come. I hope you and your families will have
12 a joyous Memorial Day weekend. Unfortunately
13 Fatma Powana and her family will not be
14 celebrating much after she was almost killed
15 in a head on collision on the LIE on the same
16 day that I addressed you.

17 Although the accident occurred on
18 the LIE in Suffolk County instead of here, I'm
19 sure you heard of similar devastating
20 accidents in our county too. By installing
21 one way strips it will prevent instances like
22 from happening to one of your constituents and
23 will likely cause officials in other
24 jurisdictions to realize the effectiveness and
25 importance of enacting similar measures.

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2 I'm going to skip the next
3 paragraph.

4 Please adopt my suggestion and
5 propose it during existing legislative year
6 end and save someone from injury or worse. I
7 will gladly calculate cost factors if you
8 express interest in it and implementation I
9 await and respectfully request your reply.

10 Since then, I wanted to let you
11 know the cover sheet that you have in hand
12 shows another wrong way crash, deadly crash,
13 that occurred on Tuesday June 13 head on on
14 the Southern State Parkway. And also if you
15 haven't seen today's Newsday, there was
16 another deadly head on crash again. This time
17 in Nassau County. I wanted to read you, I
18 know I'm getting to the very end. I asked for
19 your kind consideration of just a few more
20 seconds.

21 I want to read you the last
22 paragraph. I ask you to fund the purchase and
23 installation of just one of these wrong way
24 prevention strips to be placed at a point of
25 your choosing to demonstrate the passive

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2 nature of this item regarding normal traffic
3 flow. Once it's shown to have no affect on
4 autos traveling in the proper direction state
5 and federal funding can be sought to offset
6 costs to add more. The purchase price of one
7 of the six foot long strips is less than
8 \$1,000. Isn't it a small price to pay to
9 ensure the safety of Long Islanders?

10 I would like to add one more
11 comment. If you feel that this is a good idea
12 I volunteer my time to discuss the
13 implementation of it with any body that needs
14 to be contacted, whether it's New York State
15 Highway Transportation Department or seeking
16 federal funding for adding more. What I would
17 like to see if we can get at least one strip
18 placed where ever you choose, I will be happy
19 to meet with any or all of you or in
20 committee, to get one of these in operation so
21 you can see that it has no affect on traffic
22 flowing in the correct direction and once you
23 see that this will save lives. Thank you for
24 your time.

25 LEGISLATOR GONSALVES: Thank you

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2 Mr. McCloy.

3 Darren Aquino.

4 MR. AQUINO: Good afternoon. I'm
5 Darren Aquino national chief advocate for
6 disabled police, firemen and veterans speaking
7 about the Uber vehicles. I have three
8 concerns and this body of the importance in
9 government should have the same concerns for
10 the disabled community. These vehicles are
11 not accessible for one.

12 Two, in addition they charge a
13 waiting time to that disabled person after two
14 minutes. The traditional car doesn't do
15 that. It could take us up to ten minutes for
16 that individual to come outside with that
17 physical life limitation. Now it's challenged
18 by this legislation and it should be
19 rectified.

20 Number three, because they have no
21 background check, let's say a disabled female
22 Iraqi veteran, who's now confined to a
23 wheelchair, is up against a sex offender that
24 wasn't verified. The challenge and the risk
25 that's there is another important factor. We

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2 have the Americans with Disabilities Act in
3 place that this body of government is to
4 empower in these types of situations that deal
5 with the public. Not being accessible is one
6 factor. It being charged time to a disabled
7 person is another factor that violates the
8 ADA. This is very important to fair and equal
9 treatment. Should I have to pay more because
10 it took me five minutes to get outside?
11 Absolutely not. We don't do that in New York
12 City either.

13 Advocates for disabled is based in
14 two places. I spent a lot of time out here
15 supporting a lot of this body of government
16 because this body of government is the one
17 that protects fair and equal treatment.
18 Because I'm disabled as well. 17 surgeries on
19 my legs with polio and club foot. So that
20 vehicle being accessible is a mandate. In
21 New York we enforce it. It's a mandate. I
22 would ask this body to do its diligence and
23 its duty to the American people here to make
24 an example and set forth the law to empower
25 that disabled person and remind these

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2 companies that come up there's a fair and
3 equal treatment rule that applies. And we
4 need to empower this and we need to be mindful
5 that the disabled person is now limited in
6 defending himself. And not having a security
7 background check places more danger. We've
8 seen it, we know about it, it happens, we
9 can't turn a blind eye to it. This time it's
10 time for us to act.

11 We have an opportunity here. This
12 is an opportunity to enforce the right of that
13 disabled veteran who went and fought the war
14 on terror who is now confined to a
15 wheelchair. Should he pay for the five
16 minutes. Really? Do we think that that's
17 right? Everybody in this room knows that
18 that's wrong. So we can do something about
19 it. I'm here just to remind you as that
20 advocate that's out there fighting for you and
21 helping a lot of you get elected because you
22 share the same dreams, fair and equal
23 treatment. That's it. Okay.

24 LEGISLATOR GONSALVES: Thank you
25 Mr. Aquino.

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2 Joanne Borden.

3 MS. BORDEN: Good afternoon. I
4 have previously submitted two letters for the
5 record stating transgender people are not
6 protected by Nassau's Human Rights Law. The
7 first one from the highest authority, the
8 county attorney. He clearly said transgender
9 people are not protected by Nassau's law.

10 The second letter from the
11 legislature's own Republican counsel who
12 states a court is likely to rule in our
13 favor. The problem is the case law he cited
14 was reversed upon appeal. Which indicates a
15 court is unlikely to rule in transgender
16 people's favor.

17 Transgender people are the only
18 people here not protected from harmful
19 discrimination. The need for our present law
20 to include a definition, a simple definition
21 of the world gender has been proven in many
22 other municipalities. Without that
23 definition, without that clarification we are
24 not protected like everyone else. The needed
25 law is ready to be voted on. All you need to

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2 do to be sure transgender people and
3 nonstereotype people are protected is to pass
4 the proposed law.

5 Ms. Presiding Officer, since you
6 believe the law now covers us one thing is
7 certain, you are wasting the county's time and
8 money by not allowing a vote to end this
9 dispute. I have witnessed laws voted here
10 that were passed in less time than this speech
11 is taking. It's time for you to stop wasting
12 the time of 19 legislators, their assistants,
13 the clerk and his staff, the police and the
14 pre and post meeting activity to listen to me
15 with different words each month.

16 Over the past seven years I have
17 presented the scientific findings that say
18 transgenderism is a natural occurrence with
19 which we are born. Except for transgenderism
20 we are exactly the same as all God's children.

21 Case law has proven a definition of
22 gender is needed to protect us, experience and
23 nearly all experts believe it is needed to
24 protect us. This is a law that polls
25 indicated the vast majority of your

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2 constituents favor. So I ask, put the
3 transgender human rights law to a vote. Thank
4 you for listening.

5 LEGISLATOR GONSALVES: Nicholas
6 Sterling. I know Nicholas you are with a
7 number of people and I'm going to call them
8 all up with you. I believe that's what you
9 have asked me to do. Bill Henderson.
10 Constance Evelyn. Dr. Edward Fale. Rose and
11 Fran Eisner. And I believe that those are the
12 individuals who submitted slips.

13 I believe Nicholas you are going to
14 be the spokesperson, am I correct?

15 MR. STERLING: Yes, I am. In the
16 interest of time, so we don't take up 12
17 minutes of your time, I will try to be as
18 succinct as possible.

19 First I would like to say thank you
20 to you, Legislator Gonsalves, for meeting with
21 the Valley Stream superintendents last week,
22 as well as the BOCES superintendent to hear
23 our concerns regarding the return of the Green
24 Acres Mall to the tax rolls. Since that
25 meeting we have been informed by our state

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2 senator Todd Kaminski that the state
3 intervention that we heard was being sought
4 would be unconstitutional and that the state
5 is not going to be acting on any bill
6 regarding that and that state legislation is
7 not needed for the Nassau County legislation
8 to return the mall to the rolls.

9 This afternoon I ask on behalf of
10 all of the Valley Stream superintendents
11 standing here today that efforts be made to
12 help the parties involved in terms of making
13 this decision completed. And what I'm talking
14 about here is that the title of the property
15 needs to be transferred back to its original
16 owner. I ask and I offer that the county
17 attorney offer an opinion in regards to the
18 process to return the mall to the rolls.

19 The Correction of Errors is an
20 administrative hearing that can be lead by
21 this legislative body. I cannot stress enough
22 the importance of this act. \$14 million,
23 approximately ten million to the Valley Stream
24 30 and Central School District. Approximately
25 \$3.5 million to the town and county and

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2 approximately \$70,000 to the village of Valley
3 Stream could be unnecessarily shifted to the
4 residents because the mall is not on the rolls
5 or paying PILOTs.

6 By my calculation you can see
7 taxpayers paying upwards towards an additional
8 \$1,500 in taxes next year above the \$1,000
9 that was already paid last year. \$2,500
10 increase in taxes is unconscionable and
11 unnecessary.

12 I remind everyone that these
13 increases have nothing to do with the school
14 districts increasing their budgets because
15 most of our expenses were covered by state
16 aid. I also remind everyone that the
17 residents have already absorbed the six
18 million discount given to the mall last year
19 and no correction given there.

20 Please note that the Valley Stream
21 30 District has already lowered its tax levy
22 in a way to return any excess PILOT money
23 received this year. This is an issue for all
24 property owners in Valley Stream paying their
25 fair share, which includes the mall, which at

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2 this time needs to be back on the rolls.

3 Each district in Valley Stream has
4 its own perspective on how the PILOT has
5 negatively affected the residents. Putting
6 the mall back on the rolls will address all of
7 our concerns.

8 School closes this Friday.
9 Families go on vacation and the August 15th
10 drop dead date to submit the tax levy is
11 required. Please help us to avoid this
12 unprecedented situation of having a mall not
13 on the tax rolls and not paying PILOTs and
14 requiring the school to levy more taxes than
15 needed because the mall continues to be in
16 limbo or involved in potential litigation.

17 I thank you for listening and I ask
18 you please, please help us avoid a situation
19 that will not be able to be explained away
20 because every individual, regardless of party
21 position, will be looked at in terms of the
22 situation happen on our watch. Thank you.

23 LEGISLATOR GONSALVES: I believe
24 last week we did meet and we discussed the
25 possibility of the state passing the

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2 legislation that would return Green Acres back
3 to the tax rolls. Unfortunately we heard the
4 same thing as you did. So I'm not going to
5 belabor it. I'm going to turn it over to a
6 gentleman who has been working closely with
7 you on this issue and that's Legislator Bill
8 Gaylor. Then I have Legislator Solages.

9 Legislator Gaylor.

10 LEGISLATOR GAYLOR: Thank you
11 Madam Presiding Officer and thank you
12 Dr. Sterling for your comments. This is true,
13 there's no doubt that we don't disagree with
14 you. We do agree with you that Green Acres
15 needs to be placed back on the tax roll. To
16 that point, I offered some legislation at the
17 state level which proposed a solution to do
18 that. As I have been informed by the county
19 attorney's office that that's the only
20 mechanism to return Green Acres to the tax
21 roll.

22 New York State Real Property Law
23 governs the means by which an exempt property
24 can be restored to the tax rolls. The county
25 just can't unilaterally make this change

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2 without state legislation amending the Real
3 Property Tax Law to allow it. Our taxpayers
4 look to us for solutions. The solution
5 offered, one of the proposed solutions that I
6 offered was legislation at the state level.
7 Senator Kaminski and Assemblywoman Solages
8 should approve the suggested legislation. I
9 don't agree with their that it's not
10 constitutional or they don't have the power to
11 offer a solution here. They have vast
12 resources at the state level that they can
13 employ to direct a solution of this matter.
14 They just haven't engaged them yet for
15 whatever reason.

16 It's not enough to sit there at the
17 state level and say that my proposed
18 legislation -- when I say my, this body's
19 proposed legislation -- can't be enacted.
20 They have the resources to say this is what we
21 can do to put the Green Acres back on the tax
22 roll. This is how we can change the proposed
23 legislation. This is the means by which we
24 can satisfy the taxpayers in Valley Stream and
25 the school districts affected by the PILOT.

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2 They just haven't acted.

3 So, it's time for them to either
4 step up to the plate and tell us what the
5 solution is because the solution I don't
6 believe lies here at the county. Either the
7 parties themselves, the Town of Hempstead IDA
8 and Green Acres Mall ownership are going to
9 come to a resolution. The court is. Or the
10 state's going to pass some legislation
11 directing that Green Acres be put back on the
12 tax roll.

13 I think your comments are right
14 on. Something needs to happen. Needs to
15 happen quickly. I think though that the next
16 step might be to direct your comments directly
17 to the Town of Hempstead Board and Town of
18 Hempstead IDA and try to get them to come to a
19 quicker resolution. I just don't see the
20 problem being fixed right here at the county
21 at this stage in time. That's all I have
22 Madam Presiding Officer.

23 LEGISLATOR GONSALVES: Legislator
24 Solages.

25 LEGISLATOR SOLAGES: Thank you

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2 very much Presiding Officer. Good afternoon
3 and good afternoon to all the superintendents
4 for being here and also to the residents of
5 Valley Stream. Can any of the residents who
6 have been effected by this can they stand up?
7 I understand that there are some people here.

8 MS. EISNER: I would like to make
9 a statement.

10 LEGISLATOR SOLAGES: I will make
11 a brief statement.

12 LEGISLATOR GONSALVES: After
13 Legislator Solages speaks I will be only too
14 happy to have you speak as well. Legislator
15 Solages will speak and then I will give you
16 the opportunity to address.

17 LEGISLATOR SOLAGES: As I said, I
18 would like to know if there's a representative
19 from the county attorney's office? Is there a
20 representative from the county attorney's
21 office? I would like to state on the record
22 that I would like to receive a written opinion
23 from the county attorney's office as to
24 whether a Correction of Errors proceeding can
25 be commenced by the county to initiate at

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2 least the start of the process for the mall to
3 be placed back on the tax roll. That is very
4 important to have a legal opinion from the
5 county attorney's office on this issue. If
6 the county attorney does find that we can
7 proceed with a Correction of Errors proceeding
8 then I ask that it be done immediately. Thank
9 you.

10 So, Mr. Becker can you speak on
11 behalf of the county?

12 MR. BECKER: Legislator Solages,
13 I had no idea this was coming up this
14 afternoon. Could you get something to me in
15 writing, specifically the question you want to
16 ask and I will make sure the county attorney
17 gets it.

18 LEGISLATOR SOLAGES: Yes, I will
19 do so. Just for the record, I did request
20 this on the record at the last legislative
21 session and there has been no opinion, no
22 action by the county executive or the county
23 attorney's office.

24 LEGISLATOR GONSALVES: There is a
25 young lady who would like to speak.

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2 MS. EISNER: My voice is loud
3 enough. I don't really need the microphone.
4 I've been here many, many years. I've never
5 seen such a mess in this county. I have to
6 tell you, I have spoken before this body many,
7 many times in the past. However, you folks
8 here in the county, whether it be IDA, whether
9 it be the county Santana, who ever has created
10 this mess, you are bound to undo it. Don't
11 find a million excuses. It's this law. It's
12 this tie up. It's that. It's the other. Fix
13 it. If you're kid went into your dining room
14 and broke some of your china you'd be very
15 unhappy and you'd say you're going to pay to
16 fix it. I have to tell you this body is going
17 to pay unless it is fixed very, very soon.

18 LEGISLATOR GONSALVES: Are you
19 Rose or Fran?

20 MS. EISNER: We are tired of
21 listening. I am Rose, yes.

22 LEGISLATOR GONSALVES: For the
23 for the record her name is Rose Eisner.

24 MS. EISNER: You heard me many
25 times before this body. I have to tell you

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2 it's time enough to talk. Let's see some
3 action and give us back what you stole from
4 us. Which you actually did steal from us by
5 your inaction. It's time.

6 MR. STERLING: Just for the
7 record, we are not, the Valley Stream 30
8 School District as well as the other Valley
9 Stream, trying to paint a picture of the
10 legislators stealing anything. I want that to
11 be on the record. But we do, I cannot stress
12 enough, that this is not an issue for any one
13 body doing anything unilaterally. Obviously
14 this requires the input and help from a
15 variety of people at the local level and this
16 is the time for all of us to come together.

17 LEGISLATOR GONSALVES: Including
18 the town. Thank you very much.

19 LEGISLATOR SOLAGES: Let's start
20 the Correction of Error process now.

21 MS. F. EISNER: Can I speak very
22 quickly? I'm Fran Eisner. My mother is a
23 hard act to follow. She was a community
24 activist for about 45 years. Everyone knows
25 who she is. I became an activist because I

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2 had to do something about this. I don't think
3 she meant you were stealing. She stated you
4 were effectively stealing by your inaction.
5 It's inaction that's the problem now.

6 Now, the IDA, the sitting IDA, I
7 was at the meeting and they realized that the
8 previous IDA had made a very big mistake in
9 creating that PILOT. And they went after -- I
10 was wondering why are they taking so long to
11 rule on whether or not to vacate the PILOTS?
12 There are two of them, the original Green
13 Acres and the Commons. They went after what
14 they knew was illegal. That Macerich, the
15 owner of Green Acres, is not creating jobs.
16 Apparently they created about 45 jobs. Maybe
17 in their office in California.

18 Mr. Solages has been brave enough
19 to call it in public an illegal PILOT and
20 people are saying what does he know? He is
21 our legislator and he's a lawyer and he was
22 right. The Town of Hempstead IDA went after
23 what they knew they could find information.
24 This is fraud. The PILOTS were fraudulently
25 given out. Green Acres owner, Macerich, is

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2 acting fraudulently. When there is a case of
3 fraud I believe it overrides anything else
4 that is going on. This is why I ask you to
5 take action. Thank you very much.

6 LEGISLATOR GONSALVES: You're
7 welcome Ms. Eisner.

8 MS. BERNARD: I apologize because
9 you don't have my form and I didn't quite know
10 where to find the blank forms until I came
11 here. I spoke in front of you before and if
12 you give me the opportunity to speak one
13 minute I will tell my part.

14 LEGISLATOR GONSALVES: In all
15 fairness to those whose slips I have here I
16 think you should put in a slip.

17 MS. BERNARD: I'm Marie Antoinette
18 Bernard and I live in Valley Stream. I have
19 to write my name again?

20 LEGISLATOR GONSALVES: Yes.
21 Every time you come here. Is it on this
22 issue? On this issue and no other issue?
23 Speak quickly I have several others.

24 LEGISLATOR SOLAGES: You can
25 speak. Submit it afterwards.

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2 MS. BERNARD: I live in Valley
3 Stream. I have two children who live in
4 Valley Stream also. I have spoke in front of
5 you before and I'm speaking as a
6 representative of not only of my children but
7 also of my neighbors and also anyone that may
8 live in Valley Stream and also that area of
9 Lynbrook who was affected.

10 I'd like to introduce myself. I'm
11 not a politician. I'm not a lawyer. I'm a
12 physician, and as a physician when we are
13 presented with a problem we fix it for the
14 person to be feel healthy and keep on going.
15 Now, I must apologize. As a physician I don't
16 understand and I'm feeling that one party said
17 nothing, it's not me it's that party. And
18 that one is saying it's not me it's that
19 party.

20 But however, as a citizen who vote
21 for representative like you to be here and
22 protect us, the people, each time regardless
23 of what you may have heard this weekend or
24 before entering this building, but each time
25 you start your session -- which I'm very

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2 impressed by because I'm not born here. I
3 became a citizen here when my children were
4 born. And know that in front of that flag you
5 all plead allegiance to the flag and you say
6 justice for all. That's what I expect from
7 you.

8 I don't think it's acceptable that
9 you tell me it's not me but it's him. And
10 it's not him it's her and it's not her it is
11 him. What I expect from you and like all my
12 other neighbors and my children expect for
13 you, is that you stand and you tell us okay,
14 this and that has to take care of it. This is
15 what we are going to do. We are going to make
16 sure that we meet with this and that, what you
17 call this and that, the state legislature and
18 whatever name attached to them, or the town of
19 Hempstead or whatever name attached to them,
20 you are the people that I voted for to take
21 care of us. I left my job and if I'm
22 mesmerized at all whatever. If I have to come
23 in front of you to tell you hello, I voted for
24 you to defend me. Now I have to leave my job
25 that provide income to pay for my kids, to

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2 demand you of your pledge that you do to take
3 care of things for us.

4 So, this is again in summary what I
5 expect from you. You somehow, through your
6 legislators and your political team and your
7 et cetera, you made everybody have a meeting
8 together in the same room and talk about it.
9 The state, the county, the town and everything
10 and get this fixed.

11 In Valley Stream, in my area, we
12 all want to pay our tax on time but we want to
13 pay our fair taxes on time. And my job as a
14 mother is to make sure that my kids, which is
15 the next generation, and every other kid in my
16 block know to stand for their rights. And ask
17 and expect and tell all the politicians we
18 voted for it is your turn to show us that you
19 are there for us are thank you very much.

20 LEGISLATOR GONSALVES: Lawrence
21 Blessinger.

22 MR. BLESSINGER: Good afternoon
23 Presiding Officer. I would like to take a
24 time out to discuss the TNC bill that was
25 passed by the state and that the county has

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2 the option to opt out.

3 Currently right now it says in the
4 state bill that if you're a convicted sex
5 offender you can drive a TNC vehicle. Just in
6 case anybody doesn't know a TNC vehicle would
7 mean Uber or Lyft. All of our drivers in the
8 traditional taxi industry go through
9 governmental fingerprinted background checks.
10 Currently right now the way the state bill is,
11 is drivers that apply to work for Uber or Lyft
12 will not have to go through a governmental
13 fingerprinted background check and get a hack
14 license from a governmental agency.

15 The way it works right now is that
16 Uber and Lyft will pay \$100,000 fee to the
17 state initially and then they will be giving
18 out the licenses. So, I guess it is the
19 lunatics overseeing the insane asylum
20 basically.

21 I do believe that this is a big
22 issue for this legislative body. I'm urging
23 you to opt out and the main reason is it's not
24 a question of if something is going to happen,
25 it's a matter of when if this is legislative

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2 body does not opt out.

3 Competition is good. Uber and Lyft
4 have a great product but it needs to be
5 regulated. We cannot have convicted felons
6 driving the residents of Nassau County
7 around. Hopefully this legislative body will
8 opt out and protect the residents of Nassau
9 County. Again, it's not a question of if
10 something will happen if this body doesn't opt
11 out, it's just a matter of when.

12 I also find it hard to believe that
13 some of our elected officials in Nassau and
14 Suffolk County have actually have come out in
15 support of having sex offenders and convicted
16 felons supporting driving the residents of
17 Nassau and Suffolk County around. Again, I'm
18 urging this legislative body to do their job
19 and protect the residents of Nassau County.

20 Competition is good but it also
21 must be on an even playing field and that all
22 drivers should go through a criminal
23 fingerprinted background check through a
24 governmental agency.

25 I would like to take the time and

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2 thank this legislative body for hearing me.

3 LEGISLATOR GONSALVES: I want to
4 let you know that our focus is on having a
5 level playing field for our traditional cab
6 services as well as the new ride share
7 programs. However, much remains unsettled.
8 Albany is in session I believe until the end
9 of this week. We have petitioned Albany,
10 first of all, to strengthen restrictions on
11 sexual predators. We've also submitted a
12 number of requests regarding regulations
13 promulgated by the state to make it so that
14 TNC as well as TLC are again, as I said, on a
15 level playing field.

16 And, of course, we have not done
17 anything at this point. The ability of Nassau
18 County to regulate the cars and drivers of the
19 ride share services is not yet certain. We
20 need to know what our ability is and we have
21 not gotten that from Albany.

22 The other thing is and I think you
23 need to know, that New York State Senator
24 Hannon has introduced a bill to provide
25 funding via a surcharge to local government,

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2 but that has not been resolved as of yet. I
3 understand that there is a companion bill in
4 the assembly. Where it goes from here I don't
5 know but this is what we are waiting from
6 Albany so we can make a fair decision in
7 regard to Uber and the Lyft.

8 So, it's not over Mr. Blessinger.
9 As they say it's not over until -- I'm not
10 going to go there. I will get in trouble,
11 especially in this day and age. I want you to
12 know that we are petitioning Albany to do the
13 right thing. You're right, we're not against
14 competition and I'm sure you're not either.

15 MR. BLESSINGER: No, I'm not.
16 Had it my whole life?

17 LEGISLATOR GONSALVES:
18 Competition is healthy. Sometimes keeps us on
19 our best. So I'm hoping that before the end
20 of this week we get some answers to the
21 questions we have requested from Albany. And
22 I just don't know until that is happening.

23 MR. BLESSINGER: Thank you very
24 much for the update. I just hope also
25 something Presiding Officer it's not just sex

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2 offenders. You could also be convicted of a
3 homicide, manslaughter, you can also work for
4 them. You could be on probation for ten years
5 but after seven years if you committed a
6 murder you can still work for them. I hope
7 it's not the just the sex offender. It's
8 felons in general that is being lobbied in
9 Albany.

10 LEGISLATOR GONSALVES: Like I
11 said to you Mr. Blessinger, we are hoping to
12 see what authority that we have here in the
13 county to regulate the cars and drivers of
14 ride share services and at this point in time
15 we have no guidance from Albany.

16 MR. BLESSINGER: I have one more
17 statement, is that New York City Uber and Lyft
18 follow all the traditional TLC laws. I guess
19 Nassau County and Suffolk County is the
20 redheaded step child. Thank you.

21 LEGISLATOR GONSALVES: Howard
22 Kroplick from East Hills.

23 MR. KROPLICK: Thank you very
24 much. Good afternoon legislators. I'm Howard
25 Kroplick 33 Wren Drive East Hills. I'm town

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2 historian of North Hempstead. I'm also on the
3 board of trustees for the Roslyn Landmark
4 Society and SPLEA. I'm talking today on
5 behalf of the Roslyn Grist Mill. As you know,
6 in 2006 funds were allocated under the EBA to
7 restore the grist mill. Those were approved
8 unanimously by the Nassau legislature and
9 right now before the legislature is an IMA to
10 transfer these funds to the village of
11 Roslyn. Right now that resolution is tabled
12 and I'm hoping to give you information here to
13 get it from under the table and put it back on
14 the calendar and have a positive effect.

15 I have a handout there that is from
16 our architect for the grist mill. It's John
17 Wade Associates. John Wade Associates, as you
18 know, is one of the leading architects for
19 restoration in the world. As a matter of fact
20 they restored this building. They were the
21 architects for this building and Sagamore
22 Hill. In the letter -- I'll just will
23 paraphrase it you should have copies of it --
24 it says We are writing to express concern
25 regarding the current funding status of the

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2 Roslyn Grist Mill. As you know, the project
3 has always depended upon a complicated mix of
4 New York State Historic Preservation grant
5 funding, private funding and Nassau County
6 funding coming together to support the long
7 term preservation of the mill. With the
8 successful execution by the Roslyn Landmark
9 Society of the state grant, the private monies
10 now in hand as a match, the release of the
11 long promised county funding is now critical
12 to the successful execution of phase one of
13 stabilization and restoration of this
14 project.

15 I'm giving you that letter. You
16 can read it in full. Also, because this
17 project, the start of this project has been
18 delayed, we missed an opportunity to get
19 \$200,000 from the Gardener Foundation. They
20 have told us they are very interested in
21 restoring the roof of this building but they
22 can't do that until the project begins. We
23 missed the deadline in May. But fortunately
24 that deadline is coming up again. We hope to
25 submit that again in August as well.

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2 Since I think I'm going to be back
3 here I just want to give you a little insight
4 of myself. I have lived in Nassau County my
5 whole life. I was raised in East Meadow.
6 Lived there 21 years and live currently in
7 East Hills. I founded a medical education
8 company that had one person in it. I grew it
9 to 150. And last year I sold the company.
10 And I always tried to do the right thing. And
11 that's the reason why my company was
12 successful.

13 I didn't retire. I refocused. I
14 became the town historian. No compensation.
15 It's totally my effort to give back to the
16 community like you. As a result of this, last
17 year I was named the state historian of the
18 year in New York State. And this November 2nd
19 I'm going to give a presentation as a result
20 of that and I'm focusing on the Roslyn Grist
21 Mill. And I'm optimistic that I will be able
22 to tell the people in the audience, the
23 convention attendees and the media, that the
24 Nassau County Legislature went beyond partisan
25 politics, stepped up and approved this IMA.

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2 So, I have a handout there. It
3 shows the architect's letter. It also shows a
4 photo of the grist mill in 1976 that has the
5 name of Ralph Caso on it. Who was the initial
6 person who approved the restoration of the
7 mill. I also have pictures of the mill as of
8 yesterday and also a Newsday editorial
9 concerning the grist mill. Thank you for the
10 opportunity to update you on the project.

11 LEGISLATOR GONSALVES: Legislator
12 Nicolello would like to respond.

13 LEGISLATOR NICOLELLO: Actually I
14 have a couple of questions but thank you for
15 your presentation. In terms of a contractor
16 to do this work is a contractor in place?

17 MR. KROPLICK: We have a
18 contractor. Right now the bids are out. We
19 are going to have probably by the end, early
20 part of July we should have a contractor.

21 LEGISLATOR NICOLELLO: I'm a
22 little confused. You said there's a contract
23 now but the bids are out?

24 MR. KROPLICK: We have the bids
25 out for a contractor. We are expecting by

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2 July to have a contractor.

3 LEGISLATOR NICOLELLO: Who is
4 bidding? Is that the village of Roslyn that
5 put the bids out?

6 MR. KROPLICK: It's the Roslyn
7 Landmark Society with the assistance of the
8 village of Roslyn.

9 LEGISLATOR NICOLELLO: Before you
10 do anything you obviously need to get the bids
11 back to find out.

12 MR. KROPLICK: The bids are out
13 right now.

14 LEGISLATOR NICOLELLO: And find
15 out whether it's in the budget. We've seen in
16 New Hyde Park with the pools sometimes the
17 bids come back and you're expecting one
18 number.

19 MR. KROPLICK: We are very
20 precise on what the budget is on this. It
21 corresponds to the million dollars we have and
22 the \$250,000 that we expect from Nassau
23 County.

24 LEGISLATOR NICOLELLO: Just keep
25 us posted on the bid process.

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2 MR. KROPLICK: Will do.

3 LEGISLATOR GONSALVES: Peter
4 Gaffney.

5 MR. GAFFNEY: My name is Pete
6 Gaffney. I live in Westbury, Carle Place
7 School District. First, Presiding Officer
8 Gonsalves, I understand you are retiring. I
9 want to say thank you for your service.

10 LEGISLATOR GONSALVES: Thank you
11 very much.

12 MR. GAFFNEY: The reason I am
13 here, I was here two sessions ago to talk
14 about traffic and the safety concerns
15 throughout Nassau County. Speeding has become
16 a real problem. I talked about a couple of
17 different streets and stuff but it's through
18 everywhere. You had mentioned to me two
19 sessions ago when I was here talking about the
20 same problem that it's everywhere.

21 So what I'm asking is, both
22 Republicans and Democrats, to come together to
23 create something. What we need to have is
24 more community policing. If they're out there
25 you're going to stop seeing all these people

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2 speeding. I'm not talking about five miles
3 and hour over the speed limit. I'm talking
4 ten, 15, 20 miles an hour. There's a speed
5 clock down on Clinton Avenue. Just stay there
6 for ten minutes during the morning. Watch the
7 speed limit. People are going 50 miles an
8 hour. It's a 30 miles an hour zone.

9 I'm not just talking about cars.
10 Talking about trucks, the US mail, Fed Ex. I
11 can go on and on about this.

12 The other thing is stop lines.
13 They shouldn't be called a stop lines. They
14 should be called rolling lines. People just
15 roll through them. People need to be
16 introduced again to their turn signals.
17 Little things like that. People do whatever
18 they want.

19 Years ago it used to be oh, it's
20 those kids that are speeding. It's all
21 shapes, all sizes. It's everybody. I don't
22 know what it is. They all have the speed
23 racer mentality. They get in their car, their
24 nice comfy car and boy oh boy zoom, they just
25 keep on going.

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2 I urge all of you to go out there
3 keep an eye out on the road, take a look at it
4 and it's amazing. You're even seeing some of
5 the people out there that they're trying to
6 circumvent getting tickets and things like
7 that. You go look at the license plates.
8 Quite a few of them were damaged. They're
9 covered. Many of them are out of state. I
10 mentioned two sessions ago that I happened to
11 see every single state except for Hawaii and
12 Alaska out in cars there. Guess what? I saw
13 a Hawaii plate last month. It was very
14 funny. Right here in good old Nassau County.

15 I know summer time there's going to
16 be a lot of people here that are from out of
17 state. I understand. But they're not driving
18 in a two seater car that's coming in over here
19 that's ten years old. That kind of a thing.
20 We just need to be doing something. Community
21 policing is too important. They are our eyes
22 and our ears.

23 I heard today a great story from
24 the police officers today about them being out
25 on the road and happening to stop somebody.

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2 What if those cops weren't there? That's why
3 we need community policing. Please, I urge
4 this body to get something done. Thank you
5 very much.

6 LEGISLATOR GONSALVES: It's high
7 on the agenda Mr. Gaffney.

8 Matthew Dawes.

9 MR. DAWES: Good afternoon.
10 Thank you Madam Presiding Officer. You
11 pronounced my name correctly. All of my
12 teachers in all my classes my entire life
13 never did so thank you.

14 Good afternoon legislators. Again
15 my name is Matt Dawes. I'm the former New
16 York City Taxi and Limousine Commissioner and
17 chair. I worked for Mayors Guilani and
18 Bloomberg. I worked for the City of New York
19 for over 20 years. I'm here today to talk
20 about obviously the transportation network
21 company issue, Uber and Lyft. Just a couple
22 of quick points I would like to make.

23 Number one, I have studied this
24 issue for the last several years from day
25 one. I have tons of reports, academic

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2 studies. I am a professor, distinguished
3 lecture at the City University of New York's,
4 Transportation Research Center, which is
5 funded by the United States Department of
6 Transportation. I have just a plethora of
7 information and I have been called to
8 testified as an expert around the world before
9 legislative and judicial bodies on this
10 issue. So if you need any guidance on this
11 issue I'm be happy to provide it.

12 Number two, I'm also pro bono
13 president for the last nine years of the
14 International Association of Transportation
15 Regulators. That's basically a fancy term for
16 a nonprofit educational best practices group
17 of government taxi commissioners all over the
18 world. Including Nassau and Suffolk counties
19 as well as Westchester. What we do is analyze
20 best practices, worst practices, accepted
21 practices and trade ideas on what's good and
22 bad.

23 This movement, so to speak, will,
24 if action is not taken by the Nassau County
25 Legislature to opt out of this horrific state

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2 law, you will be one of the worst practices in
3 the world when it comes to regulation of taxis
4 and limos. Let me explain why. Time is of
5 the essence. As of June 29th if you do not
6 opt out of this law, Uber and Lyft will hit
7 the streets with unlicensed, virtually
8 unlicensed drivers. They can say that they
9 are licensing them all they want. You can get
10 licensed within a half hour with a flimsy
11 background check that you will hear about and
12 a system where you're going to undo all the
13 good work that you have done in the last 15
14 years in this county. Basically their goal is
15 to have unlicensed cabs on the road.

16 Albany, I can tell you with
17 absolute 1,000 percent assurances, is not
18 going to do a darn thing. Asking them for
19 advice is tilting at wind mills. As of June
20 29th if they are here in this county you're
21 going to have the worst service. You'll get
22 it more quickly but it will be less safety
23 than taxis, less safe than limousines and
24 there will be and casualties. People have
25 been raped, murdered, assaulted. This is a

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2 serious public safety issues which I encourage
3 you to focus on immediately.

4 Albany is not going to give you any
5 guidance with all due respect. You can simply
6 opt out by a resolution or a law and take them
7 to the table. And if you want to level the
8 playing field bring them to the table now and
9 make them get licensed like everybody else.
10 Like they did in New York City.

11 In New York City they were
12 successful. They decimated the medallion
13 system. They grew from 10,000 vehicles to
14 50,000 vehicles. I'm sorry 40,000 vehicles.
15 And there's only 12, 13,000 cabs. When they
16 come to you and say we need these special laws
17 that's a lie. They have billions of dollars.
18 They can very easily get someone background
19 checked. They put the background system in
20 place in New York City with the fingerprints.
21 Results in 72 hours. Criminals off the road.
22 Maybe about one percent of them. But still
23 that's way too much.

24 I'm encouraging you also to
25 preserve your reciprocity agreement. When I

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2 was working for the city of New York we
3 negotiated with Nassau County a reciprocity
4 agreement so that the New York City,
5 Westchester and Nassau taxis permits could be
6 recognized. The state law that they passed
7 says reciprocity is not going to be touched.
8 The law says that but the reality is that
9 there's going to be a ton of new drivers that
10 they bring on to the roads in Nassau who are
11 unqualified and reciprocity will no longer
12 exist. You really need to act now.

13 I will make myself available to
14 you. I know all the experts in the field in
15 academia and all the taxi commissioners and we
16 will bring people to the table to give you the
17 information that you need to make an informed
18 decision. They basically have created these
19 new laws which I think is unconstitutional.
20 I'm happy to answer any questions.

21 LEGISLATOR GONSALVES: I'm going
22 to let you know that we have requested the
23 county attorney for his input regarding if we
24 opt out do we have the ability to regulate.
25 We are waiting for that response.

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2 MR. GAFFNEY: I make myself
3 available to you.

4 LEGISLATOR GONSALVES: When
5 Mr. Blessinger spoke our focus is on having a
6 level playing field and petitioning Albany is
7 one but we also have to know what we can do
8 here in Nassau County. So, we're still doing
9 what we can and hopefully we will come to the
10 right decision.

11 MR. GAFFNEY: Thank you for the
12 opportunity.

13 LEGISLATOR GONSALVES: I know
14 that I have extended -- Mr. Dawes I have your
15 information and if we need to we will reach
16 out to you. In the mean time I'm going to
17 have to call not an end a recess to public
18 comment. I told you before that the
19 legislative calendar is very brief and we will
20 come back as quickly as possible. There's
21 only two items that may take us a little
22 time. But most of it is what we call a
23 consent calendar. Meaning that both sides of
24 the aisle have agreed on the items and will be
25 pass on immediately.

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2 Be patient. I went over the 30
3 minutes only because there was interjection on
4 the part of my colleagues and I understand
5 that there are people here waiting. But I
6 will tell you it's not going to be a long wait
7 because the calendar is very short. Bear with
8 us. And I thank you Mr. Dawes and Mr. Aquino
9 I also thank you.

10 MR. AQUINO: I want to leave my
11 card and say one thing with regards to Uber.
12 You can opt out under title two of the ADA.

13 LEGISLATOR GONSALVES: No, no
14 Mr. Aquino. Listen to me. You can talk to
15 the attorney here. You give him the
16 information and let him know what you believe
17 we can do. This is a Catch-22 situation for
18 us. Go to the attorney.

19 As I said, the calendar is rather
20 short. Primarily because most of the items,
21 with the exception of two, will be part of the
22 consent calendar. The items went through
23 committees unanimously. They were vetted
24 diligently at the committee level. So we have
25 most of the items will be considered the

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2 consent calendar. I'm going to call --

3 LEGISLATOR ABRAHAMS: Before you
4 start calling the calendar. You know they're
5 here and we've called every segment in regards
6 to public comment. We've heard from folks
7 from the taxi industry, folks from Westbury in
8 regard to the street. We heard from Joanne
9 Borden. I'm just saying, of the segments of
10 Nassau that we did not hear the issue today,
11 I'm sure you have other slips and they can
12 be -- we heard from Larry Blessinger, who I
13 believe speaks to the volume of many that were
14 here from the taxi company, but we have not
15 heard from one person in regards to the
16 Nostrand Gardens here for the Uniondale
17 Improvement Project.

18 To be fair, Madam Presiding
19 Officer, we should at least hear from one of
20 the persons. I would suggest that Pearl
21 Jacobs be able to get the opportunity to speak
22 and if the others can wait until afterwards
23 they should have the opportunity to speak.
24 But we should at least hear from one person
25 from this community because their issue has

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2 not been heard this morning or this
3 afternoon. We've heard from every segment and
4 we sat here for every other issue that's going
5 on. If you want to enlighten me, tell me
6 about a slip that you have on an issue that we
7 have not heard. Transportation Equity Gap is
8 taxi. What else could it be? Who put in the
9 slip on the transportation equity gap?

10 LEGISLATOR GONSALVES: Minority
11 Leader, I have no way of knowing that. I just
12 heard you say --

13 LEGISLATOR ABRAHAMS: Just to be
14 fair.

15 LEGISLATOR GONSALVES: I'm not
16 going to go into a debate with you. You had a
17 request and I'm going to accept your request,
18 which is to call on Pearl Jacobs. And all the
19 others if you wish to stay we will be here to
20 hear you. But I will just ask Pearl Jacobs
21 and only Pearl Jacobs to speak and that's fair
22 enough. I'm sorry about the other two
23 individuals but I'm not calling you before I
24 call the rest of the others.

25 MS. JACOBS: Thank you Legislator

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2 Abrahams. I appreciate that.

3 LEGISLATOR GONSALVES: Excuse
4 me. Thank you legislative body.

5 MS. JACOBS: Thank you Legislator
6 Abrahams. I appreciate you speaking up for
7 us. Thank you so much for speaking up for us.

8 LEGISLATOR GONSALVES: Go ahead
9 Ms. Jacobs. You have your three minutes.

10 MS. JACOBS: I know. I can
11 read. Just to piggyback off of Ms. Rose, who
12 left, from Valley Stream, and she spoke about
13 stealing, there's different connotations you
14 can look at interpret the word of stealing.
15 Uniondale has been stole from for many years.
16 We cannot even get Nassau County to clean our
17 streets. We pay our taxes and we receive no
18 services. To me I interpret that as
19 stealing. So I just want to piggyback off the
20 connotation and the word of stealing.

21 Uniondale is demanding that the
22 Nassau County Legislature approve a \$2 million
23 streetscaping project on Uniondale Avenue that
24 has been delayed for several years. The
25 project was unveiled five years ago and it

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2 stalled in the Nassau County Legislature
3 because county officials refused to put the
4 project on the agenda.

5 The story here is more than
6 streetscaping. It transcends streetscaping,
7 although that is important to Uniondale now.
8 The story here is the county's systematic
9 disinvestment in a minority community
10 resulting in economic decline to our
11 community. This is indeed an economic
12 developmental issue.

13 We are here. We protested out in
14 front of the legislature today. We are here
15 and we did that to shine a light on the long
16 standing inequality and injustice demonstrated
17 to the Uniondale community by Nassau County.
18 We pay our taxes. We receive nothing. We
19 have infrastructure and streets in Uniondale.
20 That's why we are advocating for the
21 streetscaping initiative so wholeheartedly
22 because we have streets in Uniondale that
23 elderly people cannot walk on. There is no
24 walkability. They're tripping over broken
25 sidewalks. The infrastructure in Uniondale is

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2 allowed to be decayed and we have nobody
3 coming to even invest in our community.

4 Yes, we do understand that
5 investment is occurring on the north side of
6 Uniondale but nothing is occurring and no
7 investment is being invested in the south
8 side, the neighborhood and the communities in
9 Uniondale. The residential areas of Uniondale
10 is being neglected, overlooked and we are
11 allowing our community -- Nassau County is
12 allowing Uniondale to decline. To me that is
13 equivalent to economic disinvestment and
14 environmental racism.

15 LEGISLATOR GONSALVES: Thank you
16 Ms. Jacobs.

17 LEGISLATOR ABRAHAMS: If I may?

18 LEGISLATOR GONSALVES: Minority
19 Leader.

20 LEGISLATOR ABRAHAMS: I think
21 Pearl pretty much categorized the frustration
22 that the Uniondale community is seeing in
23 regards to the improvement project. I'm going
24 to plead to you guys again, and I know you
25 guys had mixed the 2017 capital plan with the

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2 2014 capital plan. But my plea is directly to
3 you Madam Presiding Officer. When we came to
4 an agreement more than three years ago, myself
5 as the leader, you as the leader and the
6 county executive, we all came to an agreement
7 that the 2014 capital plan would be passed,
8 which included tax certiorari bonding among
9 things. I'm sure you remember this because we
10 were all upstairs announcing that we have
11 worked together on this capital plan
12 initiative, which included the Uniondale
13 improvement project as part of that capital
14 plan. Which included tax certiorari bonding.
15 Which this legislature kept it's commitment
16 and provided the bonding for those tax
17 certioraris. The county executive understands
18 that that was part of an agreement for a much
19 global bonding package, which includes the
20 Uniondale improvement package.

21 However, for some reason, between
22 then and now you have changed your mind
23 because we cannot come to an agreement on
24 bonding more than three years later. What
25 does that speak to in regard to our integrity

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2 and our honesty in this process if we cannot
3 be held to keep our word? That is the most
4 basic form of an agreement is that you have my
5 word. We shake hands. We have an agreement.
6 Speaks to the volumes of this institution.

7 I know it's very easy for you to
8 sit in that chair and say it's not going to
9 happen because you're in the majority and we
10 are in the minority. You know what? Politics
11 has a strange way of making that flip. You
12 would never ever want to be treated like the
13 way you are treating this community. You gave
14 your word. You gave an agreement. We shook
15 hands. As far as I know, we have done
16 everything in regards to that 2014 capital
17 plan that we agreed to.

18 I'm speaking to every fiber in your
19 body that I believe is honest. Please keep to
20 your agreement. The county executive kept to
21 his agreement. He may not like a lot of
22 things I say about him, I'm sure he doesn't
23 like a lot of things you say about him
24 either. But he kept to his agreement because
25 that's what he wanted to do. We made an

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2 understanding. We shook hands right
3 upstairs. I don't understand for the life of
4 me how you guys are walking away from that
5 agreement. Please. If any fiber in your body
6 is honest and good willing just keep to that
7 agreement. That's all I'm asking for.

8 We all know the importance of this
9 project. I think Pearl highlighted that
10 perfectly. But I'm asking you again to keep
11 to your word. If we are anything in this
12 body, if we are anything as legislators, the
13 one thing when we go out to the public is that
14 we give our word. They read about enough
15 politicians that lie to them, that do things
16 to them. We have to at least keep our word.
17 Which we did in a very public format when we
18 agreed to the bonding in conjunction with the
19 tax certiorari.

20 I know you guys remember that
21 agreement because it went on for three years
22 with the tax certiorari bond. Which we bonded
23 every year between January and March. We kept
24 our end of the deal. I don't understand for
25 why for the life of me you're breaking yours.

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2 Other than it's three years later and we have
3 disagreement on the 2017 capital plan, which
4 you guys have said that multiple times. So,
5 basically you're going to hang over our heads
6 every time you want something. How fair is
7 that? That means your word means absolutely
8 zero.

9 LEGISLATOR GONSALVES: Legislator
10 Nicoletto.

11 LEGISLATOR NICOLELLO: That
12 agreement that was made, actually it was
13 multiple agreements, that was broken more
14 times that I can remember. Because they would
15 come back to us and say well, I know we agreed
16 to the bonding but we need to do X, Y and Z.
17 And we would do X, Y and Z and they would come
18 back to us and say you need to do one, two and
19 three. That happened multiple times. So for
20 you to cite that is just ridiculous.

21 LEGISLATOR ABRAHAMS: You know
22 what though, Rich? If we broke the agreement
23 why did the county executive send the contract
24 down? Explain that in your next sentence.
25 Explain to us if we broke the agreement

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2 explain to me why the county executive sent
3 the contract down. At the end of the day
4 answer that question for me.

5 LEGISLATOR GONSALVES: Hold on.
6 Hold on. At that particular time it was a
7 quid pro quo. You decided that you would give
8 us this if we gave you that. And it never,
9 never was earmarked for the streets.

10 LEGISLATOR ABRAHAMS: What are
11 you talking about? Streetscaping was part of
12 the bonding.

13 LEGISLATOR GONSALVES: I know
14 what I'm talking about.

15 LEGISLATOR ABRAHAMS: No, you
16 don't. It was a part of the 2014 bonding.

17 LEGISLATOR NICOLELLO: I was
18 speaking.

19 LEGISLATOR ABRAHAMS: You're not
20 hearing us.

21 LEGISLATOR GONSALVES: Legislator
22 Nicolello. I don't want to call a recess
23 Heidi. Sit down.

24 LEGISLATOR NICOLELLO: This is
25 their idea of a debate. This is how it works

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2 ma'am. One person speaks and the next person
3 speaks. Now obviously I just struck a nerve
4 because he knows it's true. They breached
5 this agreement more times that I can remember,
6 number one.

7 Number two, they're angry at us
8 because we won't approve a \$250,000
9 streetscape project. I have a list of \$90
10 million worth of public works projects all
11 over the county. Will you let me finish?
12 Here is how it's supposed to work. It's
13 supposed to work this way. You listen to what
14 somebody has to say. If you have a
15 disagreement you have an opportunity later on
16 to respond. But if you don't listen to
17 somebody else you really can't learn anything.

18 \$90 million in public works
19 projects. Sewer projects. Waste removal
20 projects. Pump station projects. Roads.
21 Safety in roads being held up and now -- will
22 you let me finish?

23 LEGISLATOR ABRAHAMS: What year?
24 Give us the year.

25 LEGISLATOR NICOLELLO: -- being

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2 held up.

3 LEGISLATOR ABRAHAMS: When I talk
4 I give all the facts.

5 LEGISLATOR GONSALVES: We are in
6 recess.

7 (A recess was taken.)

8 LEGISLATOR GONSALVES: We have a
9 very short calendar and then we will return to
10 public calendar. As I said earlier, we will
11 begin with the consent calendar, which are
12 items that went through committees and voted
13 upon unanimously and duly vetted in
14 committees. I will call those items first and
15 then go to those items which were not part of
16 the committee process. I'm going to begin
17 with -- everybody back in their seat. Okay.

18 The consent calendar begins with
19 item three ordinance 77. Item four ordinance
20 78. Item five ordinance 79. Item six
21 ordinance 80. Item seven ordinance 81. Item
22 eight ordinance 82. Item nine ordinance 83.
23 Item 10 ordinance 84. Item 11 ordinance 85.
24 Item 12 ordinance 86. Item 13 ordinance 87.
25 Item 14 ordinance 88. Item 15 ordinance 89.

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2 Item 16 ordinance 90. Item 17 resolution
3 136. Item 18 resolution 137. Item 20
4 resolution 139. Item 21 resolution 140.

5 A motion please. Moved by
6 Legislator MacKenzie. Second by Legislator
7 Schaefer. All those in favor of these items
8 signify by saying aye. Any opposed? The
9 items pass unanimously.

10 Now, going to the first item on the
11 calendar which is a hearing for ordinance 76,
12 and do we have someone here to call the
13 hearing please. We have to open the hearing.

14 MR. PULITZER: A hearing on
15 proposed ordinance clerk item 209-17. An
16 ordinance to adopt the Nassau budget for
17 Nassau Community College for the fiscal year
18 commencing September 1, 2017 and ending August
19 31, 2018, and to appropriate revenues and the
20 total amount of monies to be raised by
21 taxation within the County of Nassau for the
22 purposes of Nassau Community College for such
23 fiscal year pursuant to the provisions of the
24 Education Law, the County Law, the General
25 Municipal Law, the County Government Law of

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2 Nassau County and the Nassau County
3 Administrative Code.

4 LEGISLATOR GONSALVES: Motion to
5 open the hearing. Moved by Legislator
6 Kennedy. Second by Legislator Walker. All
7 those in favor of opening the hearing signify
8 by saying aye. Any opposed? The hearing is
9 now open.

10 We are ready for a presentation by
11 Dr. Keane.

12 DR. KEANE: Hubert Keane. Good
13 afternoon Presiding Officer Gonsalves,
14 Minority Leader Abrahams and legislators.

15 I'm pleased to have the opportunity
16 to speak to you this afternoon on behalf of
17 Nassau Community College. As you consider our
18 budget I want to give you some context for
19 that as well as to mention a few items at the
20 end of my comments on achievements of our
21 students. I especially thank Presiding
22 Officer Gonsalves for expediting consideration
23 of the college's budget. As you know,
24 normally this comes to you in July or August,
25 but this year it comes in June. We've begun

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2 the process with the county executive and the
3 Office of Management and Budget. So, it
4 follows that this expedited schedule is very
5 helpful to us, to our students, as we put
6 together financial packages for them.

7 We have in front of us the adopted
8 budget and so we are clear if you decide to
9 adopt the budget today.

10 We believe that the budget before
11 you provides the resources for Nassau
12 Community College to continue to offer a high
13 quality education for our students at an
14 affordable price. Examining the most
15 important issues for the members of the
16 legislature let me note that for the 10th year
17 the budget does not assume an increase in the
18 county property tax allocated to the college.
19 NCC remains grateful for the aid the county
20 executive and the legislature body have
21 provided. We are especially thankful for the
22 generous funds provided for our capital
23 improvements.

24 The capital improvement projects
25 have transformed the character and the face of

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2 them campus for the benefit of our students,
3 faculty and staff as well as the greater
4 community. The county can be proud of the NCC
5 physical plant.

6 The budget before you is the third
7 consecutive annual budget with a decrease in
8 expenses. The current budget proposal
9 decreases expenses by \$2.5 million from the
10 2017 budget. And looking back to 2015, this
11 budget is \$7.4 million less than that budget.
12 Not one area of the college has been left
13 unexamined to come up with the budget which we
14 proposed to our board of trustees and which
15 they have adopted.

16 Cost savings have been born by
17 faculty, administration and in nonpersonnel
18 areas as well. Most of these reductions
19 result from retirements and staff vacancies
20 that have not been filled.

21 The budget reflects a cut in state
22 aid revenue by \$2.5 million. This decrease is
23 negatively impacted because of our declining
24 enrollment. This budget assumes a six percent
25 decrease in enrollment during the coming

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2 academic year. Our loss of enrollment is
3 typical of community colleges nationally as
4 well as in New York State. Twenty nine of 30
5 community colleges within the state university
6 system last year had decreased enrollments and
7 this is indeed a national trend. We have not
8 escaped that trend. Our enrollment too has
9 gone down.

10 So, enrollment depends on two
11 separate components. The first is attracting
12 the students. The second is retaining them
13 and helping them along to their degree. We've
14 taken steps in both admissions and marketing
15 areas to not only attract more new students
16 but we work hard on programs to retain more
17 students as well.

18 As you know, there are three major
19 sources of our funding. This has been the
20 case historically for community colleges since
21 their founding in the late '50s and early
22 '60s. The state, the county and the student
23 tuition and fees are the three components.
24 The state legislature in it's 2017-18 budget
25 increased state aid by \$50 per full time

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2 equivalent student. This increase is offset
3 because of the decline in enrollment. So
4 therefore, as I said before, we will lose \$2.5
5 million from state funding in the budget to
6 take effect this summer.

7 Unfortunately with declining state
8 aid, static county contribution, rising health
9 care costs and the ongoing bond payments for
10 the retirement incentive, NCC was faced
11 initially with a \$12 million gap in the budget
12 for this coming year. Despite those factors
13 the budget proposal before you draws on only
14 \$2 million in fund balance for the coming
15 year. After three years of taking no funds
16 from our fund balance it has now grown
17 healthier and to safer levels. It remains
18 above the board of trustees' minimum level of
19 four percent.

20 However, continuing to rely on fund
21 balance can lead to liquidity problems for
22 us. So, we thought long and hard before
23 proposing to the board that we tap reserve
24 funds to make up a portion of our budget. The
25 board has approved our proposed budget but not

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2 without some painful discussion among
3 themselves and proposing a situation for the
4 coming year that we are not completely
5 comfortable with.

6 It is with this backdrop of
7 budgetary factors, some over which we have no
8 control, that the budget recommends a tuition
9 increase for the next year of \$234. I assure
10 you that we would prefer anything but a
11 tuition increase. However, there is no other
12 place to raise the needed revenue. With the
13 increase, however, our tuition of \$5,102 still
14 remains close to that of the two-year colleges
15 on Long Island and in New York City. And it's
16 below all of the four-year colleges in the
17 region and all the SUNY state-operated
18 campuses.

19 Despite our fiscal challenges, I'm
20 pleased to tell you about some exciting
21 initiatives and retention efforts which NCC
22 has embarked upon.

23 First, we have begun a new
24 partnership with the East Meadow School
25 District this spring which will award dual

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2 credits at East Meadow and at WT Clark High
3 School for college courses that the students
4 will take at the schools. We believe this
5 initiative, just launched this year, will be a
6 model to replicate with other county school
7 districts. We believe that these types of
8 partnerships will not only attract students to
9 NCC but ultimately help retain them as they
10 start with earned credit as they come to the
11 college.

12 We've also just begun a program
13 with the Bethpage School District, and we are
14 starting it with other school district, in
15 which we are giving special attention to
16 groups of students who come to the campus from
17 those districts to receive counseling on
18 admissions, to formulate financial aid papers
19 and to prepare them for admission to the
20 college. This is we think a new model working
21 with the high schools that will benefit our
22 students and smooth the pathway for them to
23 come to the college.

24 We've also embarked upon a number
25 of workforce development projects during the

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2 past year. And some which were in existence
3 already but for this year. Including pharmacy
4 technician, certified nursing assistant, EKT
5 technician. That's electrocardiogram
6 technician. And we are expanding our distance
7 education courses. By expanding these courses
8 it facilitates students earning credit towards
9 their associate degrees with convenience for
10 many students who work or have commitments
11 away from the campus.

12 We had two very successful
13 certificate programs launched this year in the
14 service industry and we're really proud of
15 these. One program, funded by Bank of
16 America, in collaboration with the Mexican
17 consulate, is a certificate program providing
18 training and deepens the educational
19 backgrounds for our predominantly Latino
20 workers and new Americans in the food service
21 industry. 100 percent of the students in the
22 program successfully completed their
23 certificates. Over 50 percent have already
24 been promoted and received a pay increment in
25 the positions they held. In fact, already

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2 held as they undertook earning the
3 certificate.

4 A second program is in partnership
5 with PSEG, National Grid and New York American
6 Water to train women in the utility industry
7 jobs, where the workforce is overwhelming male
8 oriented. This three-month certificate
9 program was just concluded and it prepared
10 graduates for job opportunities with higher
11 wages in the electric, gas and water utility
12 industries. I'm happy to say that in a mere
13 few days since graduation more than half of
14 the women have received job offers from these
15 utility industries. Some of them will be
16 working at least in a part-time basis in the
17 summer as well. These are likely to lead to
18 full-time jobs.

19 We also have a very creative and
20 dedicated drug intervention program for our
21 students, and it is unusual in the state and
22 we're proud of it. We have seen the rise in
23 substance abuse and alcohol abuse among our
24 young people and NCC is not immune from that.
25 So, we have dedicated special efforts to

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2 counseling in an extended format for our
3 students. Extended not just while they're on
4 the campus but for intercepting them when they
5 need the assistance away from campus.

6 And then finally, our students
7 excel in a number of ways nationally. And I
8 want to mention some awards that they have
9 won. In addition to the State University
10 Chancellor Award, of which 11 of our students
11 were honored this spring, but on the national
12 level wrestlers and shotputters were national
13 champions in their sport. The cheerleaders
14 won national award. Our five SUNY Chancellor
15 Award scholars-athletes and the national
16 champion speech and debate team, which took
17 home it's 16th consecutive title. And there
18 are many students and faculty that continue to
19 be recognized and honored by SUNY and
20 nationally in competition. We are really
21 proud of our students and their
22 accomplishments.

23 So, we continue to be grateful to
24 the county executive and the county
25 legislature for your ongoing and steadfast

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2 support of the college. Please note that it
3 is with this continued support that Nassau
4 Community College will continue to provide the
5 affordable, high quality, higher education
6 that will serve our students in the
7 communities in which they live. Thank you for
8 your attention.

9 LEGISLATOR GONSALVES: Legislator
10 Nicolello.

11 LEGISLATOR NICOLELLO: Yes,
12 Dr. Keane, I'm puzzled by the loss of
13 students, lack of retention, obviously not
14 just at Nassau but across the spectrum. It
15 seems like in an era when student loans exceed
16 credit card debt and this is such a great
17 bargain, as you said high quality, affordable
18 education, I'm curious why is it that
19 community colleges are losing students?

20 DR. KEANE: The explanation
21 that's given for the national situation, not
22 just for our own, is that when the economy is
23 very good a lot of students that would
24 normally go to the community college go out
25 and work. And if the economy is not good then

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2 they come back to the community college for
3 more education and training. Maybe a
4 certificate program. We do not know with any
5 great specificity why the decrease. We do
6 know that in New York State only about 43
7 percent of adults have degrees, including
8 associate degrees. There's a large market out
9 there to take advantage of our programs.

10 LEGISLATOR NICOLELLO: How do you
11 believe the state's program with respect to
12 tuition payment is going to affect the
13 college?

14 DR. KEANE: It will affect us to
15 a rather small extent. It's not going to
16 bring very large numbers of students for a
17 number of reasons. First of all, it is a
18 family range of income from let's say about
19 \$70,000 up to \$120,000 where the students will
20 be greatly helped by it.

21 On the other hand, it also has
22 restrictions. Many of our students are part
23 time, and in order to qualify you must earn 30
24 credits in the calendar year. So that group
25 of students will not earn it. And then there

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2 is the residency requirement, which some
3 students might be reluctant about. Two
4 years. Actually it's the number of years in
5 which you receive the benefit that you must
6 remain employed in New York State.

7 LEGISLATOR NICOLELLO: Thank you.

8 LEGISLATOR GONSALVES: Legislator
9 DeRiggi-Whitton.

10 LEGISLATOR DERIGGI-WHITTON:
11 Thank you. I see that New York State gives
12 \$150 per student as far as their share. Is
13 that in line with other states like
14 Connecticut? Do you know what they give?

15 DR. KEANE: I would say right now
16 Connecticut is struggling along as I learned
17 just recently talking with some higher ed
18 people there. But New York State is generous,
19 not necessarily in the operating money that
20 comes to the college but in student support.
21 So the TAP, the Tuition Assistance Program
22 grant, is generous. New York State is very
23 good in that regard. So to compare it to
24 Connecticut --

25 LEGISLATOR DERIGGI-WHITTON: Or

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2 any state. Is 150 typical or are we on the
3 lower side or the higher side?

4 DR. KEANE: Are you thinking that
5 I mentioned 150? This year the state budget
6 passed additional \$50 that will go into our
7 operating budget for the next year per full
8 time equivalent student. That is per
9 student. That's an increase of \$50.

10 LEGISLATOR DERIGGI-WHITTON: So
11 where does that put us now? Are we above
12 other states with the contribution? Are we
13 average? Where is the 150?

14 DR. KEANE: I cannot say compared
15 with other states' community colleges. There
16 are so many different funding models for
17 community colleges across the country that it
18 would be difficult to compare that.

19 LEGISLATOR DERIGGI-WHITTON: Was
20 there any way to negotiate with the state? I
21 know even with the increase I know because the
22 tuition -- the enrollment declined so much we
23 are still losing money, correct?

24 DR. KEANE: Yes, we are losing
25 money from the state because of the decrease

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2 in enrollment, yes.

3 LEGISLATOR DERIGGI-WHITTON: Even
4 with the \$50 increase?

5 DR. KEANE: Yes.

6 LEGISLATOR DERIGGI-WHITTON: I'm
7 just curious. If they had a certain amount
8 allotted to us and now we're getting less
9 maybe there would be a way to ask them if they
10 will do 175 per student. Do you think this is
11 negotiable or do you think the only option is
12 raising the tuition?

13 DR. KEANE: Once the state adopts
14 its budget it's in place for us far as that
15 goes. If there were supplemental money coming
16 in addition to that then obviously that would
17 be very helpful. I would say, by the way,
18 that in spite of the ten year static
19 allocation from the county that you are still
20 higher than the state's contribution. So we
21 get about 27 percent of our budget from the
22 county, about 23 percent from the state. And
23 of course the student proportion has gone up
24 and continues to go up.

25 LEGISLATOR DERIGGI-WHITTON: I'm

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2 sure your lobbying with the state is quite
3 good. It seems to me last year's budget they
4 gave more than they're giving to this year.
5 Maybe there's a way if it was allocated for
6 last year maybe the state would still be
7 willing to come around a different way. Maybe
8 more per student.

9 DR. KEANE: We lobbied very
10 hard. In fact, the community colleges across
11 SUNY lobbied very hard for additional funds
12 for the year. By the way, 29 of the 30
13 community colleges in the state university
14 system last year lost enrollment. This year
15 the one that did not lose enrollment is
16 projecting a drop. So therefore, we all
17 lobbied very hard knowing we were faced with
18 this difficult budget system. They started
19 out with their one house budgets of zero and
20 100 and they ended up with \$50 increment per
21 student.

22 LEGISLATOR DERIGGI-WHITTON: I
23 hope we can improve that by the time we get to
24 next year because to keep asking the students
25 for more and more money -- I know it's less

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2 than most other colleges but it's getting
3 pricey. I remember it was a lot less not that
4 long ago. Now it's \$5,000 a year. I would
5 just focus towards the state as much as we can
6 next year.

7 LEGISLATOR GONSALVES: Legislator
8 Bynoe.

9 LEGISLATOR BYNOE: Thank you
10 Presiding Officer. Good afternoon Dr. Keane.
11 I echo many of the sentiments that -- the line
12 of questioning of Legislator DeRiggi-Whitton.
13 As a graduate of Nassau, having worked full
14 time and put myself through school, I know how
15 challenging it is to actually come up with the
16 fees and the tuition. So, I would like to see
17 the state step up and give more. And I'd love
18 to see the county in some year, some budget
19 year, be able to give their allocation as
20 well.

21 But I have a question regarding the
22 collaborations between Nassau Community
23 College and the high schools. I know about
24 the existing relationship between Nassau and
25 East Meadow, and I questioned at the time when

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2 I was told about it why East Meadow was
3 actually selected. I was told it was based on
4 proximity and the level of enrollment. That
5 that was a school district that sent the
6 highest number of students to Nassau Community
7 College annually.

8 So I question now how we ended up
9 going out to Bethpage to find out -- to do an
10 enrollment, encouraging students to come in
11 and give them technical assistance. I'm just
12 wondering where are we, because at the time I
13 most certainly requested that we start to look
14 at school districts that are also in proximity
15 like Uniondale and Westbury and the like to
16 encourage enrollment and the collaboration so
17 that those students could also earn college
18 credits while in high school. Are we any
19 closer to creating a relationship between
20 Hempstead, Westbury, Uniondale, other schools
21 in proximity to build that kind of
22 relationship with them?

23 DR. KEANE: Let me clarify that
24 the East Meadow one is a credit-bearing
25 program. Whereas, the one with Bethpage and

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2 other districts that we've begun some
3 discussion with are service related to make
4 sure the students get the service they need
5 and that there is a smooth pathway for them
6 coming into the college.

7 Regarding other districts, well,
8 with our 56 school districts in Nassau
9 County -- by the way, you're correct that
10 these, Uniondale, Westbury, Hempstead are
11 close districts and we've not yet reached --
12 we have number of programs with the district.

13 LEGISLATOR BYNOE: I'm
14 specifically interested in the one that allows
15 them to get the college credits while in high
16 school. That's the program I'm specifically
17 speaking to.

18 DR. KEANE: We are trying to
19 pioneer it because we have some restrictions
20 with respect to labor contracts and teaching.
21 But we think we have a pathway to be able to
22 do this in other schools. It is, by the way,
23 not uncommon for colleges to do this but we
24 need to do it for our institution, our high
25 schools, and so we're hopeful that we will

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2 expand it.

3 LEGISLATOR BYNOE: I know that
4 the Presiding Officer, Legislator Ford, myself
5 and Legislator Abrahams, we meet continually,
6 kind of quarterly. For the next quarterly
7 meeting I would love to hear where we are with
8 building those relationships for the
9 opportunities for those students to be able to
10 earn some college credits. I know those
11 schools are sending students to Nassau
12 Community in large numbers, and I think we
13 should build a relationship with them and help
14 those students offset their college expenses.

15 DR. KEANE: We would be pleased
16 to give you a report.

17 LEGISLATOR GONSALVES: Legislator
18 Drucker.

19 LEGISLATOR DRUCKER: Dr. Keane,
20 greetings. I wanted to say how much I
21 appreciate and we appreciate and commend you
22 for the tremendous leadership you have
23 provided the students at Nassau Community
24 College and this institution overall. It's
25 been a very challenging time during your brief

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2 tenure so far, but I think you have managed to
3 navigate the ship and put it on the right
4 path. The collaboration that you've received
5 from your administration and the faculty and
6 the students is a testament to your abilities,
7 and this legislative body recognizes how
8 important this institution is for providing an
9 affordable way for higher education, which is
10 the foundation for our future in this county.

11 So, I just wanted to take this
12 opportunity to thank you for your service and
13 you certainly have, I believe, the support of
14 this legislative body.

15 DR. KEANE: Thank you Legislator
16 Drucker for the comments. But also thanks for
17 the support you gave to the college during
18 your year on the board of trustees.

19 LEGISLATOR GONSALVES: Any other
20 legislators? Legislator Schaefer.

21 LEGISLATOR SCHAEFER: While we're
22 on the topic. Good afternoon. The topic that
23 Legislator Bynoe was talking about with regard
24 to having the student be able to get college
25 credits in high school is it a long process?

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2 Does it takes some sort of state involvement?
3 Accreditation? I assume so with as you were
4 mentioning unions. Is it a big deal?

5 DR. KEANE: It is built into the
6 contract with our full-time faculty when
7 courses are offered off campus that they will
8 be involved. We do not think that's an
9 impossible barrier but we need to make sure we
10 honor it because it is contractual.

11 LEGISLATOR SCHAEFER: Thank you.

12 LEGISLATOR GONSALVES: Legislator
13 Walker.

14 LEGISLATOR WALKER: I know that
15 in several of the districts area that I
16 represent, the school districts, they do have
17 agreements with certain colleges. They're
18 just not with Nassau Community College. Would
19 it be up to a school district to reach out to
20 you, the college, or it's just that you reach
21 out to the districts?

22 DR. KEANE: The idea is that we
23 would reach out to them because they have
24 other offers, right? For to us do it we need
25 to take the initiative to get it done. In my

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2 previous role we had relationships with
3 something over 50 high schools in offering
4 credit-bearing courses in those schools. So,
5 it was the initiative of the campus because
6 there are other colleges doing the same,
7 having the same offering. So it should be our
8 initiative. And we are working more actively
9 on it now.

10 LEGISLATOR WALKER: It is
11 wonderful. I know my children, not all of
12 them, some were a little more focused than the
13 others, but they started out in college with
14 15 or 18 college credits that was beneficial.
15 You didn't have to think about the more
16 expensive tuition that you had to pay once
17 they finished high school. Obviously there
18 were fees attached to it but a much smaller
19 scale than if they had taken them in college.

20 DR. KEANE: Indeed. The more
21 credits of course to feed into your degree
22 program when you get to the college the sooner
23 you can graduate. Less debt. And of course
24 get into the job market more quickly. So.

25 LEGISLATOR WALKER: Thank you

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2 very much.

3 LEGISLATOR GONSALVES: Legislator
4 Bynoe.

5 LEGISLATOR BYNOE: I apologize.
6 I had one other question. We were looking
7 through the budget and I haven't been able to
8 locate it yet. You were in negotiations with
9 the local school district for rental of some
10 unused space at Nassau. Was that rental
11 income taken into consideration in your
12 budget?

13 DR. KEANE: Yes. When the
14 college was at its peak enrollment, just to
15 give you all some background on this, when it
16 was at its peak enrollment it needed more
17 space. Therefore it rented a building just to
18 the northeast of the campus which is called
19 the North Annex, and it was renovated by the
20 owner. Wonderful classroom space now. But
21 because our enrollment has shrunk we no longer
22 need it. However, we have a lease, 20 year
23 lease, and I think we are around year eight or
24 nine on the lease. So the Westbury School
25 District, which is growing rather rapidly and

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2 needed as much as 14 classrooms, which is
3 exactly the number of classrooms in the North
4 Annex, it's not so far away.

5 So, yes, we are relieving the lease
6 payment, a portion of the lease payment
7 because we will continue to use it in the
8 evenings and weekends. But the lease payment,
9 a portion of it will be relieved by this
10 subleasing to the Westbury schools. And that
11 benefit is incorporated into the budget that
12 we've made.

13 LEGISLATOR BYNOE: Thank you
14 Dr. Keane. I believe a member of our staff is
15 getting the specific page that that's on.

16 LEGISLATOR GONSALVES: Any other
17 legislator? Any public comment? I think I
18 have Mr. Budnick who submitted a slip on the
19 college.

20 MR. BUDNICK: I have to
21 compliment Dr. Keane and all the folks over at
22 Nassau Community College, pardon my language,
23 for doing absolutely everything with almost
24 nothing. You heard that the state
25 contribution to Nassau Community College has

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2 fallen to 23 percent. When the system was set
3 up that was supposed to be in perpetuity 33
4 percent. The state has bumped out. You
5 wonder why there are less students able to go
6 to the community college because over the last
7 number of years the only way of getting more
8 money to the community college has been to
9 increase the tuition. And it's gotten to the
10 point where it is totally prohibitive for many
11 students, especially in more disadvantaged
12 areas. That appalls and sickens me.

13 I lay at the governor's feet the
14 terrible problem that Nassau Community College
15 has. I'm not happy that the county is down to
16 27 percent either but at least it's a lot more
17 respectable than under a quarter. Because
18 that means the students are paying over 50
19 percent of the cost. When it was anticipated,
20 created and set up back in 1959 the county was
21 going to pick up one third, the students were
22 going to pick up one third and now we are
23 literally forcing students to pay for the
24 state's and what should be the county's
25 contribution here.

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2 I have to tell you that I'm very
3 proud of the innovative things that they are
4 doing there throughout the county trying to
5 bring in more students. Bring in more college
6 level work for students and bring in more
7 college level programs for students. It is
8 absolutely fabulous. But I think there is a
9 financial hurdle here that has been creating
10 problems over the last several years because
11 we have decreasing enrollment and it's a
12 correlation I believe of increasing price.
13 Unless some changes to that is effectuated it
14 will continue in that direction and that is a
15 terrible precedent, a terrible situation and
16 it's a terrible burden upon the families and
17 the students.

18 Many of the students at Nassau
19 Community College were like me when I went
20 there. I had no support from my parents. One
21 parent had attempted suicide and my other
22 parent was prostrate with grief and mentally
23 couldn't do anything. I had to work my way
24 through there and other schools and support my
25 family and also take care of my family. I sew

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2 very nicely by the way.

3 I want to compliment each and every
4 one of you for taking the time, trouble and
5 effort to listen and to also listen very
6 carefully to the words of Dr. Keane and the
7 implications of that, both for our community
8 and especially for the students in our
9 community and the options that we are shutting
10 them out of because in large part what New
11 York State is doing to our community college
12 financially. I thank you all very much for
13 your time and effort.

14 LEGISLATOR GONSALVES: Thank you
15 Mr. Budnick. There are no other slips
16 regarding the college. Any other comments
17 from the legislators? There being none,
18 motion to close the hearing. Moved by
19 Legislator Gaylor. Seconded by Legislator
20 Rose. All those in favor of closing the
21 hearing signify by saying aye. Any opposed?
22 The hearing is now closed.

23 Now for item two on the calendar,
24 which is a vote on the college budget. Item
25 two is ordinance 76, an ordinance to adopt the

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2 Nassau County budget for Nassau Community
3 College for the fiscal year commencing
4 September 1, 2017 and ending an August 31,
5 2018, and to appropriate revenues and the
6 total amount of monies to be raised by
7 taxation within the County of Nassau for the
8 purposes of Nassau Community College for such
9 fiscal year, pursuant to the provisions of the
10 Education Law, the County Law, the General
11 Municipal Law, the County Government Law of
12 Nassau County Law and the Nassau County
13 Administrative Code.

14 Moved by Legislator MacKenzie.
15 Seconded by Legislator Walker. Any other
16 comments regarding this item? Any public
17 comment? There being none, all those in favor
18 of item two ordinance 76 regarding the Nassau
19 County budget say aye. Any opposed? The item
20 passes unanimously.

21 Good job Dr. Keane. Not
22 surprised. It's not an easy task to try to
23 survive with no money. Right? Or very little
24 money. I do remember when we had one-third,
25 one-third, one-third. We are far from that

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2 now. It means we have to start campaigning
3 now for next year. Don't let any grass grow
4 under our feet.

5 Mr. Pulitzer, I believe we have an
6 emergency item. We need to establish the
7 emergency. Please call the emergency.

8 MR. PULITZER: An emergency
9 resolution declaring an emergency for
10 immediate action upon an ordinance amending
11 ordinance 186-B-15 providing for an
12 expenditure to finance certain payments to
13 Nassau Community College Federation of
14 Teachers Member Employees at Nassau Community
15 College upon separation from employment,
16 authorizing \$7,650,000 of bonds of the County
17 of Nassau to finance said expenditure and
18 making certain determinations pursuant to the
19 State Environmental Quality Review Act,
20 pursuant to the Local Finance Law of New York
21 and the County Government Law of Nassau
22 County.

23 LEGISLATOR GONSALVES: A motion
24 to establish the emergency made by Legislator
25 Schaefer. Second by Legislator Rhoads. All

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2 those in favor of establishing the emergency
3 signify by saying aye. Any opposed? The
4 emergency is established unanimously.

5 Now for the item that was just
6 called, which is item 253-17, and it's the
7 ordinance providing for an expenditure to
8 finance certain payments to Nassau Community
9 College Federation of Teachers Member
10 Employees at Nassau Community College upon
11 separation from employment, authorizing
12 \$7,650,000 of bonds of Nassau County to
13 finance said expenditure, and making certain
14 determinations pursuant to the State
15 Environmental Quality Review Act, pursuant to
16 the Local Finance Law of New York and the
17 County Government Law of Nassau County.

18 A motion by Legislator Gaylor.
19 Second by Legislator Ford. Any questions
20 regarding this particular item? Do we have
21 any questions regarding this item?

22 LEGISLATOR ABRAHAMS: I would
23 just quickly if Dr. Keane or Kate Murray can
24 come up and give us a quick explanation.

25 DR. KEANE: So, the background of

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2 this that in the contract of 2014 to '17 of
3 the faculty contract there was an incentive
4 for retirement and that incentive led to 105
5 retirements. The payout for the benefits that
6 were in the contract led to this cost of over
7 \$7 million. So, at the time the college asked
8 for a ten-year loan, a loan with a pay back of
9 ten years, and you approved that. However,
10 NIFA denied it and we ended up with four-year
11 loan with a pay back schedule requiring a very
12 quick and high payment for us within four
13 years.

14 So, we have now asked NIFA to
15 reconsider. They have. And they have
16 approved, pending the legislators' approval as
17 well, of a ten-year schedule. So it would be
18 extended. So, it's really not new money,
19 although obviously it's just a different pay
20 back schedule. Although the interest
21 obviously must be paid during that period of
22 time. That's the background of it.

23 The emergency situation is such
24 that we just want to confirm our budget, get
25 it in place, because we are currently working

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2 very hard on complying with the accreditation
3 standards of our accrediting agency, which is
4 called the Middle States Association. We are
5 working very much to comply with that. And as
6 we put together a report for a team that will
7 be visiting us in the fall we want to make
8 sure that we have secured our finances and
9 presented our finances in a way that will be
10 convincing to that team and will show that the
11 college is on solid financial grounds. So
12 that gives some urgency for us to request your
13 approval of the extended payment schedule.

14 LEGISLATOR GONSALVES: Any other
15 comments or questions from the legislators?
16 Any public comment? There being none, all
17 those in favor of item 253 signify by saying
18 aye. Any opposed? It's unanimous. Thank you
19 Dr. Keane and Kate Murray and all who are here
20 on behalf of the college. That item also
21 passed unanimous.

22 Now, I believe there are no
23 other -- a motion to adjourn please. Moved by
24 Legislator Kopel. Second by Legislator
25 Nicoletto. All those in favor of -- I just

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2 received good advice and the advice was to
3 recess this meeting because Albany is still in
4 session and we can hear hopefully some good
5 news from Albany before the end of the week.
6 So this body is now in recess.

7 (Meeting was recessed at 3:38 P.M.)

8 MR. BUDNICK: Please forgive me.

9 LEGISLATOR GONSALVES: I have a
10 lot of speakers Mr. Budnick.

11 MR. BUDNICK: Please take them
12 first.

13 LEGISLATOR GONSALVES: We are now
14 in recess for the June 19th meeting.
15 Hopefully we will hear something positive from
16 Albany. I'm going now according to the slips
17 that were given to me. Patricia Gattling. Is
18 there a Patricia Gattling here? Okay.

19 MS. GATTLING: Madam Presiding
20 Officer, honorable legislators, good
21 afternoon. My name is Patricia Gattling and
22 I'm here to offer testimony before you based
23 on my professional experience, 20 years as a
24 prosecutor, 13 years as a New York City Human
25 Rights commissioner and deputy secretary for

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2 civil rights under Governor Andrew Cuomo.

3 Transportation equity is a civil
4 and human rights priority. Access to
5 affordable and reliable transportation widens
6 opportunity and is essential to addressing
7 poverty, unemployment and other equal
8 opportunity goals such as access to good
9 schools and health care services.

10 An alarming result of the
11 proliferation of TNCs in the undeniable
12 adverse impact on people with disabilities,
13 senior citizens, underserved communities, the
14 environment, social responsibility and the
15 labor force of the so-called on-demand sharing
16 economy.

17 The TNC business model halted
18 progress in achieving accessibility in public
19 transportation for people with disabilities
20 and seniors. They also provided inadequate
21 servicing to low income, minority rule,
22 unbanked and technology deprived communities.

23 They also caused vehicle
24 proliferation and search pricing which added
25 to congestion and carbon emissions. And the

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2 so-called sharing economy does not in fact
3 apply.

4 The lack of fingerprinting
5 requirements jeopardizes the safety of the
6 riding public and the lack of equal access for
7 all individuals is discrimination. So I urge
8 you to adopt the local law and opt out.

9 LEGISLATOR GONSALVES: Thank you
10 very much Patricia.

11 Pat Russo.

12 MS. RUSSO: Good afternoon Madam
13 Presiding Officers and honorable legislators.
14 My name is Pat Russo and I thank you for the
15 opportunity to testify this afternoon on the
16 TNC opt out. I am an adjunct professor at
17 John Jay College of Criminal Justice and an
18 attorney by profession in private practice
19 now.

20 Before I entered private practice I
21 spent 16 years as a state prosecutor in the
22 state inspector general's office, as a chief
23 judge of the Taxi and Limousine Commission, as
24 an inspector general at the New York City
25 Department of Investigation. I'm here today

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2 to testify specifically on the importance of
3 ensuring public safety for those using taxis,
4 limousines and TNCs.

5 I understand that lesser
6 deregulation for TNCs has a lot of appeal to
7 many. After all, this country was built on
8 hard work and people may not have been able to
9 achieve all they have because of excess
10 regulations. But we really are talking today
11 about a level playing field. Today there is
12 at least one federal appeals case coming out
13 of Newark, New Jersey where there is a
14 challenge to the special treatments for TNCs
15 as a violation of equal protection in the
16 United States Constitution.

17 I testified in support of Nassau
18 County continuing to ensure the safety of its
19 riding public by opting out of the state TNC
20 law and specifically allowed in the recently
21 passed legislation. The role of taxi
22 regulation is at the heart to protect the
23 public, including criminal background checks
24 for drivers. Ensure access for service. And
25 ensuring that vehicles are safe and properly

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2 insured.

3 A criminal background check is the
4 responsibility of the regulator, not a private
5 company in getting as many drivers on the road
6 as possible out of financial interest.

7 In April of 2017 the Massachusetts
8 Department of Public Utilities completed an
9 audit of TNC drivers and that agency found
10 that more than 8,200 drivers out of nearly
11 71,000 TNC drivers who had who already cleared
12 the TNC background checks, have been banned
13 after failing a new state records review.
14 These numbers included 51 registered sex
15 offenders and hundreds who were rejected for
16 other sex related crimes and violent
17 histories. Others were banned for minor
18 license offenses. As a result, now regulators
19 and legislators from Portland, Oregon,
20 Colorado, Rhode Island and other places have
21 responded with reported statements to the
22 Massachusetts audit with a sort of buyer's
23 remorse and now they are considering similar
24 audits.

25 In May of 2015 I coauthored a

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2 report with Professor Matthew Daus called One
3 Standard for All. It provided a comprehensive
4 analysis of background checks, examined the
5 type of checks in use of vetting for-hire
6 drivers in a variety of jurisdictions and for
7 those who transport the public needs. I
8 believe a copy has been provided for your
9 review.

10 In sum, the use of biometrics,
11 fingerprints, the driver vetting process
12 provides a efficient, cost effective and
13 comprehensive results. Government regulatory
14 agencies not private companies should apply
15 uniform licensing standards to the app
16 companies. I'm just finishing up.

17 Arrest and convictions that
18 occurred greater than seven years are not
19 available to the private companies. At the
20 same time they can't hide behind that.

21 In sum, neighboring New York City
22 today allows TNCs like Uber and Lyft to
23 operate in the same fashion. Licensing
24 drivers by vetting them for drug tests,
25 criminal background checks and ensuring

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2 vehicle safety. To illustrate the benefit of
3 Nassau TLC doing it everyday, I'm actually
4 shocked to hear the advocates for TNC speak
5 that Nassau County can no longer do what it's
6 doing today and what neighboring New York City
7 is doing every day. The fundamental role of
8 government is to ensure public safety. To
9 allow TNCs to operate on a lesser standard may
10 not just violate the constitution, but the
11 oath that each every public official takes to
12 serve his or her community and that vow is a
13 public official. I ask you to exercise your
14 rights as allowed under the state law and opt
15 out. I'm available for any questions. Thank
16 you. Thank you for your time. I believe that
17 copy of the report has been made available to
18 each and everyone of you. I have a full copy
19 of testimony as well if I can hand that up.

20 LEGISLATOR GONSALVES: Please
21 do. Heidi Sanft.

22 MS. SANFT: Good afternoon.
23 Thank you for letting me say what I have to
24 say. My name is Heidi Sanft. I'm the vice
25 president of the Nostrand Garden Civic

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2 Association in Uniondale and a member of the
3 Greater Uniondale Area Action Coalition. For
4 the past six or seven months our president,
5 Pearl Jacobs, who spoke earlier, and I have
6 been coming here asking you to please put the
7 Uniondale streetscaping project on your
8 calendar. And with all due respect Presiding
9 Officer Gonsalves, your answer has been no.
10 What I would like to do is just review a few
11 facts that I have. With me here is the
12 Uniondale Vision Plan.

13 The Uniondale Vision Plan was
14 published in August of 2002. Excuse me, 2012.
15 And it was funded by Nassau County and the
16 town of Hempstead. There was a fee of
17 \$102,000 paid to hire a consultant to put this
18 report together. My question is, what good is
19 a vision plan if five years later nothing's
20 been done? There is an action plan in the
21 vision plan and I'm looking at it right now.
22 And one of the items says Begin county
23 streetscaping initiative along Uniondale
24 Avenue between Front Street and Jerusalem
25 Avenue and the time frame is zero to six

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2 months.

3 Once again, the Uniondale vision
4 plan, some of you have seen it some of you
5 have not, it was quite lengthy and well put
6 together, was published in August of 2012.
7 That's right on the front. On November 10,
8 2015, and again this date is firmly etched in
9 my brain because it's my birthday. That's
10 here forever. The contractor was selected by
11 Nassau County for our streetscaping plan.
12 Yea. Progress. We were excited.

13 In May 2016 this particular
14 project, it's known as contract B11-16 came to
15 the legislature. That's of course all of
16 you. It's now June of 2017 and nothing has
17 happened. This is not about politics. It's
18 about doing the right thing. Please put this
19 contract on the Rules Committee's calendar
20 Presiding Officer Gonsalves.

21 I read in Newsday that you will not
22 be seeking reelection. Please do the right
23 thing for our community. It needs a lot of
24 help. None of us get paid for all of what we
25 do and some times the amount of things that we

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2 need to take care of is overwhelming.

3 You know, I own a business. We
4 have people working full time and taking time
5 off to be here and each and every day we try
6 to make Uniondale better. And then some other
7 problem pops up. We need your support.
8 Please put this project on the Rules
9 Committee's calendar so it can go for a vote
10 and be moved forward. Thank you.

11 LEGISLATOR GONSALVES: Angela
12 Marmo.

13 MS. MARMO: My name is Angela
14 Marmo. My father and I, Robert Marmo, own and
15 run North Shore Transportation in Manhasset
16 for the last 30 plus years. Since 1897 cabs
17 have been in New York. Our symbol to the
18 world are the Statute of Liberty, apples and
19 cabs. Present day the traditional cab company
20 and drivers have the highest standards of
21 safety and follow all rules, laws, regulations
22 and codes. I don't understand why a
23 transportation company in the same state just
24 because it's an app the standards are going to
25 be lowered and be allowed different laws where

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2 the main purpose is to transport the general
3 public from A to B safely.

4 I personally, other cab owners and
5 the general public who are actually aware of
6 this problem, have a huge concern with many of
7 these issues that Uber, Lyft, TNC companies
8 have been getting away with for years.

9 Priority number one is safety.
10 Sexual Offender Registration act does not
11 allow a sex offender to work on an ice cream
12 truck or drive a school bus. Why would you
13 allow them to drive a taxi? In my company
14 alone I drive at least 50 children a day to
15 and from schools, practices, friends
16 restaurants and other events. That's over
17 1500 trips a month at least where a potential
18 convicted pedophile may be in direct contact
19 with a minor. Convicted pedophile, rapists,
20 murderers should not be legally granted the
21 right to endanger the unaware, innocent
22 general public. There needs to be proper laws
23 to ensure safety. This is dangerous for the
24 general public and drastically dangerous to
25 for women, children and the elderly. This

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2 cannot be allowed.

3 Furthermore, there are hundreds of
4 transportation companies in Nassau and
5 Suffolk. Why would you allow basically one
6 company to have lesser laws, regulations and
7 lower standards than every other
8 transportation company has to follow? There
9 are laws in place for good reasons. Been for
10 decades. They should remain, be enforced and
11 all should follow.

12 This will affect many companies,
13 jobs, homes and communities and not for the
14 good and not only in transportation. Local
15 economy will be affected by our employees not
16 supporting local establishments because they
17 will be out of a job and we will be out of
18 business. For instance, many local food
19 establishments will be affected due to the
20 drop in cliental of local workers. Many
21 companies such as our paint shops and printing
22 shops like the ones that make our lettering
23 for our cars that we legally have to have on
24 our vehicles, which is the name of the
25 company, address, phone number and car

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2 number. Unlike TNC companies that have
3 nothing identifying them to the general public
4 besides a small sticker. You can't call with
5 a question, concern or complaint. Also to
6 point out cabs are circling towns 24-7 serving
7 as extra eyes and ears who help them work with
8 law enforcement.

9 Continue to lead as an example.
10 There needs to be set protocols regarding
11 proper insurance, background checks,
12 fingerprinting and drug testing. Which should
13 all be through a third party that they did
14 not, like we have. If I want to put another
15 cab on the road in the town of North Hempstead
16 I have to get permission from my town after a
17 necessity study is done. The TNCs can license
18 an endless number of vehicles flooding our
19 streets, polluting our environment and air
20 quality from cruising.

21 Another problem is the pricing. We
22 have set pricing which is mandatory. But they
23 can undercut and have surges according to
24 date, weather and time. We all have been
25 serving our areas for decades without this

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2 many instances and discrepancies combined.
3 Accidents, harassments, assaults, kidnaping,
4 death and law breaking that these unsupervised
5 companies have been the last couple of years.
6 We want answers. How is this fair? How is
7 this legal? There must be a fair and level
8 playing field for everyone to follow the same
9 laws. A passengers should have the right and
10 the law behind them to feel safe and protected
11 using any public service. Don't let them get
12 away with this anymore and help us fight for
13 stronger laws, equal laws for transportation
14 companies. Please help keep our community
15 safe. Thank you for your time.

16 LEGISLATOR GONSALVES: Thank you
17 Angela. Jeanine Maynard.

18 MS. MAYNARD: Good afternoon. My
19 name is Jeanine Maynard. I'm here as to
20 co-facilitator of the GUAAC coalition. That's
21 the Greater Uniondale Area Action Coalition.
22 On behalf of the community, we have organized
23 ourselves to have a unified voice with certain
24 points of unity. Beautification of our
25 community is one of those points of unity.

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2 Everyone in the neighborhood agrees that is it
3 is one of our priorities to improve the look
4 and the feel of Uniondale.

5 Uniondale is a global community.
6 We are very well positioned to be involved in
7 the revitalization of Nassau County. We've
8 done our due diligence to strengthen our
9 community and our involvement and our planning
10 to participate. Right now we've been taken
11 advantage of for political purposes that have
12 divided the parties here in being able to get
13 the work of the community done. That's a huge
14 disappointment to the neighborhood, but it's
15 also something that I'm asking everyone to
16 consider.

17 Right now the legacy of this
18 administration and the legacy of the Central
19 Hub of Nassau County is at stake. We have the
20 look of revitalization with the new coliseum
21 and corridors that approach that coliseum
22 looking spiffy in Westbury, looking great in
23 Mineola, looking wonderful in Garden City
24 looking improving in Hempstead, looking okay
25 coming up Merrick Avenue from Merrick to East

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2 Meadow.

3 Yet when you come south from
4 Uniondale between the parkway and the coliseum
5 you see nothing. That is part of the shameful
6 legacy of Nassau County and its corridor of
7 color and the disparities of community that
8 have plighted this county. Suffolk is getting
9 its act together, has its game going on. A
10 lot of investing happening on there. Brooklyn
11 is popping up. Long Island City is growing.
12 Everybody place has their identity of place.
13 Nassau County and its Hub continues a story of
14 fracture. That fracture is visible to other
15 people. It doesn't just hurt the politics.

16 Today I heard some themes about
17 family, about bravery, about the values of
18 Nassau County, about values that we all hold
19 near and dear. So, we ask that the community
20 of safety is represented here in our request
21 for the beautification funds. We don't need
22 our seniors tripping on our streets. We want
23 our families to be wholesome and strong and we
24 want our economy to support them. When you
25 structure a policy and it disenfranchises a

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2 place that kind of structured disparity is
3 considered something that in many places is
4 illegal.

5 If Nassau County wants the face of
6 moving into the future and moving as a global
7 economy then it needs to embrace its different
8 people and it needs to stand with its
9 agreements.

10 Now, because this agreement was
11 made for our beautification funds, we are
12 deeply concerned that it is not enough for a
13 discussion to move it forward. That agreement
14 should have been repaired by discussion. And
15 we've been here discussing it over and over
16 and over again. And so now it's approaching
17 the proportion of legacy and disparity and
18 something that is much more hurtful to the
19 look of the center of Nassau County.

20 If this body decides to stay
21 fractured that will be the story. I know that
22 there are people that want the Uniondale story
23 to have a different story on the north and a
24 different story on the south. But that is not
25 the healthy history of moving forward. We are

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2 the hub of Nassau County. Uniondale's space
3 is the majority of the Hub and it would be a
4 shame if the story that rose forward from this
5 administration is that you believe in a
6 divided Hub. I want you to consider that and
7 think about moving this issue forward. It's
8 time to do better. Thank you.

9 LEGISLATOR GONSALVES: Jason
10 Verity.

11 MR. VERITY: Good afternoon. I'm
12 not a good speaker so bear with me please. My
13 name is Jason Verity. My family owns and
14 operates Dawson Taxi, Long Island's oldest
15 taxi company, in business since 1904. Myself
16 I'm the owner of Airport Rides Service. We do
17 a good job too. Give us a call.

18 I'm here for the reason of the
19 TNCs. I'm also a legally licensed TNC driver
20 in New York City. I have experienced a
21 process of obtaining my license. Let me share
22 that with you. A background check which
23 requires fingerprinting. A drug test every
24 year. I had to complete a 24 hour driving
25 training course. I had to complete a four

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2 hour wheelchair course. I had to complete a
3 six hour defensive driving course. I had to
4 watch a sex trafficking video.

5 Did I like all the things that I
6 had to do to obtain the license? Absolutely
7 not. Did the ride share company that I was
8 going to work for like the things that I was
9 required to do and the process it took, the
10 time it took to get on the road? Absolutely
11 not. But those are the rules that New York
12 City put in place. Safeguards for their
13 people, for their citizens.

14 Currently Nassau County has its own
15 rules for our licensed drivers for taxis et
16 cetera. Rules put in place by the county to
17 ensure the public safety. Those should not be
18 ignored whether the state or whomever would
19 like to change those. Those are safeguards
20 for your people.

21 Local governments are exactly what
22 it says. You, as the legislature, are paid by
23 the residents of Nassau County to ensure their
24 safety. To ensure that they will not be
25 picked up in a vehicle by someone who could be

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2 a sex predator or worse.

3 Allowing ride share companies to do
4 their own background checks that require no
5 fingerprint is simply is wrong. Running a
6 person's name through a data base has huge
7 holes. What about the thousands of
8 municipalities throughout the country that do
9 not post their records online? Nassau County
10 cannot simply allow violent felons and sexual
11 predators to transport passengers on Long
12 Island. How do you tell a convicted sexual
13 predator you cannot live within a certain
14 distance from a school but you are allowed to
15 pick up a student from that same school?

16 The task of Nassau County is to
17 make ride share safe. Passenger
18 transportation should be safe as well. It is
19 a complicated process. The towns and villages
20 each have certain rules. It's the county's
21 job to bring all municipalities together and
22 ensure that those rules are safe for all.

23 I do have a bunch of signatures.
24 We have about 350 signature or so of people
25 who we have advised what's going on and they

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2 have signed the petitions to opt out. A
3 certain ride share company touts a percentage
4 of 74 percent of Long Islanders prefer ride
5 share. Well, those numbers would greatly
6 change if they knew what the ride share was.
7 I did my own online poll on Facebook and
8 shared it with many people on local pages and
9 I would like to share that as well.

10 The first question is, should
11 convicted predators be allowed to transport
12 passengers on Long Island? 95 percent of the
13 people said no out of the 537 people. Should
14 all taxi and ride share drivers have to be
15 drug tested? 91 percent of the people said
16 yes.

17 Should all taxi and ride share
18 driver have to submit to a background check
19 that must include fingerprinting? 93 percent
20 of the people said yes.

21 Should all taxi and ride share
22 drivers have to obtain a commercial driver's
23 license through a local municipality? 87
24 percent of the people said yes.

25 As a passenger would you feel safe

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2 with a teenage driver? 78 percent of the
3 people said no. 15 percent not sure. And
4 eight percent said yes.

5 As a passenger would you feel safe
6 safe driving a 2002 vehicle. 63 percent of
7 the people said no. 15 percent said yes and
8 the remaining 22 percent said yes they feel
9 safe but they prefer a newer vehicle. I
10 appreciate your time.

11 LEGISLATOR GONSALVES: Thank
12 you. Anything you have you can give and we
13 will get it. Richard Castro.

14 MR. CASTRO: Good afternoon
15 county legislators. Each of you by allowing
16 the new law that applies to the so-called
17 transportation network companies TNCs which
18 permits the TNCs to operate in Nassau County
19 is preempting town and villages to regulate
20 the TNCs while simultaneously permitting towns
21 and villages and Nassau County to exclusively
22 regulate the taxi industry. Thereby creating
23 a system where two similarly situated
24 industries are basically prearranged rides are
25 being regulated by two different government

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2 bodies in an entirely unequal way. Which is a
3 violation of the taxi industry's
4 constitutional rights.

5 The taxi industry in Nassau County
6 is highly regulated by state statutes,
7 municipal rules and town and village
8 ordinances. The current version of the taxi
9 rules, which I have right here, which have
10 been out for a long time, are a product of
11 decades of revisions designed to protect
12 consumers, ensure public safety, safeguard
13 competition and provide nondiscriminatory taxi
14 services. The current laws and rules specify
15 how taxi businesses and drivers must operate
16 together. These legal controls are designed
17 to protect consumers and ensure the taxi
18 services in the respective municipalities will
19 operate both safely reliably.

20 By not opting out you and the state
21 laws are throwing all this out the window by
22 making us obey stricter laws and at the same
23 time letting the new TNCs will not have to do
24 anything.

25 As well, municipalities have been

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2 given the authority to regulate vehicles used
3 for the conveyance of persons for hire from
4 place to place for decades. You as
5 legislators must uphold the laws that have
6 been in place all over Nassau County. The
7 state gave you the right to opt out and until
8 you can make it a level playing field, equal,
9 to not violate our constitutional rights and
10 the powers the municipalities have given you,
11 you should have the obligation to opt out and
12 put public safety first. Most importantly by
13 not having sexual predators driving kids
14 around. Not having 19 year olds drive people
15 around when we have 25 years old requirement
16 to have 25 year olds in our cars.

17 I would like to think if you don't
18 get the proper answers from the state
19 legislators office you definitely opt out
20 because as a business owner if I didn't get
21 the right answers and I had an option to do
22 something that's a betterment for the
23 community I would definitely follow that
24 rule. Thank you for the time. Rick Castro.

25 LEGISLATOR GONSALVES: I have one

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2 more speaker. I believe it's David O'Neill is
3 David O'Neill here?

4 MR. O'NEILL: Yes Madam Presiding
5 Officer. I wasn't prepared to make a speech
6 or talk this evening or this afternoon.

7 There's a major concern with the
8 state elected officials passing down the TNC
9 new law. For the record, I also applied as a
10 TNC driver in Nassau County. They instructed
11 us 19 years old or older. Use your own car.
12 Use your own insurance. I asked them and they
13 said they are not required by law to inform my
14 insurance company that I am driving my car as
15 a for-hire vehicle. What does that mean?

16 I called up GEICO. I said I'm
17 going to drive for Uber or Lyft. We will not
18 cover you if you are in an accident. So, does
19 the umbrella policy cover the accident? I sat
20 down with three personal injury attorneys and
21 the answer was no on all three counts. So we,
22 by doing this, we are allowing uninsured
23 drivers on the streets. God forbid somebody
24 gets into an accident as a passenger, my
25 daughter, my five stepchildren, at a red light

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2 gets rear ended. They now have to sue their
3 own insurance company for uninsured motorist.

4 It was brought to my attention
5 there are some attorneys that are legislators
6 as well. I'm not an attorney. I ask everyone
7 call your insurance companies. Call Allstate,
8 GEICO, Farmers and inform them that you are
9 going to drive for these companies. Ask them
10 if they will cover you if you get into an
11 accident. Ask them if they will insure you if
12 you are going to drive a for-hire vehicle for
13 these companies. The answer will most likely
14 I'm sure will be no. No major companies will
15 insure.

16 What does that mean? We're putting
17 residents at risk here by having uninsured
18 motorists drive. Individuals going down there
19 should have the ability to work. But they
20 should be educated when they are filling out
21 that application that you have to inform your
22 insurance company and if they don't insure
23 then you must get proper insurance.

24 As taxi and limousine commissioners
25 every village is different. Myself, a village

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2 car service owner, village of Lynbrook is the
3 highest in the county of Nassau for insurance
4 requirements. We must set the standard higher
5 for these people. Why should they be able to
6 pay and you're having 19 year old children
7 under the assigned risk as it is -- God forbid
8 he gets into an accident. He will never get
9 insurance again because he never disclosed to
10 GEICO, Farmers, Allstate that he is driving a
11 for-hire vehicle for these companies. Is this
12 what you want for these children? They will
13 not be able to drive and then not be able to
14 work. Thank you.

15 LEGISLATOR GONSALVES: Thank you
16 Mr. O'Neill.

17 Mr. Budnick, do you have anything
18 else to add?

19 MR. BUDNICK: First of all,
20 speaking just for a moment as a former
21 assistant district attorney, I do believe that
22 anybody picking up anyone as a passenger in
23 their vehicles on a professional basis must be
24 fingerprinted and I would even recommend a DNA
25 sample from them. So, I think the county

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2 should create a committee of legislators from
3 Nassau County Consumer Affairs, Nassau County
4 Police Department, our TLC Commission to study
5 this issue and absolutely not allow it to go
6 ahead until there are sufficient safeguards in
7 place.

8 Second, I wanted to talk about
9 Nassau Community College. For years I have
10 been advocating the creation of a historical
11 district there reflecting back to the times of
12 Mitchell Field and the numerous historical
13 facts that associate with Mitchell Field. The
14 first and only, to the best of my knowledge,
15 joint army-navy aviation medicine school,
16 first medical school on Long Island having
17 been placed there, among all the things that
18 happened during World War II. Including
19 hundreds perhaps thousands of merchant
20 mariners, right off the shores here of Long
21 Island, being saved by aircraft that
22 originated in Mitchell Field.

23 Now, I believe that a large part of
24 any income derived from that could go to the
25 college to help the college. But, once again,

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2 it has to be worked out.

3 One other thing I think you may
4 already know about, the night after tomorrow,
5 Wednesday night, there will be a hearing here,
6 New York State, here about the proposal for
7 New York City to be allowed in Queens to
8 remove perhaps millions and millions of
9 gallons a day and what the potential is
10 particularly for western Nassau County. Water
11 supply and water suppliers and water users are
12 citizens, and I hope that everybody will take
13 notice of that and do what they consider
14 appropriate for the benefit of the citizens of
15 our county. Thank you.

16 LEGISLATOR GONSALVES: Safe
17 home.

18 MR. BLESSINGER: About the
19 insurance, what's going to happen is that your
20 GEICOs, your Allstates, your State Farms, when
21 an accident occurs the passengers that's are
22 in the back seat their no-fault benefits will
23 be declined and it could prevent them from
24 getting the proper treatment because of an
25 injury that occurred in the accident. Because

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2 it specifically says in the debt page of your
3 personal auto that if is a vehicle is being
4 used for hire coverage will be declined.

5 LEGISLATOR GONSALVES: Thank you
6 Mr. Blessinger.

7 (TIME NOTED: 4:25 P.M.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have
hereunto set my hand this 20th day of
June 2017

FRANK GRAY