

NASSAU COUNTY LEGISLATURE

Richard Nicolello,
PRESIDING OFFICER

FULL LEGISLATURE

1550 Franklin Avenue
Mineola, New York

May 23, 2018
1:20 p.m.

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

RICHARD NICOLELLO
Presiding Officer

HOWARD KOPEL
Deputy Presiding Officer

JOHN FERRETTI

THOMAS MCKEVITT

C. WILLIAM GAYLOR III

STEVEN RHOADS

JAMES KENNEDY

LAURA SCHAEFER

ROSE MARIE WALKER

VINCENT MUSCARELLA

DENISE FORD

KEVAN ABRAHAMS

DELIA DERIGGI-WHITTON

SIELA BYNOE

CARRIE SOLAGES

ELLEN BIRNBAUM

ARNOLD DRUCKER

JOSHUA LAFAZAN

DEBRA MULE

DENISE FORD

MICHAEL C. PULITZER
Clerk of the Legislature

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1 LEGISLATOR NICOLELLO: Thank you all for attending
2 today's legislative meeting. We are going to start as we
3 always do with a Pledge of Allegiance, after which we will
4 have a moment of silence. But please stand and will
5 Legislator Colonel Bill Gaylor please lead us in the
6 pledge.

7 (Pledge of Allegiance recited.)

8 LEGISLATOR NICOLELLO: Okay, we're going to have
9 a moment of silence for the victims of the school shooting
10 in Santa Fe, Texas. Unfortunately, this is something we're
11 doing way too often. We have moment of silence for the
12 victims, their families and all the students who are
13 exposed to that trauma.

14 Okay, we do the roll call, correct? Let's do the
15 roll call.

16 CLERK PULITZER: Thank you Presiding
17 Officer. Roll call. Deputy Presiding Officer,
18 Howard Kopel?

19 CLERK PULITZER: Alternate Deputy
20 Presiding Officer, Denise Ford?

21 LEGISLATOR FORD: Here.

22 CLERK PULITZER: Legislator Siela Bynoe?

23 LEGISLATOR BYNOE: Here.

24 CLERK PULITZER: Legislator Carrie A.
25 Solages?

1 LEGISLATOR SOLAGES: Here.

2 CLERK PULITZER: Legislator Debra Mule?

3 LEGISLATOR MULE: Here.

4 CLERK PULITZER: Legislator C. William
5 Gaylor III?

6 LEGISLATOR GAYLOR: Present.

7 CLERK PULITZER: Thank you. Legislator
8 Vincent Muscarealla?

9 LEGISLATOR MUSCARELLA: Here.

10 CLERK PULITZER: Legislator Ellen
11 Birnbaum?

12 LEGISLATOR BIRNBAUM: Here.

13 CLERK PULITZER: Thank you. Legislator
14 Delia DeRiggi-Whitton?

15 LEGISLATOR DERIGGI-WHITTON: Here.

16 CLERK PULITZER: Legislator James
17 Kennedy?

18 LEGISLATOR KENNEDY: Here.

19 CLERK PULITZER: Legislator Thomas
20 McKevitt?

21 LEGISLATOR MCKEVITT: Here.

22 CLERK PULITZER: Legislator Laura
23 Schaefer?

24 LEGISLATOR SCHAEFER: Here.

25 CLERK PULITZER: Legislator John

1 Ferretti Jr.?

2 LEGISLATOR FERRETTI: Here.

3 CLERK PULITZER: Legislator Arnold

4 Drucker?

5 LEGISLATOR DRUCKER: Here.

6 CLERK PULITZER: Legislator Rose Marie

7 Walker?

8 LEGISLATOR WALKER: Here.

9 CLERK PULITZER: Legislator Joshua

10 Lafazan?

11 LEGISLATOR LAFAZAN: Here.

12 CLERK PULITZER: Legislator Steven

13 Rhoads?

14 CLERK PULITZER: Minority Leader Kevan

15 Abrahams?

16 MINORITY LEADER ABRAHAMS: Here.

17 CLERK PULITZER: Presiding Officer Richard

18 Nicolello?

19 RICHARD NICOLELLO: Here.

20 CLERK PULITZER: We have a quorum, sir.

21 LEGISLATOR NICOLELLO: Okay, thank you

22 very much. Once again, welcome to our legislative

23 meeting. The order of business is a 30 minute

24 public comment period. Followed by the hearings

25 and consideration of the various items on our

1 agenda. After we're finished if we have not
2 completed the public comment period, we will go
3 back to public comment. I have a bunch of slips
4 for public comment, some of which relate to the
5 Tobacco 21 legislation which will be considered
6 once we start the business of the Legislature.
7 I'm going to hold the comments on that issue
8 until we have the public hearing on the Tobacco
9 21 legislation. Aside from that I still have a
10 number of slips. I request that you try to abide
11 by the 3 minute rule as much as possible, so that
12 we can get through as many of these slips as
13 possible before the 30 minutes elapse of public
14 comment. It's 20 after 1 now, so we'll be
15 completing public comment by 10 minutes to 2 and
16 going into the business of the Legislature.

17 For starters, I would like to call up
18 Jennifer Schlesinger from Secure Our Schools-
19 Nassau County.

20 JENNIFER SCHLESINGER: I appear here
21 today on behalf of a large and growing group of
22 concerned citizens known as Secure Our Schools-
23 Nassau County. We are here to demand that you our
24 representative pass legislation implementing a
25 School Resource Officer (SRO) program whereby the

1 Nassau County Police Department will train and
2 employ qualified School Resource Officers who
3 would carry firearms during their duties. These
4 SRO's would be available to any school in Nassau
5 County that opts into the program. Under this
6 program school districts can contract with the
7 Nassau County Police Department to obtain SRO
8 services. Schools are soft, easy targets who want
9 to do harm and gain notoriety. The communities
10 across the nation that have been devastated by
11 the occurrence of school shootings never expected
12 to fall victim to such a heinous crime. It is
13 crucial that we be prepared and proactive in
14 protecting the lives of our most precious and
15 defenseless population, our children.

16 We have witnessed in recent school
17 shootings that SRO's have prevented fatalities
18 and mitigated losses. Schools in Nassau County
19 deserve the same level of protection afforded to
20 many schools around the country where SRO's are
21 currently in place. In an active shooter
22 situation every moment counts. Each minute that
23 passes until the arrival of local police can mean
24 the loss of a life. With a properly trained SRO
25 on site and immediately respond to and engage an

1 active shooter and save lives.

2 As I'm sure you're aware, in March the
3 New York State Senate passed a comprehensive
4 school safety package to improve security and
5 keep students safe. Which includes state funding
6 to school districts outside of New York City to
7 hire SRO's or the option for schools to contract
8 with the state, a county, city, town, or villages
9 for SRO services. We are hopeful that the senate
10 package will be passed by the State Assembly and
11 signed into law by Governor Cuomo. We expect our
12 county legislators to support these measure and
13 to follow their lead on the county level by
14 acting swiftly to establish the infrastructure
15 within the Nassau County Police Department
16 necessary to make SRO's available to Nassau
17 County schools. We believe that the state,
18 county, and school districts can work together to
19 establish and fund an SRO program.

20 While we strongly support a variety of
21 other school security measures that may be
22 pursued by our government and local school
23 districts it is imperative that each school in
24 Nassau County have the option to obtain the
25 services of an SRO provided by the Nassau County

1 Police Department, whom shall act as a deterrent
2 and first responder on school grounds.

3 It is improper for school districts to be
4 charged with the responsibility of hiring and
5 managing private security firms that provide
6 security personnel that will carry firearms in
7 the course of their duties on public school
8 property. The Nassau County Police Department,
9 along with the services they typically provide,
10 must adjust to this new but very real threat of
11 school shootings.

12 To reiterate we are asking you, our
13 legislators, to introduce and subsequently pass
14 legislation instituting an SRO program through
15 the Nassau County Police Department. Thank you.

16 LEGISLATOR NICOLELLO: Thank you. Did
17 you want to respond?

18 LEGISLATOR RHOADS: Sure. It's not
19 really so much a response. Ms. Schlesinger, I
20 want to thank you for coming down and expressing
21 so well your concerns. I mean, the issue you're
22 talking about is one which every single
23 legislator I'm sure is concerned. Either as a
24 parent or grandparent, an aunt or uncle. You
25 know, the issue of school security is something

1 that touches each and every one of our lives.
2 What you're asking for is easy to ask for but
3 it's very difficult to implement. Both from a
4 financial standpoint as well as from a personnel
5 standpoint. Essentially what you're asking for,
6 to put a resource officer in every school
7 building, would require us to increase the size
8 of our police force, probably by about 20 percent
9 if we were just going to put one resource officer
10 in each school.

11 But we are certainly happy to take those
12 concerns- I don't mean to speak for the entire
13 Legislature, but to work with the administration
14 to see if there is some way that we can come up
15 with an adequate solution working with the
16 individual school districts and working with the
17 state. Because I think all three have to be
18 partners in whatever solution there is going to
19 be to this growing problem.

20 Also there has to be some sort of
21 consensus on the part of the district level, as
22 to whether they would like to opt in to that type
23 of a program if it were offered. The county has
24 the ability to mandate. In other words even if
25 were to have 450 officers that we could assign

1 today to go into each and every school building
2 in Nassau County, we as a county don't have the
3 right to put them into those buildings. The state
4 has control over education. The state could
5 mandate that the schools through armed security
6 within school buildings, or the individual
7 districts on their own can make that choice. But
8 they have to be partners in the solution and
9 we're happy to work together with them to try and
10 find an adequate solution for that.

11 What I will do right away is, to the
12 extent, I spoke with Commissioner Ryder
13 specifically about your issue. Nancy Caplan was
14 there, we had our Commissioner's Community
15 Council meeting in Mineola on Monday. So we had
16 an opportunity, the three of us to sit down to
17 address it. What I will ask the commissioner to
18 do is, I'll ask him to the extent that he hasn't
19 already, to make sure that he reaches out to each
20 of the 56 district commissioners to set up a
21 meeting with them so that not only can he review
22 the individual school security package in each of
23 their districts, but that he can specifically
24 address the issue of armed security and what the
25 police department can offer those districts to

1 compliment the package that they already have.

2 I will also say that Nassau County has
3 already taken steps in the Rave app which
4 actually has been offered to each and every
5 school district that Rave app reduces the
6 response time by the Nassau County Police
7 Department approximately in half. If there were
8 an active shooter situation it bypasses the 911
9 operator to get the signal directly to the
10 dispatcher so that you're eliminating the middle
11 man. So our response time, which is typically
12 about 5 minutes, is automatically cut in half. By
13 about 2 and $\frac{1}{2}$, by getting cars on the road
14 faster.

15 The other component to the Rave app is
16 that not only do you get the signal faster but
17 for those who subscribe to the system, and Pat
18 Ryder would be able to tell you this himself,
19 typically he's here but as you may have heard
20 there's another event going on about 10 miles
21 east of here with the president coming into town,
22 So obviously that takes priority, it allows the
23 police department to access the internal security
24 cameras at whatever building their responding to.
25 So not only do they get the signal faster, but

1 the responding police officers can see in real
2 time using that building's own cameras what's
3 taking place inside the building to plan a more
4 effective response.

5 In addition, there 177 patrol cars on
6 posts, patrol cars that are out 24 hours per day.
7 The police commissioner has already ordered that
8 each of those 177 patrol cars make a visit to a
9 school building every day to speak with the
10 administrator of that school and do a walk of the
11 building. What that does is at least familiarizes
12 the police officers on that post with that school
13 building, with the administrators in the building
14 and introduce themselves as a resource, so that
15 they can begin to build a relationship.

16 But much more needs to be done, I
17 completely agree with you and we're promise that
18 we're going to work together to try and find an
19 effective solution. But unfortunately it's not a
20 quick one.

21 LEGISLATOR NICOLELLO: Alright, we'll
22 move on. What we're going to do is extend the
23 public comment until 2:00. That was a very
24 informative response by Legislator Rhoads and all
25 of us would like to respond, especially when our

1 constituents come up, but let's let the people
2 get their time to speak so we can get to as many
3 people through this as possible. Next speaker is
4 Pete Gaffney.

5 PETE GAFFNEY: Good afternoon. My name
6 is Pete Gaffney. I reside in Westbury, Carle
7 Place school district area and just good
8 afternoon to everyone.

9 What I want to say first is thank you for
10 repaving a one block stretch from Glen Cove Road
11 to Jamaica Boulevard. It makes a big difference.
12 Now we just have to work on the other five area-
13 blocks area on Westbury Avenue just to help out
14 business community.

15 With that being said, what's happening
16 right now with the third rail project that's
17 going on, we're actually going to have a
18 community meeting- our civic association is
19 having a community meeting tonight. So, if
20 anybody is interested and see what kind of crazy
21 changes that they're doing without telling Nassau
22 County residents- I know everybody is busy but
23 please if you'd like to come it's going to be at
24 7:30 at Carle Place High School.

25 Next thing I want to talk about is just

1 public safety, two roads in particular. Glen Cove
2 Road and also Old Country Road, in the retail
3 business community section. On Glen Cove Road it
4 was resurfaced, completely redone, approximately
5 two or three years ago. I was corrected. I said
6 that it was two years ago. There's over 50
7 surface transverse cracks that are on the roadway
8 already. It's already starting to deteriorate.
9 The phrase "see something, say something" I'm
10 going to tell everybody I'd like to get that
11 changed. I'd like to say, "see something do
12 something." So I put a call into public works to
13 see if they would go in and re-patch the road,
14 just because we're already starting to see cracks
15 in the roadway where they're creating pot holes.
16 There's over 50 of them there.

17 Secondly, Old Country Road, it's a mess,
18 you know? By the way, I know about six weeks ago,
19 our County Executive asked for a detailed listing
20 of all our roads. I wonder how that's going. I
21 haven't heard anything yet.

22 But anyway, just getting back to Old
23 Country Road, it's a mess. You know, people don't
24 want to come there. The traffic is ridiculous,
25 the road is in absolute bad shape and what's

1 happening is that's going to affect that whole
2 business community from Roosevelt Field, all the
3 way down to the old Fortunoff Mall, which that
4 whole little area is getting redeveloped. There's
5 going to be an additional approximately about
6 400,000 square feet of retail space put in there.
7 Well, I mean, these businesses are not going to
8 attract customers if they can't drive there and
9 get there. So, something needs to be done and we
10 need your help to get that taken care of.

11 And by the way, did you know there's not
12 one "no U-turn signs" on Old Country Road? That's
13 ridiculous. There needs to be something done to
14 just reduce traffic mitigation. Thank you.

15 LEGISLATOR NICOLELLO: Thank you Mr.
16 Gaffney. Robert Robalsky.

17 ROBERT ROBALSKY: Alright, good
18 afternoon. Of the three fees that appear on red
19 light camera tickets issued in Nassau County, I'm
20 not questioning a \$50 fee that applies to the
21 vehicle's owner as identified by the license
22 plate. The driver responsibility and public
23 safety fees, however, are specifically referred
24 to the actions of the driver of the vehicle at
25 the time of the infraction. Apparently, the owner

1 is assumed to have been the driver. But there's
2 absolutely no evidence in a red-light camera
3 video that identifies the owner as the driver.
4 Both may or may not be the same person.

5 Nevertheless, the two added fees are
6 imposed upon the owner. Unjustifiably I believe,
7 considering that most vehicles have multiple
8 drivers with legitimate access to them. Nassau
9 County offers no proof or evidence that the owner
10 and driver were the same person by any legal
11 standard. Not by a preponderance of or any
12 available evidence and certainly no beyond a
13 reasonable doubt.

14 Most tellingly, however, I believe the
15 ticket itself indicates that no points are added
16 to a driver's license for red-light camera
17 violations. Not because of the beneficence of
18 Nassau County, but rather because the driver is
19 not known. This would not be the case of course
20 when an infraction ticketed at the scene by a
21 police officer, the driver then being identified.
22 The ticket on the one hand acknowledges that the
23 driver is not known by not adding points to their
24 license, but then in self-contradiction, imposes
25 a monetary penalty to that same driver's actions

1 and to a separate party at that, the owner.
2 Unsubstantiated liability by proxy, how is that
3 justice? A red-light camera video provides only
4 limited evidence and liability. The \$50 fine
5 covers that. The added two fees specifically
6 relate to the actions of an unidentified party.
7 Those fees therefore are improper and
8 unsupportable when blindly assigned to the
9 vehicle's owner in the ticketing process.

10 Further, these fees require full payment
11 as indicated with no right to challenge the fees
12 on an individual basis. Yet may not even apply to
13 the vehicle's owner, the ticketed party
14 nonetheless.

15 While Nassau County has the power to
16 adopt and amend local laws relative to fixing,
17 collecting, and imposing fees, should this be
18 allowed to supersede constitutional guarantees or
19 common sense? And can one party legitimately be
20 held liable for infractions committed by someone
21 else? The county attempts to fill its coffers by
22 trampling on the rights of its citizens and has
23 chosen to completely disregard the need for
24 evidence when assigning liability here. That's
25 tyrannical, and it demands remediation. Thank

1 you.

2 LEGISLATOR NICOLELLO: Thank you Mr.
3 Robalsky. Joanne Borden. Thank you.

4 ROBERT ROBALKSY: Excuse me?

5 LEGISLATOR NICOLELLO: Just thank you.
6 The next speaker is Joanne Borden.

7 JOANNE BORDEN: Good afternoon. I'm here
8 today, once again to ask you for transgender
9 human rights. I'm not asking you to believe the
10 scholars and scientists that say we are born
11 transgender. I'm not asking you to believe that
12 God created us this way. I'm not asking you to
13 believe that we do not have the power to alter
14 His will. I'm not asking you to believe our brain
15 carries the sex that can vary from our physical
16 appearance. I'm not asking you to give
17 transgender people special treatment.

18 I am asking you to give us a law that
19 protects us from harmful discrimination. Protects
20 from being fired from our job, evicted from our
21 apartment, refused service in restaurants for no
22 other reason than we are transgender people.

23 Theodore Roosevelt implied that all men
24 should be treated equally when he said that no
25 man is above the law and no man beneath it.

1 Abraham Lincoln, the first Republican president,
2 said this nation was dedicated to the proposition
3 that all men are created equal. Thomas Jefferson
4 said every human being born on this continent has
5 a right to equal, indeed, identical treatment in
6 the machine of the law. If you think those are
7 two old, Ronald Reagan said, "A legislator's
8 first duty is to protect the people, not run
9 their lives."

10 So, I am simply asking you to perform
11 your duty and protect us from harmful
12 discrimination like you do for everyone else. My
13 message is not complicated, in fact it is quite
14 simple. By merely adding the definition of the
15 word gender to our law, you will add us to that
16 law. You will be giving us no more, but no less
17 than everyone else has in Nassau County. So, in
18 conclusion, I ask you to pass a transgender human
19 rights law now. Thank you for listening.

20 LEGISLATOR NICOLELLO: Thank you Joanne.
21 Judy Sanford Guise.

22 JUDY SANFORD GUISE: Hi. I didn't expect
23 to be called so early. I'm Judy Sanford Guise and
24 I live in North Valley Stream and I live on the
25 N1 Route. I know that you are going to be

1 discussing at some point today what may be
2 request for not adding funding but facilitating
3 additional funding. And I would suggest that
4 before any additional funding would ever be
5 considered that the not-nice bus company,
6 otherwise known as Nice run by Transdev, be
7 expected to provide services that are close to
8 minimal expectation of what should be a public
9 mass transit system. My secret hope is if that
10 you all would require them to provide minimal
11 service they would go away. Because to me this is
12 a company that any regular fare rider would say
13 to you, if they could afford to be here, that
14 this company is eager to provide the least
15 service possible for the greatest profit. And
16 that does not mean serving us.

17 I know that supposedly there is an
18 oversight committee. I don't know who is on the
19 oversight committee. I'd like to know, you know,
20 who they are and how they oversight and whether
21 when they meet do they use the not-nice bus
22 system to get there.

23 Some examples would be, as I said I live
24 on the N1. The N1 doesn't seem to care about
25 whether anyone can work in New York City or not

1 or get there on time. The first bus that works
2 Monday through Friday is supposed to start at
3 7:25. That's not enough time to get anybody to
4 the Long Island Railroad in Valley Stream in
5 order to catch a train that will get anybody into
6 New York City early enough to make it to work at
7 the usual 9:00. The 7:25 is the earliest, it
8 doesn't connect with the Long Island Railroad. It
9 may get there at 7:46. The last train from Valley
10 Stream that could get to Manhattan in time leaves
11 at 7:43.

12 Unless you take a cab, and it seems to me
13 that the- someone says a joke, "the only people
14 benefitting from this bus company is All Island
15 cab and I thought that was so silly until people
16 kept saying it. And then I realized all Long
17 Island- well, I guess at this question: Is the
18 chair of the taxi and limousine commission still
19 the owner of All Island Taxi? Because that might
20 relate to certain other problems we have.

21 I have some- after my time, well I'm
22 willing to answer my suggestion as to what you
23 can do. We can service- imagine trying to get
24 somewhere and you only have a bus that runs every
25 90 minutes, but it's running late so you could be

1 waiting for an hour for a bus and then find out
2 it's going in the opposite direction and you have
3 a 50 minute wait for it to come back so you can
4 get somewhere. So, it's not unusual to go Green
5 Acres to spend your money and increase the
6 revenue of Nassau County and spend three hours
7 waiting for a 20 minute bus ride home. People
8 should not have to live that way.

9 LEGISLATOR NICOLELLO: Thank you Ms.
10 Guise. If you had recommendations or anything
11 like that we'll be happy to accept them as well.

12 JUDY SANFORD GUISE: Yeah, they're not
13 written they're all verbal.

14 LEGISLATOR NICOLELLO: Next speaker is
15 Shelly Goldman.

16 SHELLY GOLDMAN: Hello. Thank you for
17 allowing me to speak today. I am here to speak on
18 the issue of plastic pollution and more
19 specifically, single-use plastic bag laws that we
20 would like to see enacted.

21 I am here today as a resident of Nassau
22 County. I live in Merrick. I am here to ask you
23 to consider and pass a bill that will have a huge
24 impact on our environment and save money at the
25 same time. I am here because I know it is the

1 right thing to do. I am here because I care and
2 because I know it works. A bill that discourages
3 wasteful, harmful single-use plastic bags and at
4 the same time encourages reusable bags. How can
5 that be bad?

6 We know it's working here in Long Beach
7 and in Seacliff. We know it is working in Suffolk
8 County. It is working in California and in Santa
9 Fe, New Mexico where I have a second home. We
10 cannot wait for our legislators in Albany to pass
11 a bill. We have to do it now. Every day we delay,
12 more plastic ends up in our waters harming our
13 wildlife and as litter in our parks and along
14 roadways.

15 Need I also mention the excessive cost of
16 disposal. This is not a plot by retailers to make
17 more money as I read one commenter in Newsday
18 stated. I thought it was kind of funny. This is
19 coming from individuals like myself who have
20 educated themselves and understand that we must
21 act. And we can. It is a simple act to change our
22 current culture of waste and to make a huge
23 difference in our communities. Thank you.

24 LEGISLATOR NICOLELLO: Thank you Ms.
25 Goldman. Maria Bard.

1 MARIA BARD: Thank you. Good afternoon
2 to all. I have lived in Baldwin for more than 40
3 years and I work as a scientist a SUNY Medical
4 Center for almost my entire life. Now I am
5 retired. I am here today to support a proposal
6 legislation that will require many a store to
7 charge five cents for disposal of plastic bags.
8 Introduced by my legislator Mule and I would like
9 to take this opportunity to stand here in person.

10 We have plenty of articles published by
11 the scientific community demonstrating that sea
12 birds, marine mammals, sea turtles, can
13 accidentally eat plastic hard garbage with
14 devastating consequences. There is also growing
15 evidence of microplastic. This is mini particles
16 of greater plastic being eaten by important
17 species at the bottom of the food chains
18 including sea food species such as muscles.

19 Nowadays many countries have banned or
20 put a tax on the use of plastic bags. Just to say
21 a few: England, Italy, Germany, Denmark, Ireland,
22 China, Cambodia, etcetera. I'm not going to read
23 all of them because that information can be
24 found.

25 We, the scientific community, I consider

1 myself to be there, are devoted to improve at
2 different levels the well-being of nature. Human
3 life depends on keeping our oceans clean. The
4 oceans are crowded with an amazing rate of
5 potential food sources. Each plant and animal
6 play its own role in sustaining the world's
7 largest ecosystem. We have an obligation as a
8 society to stop the plastic contamination of the
9 seas. If we want to survive as a species on our
10 planet, it is important to switch to reusable
11 bags making it impossible for any plastic or
12 single-use checkout bag to end up contaminating
13 our ecosystem. Thank you.

14 LEGISLATOR NICOLELLO: Thank you Ms.
15 Bard. Jordan Christiansen.

16 JORDAN CHRISTIANSEN: Hi, I'm Jordan
17 Christiansen. I'm with Citizens Campaign for the
18 Environment. Thank you for the opportunity to
19 speak today. I am on the same topic as the
20 previous two speakers. So, we're here to support
21 the bring-your-own-bag bill, the five cents fee
22 on plastic and paper bags, and what we're really
23 here to do is urge you to stop stalling the bill
24 and let it have a public hearing and let it have
25 a vote. We've seen this bill be successful in

1 Suffolk County. I'm going to be giving you some
2 survey results of a survey we did around Earth
3 Day. And the results are huge. We're seeing
4 plastic bag use go from 70 percent to 30 percent.
5 We are seeing reusable bag use up to 43 percent
6 from 5 percent. We're seeing this lobby
7 successful in Long Beach and Seacliff and all
8 over the country. And more and more we're just
9 seeing people really interested in this topic.

10 What we don't want to do is be, you know,
11 playing a game of hide and seek with a critical
12 piece of legislation. People care about this,
13 they understand that plastic pollution is a huge
14 issue. If we don't do anything by 2050 we're
15 going to have more plastic in our oceans than
16 fish.

17 At here in Long Island, we rely on the
18 health of our waterways, we rely on our
19 fisheries, we rely on the tourism and recreation
20 from the estuaries in our bays. And all of those
21 things are in perils and we can't just be sitting
22 and stalling and sitting in our hands. What we
23 need to be doing is at the very least having a
24 public discussion. This is a democracy. We
25 shouldn't let these things die in the dark. And

1 we're not asking you to universally support it.
2 We're not asking you to have absolutely no
3 concerns about it. What we really want to do is
4 just have a conversation about it because we know
5 that this is on the minds of a lot of your
6 constituents. It's on the minds of, you know, not
7 only Nassau County residents, but residents all
8 over the state. And the conversation is happening
9 everywhere else and we need it start happening
10 here.

11 So, again, just urging you guys to have a
12 public hearing and vote on this. And we would
13 love to discuss it with you more. But if we're a
14 democracy we should be allowed to talk about an
15 issue and be allowed to talk about it on the
16 record. Thanks.

17
18 LEGISLATOR NICOLELLO: Thank you Ms.
19 Christiansen. Elizabeth MacLeod.

20 ELIZABETH MACLEOD: Good afternoon. My
21 name is Elizabeth MacLeod. I'm from Long Beach,
22 New York and in support of the passing of the
23 single-use plastic fee bill. I'm a volunteer with
24 the Surfrider organization, central Long Island
25 chapter, a student at Columbia University, and a

1 lifelong environmental advocate and activist.

2 It is time for Nassau County to take a
3 stand in minimizing single-use bags. Similar
4 bills have been successful in Long Beach,
5 Seacliff, Suffolk County in reducing waste and
6 single-use plastic bags, increasing awareness in
7 the community. A study San Jose, California, a
8 2011 ban instituted there has led to plastic
9 litter reduction of approximately 89 percent in
10 the storm drain system, 60 percent in creeks and
11 rivers and 59 percent in streets and
12 neighborhoods.

13 A plastic bag tax was also implemented in
14 Ireland in 2002 and has reportedly led to a 95
15 percent reduction in their litter from plastic
16 bags.

17 The majority of single-use plastic bags
18 are made from polypropylene, a material that is
19 made from petroleum natural gas. Continuing to
20 use these non-renewable resources to make plastic
21 bags is short-sighted. Using our fossil fuel
22 endowment to make something that has a life span
23 of approximately 12 minutes and pollutes
24 indefinitely is illogical, particularly when
25 there is a ready and simple alternative- the

1 reusable bag.

2 Plastic bags and their associated plastic
3 pieces are often mistaken for food by animals,
4 birds, and marine life like fish and sea turtles.
5 The consumed plastic then congests the digestive
6 tracts in these animals and can lead to health
7 issues such as infections and in death by
8 suffocation. Animals can also easily be entangled
9 in this plastic. These plastic fragments in the
10 ocean such as those plastic bags can absorb
11 pollutants. When marine organisms consume
12 plastics in our oceans these chemicals can make
13 their way through the ocean's food web and
14 ultimately into humans who eat fish and other
15 marine organisms.

16 I believe that Nassau County is ready to
17 rise above the single-use plastics to protect our
18 waterways and beautiful coasts to combat this
19 area's human health issues that single-use
20 plastics expose, to end the death and injury of
21 marine life, and to stop wasting precious
22 resources. Thank you for your time and let's be a
23 part of the change to improve the environment for
24 our future generations. Thank you.

25

1 LEGISLATOR NICOLELLO: Thank you Ms.
2 MacCleod. Leslie Raynor.

3 LESLIE RAYNOR: Good afternoon. My name
4 is Leslie Raynor. I'm from Glen Head, New York
5 and I'm here representing two environmental
6 advocacy groups, All Our Energy and the Coalition
7 to Save Hempstead Harbor. I'm here also to speak
8 in support of the fee on single-use bags. As many
9 have said, this fee has gone into effect not only
10 in parts of Long Island very successfully, parts
11 of the USA, but many countries all over the
12 world. In Scotland, the Scottish Parliament
13 passed a similar law in October 2014 and within
14 one year the number of plastic bags given out had
15 been slashed by 80 percent.

16 Anybody who reads the news or social
17 media, or magazines knows that right now plastic
18 pollution is really gaining momentum. The issue
19 is on everybody's minds. And this kind of a
20 proposal is almost low hanging fruit. There are
21 so many things we don't know how to solve.
22 Styrofoam is an issue, plastic cutlery, take-out
23 containers are all more complicated. But this is
24 a way we can have a big impact in a relatively
25 easy manner.

1 It's easier for the merchants. They don't
2 have to purchase bags, they don't have to store
3 bags, and in the meantime those bags will not be
4 produced which causes more pollution using fossil
5 fuels, transporting them using more fossil fuels.
6 So, I urge you to put this bill up for a vote and
7 allow more public comment on it. Thank you.

8 LEGISLATOR NICOLELLO: Thank you Ms.
9 Raynor. Susan Brockman.

10 SUSAN BROCKMAN: Good afternoon. My name
11 is Susan Brockman. I live in Lynbrook, New York
12 and I too am here to speak on the issue of
13 single-use plastic. I want to share with you a
14 visual. I don't know if you've seen the latest
15 issue of National Geographic Magazine, it's a
16 pretty frightening, horrifying image, but as Ms.
17 Raynor just pointed out, it brings to our
18 attention it is an issue that is on everyone's
19 minds. It's in many publications that you can
20 access and I've been speaking with some of the
21 legislators about this issue recently. And I
22 understand that many of you are concerned- you
23 understand that pollution is bad. I think we can
24 all agree on that. You think something should be
25 done, that is something you would all agree with.

1 But I get the sense that there is some concern
2 that there might be push back and some loud
3 grumbling from your constituents that this is
4 something that feels like attacks.

5 We want to be really clear about the
6 legislation that Debra Mule has proposed. It's a
7 fee, it is a fee that is has kept by the store
8 owner. So, we can easily tell folks it's not a
9 tax. It's not something that's going to your
10 coffers of the government.

11 But more importantly I want you to know
12 there are a couple of excellent surveys in Long
13 Island Business News poll on May 16th, a poll of
14 250 respondents, 62 percent of the respondents
15 said that they agree there should be a ban or a
16 fee on plastic bags.

17 And also there is an online poll- an
18 ongoing online poll that is Nassau County
19 Suggestion Box. I don't know if you've ever heard
20 of it. It's a great way to see what folks are
21 thinking about and currently there are over 1,300
22 responses there to the question, "Would you
23 support Nassau County placing a five cent fee on
24 plastic bags?" 51 percent of respondents said
25 yes, they would support that.

1 Again, I know your concern is what your
2 constituents would be comfortable with, and I
3 think you can see from these numbers that there
4 is support.

5 I also have something from- a quote from
6 a merchant, which I think might be helpful to
7 you. Joseph Brown, who is Senior Vice President
8 and Chief Merchandising Officer at King Kullen,
9 said, "We run reports showing how many plastic
10 bags have been shipped to the stores compared to
11 how many were shipped prior to the new bag fee on
12 paper and plastic in Suffolk County. The bill has
13 worked extremely well in reducing bag usage. We
14 have experienced a 75 percent decline. The
15 Suffolk bill should be a model for this state as
16 opposed to the bill recently announced in Albany.
17 A plastic ban without a fee for paper is not
18 nearly as effective as the Suffolk bill."

19 So, I hope as other speakers have said
20 that you'll allow this topic to come for further
21 conversation where there is a number of us who
22 are really happy to share more data, more
23 surveys, more information with you so that you
24 can be comfortable with your decision. Thank you.

25 LEGISLATOR NICOLELLO: Thank you Ms.

1 Brockman. Next speaker is Jay Peltz.

2 JAY PETLZ: Thank you for the opportunity
3 to speak today. My name is Jay Peltz and I'm the
4 general counsel and Senior Vice President of
5 government relations with the Food Industry
6 Alliance of New York. The Food Industry Alliance
7 does government relations on behalf of grocery,
8 drug and convenient stores throughout the state.

9 We support legislation introduced by
10 Legislator Mule, which would require a minimum
11 five cent fee on distribution of plastic and
12 paper bags. Thank you, Legislator Mule, for your
13 thoughtful leadership on this issue. Modeled on a
14 similar Suffolk County Law which went into effect
15 on January 1 of this year, the Suffolk County law
16 has worked very well. To date plastic bag
17 distribution is down over 70 percent in the
18 county. Paper bag distribution is down as well.
19 It is very important. Paper is worse for the
20 environment than plastic. Often with a plastic
21 bag ban, you get the unintended consequence of a
22 surge in paper bag use. That is not happening in
23 Suffolk. Paper bag use is way down. Reusable bag
24 use is way up. And very importantly, the law
25 being implemented collaboratively by

1 representatives of environmental groups,
2 organized labor, the retail food industry, the
3 county Legislature and county health department
4 all serve together on a plastic bag working group
5 that assists in education and outreach effort as
6 well as assessing the impacts of the law. With
7 that kind of collaboration between the public and
8 private sectors you can't go wrong.

9 So, we look forward to working with
10 government stakeholders on moving this
11 legislation along and we'd be happy to answer any
12 questions you might have. Thank you for your
13 time.

14
15 LEGISLATOR NICOLELLO: Thank you Mr.
16 Peltz. Joanne Moore.

17 JOANNE MOORE: Joanne Moore and I am
18 from Long Beach. I am a volunteer with All Our
19 Energy, which is a non-profit 501k, 3
20 organization. Our specialty is community outreach
21 for the environment. We were responsible for the
22 law which passed in Long Beach last year and also
23 for work with Seacliff to pass their law this
24 year.

25 As a resident of Long Beach, I have

1 noticed there is less plastic bags laying around.
2 I spoke with Russ Greene a couple months after it
3 was passed last year. He was the manager of Stop
4 and Shop. He told me- informally he told me they
5 were down 75 percent. I've spoken with the person
6 in a CVS store in Long Beach who is behind the
7 pharmacy counter when I was picking up medication
8 and she told me they hardly use any plastic bags
9 anymore in that section of the store.

10 I'm really hopeful that the Nassau County
11 Legislature will act on some bill to reduce
12 plastic bag usage in Nassau County. I know you
13 might say I or my spouse, we bring our own
14 reusable bag or I reuse my own plastic bags.
15 Anyway, what I tell people who say that to me is
16 we wouldn't need to be here if everybody did
17 that. Too many people do not do that. You may say
18 I don't want to tell others what to do or I don't
19 want to tell merchants to charge for a previously
20 free bag. I tell you that people will not change
21 their habits unless you take action.

22 And, of course we all know what the
23 hidden costs of free bags are. Sorry my voice is
24 shaking. You know, just the charge for the free
25 plastic bag, the hidden costs include plastic bag

1 clean up, clearing up blocked sewer drains,
2 result in flooding. The cost of reducing the
3 single-use plastic bags from fossil fuels are in
4 case paper from trees has huge costs to the
5 environment. It uses a lot of water also. These
6 bags are used for a short time and thrown away. I
7 want to tell you that All Our Energy is very
8 passionate about reducing plastic bags, carry-out
9 bags in general. I want to tell you that there is
10 life after a carry-out bag law is passed. Just
11 ask Suffolk County, just ask Long Beach, just ask
12 Seacliff. Happiness is evidence and happiness
13 quotient has survived in those communities. We
14 will work with you. Thank you.

15 LEGISLATOR NICOLELLO: Thank you Ms.
16 Moore. That will be the last speaker for now. We
17 do have a number of other slips and we will be
18 opening it up to public comment after the full
19 Legislature. But we do have items of business and
20 there are people here for those items that-
21 especially with respect to the Tobacco 21, we
22 have a number of speakers on that issue as well.
23 What I'm going to do first- actually the first
24 three things I'm going to do right now is I'm
25 going to call a consent calendar, which are items

1 that are agreed that went through committee that
2 both sides have agreed can move along that
3 occurred- had that hearing, through committees.
4 There is consent between both sides on these
5 items. I will then call the item with respect to
6 the academy and then the consent, and then the
7 Tobacco 21. So, I'll move this along as quickly
8 as I can.

9 Item 10, ordinance number 41, item 11,
10 ordinance 42, 12, ordinance 43, item 14 ordinance
11 44, item 14 ordinance 45, item 15 ordinance 60.
12 Item 15 is resolution 60. Item 16 is resolution
13 number 61. Item 17 is resolution 62. Item 18 is
14 resolution number 63. Item 19 is resolution 64.
15 Item 20 resolution 65. 21 resolution 66. 22
16 resolution 67. 23 resolution 68. 24 resolution
17 69. Item 40 resolution 85. Item 41 resolution 86.
18 Item 42 resolution 87. Item 43 resolution 88.
19 Item 44 resolution 89. Item 45 resolution 90.
20 Item 46 resolution 91. Item 47 resolution 92.
21 Item 48 resolution 93. Item 49 resolution 94.
22 Item 50 resolution 95. Item 51 resolution 96.
23 Item 52 resolution 97. Item 53 resolution 98.
24 Item 54 resolution 99.

25 Legislator Ford moves those items

1 seconded by Legislator Bynoe that is before the
2 Legislature. Before I make the motion, any
3 discussion or public comment all in favor signify
4 by saying aye. Aye.

5 (Aye.)

6 All those opposed?

7 (No verbal response.)

8 The consent items pass unanimously.

9 I am now going to jump to item 9
10 ordinance 40. Before I even call that I'm going
11 to call that Legislator Schaefer is recusing
12 herself, she is leaving the chamber as I speak.
13 She will not be voting on this item- will not
14 participate in the debate or discussion.

15 Item 9 ordinance number 40 is an
16 ordinance pursuant making certain determinations
17 pursuant to the State Environmental Quality
18 Review Act in authorizing the County Executive to
19 execute an amendment to consent to an assignment
20 of a lease between the county of Nassau as
21 landlord and Belzona Molecular Inc. as tenant on
22 the premises located at 100 Charles Lindbergh
23 Boulevard.

24 Do we have a motion? Move by Legislator
25 Walker, seconded by Legislator Mule. That is

1 before the Legislature. Do we have a presentation
2 on that, correct? I just want to say few-

3 NICK SERANDIS: Nick Serandis, Deputy
4 County Attorney. This matter concerns the
5 assignment of a lease which the county has in the
6 Uniondale School District. It is proposed that
7 the lease be assigned by the current tenant to
8 the Academy Charter School for us as a charter
9 school within the confines of the Uniondale
10 School District under the terms that the original
11 lease with the county dating back to the 1980's,
12 the lease cannot be assigned to an entity that
13 may become tax exempt. Which the Academy Charter
14 School would be tax exempt. Therefore, we will
15 have an application to amend that portion of the
16 lease to permit the assignment of the underlying
17 lease to the Academy Charter School for use as
18 the charter school and only for that not-for-
19 profit use at this time.

20 In response to some questions that came
21 up at the committee meeting, I did contact the
22 Department of Assessment to indicate that any
23 loss in tax revenue from the reduction from the
24 removal of this property will be primarily
25 affected to other four properties, which is

1 commercial, and they can land within the district
2 with minimal effect upon class one the
3 residential, class two, the condos and coops, as
4 well as class three. But because of the volume of
5 class four property within the Uniondale School
6 District, which include both the remainder of the
7 Mitchell Field leases and other properties, the
8 overall effect on the taxpayers would be not
9 significant. It's about \$380,000 worth of school
10 tax on the site. Will advise that a portion of
11 the premises, about 20 percent, will remain on
12 the tax roll and for a couple of years for use of
13 current tenants who are not not-for-profit
14 tenants. And at that point, so that the- there
15 wouldn't be 100 percent- there will probably only
16 be 80 percent removal of tax. Probably reduce the
17 school tax removal to about \$300,00 other than
18 the \$370,000 that's currently in the district.
19 And it will also provide for us to consent to
20 this assignment as well as the amendment of the
21 lease. The attorney for the charter school is in
22 the chamber if you have any questions-

23 LEGISLATOR ABRAHAMS: Thank you Mr.
24 Serandis. I appreciate you getting back to us. So
25 the public knows, we asked many questions to Mr.

1 Serandis at the committee meeting and I just want
2 to ask if the Chair can incorporate those
3 questions and those responses into this full
4 meeting. But I want to thank you for coming back
5 to us with sufficient answers to our questions.

6 LEGISLATOR NICOLELLO: Okay, do we-
7 anyone else want to speak on this side?

8 Is there anyone here from the Academy
9 Charter School here who would like to speak, or
10 no?

11 LEGISLATOR NICOLELLO: We're good?
12 Alright. Okay.

13 HELEN KALAU: Good afternoon
14 Legislators.

15 KIMANI PONTHER: And thank you for the
16 opportunity to speak to you today.

17 HELEN KALAU: My name is Helen Kalau.

18 KIMANI PONTHER: And my name is Kimani
19 Ponthier.

20 HELEN KALAU: Everyday adults make
21 speeches about our generation. They talk about
22 issues like education and how we use our
23 smartphones. They talk about whether we are going
24 to driverless cars and dependent artificial
25 intelligence. Or whether or not we're going to

1 stay out here on Long Island because of how
2 expensive it is here.

3 KIMANI PONTHER: Our generation is a
4 topic of a lot of discussion amongst adults.

5 HELEN KALAU: Well...

6 KIMANI PONTHER: Here we are.

7 HELEN KALAU: Representatives of that
8 generation.

9 KIMANI PONTHER: We are here to let you
10 know that these representatives are really just
11 focused on one thing.

12 HELEN KALAU: Our education. We are not
13 here to talk about any other school or to compare
14 them to our school. But we know that for us that
15 Academy Charter School has allowed us opportunity
16 to succeed and is preparing us for college. We
17 also believe that other kids like us deserve a
18 chance to be at our school.

19 KIMANI PONTHER: Our parents and
20 teachers know that without an education and an
21 understanding of the world around you, there is
22 no future.

23 HELEN KALAU: That is what the Academy
24 has built. A school that is dedicated to one
25 purpose - educating people like us and those

1 students who are from younger grades.

2 KIMANI PONTHER: The academy does more
3 than teach History, Science, Math, and English.

4 HELEN KALAU: They teach respect. Self-
5 respect. Respect for others and respect for
6 education.

7 KIMANI PONTHER: You see this in
8 classrooms, in the hallways.

9 HELEN KALAU: And in how people talk to
10 each other.

11 KIMANI PONTHER: We have administrators
12 and advisors here this morning who can attest to
13 why building a new school will enable the Academy
14 to reach even more students than just me.

15 HELEN KALAU: Or even me.

16 KIMANI PONTHER: Or the rest of us in
17 this hall. We are here to talk about what this
18 organization and building means to us. This
19 request by our school isn't just about a
20 building, or some paperwork or a contract on your
21 desk.

22 HELEN KALAU: It's about us.

23 KIMANI PONTHER: On behalf of students
24 like us, we ask that you approve our school's
25 request that will continually enable them to

1 create world-class competitive scholars who will
2 learn today, lead tomorrow, and serve in the
3 future.

4 HELEN KALAU: As Academy stars we pledge
5 to be here every day on time.

6 KIMANI PONTHER: We will keep ourselves
7 and others safe.

8 HELEN KALAU: We will strive to have a
9 positive attitude.

10 KIMANI PONTHER: We will always try to
11 do and be our best.

12 HELEN KALAU: We respect ourselves and
13 others.

14 KIMANI PONTHER: We will accept
15 responsibility for our actions.

16 HELEN KALAU & KIMANI PONTHER: Today we
17 will learn, tomorrow we will lead and serve.
18 Thank you.

19 LEGISLATOR NICOLELLO: Thank you very
20 much for that very professional presentation.
21 Legislator Bynoe.

22 LEGISLATOR BYNOE: Thank you Presiding
23 Officer. Good afternoon. I feel as though I need
24 to spend a couple of minutes explaining my vote
25 that I will move within a couple of minutes.

1 Young people from the Academy, I want you to know
2 that my vote will not reflect my commitment to
3 you. My vote today will reflect my labor to the
4 public-school system. I am a former public-school
5 board member, and while I respect the fact that
6 we might need alternatives to serve in public-
7 school districts and systems, I do believe that
8 the state government has a responsibility to fund
9 charter schools separate and apart from the
10 public-school operating budget. I believe that
11 the Academy is doing an admirable job in
12 educating you. It's evidence by your presentation
13 today and by my visit to your school to see the
14 environment in which you are able to excel in.

15 Unfortunately, today, based on the fact
16 that I have labored in the effort of public
17 school education, and I feel that the state must
18 find a different way to fund charter schools. I
19 will have to pose my vote as a no. But it is not
20 against you. Thank you.

21 LEGISLATOR NICOLELLO: Thank you
22 Legislator Bynoe. Any other public comment?

23 PATTY HARRIS: Good afternoon. My name
24 is MS. Harris. I am a resident of Uniondale. I
25 commend that the charter school is coming to

1 Uniondale, but there are questions that need to
2 be answered. As far as I know that the charter
3 schools have introduced a lot of the parents who
4 are within the school. But outside of the school,
5 a lot of the residents did not know about it and
6 we were not informed. So, what I would like to do
7 is to ask the people from the charter school to
8 come to a Nostrand Gardens meeting and to sit
9 with the community and ask could they speak to us
10 and let us know more about the school. We're not
11 opposing the change of adding the school to the
12 district because that's parents' choice. But what
13 we are asking is how we are going to merge
14 together because that is taxpayers' money that is
15 being spent.

16 Now the location of the school, this is
17 the first time we're hearing about this. Even our
18 legislators hadn't let us know about it. Or our
19 town has not let us know. There is not enough
20 information coming to the public for Uniondale to
21 know about this. And I know outside districts are
22 welcome to the school.

23 But as far as I'm concerned, I'm here
24 about Uniondale because it's coming out of our
25 taxpaying money. Now I'm all for parents to have

1 a choice. We don't even know exactly what grade,
2 we don't even know exactly what the building is
3 like. We don't even know how they're accepting
4 the students. Because if you're accepting
5 students outside of the public school, everybody
6 should have a chance. We don't even know anything
7 about it. So, I ask the charter school to please
8 contact- they can come get a card from me, so we
9 can talk about the charter school.

10 LEGISLATOR NICOLELLO: Minority Leader
11 Abrahams.

12 LEGISLATOR ABRAHAMS: Ms. Harris? If you
13 don't mind, thank you. A couple things. First, I
14 think your request for the charter school to come
15 meet with you and meet at the (inaudible)
16 Association is completely appropriate and
17 acceptable and they should do so. Second, this
18 body is not overseeing the approval of the
19 charter application.

20 MS. HARRIS: We're not either.

21 LEGISLATOR ABRAHAMS: I'm sorry?

22 MS. HARRIS: We accept that it's going
23 to be in the district because we know it's a done
24 deal anyway. All I'm asking is-

25 LEGISLATOR ABRAHAMS: But if I may-

1 okay.

2 MS. HARRIS: -the lack of the
3 Legislators not letting us know that this was
4 happening. The Legislators, boards, everybody-

5 LEGISLATOR ABRAHAMS: That's what I'm
6 trying to tell you. I'm trying to explain to you
7 the process, if you give me a chance-

8 MS. HARRIS: Go ahead.

9 LEGISLATOR ABRAHAMS: I'll explain to
10 you the process. This is a State approval. It
11 goes through the State Department of Education.
12 The State Department of Education granted the
13 charter for Academy Charter to establish a
14 charter school in Uniondale. What we are
15 overseeing is there's a property that had a land
16 lease that the county operates, that the school
17 wants to occupy the property. Not the approval of
18 the charter, not the approval of the lottery
19 system to select students. That is all done by
20 the State Department of Education.

21 Now to be fair to the charter school,
22 this was all very well publicized. It was in
23 Newsday, I saw it in October. The application
24 went in earlier last year. This has been well-
25 known, based on my conversations with Uniondale

1 school district people, they have known about it.

2 MS. HARRIS: That's the school district
3 people. That's not the community.

4 LEGISLATOR ABRAHAMS: But the school
5 district people are represented by the community.
6 The school board is voted in by the community.
7 Are they not?

8 MS. HARRIS: Honestly, the school board
9 is right on that list where they're not letting
10 us know either.

11 LEGISLATOR ABRAHAMS: Okay. So, that
12 being said, this has been all well-publicized
13 throughout Newsday, throughout local periodicals,
14 throughout papers, throughout social media. It's
15 not uncommon nor is it new news that it's coming
16 up now.

17 MS. HARRIS: Okay, let me ask you this.
18 Is it knowledgeable to know where it was supposed
19 to be located? Because as I was to understand,
20 everybody went to the district, the board. I went
21 to Dr. Lloyd, I went to the school board and
22 nobody knew exactly where it was going to be at.

23 LEGISLATOR ABRAHAMS: The exact location
24 was probably determined several months ago. But
25 the exact location to some degree is a moot

1 point. The issue is that it's going to be in the
2 Uniondale School District.

3 MS. HARRIS: We know that. Yeah, we know
4 that.

5 LEGISLATOR ABRAHAMS: So, whether it's
6 on Charles Lindbergh or it's on Uniondale Avenue,
7 as long as they meet the criteria for
8 establishing a Department of Education facility,
9 that the issue doesn't really make a difference
10 of what exactly the location it will be. Unless
11 you find a point of why, that's an irrelevant
12 point.

13 MS. HARRIS: No, no, I know. I just find
14 that it's a lack of communication to the
15 community that lives within Uniondale. That's
16 what I find. I'm all for-

17 LEGISLATOR ABRAHAMS: But Ms. Harris,
18 let me just be clear-

19 MS. HARRIS: -I'm all for the charter
20 school to come-

21 LEGISLATOR ABRAHAMS: But there's no
22 lack of communication because as I said before,
23 this has been well-publicized.

24 MS. HARRIS: Well, let me say this to
25 you. I have been to many, many, many meetings

1 with the school district, the board meetings,
2 everything. They're acting like they're oblivious
3 too. Now, they're acting that way because they
4 did not want to know because they want the money
5 out of our taxes. We understand that. But I
6 believe that when we ask questions to- I'm sure
7 they have asked questions to you- and I was told
8 they asked you. I was told that Dr. Lloyd has
9 spoken to you personally and stated words about
10 the charter school and he said you said nothing.

11 LEGISLATOR ABRAHAMS: I'm sorry, so he
12 said I said nothing?

13 MS. HARRIS: Yes, yes. I spoke- yes, Dr.
14 Lloyd has mentioned that in his meeting at the
15 last school board meeting.

16 LEGISLATOR ABRAHAMS: I'm not even
17 following the question.

18 MS. HARRIS: He states that he didn't
19 know anything about it and he spoke to you about
20 it and he said that you said you knew nothing
21 about it.

22 LEGISLATOR ABRAHAMS: I knew nothing
23 about what?

24 MS. HARRIS: About the charter school
25 coming to Uniondale.

1 LEGISLATOR ABRAHAMS: Of course I knew
2 about the charter school coming to Uniondale.

3 MS. HARRIS: Listen-

4 LEGISLATOR ABRAHAMS: Ms. Harris, we are
5 spinning around in circles. The charter school,
6 it's been publicized in *Newsday*. *Newsday*
7 publicized that the charter school was coming to
8 Uniondale back in October. This has been well-
9 known since early 2017. Now, if folks didn't see
10 those articles in the newspaper, okay that's
11 fair, maybe not everybody reads *Newsday*. But it's
12 been in social media, it's been talked about,
13 it's been everywhere. So, so I think, I think
14 everybody knew that the charter school was
15 coming. I mean there's no way that the Department
16 of Education could approve the application and
17 then suddenly the school miraculously appears in
18 fall of 2018. This goes through a process.
19 There's a very lengthy process that it goes
20 through. So-

21 MS. HARRIS: Well, honestly. Most of the
22 community- most of the people that I spoke to in
23 Uniondale's community stated that they just found
24 out within a year. Within a year. And-

25 LEGISLATOR ABRAHAMS: But you just said

1 people don't know about communication. You said
2 people didn't know.

3 MS. HARRIS: No, we found out when we
4 asked questions and they kept saying, "No,
5 there's nothing coming here." Now since the
6 school bond has passed and since the budget has
7 not passed they have been talking about it now
8 because they're stating all this money is coming
9 out of there.

10 LEGISLATOR ABRAHAMS: Okay.

11 MS. HARRIS: All we're asking for is the
12 charter school to come and sit down with Nostrand
13 Gardens and have a community forum.

14 LEGISLATOR ABRAHAMS: That's a great
15 idea.

16 MS. HARRIS: We're welcoming the school.
17 We are. We're welcoming it, because that's a good
18 choice to have another chance.

19 LEGISLATOR ABRAHAMS: That's a great
20 idea. Absolutely. That's a great idea. So the
21 folks in the charter school, Mr. Weinhardt is
22 nodding his head. I suggest maybe right after you
23 get the opportunity to speak, meet Mr. Norton as
24 well as folks from the Academy Charter School. I
25 think that's a great idea.

1 MS. HARRIS: Can I ask how many students
2 are going to be in the school to start off with?

3 LEGISLATOR ABRAHAMS: Ms. Harris you're
4 asking questions that this body has no
5 responsibility nor do we have any control over.
6 Those are questions that should have been posed
7 to the New York State Department of Education. Or
8 quite frankly, to your state representatives that
9 represent you as it pertains to the State
10 Department of Education. These issues and those
11 concerns, they've all been vetted, and all those
12 concerns have already been established. So, I
13 think the more appropriate time to have done that
14 was when those applications came up before that
15 body. This body does not oversee the lottery
16 system, the charter school approvals, nothing of
17 that magnitude. This body is considering that
18 land lease that is controlled by the county and
19 whether or not to go forward with it. That's it.
20 Whether that land lease was going to go to a gas
21 station or a charter school, we would do the same
22 consideration. But I think your questions are
23 more directed at this time to the Academy Charter
24 school, rather than directing them to this body.

25 MS. HARRIS: Okay. This building that is

1 up for lease, what was it before?

2 LEGISLATOR ABRAHAMS: It was, I believe
3 it's a building that had a lab corp companies in
4 it.

5 MS. HARRIS: Okay, thank you.

6 LEGISLATOR ABRAHAMS: You're welcome.
7 Ms. Harris? You want to meet with those folks?
8 They're right there.

9 LEGISLATOR NICOLELLO: Okay, I take it-
10 Ms. Mereday? You have a comment?

11 META MEREDAY: I sure do. Meta Mereday,
12 Baldwin Resident. My concern following the
13 presentation has to do with the fiscal impact
14 considering that is in an area that is under a
15 lot of scrutiny. I do commend Legislator Bynoe
16 for sharing with the public because too much
17 seems to be happening in the county behind the
18 scenes and it gets a little interesting when you
19 have to either read about what is going on in the
20 county through Newsday or find out who's been
21 arrested in the county through Newsday. But we
22 need to get a better handle on how the
23 Legislators who are elected are representing and
24 communicating to the residents. I didn't elect
25 the writers, the editors the journalists that

1 work for Newsday. The taxpayers who are leaving
2 this county in droves elected all of you. So, if
3 we don't hear from you, directly from you, if
4 you're not attending our community meetings and
5 you're not interacting with us at a regular
6 basis, please don't wonder why you do not get re-
7 elected. As been evidenced across the country,
8 and don't think that Long Island is isolated in
9 that mindset.

10 During the presentation it was referenced
11 that 20 percent of the land I guess would remain
12 on the tax rolls for potentially profit based
13 entities. Who would be responsible for doing that
14 outreach? Because again, this is what I've also
15 heard, and I hear quite well, even though I'm
16 going through expansive pain in my back which was
17 definitely exacerbated today trying to come over
18 here and I hit what must have been a crater on
19 Meadow Avenue near Washington Street, that shot
20 pain all through my 911 responder, spinal
21 degeneration body here, what is the fiscal
22 impact? How are we going to get resources that
23 can benefit our veterans who are leaving in
24 droves? Our seniors who are living in fear? Our
25 young people who can't get jobs during the course

1 of the day?

2 And I- since for the record, and I'm
3 taking nothing away from charter schools, private
4 schools or whatever. I stand here proudly as a
5 graduate of the Roosevelt School District public
6 schools. If we also support charter schools we
7 need to give as much emphasis and as much support
8 to our public schools since our school taxes are
9 over two-thirds of the taxes that the second
10 highest property tax payers in the country, those
11 of us in Nassau County have to pay.

12 So, I think, and again, we need to start
13 stepping back and looking at all these deals that
14 we're cutting.

15 That we're always saying, "This is a one-time
16 operation," because it doesn't seem to be a one-
17 time operation when someone else in this county
18 is arrested for something that has to do with
19 corruption, cronyism, patronage or nepotism.
20 Thank you.

21 LEGISLATOR NICOLELLO: Any other public
22 comment? Hearing none, I'm going to call for a
23 vote on this. All in favor signify by saying aye.
24 Aye.

25 (Aye.)

1 LEGISLATOR NICOLELLO: Okay, Siela?
2 Siela is a nay. Ellen, okay. Alright so, we have
3 Delia and Siela as no's. We have Ellen, Arnie,
4 and Josh as abstentions, and Debra. Okay. So, we
5 have eleven votes for the majority, we have two
6 votes in the negative, and have what five? Five
7 votes in the abstentions, right? Did I get that
8 right? Oh, it's four? Okay. I'm sorry. So, we
9 have twelve votes for, two votes against.

10 Okay, let's go back and make sure we have
11 this correct on the record. Okay we have- who's
12 voting yes on the minority side? Okay, that
13 brings us to a total of twelve. We have two no
14 votes, correct? And then we have four
15 abstentions. Okay, thank you very much that item
16 passes.

17 For any of our visitors from the Academy,
18 we invite you to stay and watch our proceedings,
19 but we will not be offended if you felt you
20 needed to get back to your schools.

21 Item 1 is a hearing on a proposed local
22 law. It's a local law to amend a Nassau County
23 administrative code in relation to prohibiting
24 the sale of age restricted products to
25 individuals under the age of 21.

1 Moved by Legislator Drucker, seconded by
2 Legislator Kennedy. That item is before us. I
3 have a number of slips, so what we are going to
4 do is go right to the public comment on this
5 item. Michael Cohen will be the first speaker.

6 MICHAEL COHEN: Thank you very much for
7 the opportunity to speak. I attend here and speak
8 here in three roles, one as a parent, one as a
9 member and president of the Syosset School Board.
10 I am not representing the views of the Syosset
11 School Board in any manner as we have not
12 discussed this matter as a board yet. Obviously,
13 we are here to strip regulations within the
14 schools regarding smoking. But finally, as a
15 physician, as a Vice Chairman of Anesthesiology
16 Cardiothoracic Anesthesia at St. Francis and Good
17 Samaritan Hospital for 32 years now. While you'll
18 be hearing from some pediatricians, pulmonology
19 specialists, and scientists who have very real
20 data on these matters. Probably both medical,
21 scientific lab and social. I can speak as someone
22 who sees every day with my eyes, hands, the
23 ravages of the effects of long-term smoking. I'm
24 not seeing teenagers. I'm seeing 40 year-olds, 50
25 year-olds, 60 year-olds, 70 year-olds. And it is

1 an absolute curse. Nobody should smoke. Whatever
2 genetic predispositions we all have, there is no
3 doubt in my mind, as I'm sure you'll hear later,
4 that cigarette smoking just accelerates it beyond
5 the imagination. When I see, and this is on a
6 personal level, when I see a 15 year-old kid, a
7 13 year-old kid, a 20 year-old kid - a young
8 adult, and particularly women and I think about
9 all the issues relating to breast cancer, now I
10 believe lung cancer is the second leading cause
11 of death amongst women. I wish I could just grab
12 them and bring them up to an ICU or to an open-
13 heart room and- or a vascular surgical room and
14 see what happens because of smoking. People's
15 lives are just turned upside down in the medical
16 sense.

17 And finally, for teenagers, they're
18 making these just incredibly naïve decisions,
19 probably mostly for social pressures, I don't
20 know all the rationale. But if they could only
21 see what life becomes after a thirty or forty-
22 year, fifty-year pack per year history of
23 smoking. When someone literally- we see people in
24 the malls walking around with oxygen cannisters
25 and they barely can breathe, having lung cancer

1 and a piece of your lung chopped out. That's the
2 easy way out. But if becoming an emphysematous or
3 a chronic bronchitic and living for 20 and 30
4 years basically home-bound and bed-bound, that's
5 the ultimate curse of this. And I wish these
6 students, these young people could get a sense of
7 that before they try. I thank you for your time.

8 LEGISLATOR NICOLELLO: Thank you Dr.
9 Cohen. Leonard Krilov.

10 LEONARD KRILOV: Good afternoon and
11 thank you for the opportunity to address the
12 Legislature. As mentioned my name is Leonard
13 Krilov and I guess I am the first of the battery
14 of pediatricians to address you on this topic. I
15 am the Chairman of Pediatrics at the Children's
16 Medical Center at NYU Winthrop Hospital, just
17 across the street. And as a pediatrician and a
18 parent here in Nassau County, I urge you to
19 support this measure raising the age of tobacco
20 purchase to 21 years. The adverse health impact,
21 loss of life, and work ability from smoking in
22 the United States is well documented. This cost
23 is born both by the individual, but also by
24 society from decreased productivity, increased
25 burden and cost to the health care system.

1 The strongest argument in my mind for
2 raising this age of purchase of tobacco products
3 in any form to 21 years of age is the observation
4 that if one does not become addicted to nicotine
5 before the age of 21, they are unlikely to ever
6 become addicted or use nicotine products.

7 Teenagers are uniquely susceptible to the
8 addictive nature of nicotine as their nervous
9 system connections are still developing through
10 adolescence. And the impulsiveness seen in these
11 ages, which has been documented neurologically on
12 medical scans as well as of from obvious
13 observations that those of us who have been
14 through teenage years can attest to, keeps them
15 from appreciating a long-term consequence of any
16 short-term effects or pleasure they may get from
17 trying something as a tobacco product.

18 Additionally, younger teens and children often
19 live in the same household as those in the 18 to
20 21 year-old age range and can be exposed to the
21 dangers of secondhand smoke.

22 Furthermore, younger teens who begin
23 smoking at even younger ages at 12 to 15 years of
24 age, have the highest rates of remaining smokers.
25 And where do they get their cigarettes? Often

1 from the older friend from the 18, 19 year-old
2 who would go purchase it for them.

3 So, I hope with all these observations
4 and the data you will further hear that you will
5 see the wisdom of this legislation and support
6 raising the age for all tobacco products to 21
7 years of age. If we can't abolish them, it's a
8 good start. So, thank you for this opportunity to
9 advocate for this legislation and for your time.

10 LEGISLATOR NICOLELLO: Thank you Dr..
11 Michael Seilback.

12 MICHAEL SEILBACK: Good afternoon. My
13 name is Michael Seilback, and I'm the National
14 Assistant Vice President for State Public Policy
15 for the American Lung Association. As I testified
16 before the committee weeks ago, I am happy to be
17 back here talking about Tobacco 21. We started
18 talking about this issue back in 2014 with
19 Legislator Judy Jacobs passionately discussing
20 this issue in the first hand heart-ache she
21 endured watching her husband Sidney lose his life
22 after many years of smoking. Since that time,
23 Tobacco 21 has made a lot of progress. We've seen
24 five states and Washington D.C. pass the law.
25 We've seen 20 localities in New York State pass

1 the law. We knew that Nassau County could be the
2 21st county passing Tobacco 21 and I know that
3 sometimes all of you guys like using some of
4 those phrases so 21 and 21, I like it.

5 More than 13 million New York State
6 residents are covered by Tobacco 21 laws
7 including some in the villages right here in
8 Nassau. But all of Nassau County residents
9 deserve this protection. You've heard data about
10 preventing those from ever starting to smoke.
11 You've heard data about social sources of tobacco
12 and how youth get them from older friends. We
13 know that especially with the increasing use of
14 e-cigarettes and the use of Juuls, that our youth
15 are using tobacco products at an alarming rate.
16 We've done a great job of reducing tobacco rates
17 and now because of e-cigarettes, we're starting
18 to see that increase. And we are very anxious
19 that this increased use of not only e-cigarettes
20 will also lead, as we are starting to see, to
21 traditional cigarettes as well.

22 A 2015 report from the National Academy
23 of Medicine found that raising the minimum age
24 for the sale of tobacco products to 21 would
25 significantly reduce smoking rates. In fact, it

1 said that it can prevent about 223,000 deaths
2 among people born from 2000 to 2019, including
3 50,000 fewer dying from lung cancer. They found
4 that tobacco use would decrease by 12 percent by
5 the time today's teenagers were adults if the
6 minimum age of sale was increased to 21 years
7 old.

8 The other good thing about this is the
9 public supports it overwhelmingly. A CDC study
10 found that 75 percent of adults, including adult
11 smokers, supported increasing the sales age to
12 21. And just last month a poll here in New York
13 showed that 72 percent of New Yorkers support
14 passing a state law to increase the sale age. And
15 again, that also included smokers.

16 We know that the tobacco industry is
17 going to continue pedaling their deadly products
18 to our youth, and we need all of you to stand up
19 for your youth and prevent another generation of
20 dying from these deadly products. Thanks a lot.

21 LEGISLATOR NICOLELLO: Just one thing in
22 response to- this covers not only tobacco
23 products, but does cover e-cigarettes, vapes,
24 vaping products, Juuls, etc. So, that's covered
25 within this legislation. Robert Lee.

1 ROBERT LEE: Thank you for the
2 opportunity to speak. My name is Robert Lee. I'm
3 both a resident and I work in Nassau County. As a
4 pediatrician, I'm very concerned about the
5 increase in tobacco products use amongst
6 teenagers. It's not just tobacco smoke, we're
7 talking about e-cigarettes, vaping, Juuls- these
8 are more and more of a concern in their schools.
9 And as a pediatrician caring for kids and
10 teenagers it is a concern for me because by
11 raising tobacco to 21 years of age we are able to
12 prevent many of these teenagers from being
13 addicted to nicotine at an earlier age. And what
14 signs tell us is these kids are very susceptible
15 to the effects of nicotine at an earlier age.

16 Furthermore, I am very concerned that
17 cigarette use has tripled in Nassau County since
18 2011. Teenagers begin to smoke between the ages
19 of 12 to 15 and they are usually obtaining these
20 cigarettes from older friends, siblings in
21 school. So, I really want to urge the legislators
22 to really support and vote for tobacco 21. Thank
23 you.

24 LEGISLATOR NICOLELLO: Thank you Dr. Lee.
25 Carol Meschkou.

1 CAROL MESCHKOU: Good afternoon Majority
2 Leader Nicoletto and esteemed Nassau County
3 Legislators. In the wave of reintroduction, I'm
4 Carol Meschkou, Manager for the Tobacco Action
5 Coalition. TAC is one of 25 community grants
6 funded by our New York State Department of
7 Health, Tobacco Control Program. Our fiscal agent
8 is the Lung Association, whom you've heard from a
9 few minutes ago. I had the pleasure to speak
10 earlier at the Rules Committee to Legislator
11 Drucker and his press conference and prior with
12 Judy Jacobs on this topic. As you've had many
13 other speakers, I'm going to stick to a few
14 salient points and I'm just going to randomly
15 read off and I hope we don't cover them.

16 Alarmingly the Surgeon General calls
17 smoking a pediatric epidemic. Traditionally, our
18 impressionable youth is often referred to by the
19 tobacco lobby as replacement smokers.
20 Approximately 96 percent of all smokers began
21 before the age of 21, that's almost case in
22 point. In a statement from the FDA Commissioner,
23 Scott Gottlieb, M.D. on new enforcement actions
24 and the youth tobacco prevention plan to stop
25 youth access of Juuls and other e-cigarettes he

1 said, "Protecting our nation's youth from the
2 dangers of tobacco products is among the most
3 important responsibilities of the USFDA and is an
4 obligation I take personally." Many vape users
5 now intake more nicotine than when using
6 traditional cigarettes as one pod equals a pack
7 of cigarettes which they weren't smoking
8 traditionally. Tobacco companies intentionally
9 market the kids and young adults to recruit
10 replacement smokers and protect company profits.
11 They are known merely as users who are to become
12 the age of 21. Increasing tobacco age to 21 will
13 help counter the effects of the tobacco companies
14 targeting young people at a critical time when
15 many move from experimenting to regular smoking.
16 Tobacco companies place most of their
17 advertisements in stores where 75 percent of
18 teens shop at least once per week. The stores
19 located near schools containing three times the
20 amount of advertisements.

21 A study by the CDC revealed that 50
22 percent more high-school, middle-school youths
23 vape than smoke. Vaping can cause popcorn lung. I
24 apologize for speeding through this. If current
25 trends continue, 5.6 million of today's youth

1 will die prematurely from a smoking related
2 illness. As Michael said, the battle is never
3 over. Just as we started to address traditional
4 smoking we now have this emergence of e-
5 cigarettes and vaping.

6 So, I thank you very, very much for the
7 opportunity to testify on this subject and I know
8 you'll hear much more from our esteemed
9 colleagues. So, thank you.

10 LEGISLATOR NICOLELLO: Thank you Carol.
11 Next is Sarah Henris from Nassau County Region of
12 PTA.

13 SARAH HENRIS: Thank you very much. My
14 name is Sarah Henris and I represent Nassau
15 Region PTA, I live in Bayville. As the largest
16 child advocacy organization in the nation, PTA
17 advocates for programs and legislation that
18 improves the lives of all children. Nassau Region
19 PTA itself represents over 77,000 members and
20 approximately 325 unit PTAs throughout Nassau
21 County. Since 2013 we've been advocating for
22 regulation and legislation protecting youth from
23 the dangers and health hazards of nicotine
24 addiction. Especially as it pertains to
25 electronic nicotine delivery systems, also known

1 as e-cigarettes, Juuls, e-cigars, etcetera.

2 We're very grateful for the opportunity
3 to address the Nassau County Legislature at this
4 meeting on the propose legislation, Tobacco 21.
5 Nassau Region PTA supports legislation that would
6 raise the age prohibiting the sale of tobacco and
7 electronic nicotine delivery systems to
8 individuals under 21. And you heard from far
9 greater resources and professionals on the
10 reasons why.

11 At this time, the Nassau Region PTA would
12 like to inquire about the use of some specific
13 language within the proposal, the electronic
14 aerosol delivery system. The reason that we
15 question the exactness of that language,
16 electronic aerosol, is because the FDA, who has
17 the authority to regulate tobacco products, uses
18 a differing terminology. And as we researched
19 these, as parent volunteers, it's the terminology
20 we learned it to be electronic nicotine delivery
21 systems.

22 In August 2016, in the final rule of the
23 FDA deeming tobacco products to be subject to the
24 Federal Food, Drug, and Cosmetic Act as amended
25 by the Family Smoking Prevention and Tobacco

1 Control Act. The term that they used is ENDS, or
2 electronic nicotine delivery system. Will the use
3 of the language that you're using limit the
4 enforcement of age of sale laws, such as Tobacco
5 21, from effectively preventing youth under 21
6 from obtaining existing or future tobacco and
7 electronic nicotine products? We want to see this
8 to be able to be enforced across the board.

9 LEGISLATOR NICOLELLO: You're raising a
10 good point, a valid point and we'd like to have
11 both minority and majority lawyers take a look at
12 that. It's our intention to move ahead with this
13 today.

14 SARAH HENRIS: Perfect.

15 LEGISLATOR NICOLELLO: And then if we
16 need to amend it down the road we will do so. We
17 appreciate the issue. We can contact the
18 minority, the majority or your individual
19 legislator and we'll get our counsels looking at
20 it.

21 SARAH HENRIS: Okay, thank you so much.

22 LEGISLATOR NICOLELLO: Okay, thank you.

23 Jyoti Agvawal

24 JYOTI AGVAWAL: Hello, my name is Jyoti
25 Agvawal. I've been a resident of Syosset since

1 2009 and I am also the President of the South
2 Grove PTA, one of the elementary schools in
3 Syosset. I speak here today on behalf of myself
4 as a taxpayer in the county as well as a
5 representative of our PTA.

6 This past weekend I met a mom whose kids
7 attend a local Nassau County middle and high
8 school. She stated that her seventh grader's
9 classmates have begun to vape and that her older
10 child in high school is afraid to use the
11 bathroom due to the amount of tobacco usage. This
12 needs to stop. Our children attending public
13 schools have a right to use the bathroom void of
14 tobacco smoke. She also questioned how are these
15 kids getting their hands on these tobacco
16 products.

17 I urge you to increase a minimum legal
18 sales age, MLSA, to purchase tobacco products
19 including electronic nicotine delivery systems
20 or, ENDS, to 21. This is why: Over 3,800 people
21 in the U.S. under the age of 18 try their first
22 cigarette of which over 1,000 become daily
23 smokers and 90 percent of lifetime smokers began
24 before 18 while they're more susceptible to habit
25 formation. Why is this? As you've heard from

1 previous speakers the tobacco industry is
2 directly marketing their products to appeal to
3 our youth by flavoring their e-products,
4 producing them in color enticing kids. Disguising
5 the delivery devices to common USB drives and
6 making them easily concealable. Further, they're
7 designed to emit little to no smoke or odor.

8 It's clearly an epidemic when 600,000
9 middle school students and three million high
10 school students smoke cigarettes. Smoking tobacco
11 remains the single largest cause of preventable
12 disease and death in the U.S.

13 South Grove PTA worked on a resolution
14 that was submitted to New York State PTA. I will
15 submit the resolution in its entirety to be
16 included in the record along with a dozen letters
17 written in support of the Tobacco 21 amendment.
18 PTA works so hard in promoting the health and
19 safety, mental awareness, nutrition and well-
20 being of our children. Increasing the age to
21 purchase tobacco products to 21 is an evidence-
22 based policy intervention known to reduce youth
23 smoking by approximately 50 percent. 90 percent
24 of persons who purchase cigarettes for
25 distribution to minors are under 21. Raising the

1 MLSA to buy cigarettes including ENDS, could
2 potentially eliminate minors' ability to buy from
3 other high school students.

4 The American Academy of Pediatrics, the
5 Surgeon General, and the American Lung
6 Association recognize the benefits of raising the
7 MLSA. Are we really in a position to argue with
8 them? Further, raising the MLSA to 21 will send a
9 message to the tobacco company that we won't
10 tolerate the marketing of tobacco products to
11 kids. And it also sends the message to your
12 constituents that their representatives care
13 about parental concerns as well as protecting the
14 youths from harmful tobacco products. Let's get
15 moving Nassau, it's been far too long. Help PTA
16 and parents protect their kids. Thank you.

17 LEGISLATOR NICOLELLO: Thank you Jyoti.
18 Katheryn Unger.

19 KATHERYN UNGER: Members of the board of
20 legislators, my name is Katheryn Unger and I am
21 here representing the Preventing Tobacco
22 Addiction Foundation. Tobacco 21 laws prevent
23 kids from accessing, using and becoming addicted
24 to tobacco and nicotine products. So, let's talk
25 about why this policy works and why it's

1 important. 95 percent of adult smokers started
2 using tobacco products before the age of 21, and
3 I know that's something you've heard over and
4 over again but it's really important. Many of
5 those smokers transition from experimental
6 smoking to regular, daily use during the ages of
7 18 to 21. We know that most kids get their
8 tobacco products from older friends and
9 classmates who have legally purchased this
10 product. 80 percent of high school seniors are 18
11 when they graduate, and 20 percent are 19. A 16
12 year-old is much more likely to have a 18 year-
13 old in their friend group than a 21 year-old. So,
14 raising the minimum legal sale of tobacco and e-
15 cigarettes to 21 puts the legal purchasers
16 outside of these social circles of most high
17 school students.

18 Tobacco 21 has taken on a new urgency in
19 the wake of the vaping epidemic in our middle and
20 high schools. Some may argue that the Juul is a
21 fad, that it's passing. But addiction is not
22 passing, it is often permanent. These vaping
23 products, the Juul in particular, are easy to
24 obtain and they're easy to conceal. The Juul is
25 the fastest growing e-cigarette on the United

1 States market holding over 50 percent of the
2 market share. Juul pods attract kids because they
3 come in multiple flavors, including crème brulee,
4 cool mint, and fruit medley just to name a few.
5 And each pod contains as much nicotine as one
6 pack of cigarettes.

7 Science tells us that the adolescent
8 brain continues to develop into the mid-20s and
9 is especially sensitive to the effects of
10 nicotine, which you've heard from our esteemed
11 Dr.s. Yet most kids are unaware that these
12 products even contain nicotine, or they
13 significantly underestimate the danger of
14 nicotine.

15 You may have heard arguments that e-
16 cigarettes help people quit using cigarettes, and
17 that may be true for a very small group of
18 people, but population-based studies continue to
19 show that there is no net positive impact on
20 public health. This is because for every one
21 adult who uses an e-cigarette to help them quit,
22 81 adolescents and young adults, who have never
23 smoked cigarettes, may begin using e-cigarettes.
24 We know kids are initiating on e-cigarettes and
25 transitioning to traditional cigarettes.

1 Since enacted, Tobacco 21 has estimated
2 to reduce overall smoking rates by
3 12 percent, decrease smoking initiation rates in
4 15-17 year-olds by 25 percent and is estimated to
5 save the lives of around 2,148 Nassau County kids
6 alive today. The age when young people first
7 experiment with, or begin using tobacco can
8 reduce the risk that they will become addicted
9 smokers. Thank you for allowing public testimony
10 today. I urge to pass this common-sense
11 legislation.

12 LEGISLATOR NICOLELLO: Thank you Ms.
13 Unger. Jessica Turnquist.

14 JESSICA TURNQUIST: Hi. My name is
15 Jessica Turnquist and I've been a resident of
16 Syosset since 2013 and I have two daughters in
17 the Syosset School District. I will be making a
18 statement on behalf of a collaboration with a
19 fellow parent, Eric Steinberger who also lives in
20 Syosset and who also has two daughters in the
21 Syosset School District.

22 We ask you to raise the legal age of
23 purchasing tobacco products from 19 to 21
24 following the example set by other counties in
25 New York and other states around this nation. It

1 is a common-sense measure that serves to protect
2 children from the harmful effects of smoking and
3 provides numerous and other indirect benefits.

4 Tobacco companies have been targeting
5 youths since their inception as they are well
6 aware that starting people smoking when they are
7 young maximizes profits. They have a long history
8 of misleading and outright lying to the public
9 about the dangers of and addictiveness of their
10 product. They focus their marketing on youth
11 through movies, colorful packaging, flavoring
12 their products, making them more compact and
13 easier to use.

14 By increasing the legal age of tobacco
15 products to 21 it makes it that much more
16 difficult for middle and high school-aged kids to
17 get their hands on them. There are products that
18 are geared and marketed specifically to kids such
19 as the Juul and e-cigarette products that is
20 shaped to purposefully look like flash drives,
21 Sharpies, and other common classroom items so
22 that kids can carry them out in the open in
23 public schools. Vaping is more attractive for
24 teens as it is easier to use vape products
25 without detection due to a lack of tobacco smell.

1 They can be reused and refilled and are
2 affordably priced.

3 Another interesting fact about the Juul
4 is that it contains more nicotine than an average
5 e-cigarette product. 5 percent nicotine by volume
6 as compared with an e-cigarette cartridge at 2.4
7 percent nicotine volume.

8 Big tobacco knows that 95 percent of
9 adult smokers started smoking before they turned
10 21. Ages 18-21 are the years when people go from
11 casual smokers to addictive full-time smokers.
12 These are the replacement smokers that big
13 tobacco need to maintain its products. They are
14 replacing the dead and the dying consumers of
15 their product.

16 There is widespread country-wide support
17 as well as national bipartisan support for
18 raising the legal age to 21. A recent poll
19 conducted by the research firm Global Strategy
20 Group in April 2018 found that 72 percent of New
21 York voters favor raising the minimum age for
22 sale of cigarettes and other tobacco products to
23 21. The indirect benefits to New York and the
24 U.S. as a whole are incalculable. By increasing
25 the legal age of purchase to 21, statistics show

1 that there will be less full-time smokers. This
2 means a reduction in health care costs, cost
3 burdens to health insured and a healthier U.S.
4 population. We need to protect our children from
5 these harmful products. Please, raise the legal
6 for tobacco products to 21 and follow the example
7 that is already being set across this nation.
8 Thank you.

9
10 LEGISLATOR NICOLELLO: Thank you Ms.
11 Turnquist. Dr. Lorna Lewis.

12 DR. LEWIS: Thank you Legislators for
13 the opportunity to address you. I have several
14 friends sitting I'm looking at. I represent New
15 York School of Superintendents in New York, as
16 well as having the pleasure of serving on the
17 board of the American Heart Association. I thank
18 you for the opportunity to address Tobacco 21.

19 I'm here to ask you to join some forward-
20 thinking communities around the state in passing
21 this law. Suffolk County has already made a leap
22 to protect the next generation as has
23 Schenectady, Albany, Orange County, Sullivan
24 County. There are 13.2 million residents who are
25 protected by this Tobacco 21 law. The tobacco

1 industry has always preyed on our young people,
2 knowing full-well that the earlier they can
3 entice our children into this unhealthy
4 behavior the long-term dollars they will reap.

5 Today we see our children engage in the
6 use of new phenomena, the vape pen. I've heard
7 you speak about the e-cigarettes. Let me give you
8 some practical experiences. Those things look
9 like a jump drive. We have- in our schools we
10 have chrome books for all of our children. These
11 children who have access to e-cigarettes can heat
12 up their vapes, whatever that- the Juul, they can
13 stick it into the chrome books, they can heat
14 that device up to incredible temperatures. They
15 then stick it into the pen. If they're wearing a
16 coat this is what it looks like, and they do that
17 sitting in the classroom. Nobody knows that they
18 have done this, it is odorless, it is vape-less -
19 you see nothing. And that's the reality of these
20 new cigarettes. And I have to tell you that this
21 mass budget that we just approved last Tuesday
22 had- my own district had about \$50,000 in it for
23 this new device called Fly Sense that we have now
24 installed in all of our bathrooms- will be
25 installing in all of our high school bathrooms in

1 order to detect the use of vape. It is a real
2 phenomenon in all of our schools. Many other
3 districts have gone ahead. Just think about this,
4 if my district is spending \$50,000 only in my one
5 high school we have 56 districts just in Nassau
6 County. That's money that we did not need to
7 spend that we are spending.

8 Passing to the age of 21 will thwart the
9 tobacco industry's efforts to engage our youths
10 and put some distance between them and their 21
11 year-old counter-parts.

12 I want to acknowledge my own Legislator
13 Drucker for the work he's been doing on opioid
14 and I just want to say that this is a gateway to
15 other forms of drugs. It begins as a smoker.
16 Thank you.

17 LEGISLATOR KOPEL: Alright, the next
18 speaker we have is Dr. Sana Raoof. I hope I got
19 that right, forgive me if I didn't.

20 SANA RAOOF: My name is Sana Raoof. I am
21 resident of Muttontown, a proud graduate of
22 Jericho High School and an MVP H.D. student at
23 Harvard Medical School. Having completed my PhD
24 on new therapeutics for drug resistance lung
25 cancer, I can tell you all with confidence and

1 expertise that lung cancer is a disease that we
2 should dream to prevent.

3 Cigarettes contain over 3,000 toxic
4 chemicals, including rat poison, hydrogen cyanide
5 - which was used in gas chambers in the
6 Holocaust, ammonia and insecticide. Cigarettes
7 are the only legal products that when used as
8 directed kill half of their legal consumers,
9 which amounts to over 0.5 millions Americans per
10 year.

11 As we have heard, cigarettes are a
12 pediatric disease. Although adults die from
13 tobacco related diseases, they all began smoking
14 when they were young. 90 percent of smokers began
15 before the age of 18, and 90 percent of the
16 supply came from people between the age of 18-20.
17 This represents a huge opportunity. Tobacco 21
18 specifically cuts off the supply of cigarettes to
19 kids right at the age when they're most likely to
20 begin smoking.

21 Strikingly, nearly all addictive smokers
22 said that they did not plan to smoke again after
23 their first exposure to cigarettes. Yet one
24 quarter of American high schoolers who smoke once
25 will smoke the rest of their lives, pointing to

1 the absolute necessity of preventing that initial
2 exposure when brains are underdeveloped and
3 vulnerable to addiction.

4 We already know that Tobacco 21 is
5 incredibly effective. In 2005, Needham,
6 Massachusetts became the first place in the U.S.
7 to implement Tobacco 21, and within five years
8 cigarette smoking amongst Needham high schoolers
9 fell by 50 percent despite the fact that kids
10 could have just driven to neighboring suburbs to
11 buy cigarettes.

12 In the case of Nassau County, a lot of
13 our neighbors have already implemented the
14 policy, and so once Tobacco 21 passes here kids
15 will no local options to buy cigarettes before the
16 age of 21. Tobacco 21 is popular. Over 135 cities
17 including New York City have raised the tobacco
18 age sale to 21 and 75 percent of American adults
19 favor this policy.

20 But most importantly, Tobacco 21 is our
21 responsibility. National and state senates,
22 including the New York State Senate are
23 financially sponsored by tobacco lobbyists and
24 protecting children with Tobacco 21 has
25 historically only been possible thorough local

1 movements and it's therefore your job. I've
2 brought pages of information about Tobacco 21 and
3 relevant statistics and letters of support from
4 the American College of Chest Physicians for you
5 all to consider and I hope that today we pass
6 Tobacco 21 in Nassau County.

7 LEGISLATOR KOPEL: Okay, thank you.
8 Tanya Moore?

9 TANYA MOORE: Hi, thank you. My name is
10 Tanya Moore. I'm here as a concerned parent. I'm
11 a graduate of Syosset High School and I'm here to
12 talk about the potential health and other
13 situations that we can prevent for our children.
14 Smoking under standard tobacco and now the latest
15 and the sneakiest is e-cigarettes. As a former
16 student of Syosset High School, years ago we were
17 granted a lot of freedom as our children are
18 today. Our Syosset High School had an open campus
19 policy and at 18 we were allowed to sign
20 ourselves out of the school if we had a free
21 period. Our high school had a designated
22 courtyard for smokers and yes we took advantage
23 of every opportunity granted to us as 18 year-old
24 students. We also took advantage of our friends
25 and their siblings if they had access to things

1 that we were too young to obtain on our own.

2 I stand before you as a mother of a third
3 grader at South Grove Elementary School. She's a
4 bright child, she's competing globally in
5 robotics competitions, excelling with her out of
6 state soccer team, and she's an outstanding
7 student both academically and musically. I'm not
8 raising a child who's easily influenced.

9 That being said, she's only eight and
10 sadly there's room for movement. My daughter
11 needs permission slips signed to attend school
12 activities. She's placed at the peanut lovers
13 table because of her sandwich. Peanut issues are
14 regulated by our schools and the health
15 ramifications to a child with nut allergies is
16 more harmful for children this age. But the nut
17 allergies are regulated but there's no Surgeon
18 General warning posted on the side of a Skippy
19 jar.

20 At every age most social interactions
21 impact our daily decisions. We are- and they are
22 all impeded with safety of personal
23 responsibility waivers. Keeping tobacco and
24 standard smoking cigarette age at 18 is
25 absolutely ridiculous- at 19, is absolutely

1 ridiculous. This is a cake walk for our children
2 to buy and gain access and potentially becoming
3 hooked on nicotine. We should not be here having
4 a conversation. To me it's a no-brainer. Our
5 elected officials should move to access age from
6 19 to 21 when there's absolutely no benefits for
7 smoking except for the tax that's generated for
8 the sales.

9 As a parent, it's my responsibility to
10 sign permission slips for my child to attend a
11 school event. But smoking? Sure, have at it.
12 She's 19, she'll walk into 7-Eleven and purchase
13 a cigarette. If not, just ask her older friends
14 with legal access.

15 Although South Woods and Syosset High
16 School have a no smoking policy, we can all
17 acknowledge the unacknowledgeable ongoing issues
18 with tobacco use. Perhaps the raise of the legal
19 age of tobacco availability from 19 to 21, we as
20 parents, care-takers, educators, and legislators
21 take some action for the betterment of our dear
22 vulnerable community - our children. Well,
23 there's more, but anyway, thank you so much and I
24 really hope that this can move forward.

25 LEGISLATOR KOPEL: Thank you. Let me

1 just- we've got a bunch more. Let me just point
2 out that, my sense is that the matter has very
3 wide support on both sides of the aisle. And of
4 course, the policy is that whoever wants to speak
5 can do so. But I urge you to cover new territory
6 if you'd like to and just consider what I've just
7 said. That being the case, the next one on the
8 list is Dr. Shetal Shah. Is that right? And again
9 forgive me if I've not pronounced this correctly.

10 SHETAL SHAH: Sure. So, my name is Dr.
11 Shetal Shah and I'm a lifelong resident of Nassau
12 County and I serve as Vice President of- a
13 Legislator Chairman of the Long Island chapter of
14 the American Academy of Pediatrics which
15 represents 1,400 pediatricians across Long
16 Island, 500 of whom live and work in Nassau
17 County. Although it seems no one is working
18 Nassau County right now because all 500
19 pediatricians are here.

20 It's again a pleasure to speak to you
21 about this legislation that will raise the age to
22 purchase tobacco, including electronic cigarette
23 paraphernalia, to 21 years of age. Again, as
24 people have said, making our laws consistent with
25 New York City and Suffolk County. As you've heard

1 from others, Hawaii, California, Massachusetts,
2 and New Jersey have all followed suit, as have
3 large cities and as you've heard again, 135
4 municipalities nationwide.

5 In the interest of being respectful to
6 everyone's time, I want to pause and remind
7 people that it was approximately 10 years ago
8 that my beloved Nassau County representative and
9 your respected colleague, Judy Jacobs and I
10 outlined this legislation on the back of her
11 lunch napkin. I remember vividly because I was
12 scheduled for this meeting and I did not have
13 child care for my eight-month old and I had to
14 cancel. And Judy, always maternal as ever, said,
15 "Just bring him along." That son is now entering
16 middle school and I can think of no better
17 legislative tribute than to pass this bill in her
18 name.

19 There is widespread support for this
20 legislation across all segments of Nassau County.
21 The American Academy of Pediatrics as well as
22 physicians in the Nassau Pediatric Society, Cohen
23 Children's Hospital, NYU Winthrop, as you heard
24 from Dr. Leonard Krilov, are all here. Internal
25 medicine and oncological physicians are here.

1 They're here along with parent-teacher
2 associations and myriad of anti-tobacco
3 advocates.

4 To give you an idea of the momentum,
5 because the counties that have passed this in New
6 York State have already been mentioned, I would
7 point out that Westchester County was discussing
8 Tobacco 21 legislation yesterday. It's a medical
9 fact that raising the age of smoking to 21 will
10 reduce the number of teen smokers by 55 percent.
11 And if we use data- this is something new. If we
12 use data from the Center for Disease Control,
13 National Youth Risks Behavior Survey, and the New
14 York State Department of Education, and filter
15 those through the medical models that are input
16 in the institute of medicines, 330 page 2015
17 report.

18 One of the great things of having a lot
19 of pediatricians is that we have a lot of
20 epidemiologic expertise. We can estimate
21 confidently that between 2,800 and 5,600 fewer
22 teenage nicotine users in Nassau County will
23 result every four years as a simple result of
24 passing this legislation.

25 I also want to point out that for many

1 years when I would come to this body, I would
2 hear, "Old enough to die and vote and old enough
3 to drink and smoke." The claim was that 18 year-
4 olds are adults and are able to die for their
5 country in the military, they should be allowed
6 to smoke. I would like to point out that the
7 Secretary of the Navy has now said that maybe
8 personnel will comply with Tobacco 21
9 legislations and all shore based bases in which
10 the states have the law. Thank you very much.

11 LEGISLATOR KOPEL: Thank you and bearing
12 in mind that you're all preaching to the choir,
13 once again. Vandana Sharma, would you still like
14 to- you would. Okay.

15 VANDANA SHARMA: Ladies and gentlemen,
16 I'm Vandana Sharma. I am a resident of Bellmore
17 on the south shore. I have two children that
18 attend the Bellmore schools. I have an 18 year-
19 old who's currently graduating as a senior in
20 high school. And my youngest is eleven, she's
21 going into middle school. So, I'm here as a
22 concerned parent, as an attorney, and as an
23 advocate for child health and welfare. I support
24 this legislation and I wanted to read out loud to
25 you an email that the principal of our high

1 school has sent out. He's sent out several. So,
2 this encapsulates the issue at our high school at
3 this current time. His name is David Seinfeld:

4 "Dear Kennedy families-

5 This is dated April 19th.

6 "I want you to know that we continue to
7 struggle with the vaping problem at Kennedy High
8 School and schools throughout the country. I have
9 listed our comprehensive effort below that I sent
10 out in an email in January. In the few short
11 months since my last message, more information
12 has come out about the extraordinary dangers of
13 the vaping and the ease in which illegal THC
14 vapes can be purchased. Perhaps the scariest
15 piece of this whole puzzle is the reports that
16 speak to the ease of addiction that vaping is
17 causing. I share with you after having been
18 around for some time that this vaping worry is
19 one of the most serious health concerns I can
20 recall facing. The ease of use, which seems to
21 have led to greater regularity of use, the new
22 normal of the device readily available in stores,
23 the unknown dangers associated with long-term
24 use, the covert use of the device for tobacco and
25 marijuana products, the legalization of marijuana

1 in some states, and the highly addictive nature
2 of such products leads me to have grave concerns
3 for the well-being of the children who have
4 started to use. Let's work together to address
5 this issue."

6 He then commendably goes on to list
7 various education initiatives that he is doing in
8 the high school with the faculty, with the
9 parents, and with the children. He needs to be
10 commended and I ask you, the Legislature of
11 Nassau County to, similarly, assist so that we
12 can proactively stop this health scourge to young
13 adults who may irreversibly harmed. And I think
14 you for your time.

15 LEGISLATOR KOPEL: Jessica Varghese.

16 JESSICA VARGHESE: Good afternoon. My
17 youngest son turned one today. The world he has
18 entered here is way different than the one we as
19 his parents grew up in. I have a daughter
20 starting middle school this year which will be
21 filled with immense choices and decisions she
22 will have to make related to social circles,
23 extra-curriculars and experimentation with new
24 things. I'm sure I will not be able to protect
25 her from everything, but I sure want to try and

1 make things a little bit more difficult for her
2 to try detrimental habits such as smoking. The
3 teenage years are such a vulnerable time and we
4 as adults and parents should do our best to
5 protect our kids as much as we possibly can.

6 I am speaking in support in raising the
7 minimum sale age of tobacco and other nicotine
8 delivering systems to 21 years old. I believe
9 this is the most important action we can take as
10 responsible adults to prevent further damage to
11 our young people. Smoking causes many preventable
12 diseases and we as concerned citizens and law
13 makers should do the right thing by doing
14 everything possible to maintain and encourage
15 good health practices with this next generation.

16 As a nurse for over 20 years, a parent to
17 four young children, and a PhD graduate, I still
18 feel very strongly that passing this law will
19 help enable them to live healthier lives. There
20 are so many awful things in the world that our
21 kids have to face such as online, social media
22 bullying. If we can take away at least one
23 difficult choice for them, shouldn't we do that?

24 Each day approximately 2,100 young adults
25 who are occasional smokers become daily smokers.

1 The added burden to an already overloaded health
2 system is immense. Let's work together to create
3 legislation that is backed by evidence based
4 research which shows the brain development in
5 teens is most susceptible to addiction. There are
6 various immediate and long-term risks with teen
7 smoking. Once introduced to smoking, it is very
8 difficult to quit. Let's prevent premature
9 smoking related diseases from taking the lives of
10 those we love. The benefits of increasing the
11 minimum legal age to 21 years would be the
12 smartest and most impactfully legislation for the
13 future of healthy Long Islanders. I believe the
14 right decision will be made and I thank you for
15 the opportunity to present this data.

16 LEGISLATOR NICOLELLO: Thank you
17 Ms. Varghese. Shetal Shah. Oh we did? Okay. Dr.
18 Eve Krief?

19 DR. KRIEF: Hi. My name is Dr. Eve Krief
20 and I'm a pediatrician. And I actually live and
21 work in Suffolk County where we actually passed
22 Tobacco 21 back in 2014. And I actually have a
23 statement here from Suffolk County Legislator
24 William Spencer who asked that I read this
25 statement to you today:

1 "I support and encourage Nassau County
2 law-makers to raise the legal age for the sale of
3 tobacco products to 21. Increasing the tobacco
4 purchasing age is about saving lives and
5 preventing addiction. The facts reveal that 90
6 percent of adult smokers become addicted before
7 they were 18 and 90 percent of cigarettes
8 purchased for them were done so by those between
9 the ages of 18 and 20 years old. This indicates
10 that youth smoking is not driven by illegal
11 tobacco sales, but by legal sales. Legal
12 purchases of tobacco products by the 18 to 20 age
13 group are currently the most significant source
14 of tobacco products for 12 to 17 year olds. The
15 higher minimum age of 21 places legal purchases
16 of tobacco products outside the social circle of
17 most high school students, thereby directly
18 reducing the supply available to adolescents.

19 When looking at other municipalities that
20 have raised the legal age to purchase tobacco
21 products, the data shows that smoking and cancer
22 rates decrease. Needham, Massachusetts, for
23 instance, raised the tobacco purchasing age to 21
24 in 2005 and their policy has led to substantial
25 decrease in smoking rates that have remained low

1 since then. Additionally, cancer rates have
2 decreased in Needham and when compared to cancer
3 rates of surrounding counties, cancer is
4 afflicting fewer people.

5 The benefit to increasing the tobacco
6 purchasing age in Nassau County will further
7 decrease long-term tobacco addiction in the
8 region, as those in Suffolk County who are not
9 yet 21 will not have the ability to travel the
10 short distance to Nassau County to buy tobacco
11 products. Public health should be our top
12 priority.

13 But the economics of this measure will
14 prove to be beneficial for Nassau County as well.
15 While a miniscule amount of the county sales tax
16 revenue would be lost in the near future, it
17 pales in comparison to the billions of dollars in
18 long-term healthcare savings that would otherwise
19 be directed towards treating the illness caused
20 by tobacco addiction.

21 For the aforementioned reasons, I
22 strongly encourage Nassau County to act to
23 increase the tobacco purchasing age to 21 and
24 create regional uniformity. It will improve the
25 quality of life for Nassau residents and save

1 lives. Best regards, Legislator William Spencer,
2 M.D."

3 LEGISLATOR NICOLELLO: Thank you. Ana
4 Leverton.

5 Okay. Thank you. Juan Vides.

6 JUAN VIDES: Hi everybody, thank you for
7 allowing me to speak today. My name is Juan
8 Vides. I'm a resident of Oceanside. I'm not going
9 to (inaudible) the issue because most of it has
10 already been done for the respect of the people
11 here. I just want to say that our youths deserve
12 this law, the life-saving law of today because it
13 will be impactful. The Institute of Medicine
14 reported that in 2015 they found that the tobacco
15 use would decrease by 12 percent by the time the
16 teenagers were adults if the minimum age was
17 increased by 21. Now this is very important, I
18 need you to hear all this. The same report found
19 that there were 25 percent decrease in smoking
20 rates among those 15 to 17 years old. Let that
21 sink with you, okay? That we need to change this
22 law. This is a group which legally isn't allowed
23 to smoke in the first place and for a good
24 reason. Scientific evidence has told us that the
25 brain is not fully developed until the age of 25

1 and specifically in related areas it's addiction.
2 Please take the opportunity to put the end of
3 devastating conditions tobacco causes and to the
4 roughly 26,000 annual deaths of tobacco and
5 related illness. Please vote in favor of Tobacco
6 21, thank you very much.

7 LEGISLATOR NICOLELLO: Thank you Mr.
8 Vides. James Erwin.

9 JAMES ERWIN: Good afternoon county
10 legislators and beautiful people of this Nassau
11 County. My name is James Erwin. I am from Bergen
12 County, New Jersey and I have been to hundreds of
13 meetings like this. Where I come from, they call
14 me the smoking guy. So, the smoking guy is here
15 with everyone today. Legislator Drucker, thank
16 you and please give my thanks to Ms. Mary for
17 calling me. I was in touch- his office was in
18 touch with me several years ago. I started this
19 campaign in 2012. My mom was a nurse in Englewood
20 Hospital for 45 years and since, at your behest
21 sir, I'm going to give my information this way.
22 I'm going to use the legislators for my
23 demonstration.

24 My father died right when I was born of
25 pancreatic cancer. Two of his brothers passed

1 away from cancer, both from lung cancer from
2 smoking. His sister died three years ago from
3 smoking. Her husband died the following year from
4 smoking. Their daughter died from COPD the same
5 year their mother passed. I don't know if anyone
6 knows the group The Five Stairsteps, they sang a
7 beautiful song. It's called Ooh Child.

8 Those are my first cousins. The lead
9 singer of that group, the beautiful Clarence
10 Burke, I love you, passed away from lung cancer.
11 I have two beautiful- and that's just on one side
12 of my family that was wiped out. Just wiped out,
13 devastated by cancer and smoking. I have a cousin
14 that I used to place bets for when the Kentucky
15 Derby, the Belmont States and the Preakness
16 rolled around. He died from lunch cancer eight
17 years ago. His wife, man, also died from that
18 same disease the year before. So, I think we have
19 about 20 legislators if I'm correct, right? Okay,
20 so. I think at that point you wouldn't even have
21 a quorum of just my family members if they were
22 elected officials in this town.

23 I'm here today out of love. I drove from
24 New Jersey. I'm glad that this legislation is
25 going to pass, albeit a little late. I advise

1 everybody if you know someone that smokes, please
2 urge them for the residents of this county that's
3 1.3 million and change, you have about 100,000
4 young folks. When you lose someone to smoking
5 which is the most- the deaths are 100 percent
6 preventable. 50 percent, so there were 218 people
7 in here earlier. The kids have left, that's half
8 the room would be gone. Half the legislators.
9 Please, I thank you. Urge folks to get their
10 themselves tested. I'm a cancer survivor, I was
11 diagnosed with prostate cancer last year. Get
12 checked out, tell people to be healthy, get
13 healthy. I love you, God bless.

14 LEGISLATOR NICOLELLO: Thank you, James.
15 Wendy Levitt. Wendy Levitt? She left? Okay. Jack
16 Rachel Meltzer. Done? Jack Levine?

17 JACK LEVINE: Good afternoon, thank you
18 for the opportunity to speak in favor of Tobacco
19 21 legislation. I've lived in Nassau County since
20 1978. I'm a pediatrician. I am specially trained
21 in developmental behavioral pediatrics and I'm
22 the Director of the Center of Autism at Nassau
23 University Medical Center. I wanted to- I know
24 that you've heard from the many people and you'll
25 probably hear from more about how vulnerable

1 adolescents are to the addictive effects of
2 nicotine and how the tobacco companies take
3 advantage of this. I wanted to take a few minutes
4 just to talk about just the neuroscience behind
5 all of this, so that we all understand exactly
6 what's going on.

7 The adolescent brain is not fully
8 developed. I mean, I think- not until the age of
9 25, I think any of us who've raised teenagers
10 attest to that. At this time of adolescent brain
11 development is a very vulnerable time. The reason
12 for it being that it's a kind of interplay
13 between the emotional side of the brain and the
14 rational side of the brain. And so the limbic
15 system, or the amygdala, which is a risk taking
16 and emotional part of the brain, is growing in
17 leaps and bounds during adolescence. This is
18 fueled by the hormones of puberty. But don't
19 worry, it'll calm down in time, not until they're
20 much older than 18 years of age, 19 years of age.

21 On the other hand, you have the pre-
22 frontal cortex, or the front of the brain which
23 is kind of the rational thinking area, the CEO of
24 the brain, the part of the brain that inhibits
25 impulsivity. And it's gearing up for adult life

1 and adult decisions. It's making new connections,
2 it's getting rid of connections that aren't
3 necessary. But it's finest hour is yet to come.
4 It's going to be fully developed for a while. Now
5 in the face of this, tobacco and nicotine
6 increase dopamine secretion in the brain.
7 Dopamine is a neurotransmitter, it's a chemical
8 in the brain that makes you feel good. So, you
9 get dopamine if you do things that you enjoy and
10 things like that.

11 Also, nicotine increases other nicotine
12 receptors in the brain. So, when you get nicotine
13 into your body you start making other areas of
14 the nerves that become more sensitive to nicotine
15 and want more nicotine.

16 Now, what happens is when you have
17 increased dopamine from cigarette smoke, they
18 fill up with every cigarette, you know, it gets
19 into the blood system in about 20 seconds, and
20 this causes a brief, pleasant sensation which
21 dissipates. But then the body starts making less
22 of its own dopamine because there's so much of
23 this artificial triggering coming in from
24 nicotine. So, the brain starts seeking it out.

25 And now the limbic system, which is the

1 risk taking system, is looking to get more and
2 more dopamine and get more and higher and higher
3 and seeking out more cigarettes. At the same
4 time, we know that nicotine affects the
5 connections in developing the pre-frontal cortex.
6 We know this from a lot of different studies in
7 animal studies and in humans. What happens when
8 nicotine affects this, it decreases the
9 inhibition and clear thinking which can lead to
10 more impulsive behavior and lifelong addictive
11 behavior. So, basically what happens is- okay.
12 Basically, what happens the nicotine wants the
13 brain to get more dopamine-

14 CLERK PULITZER: Sir, your time has
15 expired.

16 LEGISLATOR NICOLELLO: Please just wrap
17 it up. No, no, you can conclude.

18 JACK LEVINE: Okay. What happens is then
19 the brain becomes sensitized to nicotine seeking
20 out more of this dopamine high, and therefore you
21 have lifelong addicted teenagers. And the tobacco
22 companies have new customers. Thank you.

23 LEGISLATOR NICOLELLO: Okay, thank you.
24 Dr. David Fagan.

25 DR. FAGAN: Good afternoon ladies and

1 gentlemen of the Legislature. I am going to be
2 strictly respectful of your time. I've been a
3 resident of Nassau County since 1969, a graduate
4 of West Hempstead High School and I have lived in
5 the city of Long Beach since 1994. We passed this
6 legislation, as Legislator Ford knows, in the
7 city of Long Beach in December. I'd like to see
8 the county do the same thing. I am a
9 pediatrician. I am a resident of the Nassau
10 Pediatrics Society and I am Vice Chairman of
11 Northwell Health Cohen's Children's Medical
12 Center. We support this legislation. Thank you
13 for your time.

14 LEGISLATOR NICOLELLO: Thank you very
15 much. Rachel Boykan. I don't know if that's
16 correct, I apologize if not.

17 RACHEL BOYKAN: Not quite, but I'll
18 correct you. It's Rachel Boykan, thank you so
19 much. I'm a pediatrician in Suffolk County where
20 it's mentioned we've had this legislation for a
21 couple of years. And I will be brief, I have no
22 papers I'm just going to speak off the cuff on
23 stuff that maybe we haven't heard. I'm also a
24 member of the executive committee of the American
25 Academy Pediatric Section on Tobacco Control. So,

1 I work at a national level with people from the
2 start of this whole thing in Needham,
3 Massachusetts. So, I've been really involved with
4 this project and I really support it. A couple of
5 things to highlight. It's very, very important,
6 I'm glad we're- that you're including- I'm
7 assuming this is going to pass because you've
8 sort of suggest that, so I'm going to
9 congratulate you in that because I think this is
10 really, really key. Especially in the light of
11 the vaping epidemic that we have and one of the
12 reasons that's so important is that the data is
13 really very conclusive now. The vaping, and this
14 was highlighted in the recent report of the
15 Society of Medicine in just last month, that
16 vaping- teens who vape, who use electronic
17 cigarettes and related products do go on to smoke
18 combustive cigarettes. So, although we have seen
19 combustive cigarette tobacco rates- smoking rates
20 among kids are lower than they have been in
21 decades. But they are going to go up because of
22 the vaping epidemic.

23 Vaping is probably pretty dangerous too,
24 we just don't have the data to say exactly how
25 that is. We know a lot of the bad things about

1 it, certainly not the least of which is the
2 nicotine addiction. And it's a really strong
3 addiction. So, this is really important.

4 I also want to commend you for what I'm
5 assuming what would be the passing of this
6 because if you look at what's happened in this
7 country starting in Needham, localities that pass
8 this encourage the states to pass it at the
9 statewide level. That's how this has happened in
10 the now six states that have this. And really, if
11 we're going to really combat this as a country we
12 have to do this at a federal level. So, this is a
13 real step in the right direction not just for
14 this county and for the people who live here and
15 who care about the kids here and everyone here,
16 but for our country. And if you think about that,
17 that's a really, really big thing. This comes up
18 in the New York State- New York State level and
19 even federally. I urge you to keep pushing this
20 forward because this issue needs to keep going.
21 Thank you.

22 LEGISLATOR NICOLELLO: Thank you and
23 that is the last speaker on this item. I want to
24 thank everyone of our speakers for their remarks.
25 We're fine. You'll have an opportunity to speak.

1 You'll have an opportunity to speak after the
2 Legislature. We're done on Tobacco 21. But I want
3 to thank all the speakers for their patience and
4 for their very thoughtful comments. We all
5 appreciate their remarks. I'm going to have a
6 motion to close the hearing. Moved by Legislator
7 Muscarella, seconded by Legislator Drucker. The
8 hearing is closed.

9 UNIDENTIFIED SPEAKER: May I be heard
10 though for a second?

11 LEGISLATOR NICOLELLO: You want to speak
12 on the item?

13 UNIDENTIFIED SPEAKER: I would.

14 LEGISLATOR NICOLELLO: We're going to
15 vote on the item in a moment.

16 UNIDENTIFIED SPEAKER: But I'd like to
17 speak on it before we vote on that.

18 LEGISLATOR NICOLELLO: Well, yes. Yes
19 absolutely.

20 UNIDENTIFIED SPEAKER: Okay.

21 LEGISLATOR NICOLELLO: We're going to
22 call the item, it's going to be amended slightly,
23 and then we're going to go ahead. And you can
24 have- you can speak at that point.

25 UNIDENTIFIED SPEAKER: Can't we speak on

1 that?

2 LEGISLATOR NICOLELLO: You can speak at
3 the end of the (inaudible.)

4 UNIDENTIFIED SPEAKER: We want to speak
5 on Tobacco 21.

6 LEGISLATOR NICOLELLO: You want to speak
7 on Tobacco 21?

8 UNIDENTIFIED SPEAKER: Yes.

9 LEGISLATOR NICOLELLO: Did you put a
10 slip in?

11 UNIDENTIFIED SPEAKER: Yes.

12 LEGISLATOR NICOLELLO: Not on this item.

13 UNIDENTIFIED SPEAKER: Yes, on a few
14 different items. On this item also and a few
15 others.

16 LEGISLATOR NICOLELLO: No, you know
17 what? Unfortunately, I'm not going to be able to
18 entertain those comments you can speak at the end
19 of the meeting. There are reasons we have to
20 proceed now and we're going to. The motion to
21 close the hearing was seconded. All in favor of
22 closing the hearing signify by saying aye. Aye.

23 (Aye.)

24 All those opposed? The hearing is closed.
25 We are going to now call the item which is a

1 local law to amend the Nassau County
2 Administrative code in relation to prohibiting
3 the sale of age restricted tobacco products to
4 individuals under the age of 21. That is a local
5 law. Anyway, moved by Legislator Drucker,
6 seconded by Legislator Lafazan. It has to be
7 amended. The amendment in the nature of a
8 substitution will be to expand the definition
9 section of the legislation to include herbal
10 cigarette and nicotine water. It will also
11 specify this local law will be enforced pursuant
12 to Article 1 of the Nassau County Public Health
13 Ordinance and authorizes the Department of
14 Consumer Affairs in addition to the Department of
15 Health to enforce this legislation. The amendment
16 is moved by Legislator Muscarella, seconded by
17 Legislator McKevitt. All in favor of the
18 amendment signify by saying aye.

19 All in favor of the amendment signify by
20 saying aye. Aye.

21 Those opposed?

22 The item is amended. It is before us.

23 Legislator Drucker, you have the floor.

24 LEGISLATOR DRUCKER: Thank you Presiding
25 Officer, I appreciate it. First of all, I'd like

1 to thank the abundance of terrific speakers today
2 who have come out and have taken the time to
3 speak on this issue, which just by the sheer
4 number of speakers is an important issue that is
5 obviously not a political one. It has been
6 stalled for years for political reasons. As I
7 stated in our last session, while I am extremely
8 heartened and gratified it has finally recognized
9 the urgency of attacking this legislation, so as
10 to bring Nassau County up to the enlightened
11 state displayed by all of our surrounding
12 neighbors who had no trouble recognizing the need
13 to make it more difficult for teenagers to pick
14 up this nasty habit. Which only guarantees one
15 thing - a lifetime of debilitating health and
16 illness and an abbreviated life. Quite a few of
17 which could have already been spared this
18 addiction had this law been passed years ago when
19 the late great Judy Jacobs introduced it and I
20 reintroduced it last year. And each time it went
21 nowhere, not even getting into committee for
22 discussion, which is how this legislative body is
23 supposed to function. Let's just hope that by the
24 passage of this bill it is a harbinger of a new
25 era of collaboration and bipartisanship that I

1 know the residents of this county desperately
2 want. Legislator Kopel was quick to state to the
3 speakers today, you're preaching to the choir.
4 There was no choir for quite a few years. Thank
5 you very much.

6 LEGISLATOR NICOLELLO: Thank you for
7 those gracious comments. Legislator Lafazan.

8 LEGISLATOR LAFAZAN: Thank you Presiding
9 Officer. I thank my colleague, Legislator Drucker
10 and the many advocates who spoke today to stand
11 up for this vital piece of legislation. And as a
12 point of personal pride, thank you to my home
13 community in Syosset for leading the way here.

14 Having had the unique opportunity serving
15 on the Syosset School Board as a teenager, I know
16 both that abusive tobacco products for minors is
17 atop the largest threats to our student
18 population today. And that the proliferation of
19 both Juuls and e-cigarettes has made access far
20 too easy and detection far too hard. At the
21 height of Nassau County's opioid epidemic, which
22 is the greatest natural disaster of our time,
23 failing to pass this bill would be a true body
24 blow to any positive momentum made.

25 Tobacco 21 is a public health victory,

1 which is why I was thrilled to support this bill
2 in committee and will proudly cast my yes vote
3 today. And like Dr. Shah noted, I just want to
4 take a moment to thank the late Legislator Judy
5 Jacobs, who is smiling down upon us all from
6 heaven today. I met Judy in 1999 in Ms. Griffin's
7 Kindergarten class in elementary school. I was
8 five. 19 years later I am able to sit in this
9 chair at 24 and cast my vote on an item that
10 meant the world to her. When I see her picture on
11 that wall of the chamber, I am reminded that we
12 walk on the shoulders of giants and I implore my
13 colleagues to pass this bill. Thank you.

14 LEGISLATOR NICOLELLO: Alright, that's
15 it. Thank you for the legislators. We are going
16 to now vote on the item as amended. All in favor
17 signify by saying aye.

18 All those opposed? Carries unanimously.
19 Alright, we are moving to a number of
20 appointments, and I thank all of those appointees
21 who are here who will be serving in a volunteer
22 capacity for sitting through our meeting so
23 patiently, and we're going to move this group
24 together, except for one which I'm going to call
25 last. I'll do that last. Alright, we have item

1 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37,
2 38, and 39 which are all resolutions to confirm
3 the County Executive's appointments to the
4 Minority Affairs Council, including Isma
5 Chaudhry, Reverend William Watson, Lucas Sanchez,
6 Reverend Stephen Michael Lewis, Gabriella Guzman,
7 Regina Williams, Charles Dickens III, Shani
8 Bruno, Robert Socolof, Rabbi Art Vernon, Kyle
9 Rose-Louder, Nadine Burnett, and Melrose Corley.

10 Moved by Legislator Birnbaum, seconded by
11 Legislator Schaefer.

12 Now all those appointments are before the
13 Legislature. I would advise anyone who wants to
14 speak to do so. There's a lot of you, so I would
15 appreciate it if you- I'm asking the nominees, if
16 you don't mind.

17 Okay, alright. But any of the nominees
18 who like to say a word or two, we'd like to limit
19 it as much as possible since there's so many of
20 you. You're welcome to do so.

21 UNIDENTIFIED SPEAKER: But could they
22 all come up?

23 LEGISLATOR NICOLELLO: Yeah why don't
24 you come on up.

25 SHANI BRUNO: Okay, good afternoon. Yes,

1 it's been a long day. Thank you so much for
2 hearing us, for considering- oh I'm sorry, Shani
3 Bruno, thank you- for considering our nominations
4 to the Minority Affairs Council.

5 So, I live in Nassau County, beautiful
6 Baldwin. I'm a wife, mother of two, I hold a PhD
7 from New York University and I'm entering my
8 tenth year as a full-time professor of Africana
9 Studies at Nassau Community College. As well as
10 teach a variety of ethnic and area studies
11 courses, the only black studies degree conferring
12 institution in the county. I'm also the chair of
13 the International Education Committee of the
14 college's academic senate. So, between the two
15 avenues of academic instruction and institutional
16 service, I'm also an advocate for people in my
17 community, specifically children. Primarily as a
18 PTA leader at district level stakeholder advocate
19 and general parent volunteer. One of the most
20 important things to me, so it's not just children
21 of course but its women, people of color, non-
22 Christian faith people, people of foreign birth,
23 people in the LGBTQ community, people living with
24 disabilities, just to be a voice for constituents
25 who may not be seen but need to be heard. So,

1 thank you very much for your consideration.

2 LEGISLATOR NICOLELLO: Okay, am I right
3 that Shani is speaking for everyone?

4 LEGISLATOR NICOLELLO: You were so
5 eloquent we thought that maybe you covered
6 everything.

7 GABRIELA GUZMAN: Good afternoon,
8 Presiding Officer Richard Nicolello, Minority
9 Leader Kevan Abrahams, and the Nassau County
10 Legislature. And I just wanted to say thank you
11 for this nomination. I appreciate the support
12 that I've had today with friends and family and
13 also the organization I belong to. I've been a
14 resident of Nassau County for 17 years and I
15 graduated Hempstead High School. I just wanted to
16 say how thankful I am for this opportunity.
17 Thanks.

18 LEGISLATOR NICOLELLO: Thank you Ms.
19 Guzman.

20 REGINA WILLIAMS: Good afternoon, Nassau
21 County Legislator. Regina L. Williams, just want
22 to thank you for the opportunity to serve. Thank
23 you.

24 LEGISLATOR NICOLELLO: Thank you Regina.

25 ISMA CHAUDHRY: Isma Chaudhry. I just

1 wanted to thank the legislators and the County
2 Executive and I'm looking forward to serving on
3 the minority- Isma- Okay. And I'm looking forward
4 to serving the Minority Council. Thank you very
5 much.

6 LEGISLATOR NICOLELLO: Thank you Isma.

7 MELROSE CORLEY: Good afternoon my name
8 is Melrose B. Corley and I want to thank you for
9 the opportunity to serve on the Minority Affairs
10 Council. Thank you.

11 LEGISLATOR NICOLELLO: Great, thank you.

12 NADINE BURNETT: Good afternoon. My name
13 is Nadine Burnett and I thank you so much for the
14 opportunity to serve on this committee. And my
15 daughter for staying here for the two and half
16 hours.

17 LEGISLATOR NICOLELLO: Alright, thank
18 you. Thank you for your patience.

19 LUCAS SANCHEZ: Good afternoon. Lucas
20 Sanchez. I just want to say thank you for this
21 opportunity as well. Thank you.

22 LEGISLATOR NICOLELLO: Thank you.

23 WILLIAM WATSON: My name is William
24 Watson. I'd like to thank the County Executive
25 and the legislative body for this opportunity.

1 Thank you.

2 KYLE ROSE-LOUDER: Good afternoon. Kyle
3 Rose-Louder, DCE for Health and Human Services.
4 Just wanted to thank you all for the opportunity.
5 I'm looking forward to working with this council
6 and moving it forward. So, thank you.

7 LEGISLATOR NICOLELLO: Okay, thank you
8 Kyle. Alright, I need public comment.

9 MS. MEREDAY: I filled out a slip, I'll
10 be quick.

11 Sure, let me have it Ms. Mereday.

12 LOUIE MENDEZ: I filled out a slip, so
13 it's there.

14 LEGISLATOR NICOLELLO: Okay.

15 LOUIE MENDEZ: Good afternoon. My name
16 is Louie Mendez. I'm a Nassau County resident.
17 Thomas McKevitt is my legislator. at this time I
18 would like to thank you Honorable Richard
19 Nicolello, Presiding Officer and Minority Leader
20 Kevan Abrahams and all the other legislators. I'm
21 a former Deputy Director of the Nassau County
22 Office of Minorities and I'm a project director
23 of the Nassau County Office of Minority Affairs
24 between 2002 and 2010. There's about six or seven
25 legislators here who were my colleagues during

1 that time as legislators at the time, including
2 yourself Presiding Officer.

3 The Minority Affairs charter is very
4 clear on the opportunities that the county
5 affords the minority communities, which is over
6 30 percent of the county population. The people
7 behind me have been chosen I'm sure through a
8 process by which those who are the best and
9 brightest can represent the community, and I
10 support the County Executive in those who made
11 this possible for them to come forward. The
12 charter mandate for the Minority Affairs Council
13 is significant and impactful. They could impact,
14 and the executive director that they will choose
15 eventually through the County Executive, will
16 impact the minority communities of the
17 County of Nassau. That means several mandates,
18 including contracting opportunities, making sure
19 that during your contracting revamping the
20 minority components are mandated to be a force.
21 That's an important piece for Nassau County
22 residents.

23 The delivery of services to the minority
24 communities throughout Nassau County is also
25 chartered in the Nassau County charter. Most

1 importantly is so that Nassau County looks like
2 the way the people that live in it, the way the
3 people that govern. And that is an important
4 component.

5 It is an honor and a pleasure to see
6 those individuals here. I wish that you would
7 know each one of their stories individually. But
8 once they get approved, you will have the
9 opportunity to engage them, and I hope you do so
10 by finally opening up a hearing in the Minority
11 Affairs Committee that has long been waiting for
12 that to be opened. I hope that going forward that
13 happens. I would think that we're in great hands
14 with the people behind me and I hope that you
15 help them move the county minority community
16 forward. Thank you so much.

17 LEGISLATOR NICOLELLO: Thank you Louie
18 and thank you for your leadership in the
19 community. Meta Mereday.

20 MS. MEREDAY: Meta J. Mereday, Baldwin
21 resident. I would like to say first of all that I
22 am slightly encouraged with the fact that there
23 is a Minority Affairs Committee again. I still
24 don't seem to have any reconciliation with
25 regards to what happened to the last committee,

1 the charter, or any reports. There seems to
2 continue to be a lack as far as the study and the
3 support and the resources. It's nice that we have
4 15, I believe, volunteers for a committee. But
5 how many people are actually on the staff for
6 this department?

7 Secondarily, as most of you know, and for
8 the additional people in the audience because
9 there's usually an echo in this room as far as
10 public participation when the major decisions
11 take place here, one of the components of the
12 Minority Affairs Committee, at least the way it's
13 established in Nassau County, is the component
14 about services disabled veteran owned businesses.
15 And I won't waste your time going over what's on
16 your own site as far as Nassau County with the
17 key objectives of the law as it pertains to
18 service-disabled veteran-owned businesses that
19 this county continues to not enforce. So, I want
20 to give the benefit of the doubt, even though I
21 am a little disheartened that this body did not
22 choose to question any of the candidates before
23 the public as you grilled other committees,
24 commissioners, and things of that nature as if to
25 say that it is just okay that we have this list

1 and we're just going to approve it and keep it
2 moving and see what happens.

3 Considering the Veteran-Owned Business
4 Act which took two years to get on the books in
5 2014 is still gathering dust, and we still have
6 no numbers. I've asked for over two years to get
7 some percentage, some numbers, some background,
8 some data as to the minority business development
9 participation in the county. I have not received
10 that. And I know that we have very little, if
11 any, service-disabled or veteran-owned business
12 activity within the county.

13 So, again, since we pay the second
14 highest taxes in the country- I don't know. It
15 seems that we cannot win lawsuits in Nassau
16 County or in our related townships. Maybe the
17 related veteran business organizations should
18 actually sue to get the information or the input.
19 But I prefer that I'm not encouraging anyone to
20 do that because it really just increases our
21 taxes. And those underserved communities will
22 continue to be underserved. So, as these
23 committee members stand behind me I am hopeful
24 because I'm just very disappointed by the group
25 that sits before me. That we will actually do

1 something that's going to be inclusive of our
2 service-disabled veteran-owned businesses since
3 the majority of those who are going into the
4 military are people of color. Thank you.

5 LEGISLATOR ABRAHAMS: Thank you
6 Presiding Officer. I just have two quick things
7 to say. One, I want to recognize the fact that
8 the CEO of the Nassau EOC is here, Ms. Iris
9 Johnson to be recognized for the great work that
10 she does on behalf of the residents of Nassau
11 County.

12 And then secondly, if someone from the
13 administration is here- I don't know, Mike if you
14 could speak on this particular issue or if you
15 have to get to someone else, I believe one of the
16 previous members of the Minority Affairs Council,
17 Evangelist Reginald Benjamin, I do not see his
18 name on this list. Can someone from the
19 administration provide an update? From what I
20 understand, I believe he was asking to be
21 considered for this body as well.

22 MIKE SANTORAMO: Mike Santoramo. The
23 Reverend Benjamin will be submitted later. When
24 we got the- we were able to look at the resume.
25 When we got the resume, it was after we had

1 submitted other resolutions. There are a couple
2 of other names that we'll be submitting.
3 Hopefully for the June calendar.

4 LEGISLATOR ABRAHAMS: So, there'll be
5 more names in addition to, Reverend Benjamin?

6 MIKE SANTORAMO: Correct.

7 LEGISLATOR ABRAHAMS: Okay. Do you have
8 an idea, Mike on what that number will be in the
9 end?

10 MIKE SANTORAMO: Not total, in the end.
11 I think that we're looking at, right now
12 considering for the next go-around, I think we're
13 considering three names, right now.

14 LEGISLATOR ABRAHAMS: Okay. Thanks Mike.
15 Nothing further.

16 LEGISLATOR NICOLELLO: Without any
17 further debate or discussion.

18 MS. HARRIS: Hello, my name is MS.
19 Harris. I am the widow of the late Commissioner
20 Melvin Harris Jr. who was a part of the Minority
21 Affairs at the time of his death. I would like to
22 say I'm honored on this department choosing
23 people that worked with my husband at the time
24 before he passed. And I wish them success in
25 helping the minority to grow into this county.

1 Thank you.

2 LEGISLATOR NICOLELLO: Thank you. There
3 was another hand up I believe?

4 DOMENICA CALIFANO: Domenica Califano. I
5 am proud of the minority leader for them trying
6 to become something here, to be noticed.
7 Hopefully that you are all willing to work with
8 them and don't use selective enforcement or be
9 corrupted, like on some contracts that you all
10 did back in Operation VIP SPLASH that I've been
11 speaking about for many, many years here. You
12 picked and chose minority leaders, not all of
13 them to be on some of these contracts. You have
14 Rob Walker in Newsday yesterday, his mother's-

15 LEGISLATOR NICOLELLO: Do you want to
16 speak on this item?

17 DOMENICA CALIFANO: I am speaking about
18 the contracts and stuff-

19 LEGISLATOR NICOLELLO: We're not
20 speaking about contracts. If you want to speak
21 about the Minority Affairs Council, that's not,
22 then-

23 DOMENICA CALIFANO: Am I hitting a nerve
24 that you're blocking me out from speaking? I am
25 speaking about minority leaders and about who you

1 pick on some contracts and who not to-

2 LEGISLATOR NICOLELLO: No, you're not.
3 No, you're not.

4 DOMENICA CALIFANO: Yes, I was.

5 LEGISLATOR NICOLELLO: No, you're not.
6 Alright. So, if you have nothing to say about
7 this than we'll call you back up later for public
8 comment. Alright, I want to again- do we have any
9 other discussion?

10 LOUIE MENDEZ: I have one procedural
11 question based on the charter. If I may,
12 Presiding Officer?

13 LEGISLATOR NICOLELLO: Sure.

14 LOUIE MENDEZ: The charter calls for
15 three permanent votes. That's the CASA vote,
16 that's the EOC, and that's the Office of Women
17 Services as per the charter. So, the question
18 that I have with in line with Legislator Abrahams
19 is, what will be the final number of the Minority
20 Affairs Council? Right? You can only have so many
21 otherwise who's a minority could be in the
22 council. So, my concern would be to find out what
23 the final number would be in order for us to be
24 able to move ahead with an agenda. Sorry, I know
25 Santoramo is coming up.

1 MIKE SANTORAMO: That's a good question.
2 As it pertains to the Minority Affairs Council,
3 Mike Santoramo again, we have a representative
4 here, Melrose Corley from the EOC. We have a
5 representative who is on the CASA Board
6 submitted. That's Lucas Sanchez. And as far as my
7 understanding, is there is no longer a women's
8 services department or that was consolidated into
9 another department at some point in time in the
10 previous administration. If I'm incorrect- I
11 understand what the charter mandate is but am I-

12 LEGISLATOR NICOLELLO: We can look at
13 that going forward. But basically, at this point
14 we have a number of appointments today that we're
15 going to move on.

16 MIKE SANTORAMO: Okay. So, we have
17 representatives for two of those and as far as
18 what we believe exists when we are fulfilling the
19 requirement.

20 LEGISLATOR NICOLELLO: Okay. Legislator
21 Solages.

22 LEGISLATOR SOLAGES: Thank you very much
23 Presiding Officer. Good afternoon. Good afternoon
24 to the CEO the EOC, Ms. Iris Johnson. Nice to see
25 you here. Last year my colleagues and I held an

1 event in Elmont called the State of Black Nassau
2 County and what I was trying to do in that event
3 was trying to do one of the mandated roles of the
4 Office of Minority Affairs, which is to somehow
5 put together an assessment of the economic-socio
6 factors that are affecting minorities here in
7 Nassau County and beyond. And I ask that all of
8 the new persons that we appoint today- that I
9 look forward to confirming your appointment- but
10 that you please also conduct within that office
11 we're trying to promote some sort of study or
12 studies that will show what is happening to the
13 many minority communities here in Nassau County
14 in terms of economic-socio factors, the cost of
15 living, health issues, and other issues that are
16 important to these communities. So, you have a
17 very large task before you, but I wish you well
18 and I'm very confident that you will accomplish
19 that. Thank you.

20 LEGISLATOR NICOLELLO: Legislator Bynoe.

21 LEGISLATOR BYNOE: Thank you Presiding
22 Officer. Good afternoon to all of the appointees.
23 I'd like to be the first to offer some
24 congratulatory remarks as I suspect that you will
25 be confirmed. I'd also like to ask that body, the

1 council, to help me in modifying a piece of
2 legislation that I submitted and filed a couple
3 years back that would allow for microloans for
4 minority-owned businesses and also for service-
5 disabled veteran-businesses. I believe that
6 microloans will go a long way in being able to
7 ensure that all companies have an opportunity to
8 equally compete for business here in Nassau
9 County. I'd like to refile that piece of
10 legislation and I'm hopeful that my colleagues
11 here will be supportive of that piece of
12 legislation. But before refiling it, I'm looking
13 to engage with you and have some input from your
14 council. Thank you, and again congratulations.

15 LEGISLATOR NICOLELLO: Thank you. Any
16 other discussion? Okay, none. All in favor of the
17 appointments signify by saying aye.

18 Those opposed? They carry unanimously.
19 Congratulations and thank you. Next item will be
20 item 27, resolution number 72. It is a resolution
21 to confirm the County Executive's appointment of
22 Debra Wheat Williams to the Minority Affairs
23 Council. Please note that Minority Leader
24 Abrahams is recusing himself. He has left the
25 chambers and will not participate in the debate,

1 discussion, or vote. We have a motion to-
2 Legislator Kopel makes that motion, seconded by
3 Legislator Ford. Do you want to say a few words,
4 or no?

5 DEBRA WHEAT WILLIAMS: No, just thank
6 you and it would be an honor to serve.

7 LEGISLATOR NICOLELLO: Okay, thank you
8 for your service. Hearing no other discussion,
9 all in favor signify by saying aye. Aye. Those
10 opposed? Carries unanimously. Congratulations.
11 Item 2 is a local law to amend the Nassau County
12 charter to adjust the qualifications of
13 administrative employees of the fire commission.
14 Moved by Legislator Rhoads, seconded by
15 Legislator Birnbaum. Open the hearing. All in
16 favor of opening the hearing signify by saying
17 aye. Aye. Those opposed? Carries unanimously. The
18 hearing is open.

19 JOHN PRIEST: Thank you Presiding
20 Officer and members. The item before you is- I'm
21 sorry it's John Priest, Assistant Chief Fire
22 Marshal, Nassau County- the item before you is to
23 allow us to properly define and to clear up an
24 area of our hiring that was vague. All
25 inspectors, fire marshals, those doing

1 inspections require five years of service in a
2 volunteer fire department in order to take the
3 civil service test for those titles. There has
4 always been a part in our law that says those
5 being hired for clerical did not require that.
6 That was vague. We were looking for a legal
7 analyst, a budget analyst, and we were originally
8 told that people like that would need five years
9 of service in the volunteer fire service. That's
10 not what the law was. So, the law allows us to
11 make that a little more clear and to allow the
12 hiring of individuals for administrative
13 positions who would not necessarily be fire
14 department members and also gives the Chief Fire
15 Marshal the discretion to determine whether or
16 not particular positions require fire service
17 expertise.

18 LEGISLATOR NICOLELLO: Thank you
19 Assistant Chief Priest. Any questions? I think
20 that covered it very good. Any public comment? A
21 question from Legislator Birnbaum.

22 LEGISLATOR BIRNBAUM: Has this been a
23 problem in the past that there have been
24 positions that couldn't be filled because people
25 didn't have experience?

1 JOHN PRIEST: It has only come to light
2 recently in the last couple of years. We've had
3 some retirements and for example, to try to hire
4 a secretary to the Chief Fire Marshal. Suddenly
5 it was a discussion whether or not that would
6 need five years of service in the volunteer fire
7 service. So, it has become an issue recently as
8 it's been discussed.

9 LEGISLATOR NICOLELLO: Okay, thank you.
10 Any other debate or discussion? Any public
11 comment?

12 JACK MCCLOY: Jack McCloy, Baldwin
13 resident. With regards to this situation I would
14 like to get clarification as to whether these
15 administrative additions will be qualified for
16 reduced taxes within the district, or are they to
17 be outside the parameter? My understanding is
18 those getting tax breaks need to be qualified.
19 Will these new additions be getting the same tax
20 breaks as those who are qualified? Can I hear an
21 answer please?

22 LEGISLATOR NICOLELLO: Assistant Chief?
23 He's right behind you.

24 JOHN PRIEST: Certainly sir. Employment
25 by the Fire Marshal's Office does not qualify

1 anyone for the tax breaks. The requirement is an
2 active member or life member of a volunteer fire
3 department.

4 LEGISLATOR NICOLELLO: Okay, thank you.
5 Any other public comment? Hearing none, we have a
6 motion to close the hearing. Moved by Legislator
7 Ford, seconded by Legislator Rhoads. All in favor
8 of closing the hearing signify by saying aye.
9 Aye. Those opposed? The hearing is closed. We
10 will go to the local law, which is item 5. A
11 local law to amend a Nassau County charter to
12 adjust the qualifications of administrative
13 employees of the fire commission. Moved by
14 Legislator Rhoads, seconded by Legislator
15 DeRiggi-Whitton. This item is before the
16 Legislature. Any discussion at this point? Any
17 public comment? Hearing none, all in favor of
18 this local law signify by saying aye. Aye. Those
19 opposed? Carries unanimously.

20 Item 3 is another hearing. A local law to
21 amend the Nassau County administrative code to
22 prohibit the use and sale of sparkling devices.
23 Motion to open the hearing by Legislator
24 Schaefer, seconded by Legislator Ford. All in
25 favor of opening the hearing, signify by saying

1 aye. Aye. Those opposed? The hearing is open.

2 MR. PRIEST: Thank you sir, members.
3 John Priest Assistant Chief Fire Marshal. I am
4 joined on this item by Assistant Chief Fire
5 Marshal, Mike Uttaro and ex-Chief John Hennig,
6 the current Chairman of the Nassau County Fire
7 Commission.

8 Last year, the Consumer Product Safety
9 Commission stated that there were approximately
10 11,000 injuries as a result of the use of hand-
11 held sparkling devices. That was reported for the
12 year 2016, the last year we had proper numbers.
13 It should also be noted that the vast majority of
14 all fireworks injuries suffered by children 5
15 years of age and under are from sparkling
16 devices, hand-held devices. All of these
17 fireworks were prohibited for sale until 2015
18 when the state allowed their sale at certain
19 times. We are asking Nassau County to opt out of
20 that state law.

21 It should be noted that these fountain
22 type sparklers are used- besides used by
23 children- they are used in catering halls.
24 They're commonly known as fountain type. They
25 burn at over- between 1,200 and 1,600 degrees

1 Fahrenheit and easily can set fire to decorations
2 and combustible materials. As a matter of fact we
3 had fire marshals in a catering hall on a purely
4 coincidental inspection as a waitress lit one of
5 these sparkling devices and darned near lit the
6 entire table on fire from the sparks.

7 We had another issue where fire marshals,
8 again on a routine inspection, found an entire
9 case of these sparkling devices stored on top of
10 an energized transformer in the electrical room.
11 And when asked why they would put fireworks on
12 top of an electrical transformer, they said that
13 the box had gotten wet and the transformer was
14 warm, and they wanted to dry off the box.

15 The Fireman's Association in the State of
16 New York and the New York State Fire Marshal's
17 association are very much in favor of this and
18 Suffolk County has already opted out of the law
19 and request that you do the same.

20 LEGISLATOR NICOLELLO: I just have one
21 question and we'll open it up to the other
22 legislators. Our choice today is to opt out or
23 not opt out. We can't change the definitions or
24 remove certain devices or include other devices,
25 correct?

1 MIKE UTTARO: Correct. Mike Uttaro,
2 Assistant Chief, Nassau County Fire Marshal. Yes,
3 the previous law was a law that was put on the
4 book and you had to opt into the law. Which
5 Nassau County did not do. The law changed last
6 year and now you have to opt out of the law or
7 else you will be legally able to sell them.
8 Currently because the state law does not provide
9 just sparklers or a specific device. The devices
10 as a whole. Sparkling devices, period.

11 LEGISLATOR NICOLELLO: Okay, thank you.
12 Legislator Solages?

13 LEGISLATOR SOLAGES: Thank you,
14 Presiding Officer. Just briefly, how many
15 particular accidents do we have in Nassau County
16 last year with respect to these sparklers? Are
17 you aware?

18 MIKE UTTARO: Last year of course they
19 were illegal. But we don't have any statistics as
20 far as how many actual injuries. But as we all
21 watched the news every year around the time of
22 July 4th, where the sales would be allowed July
23 4th and New Year's Eve, there is always a story
24 that we watch on the news or read in the
25 newspaper regarding some type of injury from

1 these type of fireworks.

2 LEGISLATOR SOLAGES: I understand. Just
3 to note, in addition to catering halls, these
4 sparklers are also used at night clubs when
5 people celebrate their birthday and for other
6 purposes so please be aware of that.

7 MR. UTARRO: Yes. Well those just to
8 clarify too without going off the point, the
9 items you use in these night clubs sometimes
10 they're lit on top of bottles of alcohol and
11 other types- those are illegal outright. Since
12 the fire in Rhode Island that killed 100 people,
13 those have never been permitted in Nassau County
14 and we actively go after these catering halls to
15 let them know, advise them, educate them, and at
16 times issue violations to ensure that they do not
17 use these devices inside of any building in
18 Nassau County.

19 LEGISLATOR NICOLELLO: Any other debate
20 or discussion? Thank you Assistant Chief Uttaro.
21 Do we have any public comment? Hearing none,
22 let's have a motion to close the hearing. A
23 motion to close the hearing by Deputy Presiding
24 Officer Kopel, seconded by Legislator Bynoe. All
25 of those in favor of closing the hearing signify

1 by saying aye. Aye. All those opposed? The
2 hearing is closed. We'll go to a vote on the
3 local law which is item 6. A local law to amend
4 the Nassau County administrative code to prohibit
5 the use and sale of sparkling devices. Moved by
6 Legislator Walker, seconded by Legislator
7 Schaefer. The local is before the committee. Any
8 debate or discussion? Hearing none, all those in
9 favor signify by saying aye. Aye. All those
10 opposed? Carries unanimously. Items 7 and 8, I'll
11 read these quickly. These are ordinances making
12 certain determinations pursuant to SEQRA, a grant
13 of easements to the Long Island Electric Utility
14 SERVCO, LLC as agent of and acting on behalf of
15 the Long Island Lighting Company doing business
16 as LIPAA as well as to Keyspan Gas East
17 Corporation d/b/a National Grid regarding county
18 owned property located in Uniondale. Moved by
19 Legislator Kennedy, seconded by Legislator
20 Lafazan. The items are before the committee.

21 KEVIN WALSH: Good afternoon
22 Legislators. I'm Kevin Walsh with the Office of
23 Real Estate Services. Both the items you called
24 are utility easements in the Mitchell Field area
25 on Charles Lindbergh Boulevard. The first

1 easement is an easement for PSEG to erect a new
2 substation in property merely adjacent to the
3 existing Suez Trigen Plant to serve the growing
4 needs in the Hub. And the second easement is for
5 National Grid along the Charles Lindbergh Roadway
6 just in front of the PSEG easement for a gas
7 regulator infrastructure, in the right of way of
8 the county property. Both these easements have
9 been approved by Nassau Community College because
10 this is land that's really helping for the
11 purposes of the college. And both of these are
12 permanent easements where the county has procured
13 appraisals and we'll be getting fair market value
14 for the value of these easements.

15 LEGISLATOR NICOLELLO: Here's the
16 question that we have. With the cancellation of
17 the lease or the option on the lease, and the
18 indication that we are going to be considering
19 different alternatives on the Hub property. And
20 understand that these have to do with energy
21 generation, how do we know what energy generation
22 is going to be necessary? And whether these
23 easements are going to be sufficient if we don't
24 know what's going to happen on the Hub?

25 KEVIN WALSH: Well, we know already some

1 of the growth in the area. For example, one of
2 the big needs of a user is the Memorial Sloane
3 Kettering Project which is already under
4 construction and expansion out of the college
5 itself with the life sciences building, some of
6 the other construction. There are representatives
7 here from PSEG if you'd like, I can get some more
8 detail on that.

9 LEGISLATOR NICOLELLO: Well again, is
10 the county representing that they feel that the
11 proposed energy generation will cover any
12 potential development of the Hub?

13 KEVIN WALSH: I don't know the
14 substation need has been a need that's been
15 looked at with the county for quite a period of
16 time trying to find the location. The appropriate
17 location to meet the needs and the growth of the
18 Hub area in general.

19 LEGISLATOR NICOLELLO: If there are
20 different and additional needs, could we amend or
21 change the easement at a later date?

22 KEVIN WALSH: We could amend an easement
23 if the area was necessary to be expanded and so-
24 forth. No one's reached out to me saying that's
25 necessary at this point. The piece of land we're

1 looking at is less than an acre. It's currently
2 under-utilized land.

3 LEGISLATOR NICOLELLO: Can you take the
4 easement away? Is it revocable?

5 KEVIN WALSH: There are termination
6 rights in the easement, yes.

7 LEGISLATOR NICOLELLO: And the
8 termination, do you know what those are?

9 KEVIN WALSH: I would need to review.
10 I'm sure there's some- for cause for things.
11 Plus, the plants have to be approved by DPW to
12 make sure its consistent with county
13 infrastructure as well.

14 LEGISLATOR NICOLELLO: Okay, somebody
15 would like to address this?

16 LISANNE ALTMAN: Legislator, how are
17 you?

18 LEGISLATOR NICOLELLO: Good.

19 LISANNE ALTMAN: Lisanne Altman, PSEG
20 Long Island. How are you?

21 LEGISLATOR NICOLELLO: Hey, Lisanne. How
22 are you? Welcome back.

23 LISANNE ALTMAN: We have a project
24 manager here, Pete Montalvo. I just want to make
25 sure we correct the record. We're not going to be

1 generating electricity there. So, the- and he can
2 explain the purpose of the substation to step
3 down the power. So, there's no generation going
4 on per se.

5 LEGISLATOR NICOLELLO: Okay.

6 LISANNE ALTMAN: So, yeah. I just want
7 to make that clear. Or so, right now what you
8 have is a low-constrained area there and you're
9 going to build a police academy and you've
10 already gotten Memorial Sloane Kettering. And so,
11 if we were not able to build a substation to step
12 down the power, you'd be in a situation where you
13 would not have enough power in this area. So, I
14 don't want the committee to think that PSEG Long
15 Island doesn't have enough power, we have plenty.

16 LEGISLATOR NICOLELLO: Right.

17 LISANNE ALTMAN: But when you get in a
18 low-constrained area you need to build a new
19 substation, so you can step down the power so
20 that you can bring it to the new customer that
21 you're going to have there. Okay.

22 LEGISLATOR NICOLELLO: Okay. I don't
23 know if you want to add.

24 PETER MONTALVO: Sure, I can add. Peter
25 Montalvo with PSEG Long Island. So, this station

1 that we're proposing is for the developments that
2 are in process, and that's the load that we are
3 expecting. The surrounding two substations are at
4 maximum load right now as they currently stand.
5 So, the construction that is in process is what
6 we are participating in building a substation
7 for. If anything changes further on, this was
8 originally for the proposed plan of the 40 acre
9 development and that's what our sub-proposed
10 substation will cover. However, if there is
11 additional beyond the 40 acre plan and more there
12 will be a need to talk about where we can
13 maximize our load. Our load is for 48 MVA is what
14 we are-

15 LEGISLATOR FORD: First I have to say,
16 Lisanne it's a pleasure to see you. Miss you. So,
17 what you're saying with the substation that
18 currently- the one that you want to build will
19 accommodate the developments of the 40 acres of
20 land?

21 PETER MONTALVO: Right.

22 LEGISLATOR FORD: Right now we have
23 enough energy for the Coliseum, for Sloane
24 Kettering, and so forth. So, then the proposed
25 developments of the Hub area- this is what you're

1 planning for. So, I guess the concern would be
2 that currently we do not know what's going to be
3 built in that area. So, do you anticipate- I'm
4 sure you must have models that you work off of
5 that you would know if you had so many units of
6 housing, businesses, so forth that you would need
7 a certain amount of- to be able to provide power
8 basically to all of these things. Do you have
9 room in your plan? Like if it was something that
10 added- do you have room to expand? Or do you have
11 to then build another substation?

12 PETER MONTALVO: It would be hard to say
13 exactly right now, not knowing what exactly the
14 load will be. Usually we request a load letter to
15 say this is how much power we need by this much
16 time. So, yes, there is additional power. There
17 is a max of 48 MVA that we are allowed. But a
18 possibility of expanding or an additional
19 substation is there because this substation may
20 not be enough if the load increases
21 substantially. You know, depending on what the
22 development of a 70 acre, or something like that
23 would-

24 LEGISLATOR FORD: So, then I'm going to
25 guess that when we look forward to an RFP and

1 we're looking to see different ideas of what we
2 might have for the Hub, that they'll bring you
3 into the discussion. Because power distribution
4 is going to be paramount in what they want to
5 develop. Because our concern would be that if
6 they're going to build something we would like to
7 have it done basically as soon as possible, not
8 rushing anything. But in order not to have
9 anything held up because then we have to then
10 find another location for another substation to
11 try to work that in. So, I'm hoping that you will
12 be able to be at that table when they're
13 discussing what they're going to be doing and
14 what they're going to develop at that Hub.

15 PETER MONTALVO: Yes, yes. I think that
16 would be great to be part of the planning process
17 and understanding if there is a location that can
18 be worked on in the development or things to be
19 worked on for us to accommodate a possible new
20 substation and new lines coming from different
21 areas. I think that would be very beneficial for
22 everyone involved.

23 LEGISLATOR ABRAHAMS: Thank you
24 Presiding Officer. I notice this is more of a
25 technical issue and first of all, Lisanne it's

1 good to see you again. I think I'm one- I think
2 me, Denise, Vinny, and Rich actually served with
3 you. We're still holding on. I did have a
4 technical question. I noticed- I don't know if it
5 was something that maybe was conveyed from PSEG
6 Long Island or it was something conveyed by the
7 administration, their backup, but several parts
8 of the backup it mentions where you're building
9 the substation as East Garden City. I just want
10 to clarify for the record, that's Uniondale. It
11 keeps coming up in different avenues that keeps
12 referencing East Garden City. But every time it's
13 not corrected it's a document that goes out that
14 believes it is East Garden City, when its
15 *actually* Uniondale.

16 KEVIN WALSH: That's correct,
17 Legislator. I know a lot of times when I'm
18 submitting packages be it to this body, I've been
19 putting Uniondale/East Garden City. I think
20 technically the census may still show East Garden
21 City even though it's going to be formally
22 Uniondale at some point. It should reflect
23 Uniondale/East Garden City. That's usually the
24 way I've been presenting.

25 LEGISLATOR ABRAHAMS: He said- I'm

1 sorry, I missed what you said-

2 KEVIN WALSH: I don't know if it's
3 formerly- is it formerly? I don't know the
4 answer, my understanding is-

5 LEGISLATOR ABRAHAMS: No, it's
6 Uniondale-

7 KEVIN WALSH: It is Uniondale? Okay-

8 LEGISLATOR ABRAHAMS: It's definitely
9 Uniondale. East Garden City is-

10 KEVIN WALSH: This is formerly- this is
11 Uniondale.

12 LEGISLATOR ABRAHAMS: Oh, okay. Oh...

13 Oh, I'm sorry I thought you said
14 *formally*. Forget it. I gotcha.

15 KEVIN WALSH: Yes.

16 LEGISLATOR ABRAHAMS: Yes, what you said
17 is right. I'm sorry- again, I just wanted to make
18 the note for the record. But thank you for that
19 clarification.

20 LEGISLATOR NICOLELLO: East Garden City
21 doesn't exist.

22 LEGISLATOR ABRAHAMS: No, it doesn't. I
23 don't want to get in a debate in this discussion,
24 but East Garden City does not exist. It's a town
25 that's been created by realtors and some cases

1 has been perpetuated by certain levels of
2 government. But it does not have a zip code, it
3 does not have a post office, it does not exist.
4 It is being created for other reasons which I
5 don't really want to get into on the floor. But
6 it's been created- Uniondale goes all the way up
7 to the Stewart Avenue line and the school
8 district goes all the way up to Old Country Road,
9 so. This property is definitely within those
10 confines. So, I just want to be sure and correct
11 the record that it is Uniondale, not East Garden
12 City.

13 LEGISLATOR NICOLELLO: I think- Walker
14 has a question?

15 LEGISLATOR WALKER: Just to- I know you
16 said that, should you see the development that is
17 planned there and if you needed to look for a
18 spot to an additional substation or add, wouldn't
19 it be easier to wait to see what's there and then
20 have the amount of power that you need? That you
21 know you need? Instead of guessing, hoping- you
22 know that you would at least need 40 but if you
23 need more, then you have to figure something else
24 out?

25 LISANNE ALTMAN: Pete can add to this,

1 but the need is now. And these substations take a
2 while to plan, maybe a year or so and then to
3 also build them. So, we wouldn't want the county
4 or any of that surrounding area be in a situation
5 where we don't have power for you. And that's
6 really what it would come down to. So, it's
7 really, extremely important that we install this
8 substation, get it up and running. Like I said,
9 your police academy needs to be built, MSK is
10 finishing up, and it's of extreme important that
11 we get this done.

12 LEGISLATOR WALKER: So, in your planning
13 process it takes a year to plan, if information
14 came in that we are now looking to do this type
15 of development there and you realize that we
16 would need more before it's actually done, you
17 could possibly come back to us and add to your
18 existing- in your planning, add to it-

19 LISANNE ALTMAN: I'm going to let Pete
20 answer that, but I mean, I don't think that we
21 could add on to that substation. We'd have to
22 build another one, right?

23 PETER MONTALVO: As of right now, our
24 goal is to build a two bank transformers for this
25 proposed 40 acre development. And our in-service

1 date- just to show you how long it takes from
2 planning to design. And completion is for June of
3 '20 for the first phase and June of '22 for the
4 next phase. So, that just goes to show how long
5 we are out. So, the decisions that need to be
6 made now about the land- like we just went
7 through a project, Mitchell Gardens and a
8 distribution route as a mandate just for this
9 summer to make sure that we were able to supply
10 those other two load pockets that are at maximum
11 level and so the need is now really to make this
12 decision.

13 LEGISLATOR NICOLELLO: Legislator
14 Schaefer has a question.

15 LEGISLATOR SCHAEFER: I just have a
16 quick question. You referred to it earlier as
17 stepping down the power? What does that mean?
18 That sounds different from what you're saying.
19 Could you clarify for me?

20 PETER MONTALVO: So, stepping down means
21 taking something of a higher voltage and bringing
22 it down to a lower voltage. So, what we have that
23 is generated is from other areas. This substation
24 will take 138,000 volts and step it down to
25 13,000 volts. Alright? So, it brings it down to a

1 distribution level and that is what you see in
2 the streets most likely. Through your houses is
3 13,000 on the wooden poles that are 35 feet high
4 and then into your house will eventually be
5 120,000 volts.

6 LEGISLATOR SCHAEFER: So, it just kind
7 of redistributes it?

8 PETER MONTALVO: That's all it is. It's
9 a distribution station.

10 LEGISLATOR SCHAEFER: Thank you.

11 LEGISLATOR NICOLELLO: Any other
12 questions? Thank you. Thank you Lisanne, it's
13 great to see you back.

14 LISANNE ALTMAN: And before I leave, I
15 just want to thank your real estate folks,
16 they've been tremendous and your DPW people have
17 gone above and beyond to help us. So, thank you
18 to them.

19 LEGISLATOR NICOLELLO: Great, thanks.

20 KEVIN WALSH: Thank you legislators.

21 LEGISLATOR NICOLELLO: Thank you Mr.
22 Walsh. Any public comment?

23 JACK MCCLOY: Jack McCloy, Baldwin
24 resident. I'd like to clarify what the gentleman
25 just said. He said that the voltage coming into

1 the house is 120,000 volts. That's incorrect. 120
2 volts current comes into a house. And my concern
3 is that in Newsday it's been well documented that
4 the County Executive has been considering various
5 proposals for this parcel. I think Legislator
6 Walker is right on the money with regards to,
7 "let's give an opportunity to size-up what's
8 going to be built first, how much power it's
9 going to be needed for the project, and then put
10 the proposal together for the right size package
11 for what's going to be proposed."

12 Right now, I applaud your thinking that
13 why should you go ahead with developing this site
14 for a particular power range when you don't know
15 what the power range is going to be? You have
16 Mike Santoramo right here, right now. I think he
17 could bring the information back to the County
18 Executive and say, "Let's get an idea what's
19 going to be built in there?" And make the
20 decision maybe at the next session or as late as
21 the session after that. It doesn't have to be
22 decided today. I think that the decision to be
23 made has a coin flipness to whether you're making
24 a right decision if it goes into today's session.
25 My suggestion is it be bumped. Thank you.

1 LEGISLATOR BYNOE: I'm sorry, Presiding
2 Officer.

3 LEGISLATOR NICOLELLO: Sure.

4 LEGISLATOR BYNOE: That actually bubbled
5 up a question for me. I may have missed it if
6 someone else asked this question, but I would ask
7 that you indulge me. With Sloan Kettering- I'm
8 sorry, Ms. Altman and the gentleman from your
9 company, Peter? Thank you. Good afternoon. So,
10 with Sloane Kettering coming, in the immediate we
11 would not have enough capacity to be able to
12 support them, is that correct?

13 PETER MONTALVO: That is correct.

14 LEGISLATOR BYNOE: Thank you.

15 LEGISLATOR NICOLELLO: Alright, any
16 other questions? Thank you, again. There was
17 another public comment.

18 MS. HARRIS: MS. Harris, Uniondale. I
19 would like to know with that saying that coming
20 to the substation that there would need to be
21 more power. Would that affect the homes? Where
22 they would have to do more poles? Because maybe
23 they can take down the broken poles that they
24 have in Uniondale.

25 LEGISLATOR NICOLELLO: Peter, you may

1 want to answer that? The first part of the
2 question was whether it would affect the homes in
3 the area.

4 PETER MONTALVO: It would not affect the
5 homes in the area. There is a distribution aspect
6 going down to 13,000 volts that we will be
7 replacing certain overhead lines and underground
8 lines. But those areas are specified where we'll
9 be replacing that conductor and any poles along
10 that reconductor are considered to be replaced.
11 We don't have any additional plans to replace any
12 poles that aren't affected specifically by this
13 project.

14 MS. HARRIS: The broken ones will not be
15 affected?

16 LEGISLATOR ABRAHAMS: I think Ms. Harris
17 brings up a good point in regard to- maybe the
18 ones there that are not going to be impacted, but
19 generally, and I can't speak for all the
20 legislators, but generally it seems like there's
21 a lot of broken poles, two poles strapped
22 together situations all throughout the county. I
23 mean, I see them in my district, I see them all
24 throughout the county. What is the best way for-
25 I know our office we call. I see a good friend of

1 mine, Chris Chaffee who's here from PSEG that we
2 call and harass him all the time about this kind
3 of stuff. But what's the best way for us to
4 communicate, because we get these concerns from
5 our constituents quite a bit. I know it's off
6 topic and it has nothing to do with the
7 substation, but since Ms. Harris brought it up
8 during public comment, I think it's worthy of a
9 response.

10 PETER MONTALVO: Okay. I mean I have one
11 response is that a lot of times when we're
12 replacing the poles we install that second pole
13 and we will switch our lines onto the new pole.
14 Whereas the old poles have to stay because they
15 might have cable or TV, or telephone lines that
16 are still on them which we are not responsible
17 for.

18 LEGISLATOR ABRAHAMS: Ah.

19 PETER MONTALVO: So, Verizon will be on
20 the hook for taking their lines and putting on
21 the new pole and removing that shortened pole. A
22 lot of times that doesn't happen right away. I
23 would say a lot of times there is a very large
24 lack in that. That might be the answer to a lot
25 of questions. I think it's a very common-

1 LEGISLATOR ABRAHAMS: I guess the
2 question is- so a pole gets broken, you guys put
3 up a new pole, you strap your old pole to the new
4 pole and then what ends up happening is you
5 switch your stuff over to the new pole but
6 Verizon, Optimum, they have to switch their stuff
7 over. Are they then responsible for taking down
8 that old pole?

9 PETER MONTALVO: Yes. It is the last one
10 off that is responsible.

11 LISANNE ALTMAN: Can I add something?

12 LEGISLATOR ABRAHAMS: It just creates
13 like a nightmare, somebody's going to say, "I
14 wasn't last, I wasn't last."

15 LISANNE ALTMAN: So, just so I could
16 explain. There is a state system called ENGINES
17 and I'm going to try to remember what it stands
18 for. It's some kind of joint utility, something
19 or other. And so, it spells out exactly how
20 utilities have to handle these situations. I
21 mean, if you ask my opinion it's not a very good
22 set-up. And so, it actually impacts folks either
23 where we've done a FEMA project, or we come
24 through and do any kind of project or where we do
25 something in the community and do some kind of a

1 repair.

2 And so, what happens is, as Pete said, we
3 do our work, we top off the old pole and then
4 you're going to have Cablevision and Verizon
5 which theoretically have 30 days to remove their
6 service and then the last guy off the pole is
7 supposed to get rid of the pole.

8 But as you can imagine with the issues
9 that Verizon has had over the last few years with
10 the strike and cutting back personnel, when
11 Verizon is the last guy on the pole, sometimes
12 it's a real problem. And so, this is actually
13 something you could bring up to your state
14 legislators as well, because there really should
15 be a better- to me, having to work with it, there
16 should be a better way to do this. And for you, I
17 mean if there are specific areas you're concerned
18 about I'm going to give you my card and call me
19 and let's work on them together, okay? Okay.

20 LEGISLATOR ABRAHAMS: Thank you,
21 Lisanne.

22 MS. HARRIS: Because of this, since the
23 streetscaping has come along, does that mean that
24 other things are going to happen with this
25 project, where they're going to be putting poles?

1 LEGISLATOR ABRAHAMS: Ms. Harris'
2 questions is tied to- there's going to be a
3 beautification project off of Uniondale Avenue,
4 which is south of the area being designate. Will
5 there be any impact to the corridor of Uniondale
6 Avenue due to this substation being put in?

7 PETER MONTALVO: I'm not familiar with
8 the streetscaping project, me personally. I don't
9 know if Chris is.

10 LEGISLATOR ABRAHAMS: The streetscape
11 project is basically a beautification project,
12 but I guess her question is more tied to, could
13 potentially any poles be impacted by this
14 substation being installed on Charles Lindbergh?
15 So, if you know the community, Charles Lindbergh
16 is north of Uniondale Avenue. Uniondale Avenue
17 feeds into what is Earl Overton, which feeds into
18 the college. And then from there, you would
19 eventually get into Charles Lindbergh by making
20 that left. I guess the question is, the county is
21 getting ready to embark on a streetscape,
22 actually we're looking to break ground hopefully
23 by next month. So- I can't hear you Ms.

24 MS. HARRIS: I'm sorry, she stated that
25 maybe the underground, that they'll have to do

1 stuff underground too so that we're all tied in
2 with that, crossing over.

3 LEGISLATOR ABRAHAMS: I'm just being
4 honest, Ms. Harris- No, no, no. They don't know
5 what the streetscaping is. If we have to pay for
6 the undergrounding in the county, it's about 1.2
7 million per block. It increases the price of the
8 project tremendously. And maybe that's something
9 we consider down the road, but I would rather put
10 that money into other beautifications of
11 Uniondale as well. But, Chris were you going to
12 say something?

13 CHRIS CHAFFEE: Yeah. Good afternoon
14 legislator. It's nice to see many of you. Just to
15 follow up on that question specifically- sure
16 Chris Chaffee- we don't have a final design that
17 we could tell you one way or another whether or
18 not Uniondale Avenue would be impacted. But what
19 I can promise you is that when there is a final
20 design we'll be happy to talk to well beforehand.

21 LEGISLATOR ABRAHAMS: Okay. Chris I'll
22 have you come out and we'll meet with Nostrand
23 Gardens and we'll sit down with them and figure
24 out if it is impacted. If it's not impacted,
25 then-

1 CHRIS CHAFFEE: Right. Absolutely.

2 LEGISLATOR ABRAHAMS: Appreciate it.

3 LEGISLATOR FORD: I just want to point
4 out, Ms. Harris I know that you were talking
5 about the poles and just to let you know that we
6 had passed legislation so that we are going to
7 start fining utilities for not in a timely manner
8 removing these damaged poles. And we've hit some
9 road blocks in trying to get enforcement and so
10 forth. But the good news is that we've been
11 meeting with our county attorney, Jarred Kasschau
12 who has agreed to help us to try to facilitate
13 this and to become a little bit more proactive
14 and aggressive in our approach that we can get
15 it. Because it is a common problem and I know
16 that, in most cases, PSEG will breathe easier
17 because they know that they are always the first
18 ones. They replace the pole and they're the ones
19 who first move their electric from the damaged
20 pole to the new pole and it always seems that it
21 will be Verizon, because they're the lowest of
22 the utilities that are on the poles that have to
23 remove their wires. So, we'll be hopefully soon
24 sending out letters and putting Verizon on notice
25 that they will be fined for not- maybe I'd feel

1 little sympathetic for them since they don't have
2 enough people, but they shouldn't have let so
3 many technicians go because they knew for years
4 we were going to start going after them on this.
5 So, hopefully we'll start seeing some movement on
6 this and it'll get rid of a lot of the unsightly
7 and unsafe poles that are in your neighborhoods.

8 MS. HARRIS: Well, I believe it's long
9 enough since Sandy that these poles have been up.
10 So, I think that for some reason they should be
11 fined.

12 LEGISLATOR FORD: Oh, I agree with you
13 100 percent and we are going to definitely start
14 going after them. Thank you though.

15 META MEREDAY: Meta Mereday, Baldwin
16 resident. With regard to this-

17 LEGISLATOR DERIGGI-WHITTON: I just
18 want to finish, just before the-

19 CHARIMAN NICOLELLO: Go ahead, sure.

20 LEGISLATOR DERIGGI-WHITTON: I just had
21 one quick question before public comment. It's
22 good to have you back here. I'm sorry to kind of
23 bombard you, but I've never seen anything like
24 this. But they just put a new telephone pole in
25 on Prospect Avenue in Seacliff, it's in the

1 middle of the sidewalk. It was just put in. So,
2 if someone could just take a look at that. I've
3 really never seen anything like it before. I'd
4 really appreciate it.

5 LEGISLATOR NICOLELLO: Okay. Public
6 comment?

7 MS. MEREDAY: Meta J. Mereday, Baldwin
8 resident. I'm hoping since there seems to be
9 concern from this side and this side that this
10 issue could possibly be tabled. And I'm also
11 concerned that this issue was incorporated
12 against any initial plan. I guess everybody was
13 just so happy to support something that had to do
14 with the Hub, and I was one of the few people in
15 that discussion that asked for some
16 consideration, let's step back, let's review some
17 things. I mean again, that was before since the
18 governing body for this entity seems to be
19 Newsday. That was kind of before Newsday came out
20 with, you know the indictments and certain things
21 with our elected officials. But again, Newsday is
22 not my elected official. All of you are. So, I'm
23 basically holding you all responsible to address
24 this scenario to its best outcome so you don't
25 have to keep coming back for easements and

1 waivers and grievances and changes that become
2 taxes and surcharges and additional costs, and
3 program cuts for the residents here.

4 Because particularly if we're looking at
5 the infamous word, or that acronym called PILOTS,
6 which is becoming to me a new form of a DEBITS
7 and term a DEBETS as "Deal Exceptionally Bad
8 Expanding Taxpayers Suffering," DEBETS. So, I'm
9 hoping that we can address that. And coming off
10 of a Town of Hempstead meeting yesterday where
11 they have to find out, I believe they said over
12 \$82 million in judgments that involve Nassau
13 County taxing poles at it pertains to a number of
14 utilities including PSEG, I just find it
15 interesting that this discussion is coming up
16 about this broken poles because again, the burden
17 and responsibility is falling on the taxpayer.

18 So, it would be hopeful, again we're
19 supposed to be more inclusive and progressive and
20 proactive in 2018. It seems we're going down the
21 same roads. And the bad roads to begin with,
22 because I'm happy to hear that Uniondale is
23 finally getting their streetscaping, but if I can
24 tell you about the utilities that are already dug
25 up, Grand Avenue which took us a number of years

1 to actually get those roads done. It's really
2 back almost to the conditions that they were
3 previously in. The potholes and the craters that
4 are being encouraged- just coming over here
5 today, I passed at least four utility related-

6 LEGISLATOR NICOLELLO: Okay, you know,
7 we're talking about the easements.

8 META MEREDAY: I am talking about the
9 easements.

10 LEGISLATOR NICOLELLO: You keep
11 repeating the same things over and over again.

12 META MEREDAY: I am talking about the
13 easements. How are you going to prove something
14 that you don't have a full idea of what is going
15 on in the Hub? To be specific, you need
16 background information and I have a right to
17 speak which you precluded me having before. So,
18 now that I have my additional time since you
19 decided to include yourself into my speaking.

20 As I said, I am hoping that you do take a
21 step back and you feel free to read your own
22 record of this meeting when I said that. And take
23 a step back from putting this easement in
24 process until you have all of the facts. Or
25 you're going to be repeating the same thing to

1 the detriment of the taxpayers. Is that related
2 to that discussion?

3 CLERK PULITZER: Madam, your time has
4 expired.

5 META MEREDAY: I'm sure it has, but does
6 that relate to the discussion? I just want to be
7 clear.

8 LEGISLATOR NICOLELLO: You did make your
9 way back there. Thank you.

10 META MEREDAY: I appreciate you
11 commenting on that. Thank you.

12 LEGISLATOR NICOLELLO: Mr. McCloy you
13 already spoke, but you have something you want to
14 say?

15 JACK MCCLOY: Yes, regarding the poles.
16 I just wanted to mention quickly that the poles
17 on my block had been changed to the new higher
18 poles over six months ago. They've removed the
19 old poles. I called PSEG, they said that the
20 other utilities have to move theirs to the new
21 poles. But I think over six months is an
22 exceptionally long time to wait. I contacted my
23 legislator over a month ago. Nothing has
24 happened. Ms. Ford, I will contact you because if
25 there is a fine that should be imposed to them

1 waiting for an unreasonable amount of time, that
2 certainly applies to my block. Thank you.

3 LEGISLATOR NICOLELLO: Call the items
4 for a vote. Now, all in favor of these items
5 signify by saying aye. Aye. Those opposed? The
6 items carry unanimously. The next two items, one
7 has to do with the contract with Transdev and
8 then following that we're pulling an emergency
9 with respect to a budget transfer affecting the
10 Long Island Regional Planning Council.

11 So, we're going to item 56, ordinance
12 number 26. An ordinance to authorize the County
13 Executive to execute an amendment to a contract
14 with Transdev Service Inc. for the management,
15 operation, and maintenance of a Nassau County bus
16 system. A motion to untable by Legislator
17 McKevitt, seconded by Legislator Ferretti. All in
18 favor of un-tabling signify by saying aye. Aye.
19 All those opposed? The ordinance is now back on
20 the table. Mr. Setzer is here?

21 SHARON PERSAUD: Sharon Persaud, good
22 afternoon, The Department of Public Works. This
23 is an amendment to the existing contract between
24 Nassau County and Transdev. It reflects an
25 adjustment to the 2017 approved and fully funded

1 budget. And it also reflects an adjustment to the
2 remaining years on the contract, depending on
3 funding availability. Mr. Setzer is here for any
4 extended questions that you have concerning this
5 amendment.

6 LEGISLATOR NICOLELLO: We'd like to hear
7 a presentation, from you Mr. Setzer, about what
8 this is in addition to the presentation we just
9 had.

10 MICHAEL SETZER: Okay, I thank you
11 Presiding Officer, legislators. This is an
12 amendment that raises the ceiling of the not-to-
13 exceed amount so that it corresponds to the funds
14 that have actually been budgeted and appropriated
15 in 2017 and 2018. And provides sufficient room in
16 the remaining three years of the contract so that
17 if the county experiences good fortune in funding
18 in terms of money from fare box, money coming
19 from the state, or from any other sources, there
20 is room to commit those funds through the budget
21 process to adding or maintaining service. This is
22 essentially a housekeeping issue that trues up
23 the contractual terms with the actual available
24 funding but doesn't provide any funding itself.
25 It simply makes it possible for available funding

1 to be applied.

2 If I could just make one quick comment,
3 this is a little bit confusing and I've asked the
4 question why do we even have this and that's a
5 good question. When the contract law was
6 negotiated back in 2011, the MTA was packing up
7 and moving out, we were getting ready to move in.
8 It was understood by the county that future
9 funding couldn't predict even one year in
10 advance, let alone five or ten years in advance.
11 And so, the contract had to provide a very
12 flexible approach, so that as funding became
13 known in each year, we could adjust the service
14 level to whatever funds were available. And
15 without going into detail, that has proven to be
16 the case every year. Those not-to-exceed amounts
17 were added in at the last minute by the county
18 for some technical reason and they have provided
19 all of the misunderstanding that we're talking
20 about now in that the not-to-exceed amounts have
21 every year been insufficient to match up to the
22 funds that were available to the county. So,
23 every year you have acted on an amendment to
24 raise that not-to-exceed amount because the
25 alternative would be to have less service while

1 leaving money on the table most in Albany, and
2 nobody here would think that was a good idea.

3 LEGISLATOR NICOLELLO: These are, which
4 you're describing as not-to-exceed amounts, so
5 they're not binding in terms of the funding the
6 county must provide. We don't have to meet those
7 numbers every year.

8 MICHAEL SELTZER: Correct.

9 LEGISLATOR NICOLELLO: But it allows us
10 to in case we have additional funding to go up to
11 those numbers.

12 MICHAEL SELTZER: Yes, that's correct,
13 Presiding Officer.

14 LEGISLATOR NICOLELLO: Alright, so I
15 think that's one of the major issues. Anyone else
16 have questions? Legislator McKeivitt.

17 LEGISLATOR MCKEVITT: Yes, thank you
18 very much. So, just really to reiterate. What
19 we're really doing here is I guess for the past
20 years is really just rectifying the books.
21 Because what we had was, you're asking what those
22 numbers were but as you're closing out 2017, you
23 saw what the actual amounts were, so you're
24 trying to raise that to that amount? And I guess
25 for future years trying to match as well so you

1 don't have to keep coming here year after year
2 for acceptance of help keeping up with booking
3 issues?

4 LEGISLATOR NICOLELLO: Yes, that's
5 exactly right legislator.

6 LEGISLATOR MCKEVITT: Thank you.

7 LEGISLATOR NICOLELLO: Legislator
8 Solages?

9 LEGISLATOR SOLAGES: Thank you. In your
10 letter dated May 17th, 2018 which was sent to the
11 legislators here to clarify certain issues that
12 were discussed when this item was tabled, on the
13 last page, you state that under the title, the
14 subject matter of the appropriateness of Transdev
15 profit margins, you state that, "this perennial
16 question can be approachable factually and
17 contractually. Transdev is allowed to earn a
18 little less than 5 percent." What do you mean by,
19 "is allowed to earn?" Is there an actual cap that
20 you are to make?

21 MICHAEL SELTZTER: Yes, there is. In, I
22 think it was 2015, when the county decided to
23 exercise the option for the second five years in
24 the contract, the County Executive also made as
25 an addition of that, that we could earn 5 percent

1 on the first, I think it's \$123 million of
2 revenue and 4.5 percent on any revenue beyond
3 that. The original contract simply set reasonable
4 profit in that extension, the County Executive
5 quantified what reasonable level profit meant.

6 LEGISLATOR MCKEVITT: Have you earned
7 more than 5 percent profit in the last two years?

8 MICHAEL SELTZER: We have not. On that
9 same page is a table that shows the actual
10 earnings we have budgeted, and this may cause
11 some confusion, we budgeted every year the
12 allowable amount, the 5 percent or slightly less.
13 But our actual results have every year been less
14 than that and the reason for that it's been less
15 than that is adverse events that happened during
16 the year. Costs are being higher than expected,
17 revenue is being lower than expected, all fall on
18 the private partner, Transdev. So, in every year,
19 in fact you'll notice in the first year of 2012,
20 we not only didn't turn a profit we actually lost
21 money and if you'll recall 2012 that's the year
22 Sandy arrived at the end of October. So, fare box
23 revenue went to nearly zero for the last two
24 months of 2012.

25 LEGISLATOR MCKEVITT: Have these figures

1 been confirmed by the Comptroller's Office?

2 MICHAEL SELTZER: I'm not aware if they
3 have or not, but they've been shared rather
4 frequently with the county staff.

5 LEGISLATOR MCKEVITT: Part of the
6 questions I guess, and the last session where
7 this item was tabled concerning discontinued
8 service for some major areas of Nassau County
9 where there is a large need for public
10 transportation, in my district the N1 and N4 on
11 any given day between 9:00 and 12:00 in the
12 morning/afternoon, I can see that the bus is at
13 standing capacity and that indicates to me that
14 there are not enough buses. That's just in my
15 district alone I have to observe that.

16 And also, there have been many
17 complaints, one clearly noted by Ms. Guise who
18 was here today, about there not being a
19 particular service so that individuals who work
20 in New York City who may reside in Nassau County
21 may get to work on time at 9:00. There is no
22 coordination between the bus lines and the public
23 transportation in the city. And can you please
24 speak to those issues? Because that's my concern
25 here, you know what I mean? We want to make sure

1 that your system succeeds. But all do respect,
2 you know based on the constituent complaints the
3 service is not satisfactory, not even at a
4 minimum. Can you please address that?

5 MICHAEL SELTZER: Yes, legislator. I
6 would say you and I are in complete agreement.
7 The amount of service provided is insufficient
8 for the demand that actually exists. Not only in
9 your district but in many parts of the county. We
10 are passing passengers up every day. We're not
11 providing a high quality, comfortable ride
12 because there is not enough service. The amount
13 of service that is provided is the result of
14 funding decisions made here, made in Albany, made
15 in Washington- we take the available funds and
16 convert that into service and if I had my way,
17 there'd be a lot more service. But those
18 decisions are not Transdev's.

19 LEGISLATOR MCKEVITT: From the profit
20 table that you've addressed, is there any room
21 that we could see that we could provide more
22 service?

23 MICHAEL SELTZER: The profit margin that
24 we've managed to earn is a very meager one. It's
25 hardly excessive by any business standards so I

1 don't think that's a source for adding service in
2 the future. We work closely with transit systems
3 around the state and with the county to prevail
4 on the state Legislature to increase the transit
5 funding. Over half of the budget revenue comes
6 from the state program and I think that's our
7 best opportunity. However, in the most recently
8 adopted state budget just at the end of March the
9 increase for all the downstate non MTA systems
10 was 1.9 percent, which doesn't even keep pace
11 with our costs.

12 LEGISLATOR MCKEVITT: So, I understand
13 that. But my question to you is with this
14 amendment that is before us today, is there- you
15 said before that part of the purpose is to make
16 sure that there is no money left on the table to
17 try to access in terms of state funding or county
18 funding. Is there any funding that is being left
19 on the table that we could try to petition to try
20 to obtain for the system?

21 MICHEAL SELTZER: Legislator, I don't
22 believe there is. The state budget that was just
23 approved provides funding all across the state.
24 All the downstate systems, other than the MTA,
25 got just a 1.9 percent and that's all that's

1 available at the state level. I'm not aware of
2 any additional funds being available from the
3 county. The federal program is pretty well
4 established. It's about \$6 million per year, it's
5 not very big and it's very consistent. And the
6 other major source is the fare box and the
7 ridership is what it is. And then the fare itself
8 is determined by the MTA. I don't anticipate any
9 change in the fare box revenue this year. The MTA
10 adjusts the fare level, the Metro card, which
11 most our riders use, adjusts the metro card in
12 odd numbered years. So, they may do something
13 next year, but I don't have any idea what that
14 may be.

15 LEGISLATOR MCKEVITT: Thank you sir.

16 LEGISLATOR NICOLELLO: Legislator Bynoe?

17 LEGISLATOR BYNOE: Thank you, Presiding
18 Officer. Good afternoon.

19 MICHAEL SELTZER: Good afternoon,
20 legislator.

21 LEGISLATOR BYNOE: I know you're running
22 a business and I don't begrudge you an
23 opportunity to make a profit. To echo some of my
24 colleagues' sentiments I have to say that I see a
25 correlation, right? Service is going down and our

1 ability to provide adequate buses on certain
2 lines and cutting out routes, but at the same
3 time your profit is going up. So, yes, in year
4 2012, you didn't earn a profit and thankfully in
5 2013 you did earn a profit. And then you just
6 kept going up. It went from \$1.1 million in 2013
7 to \$3.4 million in 2014. In 2015, \$4.6 million
8 and in 2016 \$5.25 million. And I think it was in
9 that year that hit record lows in the service
10 that we were offering our residents here in
11 Nassau County. There is a correlation. There's
12 profit going up and service coming down.

13 So, I really struggle with this contract
14 that Nassau County entered into and I've said it
15 before and I'll have to say it again that I
16 believe that this issue is bubbling up out of the
17 response to the RFP that you initially responded
18 to. I believe that at some point what you said
19 you could do and what ultimately you could do
20 were two different things. And so that's always
21 been my concern when we extend these contracts.
22 Like when the previous county executive extended
23 the contract he extended it allocating additional
24 funding to our subsidy to you. And so that's when
25 we really started cutting services and that's why

1 I'm actually concerned that we're considering
2 extending the ceiling, not extending by way of
3 going to give you additional financial support or
4 it's going to cost the county additional money.
5 But I actually think this was an opportunity to
6 sit down at the table again and look at how we
7 can get a better situation for our residents.

8 The only person winning here is Transdev.
9 Our residents are losing and we're losing. And
10 that's been my problem from the very beginning
11 and I'm sorry. It's not a reflection
12 specifically, maybe on how you're managing the
13 current bus system, but I do think that it is
14 definitely a system of how you responded to the
15 original bid. I don't think what you said you
16 could do initially you've been able to achieve.
17 And based on that I can't support an extension on
18 this contract for this purpose.

19 I really wish the current administration
20 would see this from my lens, or at least stop and
21 pause and go back to the table and try to
22 renegotiate some different terms because I have
23 another issue, which is the corporate overhead.
24 Because I do know there is some benefit to NICE
25 bus by way of that corporate overhead which is

1 another line item which comes to several million
2 dollars as well. I'm sorry, to Transdev. Not just
3 to NICE bus, it's also a benefit to Transdev,
4 that corporate overhead line. That's several
5 million dollars as well. So, at the end of the
6 day, this margin of risk is not the only
7 financial benefit that Transdev is getting.

8 So, I'm just putting it out there that, I
9 know we wanted to press the gas pedal, but my
10 foot is still on the brake. Thank you.

11 LEGISLATOR NICOLELLO: Any other
12 legislators? I don't think there was a question,
13 it was a statement basically. I see that a member
14 of the public has a comment? No? Alright. Thank
15 you, Mr. Setzer.

16 MICHAEL SETZER: Thank you.

17 LEGISLATOR NICOLELLO: Thank you, Ms.
18 Persaud. We appreciate it. Hearing no further
19 discussion-

20 JUDY SANFORD GUISE: This is the part of
21 the meeting for which I stayed all day. I would-
22 Judy Sanford Guise, N1 rider, and user of the bus
23 system. Last Monday it was 14 different buses. I
24 would ask-

25 LEGISLATOR NICOLELLO: Direct your

1 comments.

2 JUDY SANFORD GUISE: My question I have
3 is about your lost revenue. If he or anyone would
4 like to hang out with me at Green Acres on a
5 Saturday afternoon and watch the number of people
6 who bail because they can't wait three hours for
7 a bus, who then hop on the Q5 or the Q8 and find
8 another and way to go back- a lot of people who
9 spend money in Nassau County come from other
10 places. And they're lack of service is preventing
11 the people from coming here and spending their
12 money. But here are some people who actually come
13 to Green Acres and then can't leave. But they
14 come from Far Rockway, they come from other
15 places, and that is now lost revenue to us and to
16 them and to Transdev, or whatever, because the
17 people bail and spend their fare money on the MTA
18 because they have an option and the rest of us
19 are stuck.

20 But, again, on the issue that was
21 mentioned as far as they are underserving. I
22 understand that the claim that the only lines
23 that are making a profit are N4 and N6 and I've
24 been on each of them. Because I travel at
25 different times of the day, I see different

1 things. And I don't understand why a bus needs
2 to- at *overcapacity*. And there are certain
3 reasons why. When a bus gets full it goes slower
4 and slower and slower and so the next bus that
5 come may be half empty, but that is not a good
6 way of serving people. It's dangerous, it's not
7 good for the drivers who incidentally don't even
8 get potty breaks. And so, you have just- it's a
9 horrendous, horrendous situation that every
10 taxpayer in Nassau County is paying towards this
11 service. Those of us who are riding buses are
12 paying for it, many of us because we waited, end
13 up paying a third time because transfers expire,
14 and people have to pay again. There's something
15 wrong with how this system is running. There's
16 something wrong about buses that are
17 consistently- I won't bore you with my life when
18 I try to get Manhasset in four buses and it took
19 two and half hours because buses were late and
20 then you miss a bus and you miss a bus and you
21 miss a bus. That's just me trying to get to a Dr.
22 There are people who are doing this every single
23 day and it's impossible to see people coming home
24 at 8:00 at night from Jamaica Center who are
25 traveling east and it's dangerously full after

1 8:00 at night because they have cut back the run
2 and that's how they're maintaining their profit.
3 You know, maybe there are too many Q5's from the
4 MTA's going east into Nassau County. But it's
5 impossible to stand there and watch people-

6 LEGISLATOR NICOLELLO: Okay, your time
7 has expired ma'am.

8 JUDY SANFORD GUISE: Thank you.

9 MICHAEL SELTZER: Presiding Officer, if
10 I may? Please?

11 LEGISLATOR NICOLELLO: To what?

12 MICHAEL SELTZER: There was a public
13 comment upon the administration as to what level
14 of checks and balances do we have here currently
15 that can address some of these concerns that are
16 being presented by this constituent.

17 LEGISLATOR NICOLELLO: You can ask that
18 offline. I think we're done with this.

19 META MEREDAY: Are you cutting off
20 public comment for this one too?

21 LEGISLATOR NICOLELLO: Go ahead. You
22 have a comment about everything else, so why not
23 this one?

24 META MEREDAY: I just want to be sure.

25 Meta Mereday, Baldwin resident. As it pertains to

1 Transdev, I think first of all, what is your
2 other option? You know you can easily say they're
3 not doing this they're not doing that. Again, if
4 you're not getting the data you're not getting
5 the information in regard to what the needs are,
6 I mean okay. Let's take a show of hands. How many
7 people sitting before here has actually ridden
8 the bus? Let's start there. Who've had to wait
9 for the bus? Okay, one, two, three- alright,
10 cool. But you should all, as she's mentioned,
11 stand out there in Green Acres. Stand out there
12 in Hempstead in the heat when you have no shelter
13 from the rain or whatever, you know, along
14 Uniondale. Manhasset even. If you can survive the
15 potholes, let's start there, but then waiting for
16 the bus.

17 But it's not just Transdev. I mean if you
18 don't study the issue, and this has been an issue
19 for years, but you will spend thousands of
20 dollars for like, in Baldwin that will make one
21 lane coming and going in front of a fire
22 department and around the corner from the police
23 station, but you'll spend \$100,000 to study that.
24 But you won't study the needs of the residents
25 and, guess what? Funding options on the state and

1 federal level that could address and subsidize
2 some of the issues as it pertains to
3 transportation.

4 I for one have presented this to a number
5 of you who sat before here. Well, some of you,
6 some who didn't get reelected, but that's whole
7 another story. Because I see some new faces here
8 this year and who's to say after certain
9 elections there may be another group of new
10 faces. But the ideas and the struggles of
11 residents who can't even get there, let alone to
12 their jobs because they don't have the two
13 incomes. They can't afford to get Uber. Some
14 people from the legislation that you passed
15 earlier, the five cent campaign for the bags in
16 the stores, some of them can't get to the stores.
17 So, if we're going to start doing something,
18 let's stop throwing Transdev under the bus. You
19 all gave yourself a raise, you don't think the
20 people that work for Transdev think they have
21 bills? That they have kids that they need to put
22 through college? Let's start looking at what
23 you're doing with our tax dollars as it pertains
24 to this vital scenario.

25 You funded \$500,000 for Long Island

1 Railroad, because the governor wanted to have the
2 third rail project. Why can't you fund an actual
3 study, to have an actual, even a summit, or
4 something that will bring residents together.
5 Community leaders, business leaders together. So
6 that we can see what we can do from a public and
7 private sector stand point. And guess what?
8 Because I know, you may sit here and say, "Oh my
9 God, here she is again. Oh, but hey, she's going
10 to talk about the veterans." Yes, and there's
11 funding that you're missing out on for our
12 veterans, for our seniors, for our young people
13 because you just want to surcharge and tax the
14 residents to death. There is another funding
15 stream- it's called a grant. Okay? Every state
16 and federal agency has some form of grants. New
17 York State spent over \$1 billion to generate 209
18 jobs with Start Up New York. I think we could
19 have done a lot better with even a tenth of that.
20 Let's start looking at more proactive and
21 aggressive resources for the veterans and all of
22 our residents who depend on this type of
23 transportation and stop just throwing Transdev
24 under the bus. Be a part of the solution, not
25 continue to perpetuate the problem. Thank you.

1 LEGISLATOR NICOLELLO: Thank you. I will
2 call the item now. All in favor signify by saying
3 aye. Aye. Those opposed? Two names? It passes
4 fifteen-two. We would now ask the clerk if you
5 would please call the emergency.

6 CLERK PULITZER: The emergency is
7 resolution 10-2018, Emergency resolution number
8 10-2018 declaring an emergency for immediate
9 action and a resolution to authorize the transfer
10 of appropriations heretofore made within the
11 budget for the year 2018.

12 LEGISLATOR NICOLELLO: Thank you Mr.
13 Pulitzer. A motion to establish the emergency
14 made by Legislator Walker, seconded by Legislator
15 Drucker. All in favor of the emergency signify by
16 saying aye. Those opposed? The emergency is
17 established. Mr. Pulitzer you now have to call
18 the item.

19 CLERK PULITZER: Clerk item 237-18 is a
20 resolution authorizing the transfer of
21 appropriations heretofore made within the budget
22 for the year 2018.

23 LEGISLATOR NICOLELLO: Thank you.
24 Motioned by Legislator Muscarella, seconded by
25 Legislator Bynoe. The item is before the full

1 Legislature.

2 ANDY PERSICH: Andy Persich.

3 LEGISLATOR NICOLELLO: Oh, I'm sorry.

4 ANDY PERSICH: It's alright, I've been
5 called worse legislator. This item is moving
6 money from utilities to fund Long Island Regional
7 Planning Council which is part of the
8 restoration. They're funding needs became dire
9 recently, so we had to move this expeditiously to
10 get it on the calendar quickly for them, so.

11 LEGISLATOR NICOLELLO: Mr. Guardino is
12 here? Do you want to add something?

13 RICH GUARDINO: Good afternoon, Rich
14 Guardino. I'm the executive director of the Long
15 Island Regional Planning Council. First of all,
16 thank you all for your courtesy and patience in
17 dealing with everyone here this afternoon. As
18 many of you may be aware, we are currently
19 administering several state grants, including
20 one for the Long Island Nitrogen Action Plan,
21 which is a multi-year program to reduce nitrogen
22 in both subsurface and surface waters. It's an
23 important environmental initiative. We were not
24 funded in 2017. We're hoping to be funded in
25 2018. We've actually gotten to the point now

1 where if we don't receive funding- we have a very
2 small staff, and we will be facing some lay-offs
3 and that's why we have requested this emergency
4 legislation for transfer of funds.

5 LEGISLATOR NICOLELLO: Minority Leader
6 Abrahams.

7 LEGISLATOR ABRAHAMS: Hey Rich, how are
8 you? I guess you found out in 2017 that you
9 weren't going to be funded for- in 2016 you found
10 out you weren't going to be funded for 2017?

11 RICH GUARDINO: In 2017 it was initially
12 in the budget. When it went through the process
13 with NIFA the appropriation was eliminated, and
14 so, yes it was at the end of 2016 that we found
15 out we weren't going to be funded for 2017. We
16 were hoping something would happen in the course
17 of year to give some relief. It never happened.
18 Once again, it was in the budget for this year,
19 at the end of 2017 for the 2018 budget. It was
20 initially in there. Going through the NIFA
21 process, it was eliminated again. The County
22 Executive put it forth in supplemental and
23 fortunately I think it's now available. So, we've
24 basically gone about a year and half without
25 funding.

1 LEGISLATOR AGRAHAMS: So, obviously this
2 has always been like a joint regional thing
3 between us and Suffolk. Has Suffolk also withheld
4 their funding, or have you still been continually
5 getting their funding?

6 RICH GUARDINO: Suffolk is committed. We
7 have been funded by them. We didn't go back to
8 them last year because the funding wasn't
9 available from Nassau County. We didn't feel it
10 was fair to ask them to come to the table without
11 the funding from the sister county. Obviously
12 once we have this resolved here we'll be back to
13 them. The indication is that they feel very
14 positive about the work that we're doing. Steve
15 Bellone is a former member of the Regional
16 Planning Council and he's indicated he would
17 support once he has a commitment from Nassau.

18 LEGISLATOR ABRAHAMS: Okay. And then my
19 last question Rich. Could you just give us- I
20 know you had talked about the study of the
21 nitrogen water- could you give us some issues
22 that guys have worked on over the last couple
23 years? I guess so that we could get a greater
24 understanding of-

25 RICH GUARDINO: Yeah, the Nitrogen

1 Action Plan I think it probably is one of the
2 most important environmental initiatives since
3 the Pine Barrens. It's a multi-year program.
4 We're partners with the DEC, we work very closely
5 with the Nassau County Public Works, the
6 Department of Health. There are a number of
7 initiatives in both counties. Certainly, the
8 great work Nassau County has done in terms of the
9 Bay Park Diversion is a critical part of that. It
10 will actually eliminate millions of tons of
11 nitrogen to Reynolds Channel. We're also taking a
12 look in terms of fertilizer and that type of
13 pollution, what it causes. Storm water runoff.
14 You're all familiar with the deleterious effects
15 of nitrogen in the water where there's fish
16 kills. It also has an impact on our wetland.
17 Certainly, we experienced with Sandy the fact
18 that the wetlands were diminished had an impact
19 as well. It also impacts our shellfish and
20 there's actually been a 90 percent decrease in
21 the shellfish areas over the past 10 years as a
22 result of nitrogen pollution. So, it's a critical
23 issue. Water is the life blood of Long Island and
24 it impacts every part of our quality of life
25 here. And that's the major initiative.

1 One of the things we'll be looking to do
2 in the very near future as a result of
3 administering a grant is take a look some of the
4 data gaps that we have in Nassau County and the
5 south shore estuary. We want to look at what the
6 base line is now. Certainly, take a second look
7 at it after some of these things go online.
8 Whether it's the diversion. We're also
9 instrumental in working very closely with your
10 Department of Public Works to get a grant to look
11 additionally sewerage- a state grant,
12 additionally sewerage in Nassau County.

13 Among other things we've done, in
14 respecting your time here this afternoon, the
15 Department of Commerce requires that there be a
16 comprehensive economic development study done in
17 order for institutions to access grants from the
18 Department of Commerce. We submit annually and
19 report to them, which is a condition precedent
20 for any institution that wants to apply for
21 grants with the Department of Commerce. We
22 recently completed the tax alternatives study. It
23 was a year-long study to look at tax alternative
24 to property tax. It's a 150 page report. I will
25 not go into the details here. Certainly, it's

1 available on our website and we've declared to
2 talk with any of you individually in the
3 committee about some of the analysis that was
4 done there. Certainly, it is important in terms
5 of Nassau County because it does go into some
6 great detail about both sales tax and property
7 taxes.

8 LEGISLATOR NICOLELLO: Just to echo what
9 you just said. You nicely gave us a full briefing
10 as well as the administration on your tax
11 alternatives study.

12 RICH GUARDINO: And we're available to
13 anyone here this afternoon who would like to sit
14 and talk with us about it. The report is
15 available on the website. We're glad to send it
16 to you individually, meet with any of the
17 committees here in the Legislature.

18 LEGISLATOR NICOLELLO: Legislator
19 DeRiggi-Whitton?

20 LEGISLATOR DERIGGI-WHITTON: Just real
21 quick. I know that the assembly passed a bill
22 reducing the amount of nitrogen allowed in
23 fertilizer and now it's in the Senate.

24 RICH GUARDINO: Absolutely, there's
25 actually a hearing, I got an email while I was

1 here this afternoon. There's a hearing with
2 Senator Hannon and I can send you the details-

3 LEGISLATOR DERIGGI-WHITTON: Right, so
4 you're supporting that effort? I just wanted to
5 make sure.

6 RICH GUARDINO: Yeah, we're a part of
7 that effort. We actually have on our website,
8 we're going to put together a so-called
9 fertilizer analysis so that folks can go to our
10 website and take a look at their application,
11 take a look at what they're buying and see if
12 they're overfertilizing putting nitrogen into
13 their lawns. That's part of the analysis that
14 we're doing.

15 LEGISLATOR DERIGGI-WHITTON: Thank you
16 for supporting that.

17 LEGISLATOR NICOLELLO: Yes, Legislator
18 Birnbaum?

19 LEGISLATOR BIRNBAUM: Does your group do
20 educational outreach to stores and gardeners?
21 Like how do you spread the word? I know you
22 produce reports, but who gets them?

23 RICH GUARDINO: Yes. One of the things
24 that we did as a result of some of the funding we
25 have is we've upgraded our website and we're on

1 social media. We were fortunate enough to be able
2 to bring EpicFive, which is a pretty well-known
3 company here on Long Island, to upgrade the
4 website. If you go to that website, you're going
5 to see research studies, we have a monthly
6 newsletter- I would be glad to add you all to
7 that- which talks about all the various
8 initiatives that are going on right now. And
9 again, we're working very closely with both the
10 counties.

11 One of the things, and again, I realize
12 it's been a long afternoon, we certainly
13 appreciate your patience and courtesy, but one of
14 the things that's happened in Suffolk County is
15 the innovative alternative septic systems. It's
16 very important out there because they have
17 360,000 septic systems. Nassau County has had the
18 benefit of sewerage, but on the North Shore there
19 are areas. We're going to work very closely with
20 the Health Department and with your Department
21 for Public Works, talking about the pilot
22 programs that they have out there with these new
23 systems that can reduce nitrogen. Because in many
24 places, especially on the north shore, the
25 Department of Public Works recently completed a

1 study. It would be prohibitively expensive to do
2 a sewerage in many of those areas. So, these
3 innovative alternative systems are a good way to
4 go.

5 LEGISLATOR NICOLELLO: Any other
6 questions? Thank you, Richard. Thank you for your
7 patience.

8 RICHARD GUARDINO: Thank you.

9 LEGISLATOR NICOLELLO: Any public
10 comment? Hearing none, all in favor signify by
11 saying aye. Aye. Those opposed? Carries
12 unanimously.

13 We have one more item on the full
14 Legislature, but it is on a Rules Committee
15 Calendar first. So, we're going to quickly move
16 into a Rules Committee to move the two items if
17 we can and then we'll go back into the full
18 Legislature. So, I'm going to put the Legislature
19 in recess and call the Rules Committee to order.

20 (Recess at 5:11 p.m.)

21 CLERK PULITZER: Do it with a roll call?

22 LEGISLATOR NICOLELLO: Yes, please.

23 CLERK PULITZER: Rules Committee roll
24 call. Legislator Siela Bynoe?

25 LEGISLATOR BYNOE: Here.

1 CLERK PULITZER: Legislator, Delia
2 DeRiggi-Whitton?

3 LEGISLATOR DERIGGI-WHITTON: Here.

4 CLERK PULITZER: Ranking member, Kevan
5 Abrahams?

6 (No verbal response.)

7 Kevan?

8 LEGISLATOR ABRAHAMS: I said here.

9 CLERK PULITZER: Legislator Laura
10 Schaefer?

11 LEGISLATOR NICOLELLO: Designate
12 Legislator Kennedy sitting for Laura Schaefer.

13 CLERK PULITZER: Okay. Legislator
14 Kennedy?

15 LEGISLATOR KENNEDY: Here.

16 CLERK PULITZER: Thank you. Legislator
17 Steven Rhoads?

18 LEGISLATOR RHOADS: Present.

19 CLERK PULITZER: LEGISLATOR, Howard
20 Kopel?

21 LEGISLATOR KOPEL: Here.

22 CLERK PULITZER: Chairman, Richard
23 Nicolello?

24 LEGISLATOR NICOLELLO: Here.

25 CLERK PULITZER: We have a quorum.

1 LEGISLATOR NICOLELLO: Thank you. We
2 have two items on the Rules Committee Calendar. I
3 am going to call them both together if necessary,
4 we can vote on them separately. Item 236-18 is a
5 resolution authorizing the County Executive to
6 execute an inter-municipal agreement with the
7 Town of Hempstead in relation to procuring and
8 installing a recreational improvement project at
9 Wynsum Avenue Park. E-62-2018 is a resolution
10 authorizing the County Executive to execute a
11 personal services agreement between the County,
12 acting on behalf of the Department of Human
13 Services, Office of Youth Services and Long Beach
14 Aware. Moved by Legislator Rhoads, seconded by
15 Legislator Kennedy. Those two items are before
16 the committee.

17 LEGISLATOR ABRAHAMS: Just a question
18 for the administration regarding item E-64-18. It
19 has come to our attention in reviewing the
20 contract for Long Beach Aware that Mr. Alfonso
21 Albright is a principal or works for Long Beach
22 Aware. Could you give us some insight on that
23 particular-?

24 TRISTA BREIL: Actually, I cannot give
25 some insight on that. That's something I would

1 have to bring back to the office.

2 LEGISLATOR RHOADS: We don't have an
3 issue with Mr. Albright. Our concern is
4 obviously, we just want to make sure that the
5 administration has done its due diligence to
6 ensure that Mr. Albright hasn't been involved in
7 any of the procurement that have been tied to
8 Aware as he's a Commissioner of Corrections for
9 the county. So, we just want to make sure that we
10 have cleaned that slate to make sure it's going
11 forward. If the administration can get back to us
12 I'd appreciate it in making sure that that has
13 been done. Hey, Mike.

14 MIKE SANTORAMO: Hey, Mike Santoramo. We
15 spoke with your council earlier today and I spoke
16 with our Deputy County Executive for Compliance,
17 and you can be assured that Mr. Albright has
18 nothing to do with any procurement in the county.

19 LEGISLATOR RHOADS: Just what we wanted
20 to hear. Thanks, Mike.

21 LEGISLATOR NICOLELLO: Good, thank you.
22 Nice (inaudible) answers. We like that. Any other
23 questions?

24 (No verbal response.)

25 Any public comment?

1 (inaudible)

2 META MEREDAY: Meta J. Mereday. My
3 question has to do with the municipal agreement
4 as far as what is the cost of the project, what
5 does it actually entail, and as it pertains to
6 the diversity inclusions since the county, as far
7 as I know doesn't have an inspector general to
8 kind of go over these contracts overall in light
9 of past activities within the county. I mean
10 someone has to ask these questions. You might
11 have the documents before you, but the residents
12 are at a disadvantage not knowing what is
13 happening. So again, the cost of the project, the
14 inclusion involved, and what does it entail? It
15 says installing a recreational improvement
16 project. I mean are you adding a swing? Slide?
17 What does this mean?

18 LEGISLATOR NICOLELLO: We have the
19 perfect person to answer at least some of those
20 questions.

21 LEGISLATOR RHOADS: Thank you Mr.
22 Chairman. Ms. Mereday the overall cost of the
23 project is estimated to be about \$230,000.
24 \$100,000 of that will be coming from a grant
25 through the state government that was originally

1 secured by Senator Venditto and is being
2 processed now by Senator Brooks. The money is
3 being given to the Town of Hempstead. The Town of
4 Hempstead will control compliance, obviously with
5 their internal procedures.

6 META MEREDAY: Well, unfortunately the
7 Town of Hempstead, I've been told this on
8 numerous occasions for the number of years that
9 I've been going to the town, is not under any
10 obligation to really emphasize any type of
11 benchmarking or, you know, fair outreach as it
12 pertains to minority women, service-disabled.
13 Best efforts is an ad in Newsday and notification
14 on their website. So, I would not be impressed by
15 hearing that the Town of Hempstead is responsible
16 for the enforcement as it pertains to inclusion.
17 When the county at least has some mandates.
18 Whether you have actually-

19 LEGISLATOR RHOADS: Well, the issue that
20 we have, Ms. Mereday is the fact that Wynsum Park
21 is actually a Town of Hempstead facility. Nassau
22 County would not be able to do any of the
23 construction on a Town of Hempstead facility.
24 That's why there's an intermunicipal agreement
25 between the two.

1 META MEREDAY: I understand that, but
2 within the negotiations and the language, being
3 that I'm not a lawyer, but most people say I
4 really need to (inaudible) of them. I need to
5 have some clarity as it pertains to the rights
6 when we're talking about funding that's coming
7 from this. We're talking about state grants which
8 I would say has some inclusion from a federal
9 connection, which means that there are some
10 compliance issues that I would hope someone is
11 taking into consideration, because there is no
12 track record as it pertains- there are no numbers
13 unless, again you have the information and the
14 rest of us do not. There's no numbers that speak
15 to any involvement inclusion of certain service-
16 disabled veteran-owned minority LGBT as it
17 pertains to contracting in Nassau County. This is
18 2018. So, who is going to be responsible. She's
19 signing- if the County Executive is signing an
20 agreement as the representative for this county,
21 based upon trying to be inclusive, when do the
22 residents really see where that inclusion is
23 coming from, that we're getting the
24 opportunities, or it's just going to the same
25 people that you see every month.

1 LEGISLATOR RHOADS: Ms. Mereday, this
2 point of clarification and (inaudible) correct me
3 if I'm wrong. Everything that we have here,
4 because I've already stated this a couple of
5 times, Ms. Mereday, everything we have here is
6 posted online, correct?

7 (Yes, sir.)

8 So, Ms. Mereday, I would refer you to go
9 online to make sure that what you want to see
10 what we have, we don't have any special
11 documents. So, whatever we have is posted online
12 before the meeting.

13 META MEREDAY: Okay, well of this that
14 you read- I mean because you have you, you have
15 staff you have other people, you have attorneys
16 you things of that nature.

17 LEGISLATOR RHOADS: Yes, they prepare
18 recommendation and thoughts on things, yes.

19 META MEREDAY: I understand that. I
20 don't always have the time to read every piece of
21 paper, every document. But I do know that when I
22 went to the site I have not seen the inclusion
23 and knowing, again what is on the site as
24 pertains to service-disabled veteran-owned
25 businesses in the county is not fulfilling what

1 is on its own site.

2 LEGISLATOR RHOADS: Ms. Mereday, I just
3 want to correct the record, because you said that
4 what we have up here, almost implying like you
5 don't have something there.

6 META MEREDAY: Okay.

7 LEGISLATOR RHOADS: Okay. So, just to
8 correct the record, everything that we have up
9 here, the contract itself that I'm looking at,
10 the public has access to. So, we're not hiding
11 it.

12 META MEREDAY: Okay. But are you
13 comfortable with the fact that there is- what is
14 the oversight? Are you comfortable if I go to
15 look at this contract-?

16 LEGISLATOR RHOADS: I'm comfortable
17 based on my review as well as our staff review, I
18 am comfortable in voting for this contract, yes.

19 META MEREDAY: And that there is going
20 to be inclusion and there is going to be
21 benchmarking and it's going to involve- when the
22 program for the county does not even have
23 sufficient staff for the input for this
24 (inaudible.)

25 LEGISLATOR RHOADS: That is something

1 that requires greater input from the
2 administration. Which, that could be the reason
3 we hold up every contract in the county. And we
4 could completely stop business in the county. We
5 could do that too. But if you're asking me if I'm
6 comfortable with this agreement, yes. We are
7 comfortable with this agreement, and I plan to
8 vote for it. That being said, I'm not taking
9 umbrage with your issue and whether or not there
10 is minority or veterans future work that's
11 planned for this contract. My point was that,
12 I've hear you say it a couple times at these
13 legislative meetings, that-

14 META MEREDAY: I said maybe-

15 LEGISLATOR RHOADS: Ms. Mereday, I never
16 interrupted you, please.

17 (Okay.)

18 All I'm saying is that you said that we
19 have stuff up here that you don't have there.
20 That implies like we have some special documents
21 which we do not have. Everything that we have up
22 here, the public has. That's all I wanted to do
23 to correct for the record, because I've heard you
24 say that a couple times. So, there is nothing
25 special that we have up here that the public does

1 not have. Thank you.

2 META MEREDAY: Okay. Then I will look at
3 the contract so that I will as you say, and I did
4 say you might have information. That's a whole
5 completely different kind of than saying that you
6 have it.

7 LEGISLATOR RHOADS: You did say might.
8 But there is no might.

9 META MEREDAY: Okay.

10 LEGISLATOR RHOADS: There is no might.

11 META MEREDAY: But you do have this that
12 says that's outlined what the county is supposed
13 to do as it pertains- now I have this. This is
14 what the county is supposed to do as it pertains
15 to service-disabled veteran-owned businesses-

16 LEGISLATOR RHOADS: Ms. Mereday-

17 META MEREDAY: As you said- I didn't
18 interrupt you, but you're interrupting me.

19 (Okay, go ahead.)

20 I did say, this is what you have and this
21 what you are not doing. These are grounds right
22 here.

23 (Okay.)

24 But why add to another litigation that
25 the county is more than likely going to lose.

1 That's all I'm saying. Thank you.

2 LEGISLATOR RHOADS: Gotcha, no problem.
3 Thank you.

4 LEGISLATOR NICOLELLO: Okay. Hearing no
5 further discussion, I'm going to call a vote on
6 these two items. This is just Rules Committee
7 members. All in favor signify by saying aye. Aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 They carry unanimously. Motion by
12 Legislator Kennedy, seconded Minority Leader
13 Abrahams to adjourn or close the hearing- adjourn
14 rules. All in favor signify by saying aye. Aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 Rules is adjourned.

19 (Meeting adjourn 5:21)

20 (Reconvened at 5:21)

21 LEGISLATOR NICOLELLO: Go back into the
22 Full Legislature, calling back into session. We
23 have that one item which we just passed in Rules,
24 which is item 55 on the Full Legislative
25 Calendar, resolution number 100. A resolution

1 authorizing the County Executive to execute an
2 inter-municipal agreement with the Town of
3 Hempstead in relation to procuring and installing
4 a recreational improvement project at Wynsum
5 Avenue Park. Moved again by Legislator Rhoads,
6 seconded by Legislator Ford. The item is before
7 us. Any discussion or debate? Any public comment?
8 Hearing none, all in favor signify by saying aye.
9 Aye. Those opposed? Carries unanimously. We have
10 some slips for public comment yet to go but I'm
11 going to make the motion to adjourn, seconded by
12 Legislator Walker. All in favor of adjourning the
13 Legislature signify by saying aye. Aye. Those
14 opposed? Okay, we are adjourned.

15 (Meeting adjourned.)

16 LEGISLATOR NICOLELLO: The remaining
17 public comment. Dennis O'Reilly. I apologize for
18 the fact that you had to be here all day.

19 DENNIS O'REILLY: I used to be a
20 marathon runner. I admire all the issues you guys
21 have to deal with here. My name is Dennis
22 O'Reilly. I want to voice my support of the
23 proposed legislation put forth by Debra Mule,
24 Legislator of my district, and strongly in
25 support of our County Executive Laura Curran, to

1 require retailers to give customers of either
2 using their own reusable shopping bags for free
3 or incurring a five cents charge for every single
4 use plastic bag they require.

5 I live in the Town of Hempstead in
6 Baldwin and am a member of SPLASH, a volunteer
7 organization whose mission, as many of you know,
8 is to clean up Long Island waterways, including
9 bays in the south shore. We recently inaugurated
10 our 2018 season on our specially designed SPLASH
11 boat at the Marina in Freeport at 8:00 a.m. armed
12 with our usual array of nets, buckets, metal
13 pickers and hooks. Three hours later returned
14 with our three 55 gallon barrels filled to the
15 brim with assorted floating debris. In addition
16 to large pieces of lumber and Styrofoam a
17 significant portion of our catch, almost always
18 consists of one-time, disposable plastic items.
19 Cups, straws, beverage bottles, balloons, and
20 thin retail carry bags. These are plastic
21 products whose lifespan can be counted in seconds
22 or minutes.

23 Last fall, one of my fellow crew members
24 suggested I read a newly published book called
25 "Junk Raft." Until I read this book, I assumed we

1 at SPLASH were basically on a mission to make the
2 bays look pretty, which was enough for me since I
3 am a boater and use the beaches quite a lot.
4 However, I was stunned by citations in this book
5 of newly revealed scientific research that
6 demonstrates without a doubt that all that
7 plastic floating in the ocean, including Long
8 Island Bays is not just litter. It eventually
9 becomes a toxic substance to marine life. What
10 these studies prove is that left to own's device,
11 plastic doesn't go away but simply breaks down to
12 smaller and smaller toxic microparticles. So
13 small, that they eventually get absorbed into the
14 tissue of marine life, including the fish we eat.

15 So, let me go back to my experience in
16 the bays off of Freeport every Friday morning.
17 What I pointed out before, was the amount of
18 plastic debris that we capture and remove from
19 the water. What I didn't mention is the
20 incredible amount of tiny plastic pieces that we
21 leave behind and will never be able to pick up.
22 There is almost not a trip that goes by that I
23 don't tug against the plastic bag for example
24 enmeshed in the region mud on a bay island. That
25 can't be removed completely because it turns to

1 tatters. And so, I leave most it behind and then
2 there are all those tiny white pieces of
3 Styrofoam and other plastic that I don't bother
4 to pick up because there are way too many of
5 them.

6 CLERK PULITZER: Sir, your time has
7 expired.

8 DENNIS O'REILLY: Let me make one more
9 point-

10 LEGISLATOR NICOLELLO: Absolutely, sure.

11 DENNIS O'REILLY: So, I have come to the
12 conclusion that we can't just pick up the
13 garbage. We have to deal with our plastic problem
14 at the source.

15 With the legislation that is being
16 proposed buy Legislator Mule, we have a tool at
17 our disposal to do just that, by encouraging all
18 Nassau residents to reduce the use of single-use
19 plastic bags there will be that many fewer bags
20 in our waterways. And we know that similar laws
21 in Suffolk County and Long Beach have proven
22 they're effectiveness in reducing the use of
23 plastic bags. So, why not in Nassau? And to those
24 who view this bill as just another tax on an
25 already overtaxed population consider two things-

1 CLERK PULITZER: Sir, your time has
2 expired.

3 DENNIS O'REILLY: One minute. While I do
4 not know what it costs us to dispose of the
5 mounting number of single-use plastic bags in our
6 county, I do know this. It's not free. And
7 second, this bill is not mandating the consumers
8 pay five cents per bag. We don't have to pay that
9 fee. It simply requires that we think about what
10 we're doing and make a choice, because all we
11 have to do to avoid that cost is change our
12 behavior and bring our own tote bags. Thank you.

13 LEGISLATOR NICOLELLO: Okay. Thank you,
14 Mr. O'Reilly. Jean Monihan? Jack McCloy?

15 JACK MCCLOY: Thank you members of the
16 Legislature. I'm going to speak to you about red
17 light cameras. And if you're thinking you've
18 heard it all before, this is a game changer. At
19 the March legislative session when the candidate
20 for the traffic and parking violations director
21 position was being considered, I asked that he
22 would be looking into the fair timing of yellow
23 light duration for red light cameras. I was told
24 that the director would simply be implementing
25 the legislation as it stands, and the yellow

1 light timing is determined by the Department of
2 Public Works. It was suggested at that meeting
3 that if I had concerns about the yellow light
4 duration, I should speak with those at the DPW.

5 I was very happy to receive a call from
6 Legislator Carrie Solages- thank you- who
7 expressed interest in my concern about proper
8 yellow light timing. Mr. Solages spoke with
9 Kenneth Arnold, Commissioner of Nassau County DPW
10 and Harold Lutz, Nassau County Director of
11 Traffic Engineering, on Wednesday, April 25th
12 during a four way conference call. I explained
13 that the yellow light duration should be
14 calculated by using a specific formula as
15 mentioned by the National Highway and Traffic
16 Safety Administration. That formula is
17 corroborated by Edmunds, the leading National
18 Highway Safety Organization, Wikipedia, and
19 Google.

20 Mr. Arnold and Mr. Lutz stated that
21 Nassau County uses a formula stated in report
22 731, issued by the National Cooperator National
23 Research program. I want to repeat, Mr. Arnold
24 and Mr. Lutz both stated that Nassau County uses
25 a different formula stated in report 731, issued

1 by the National Cooperative Highway Research
2 Program. I downloaded and printed that report and
3 found the formula the county uses to be
4 incorrect.

5 Now, I expected that the DPW folks would
6 simply state that they considered report 731 to
7 be accurate and no changes would be forthcoming.
8 That is why I contacted the Mathematics
9 Department at St. John's University, Queens
10 College, SUNY Binghamton, University of Delaware,
11 Hofstra, and Harvard with every one of them
12 confirming that the formula that I deemed to be
13 the correct formula is in fact the correct
14 formula. The DPW is wrong and this needs to be
15 corrected. I ask for a full review by the entire
16 Legislature to correct the yellow light minimum
17 duration for red light cameras and immediately
18 halt issuance of all related summonses until the
19 yellow light correct timing can be put into
20 effect. The red light cameras in Nassau County as
21 currently configured, are entrapping otherwise
22 responsible drivers. Please, I ask you to take a
23 look at the detailed report that I'm willing to
24 give to you and realize that Nassau County has
25 these red light cameras timed wrong. I sat down

1 personally with Mr. Solages-

2 CLERK PULITZER: Sir, your time has
3 expired.

4 JACK MCCLOY: -and I will be happy to sit
5 down with any of you that feel you are concerned.
6 Thank you.

7 LEGISLATOR COLAGES: Legislator Colello,
8 briefly? I know it's almost time for us to leave.

9 LEGISLATOR NICOLELLO: We have five more
10 people who have waited for five and a half hours.
11 Let's have them speak and if you want to respond
12 to Mr. McCoy you can do it at the end. Alright?
13 If they're here. Scott Bochner? Maybe not. Deena
14 Epstein? Okay. MS. Harris? She was here before.
15 She spoke. Laurie Pappas? Domenica Califano.

16 DOMENICA CALIFANO: Hello. Domenica
17 Califano. First of all, I just want to bring
18 something up about the e-cigarettes smoking. I
19 think that is amazing. I was at the Town of
20 Hempstead meeting yesterday and it was so
21 confusing about how they were going to enforce
22 the law of giving tickets out by schools and
23 stuff, by parks- it was very confusing. Hopefully
24 they will enforce the law that no one will be
25 allowed to smoke by schools and parks and

1 wherever else it was going to be. The other thing
2 that's very disturbing, is you're all against the
3 smoking, e-cigarettes and tobacco and stuff, but
4 all these shops are opening up all over Island
5 Park and Long Beach. Councilman D'Esposito said
6 to us yesterday that all the shops in Island
7 Park, two of them were closed down. We went there
8 last night and they were still open, very close
9 to schools.

10 One other thing that's a little
11 disturbing, why Nassau County is always behind
12 time and Suffolk County is ahead of us, we have a
13 very big drug problem. Last night I was laying
14 down in bed watching News 12, the Suffolk County
15 Police, Sheriff's Department is giving away free
16 drug tests to all parents that you're able to go
17 to a Police Department and receive these drug
18 tests, go home and have you child- excuse me?
19 Suffolk County is, that you're able to get free
20 tests. Denise Ford, you're saying Nassau County
21 is doing it too?

22 LEGISLATOR NICOLELLO: We just want you
23 to finish your comments. Because otherwise you're
24 going to use up all your 3 minutes.

25 DOMENICA CALIFANO: The other thing that

1 I found disturbing, reading the paper yesterday,
2 you have Rob Walker. I've been coming here for
3 many, many years complaining about bad contracts
4 from a few \$100,000 contracts, \$14 million
5 contracts that Operation VIP SPLASH got. Rob
6 Walker's mother votes on a lot of these contracts
7 and bids which she never takes herself off of-

8 LEGISLATOR NICOLELLO: You're making it
9 personal. I'm going to cut you off. If you're
10 making it personal with anyone up here-

11 DOMENICA CALIFANO: I'm not making it
12 personal, I have facts-

13 LEGISLATOR NICOLELLO: It'll be over.
14 You're the last speaker. We'll be done. If you
15 make it personal.

16 DOMENICA CALIFANO: So, you're violating
17 my constitutional rights?

18 LEGISLATOR NICOLELLO: You have no
19 constitutional right to attack somebody
20 personally.

21 DOMENICA CALIFANO: I'm not attacking
22 anyone. I'm only speaking the truth and the facts
23 that we have.

24 LEGISLATOR NICOLELLO: If you make it
25 personal then this meeting is over.

1 DOMENICA CALIFANO: I'm not making it
2 personal. Okay, you took minutes away from me.
3 Now are you going to add minutes back?

4 LEGISLATOR NICOLELLO: No.

5 DOMENICA CALIFANO: Okay. Anyway, I have
6 a great deal of concern that these contracts are
7 coming through and they're still coming through.
8 And there's bad contracts out there. And some
9 reviews are not overlooking them and allowing
10 this money to go. Operation VIP SPLASH, you just
11 heard the gentleman here, six of their people are
12 out on disability, getting full disability but
13 they're able to jump off boats, go into water and
14 clean the wetlands and waters and stuff. It's
15 horrendous.

16 The other thing was, I helped Nassau
17 County in Oceanside by Oceanside High School and
18 stuff. Kids are OD'ing every single day. They
19 need to speak about it more in our schools. We're
20 talking about 21 years old, but we have a very
21 big drug problem here. It's very scary what goes
22 on and the Nassau County Police Department not
23 helping the adults in Oceanside to get the drug
24 dealers off the streets. I had-

25 LEGISLATOR NICOLELLO: Alright, you're

1 done.

2 DOMENICA CALIFANO: Could I finish?

3 LEGISLATOR NICOLELLO: You can sum up,
4 and then you're done.

5 DOMENICA CALIFANO: You're good. By the
6 way, I just wanted everyone to know that what's
7 going on in the 4th Precinct of the Nassau County
8 is horrendous. There is bullying going on there.
9 Nassau County Jail, you're going there to visit
10 people, you're getting sexually harassed. The
11 inmate tells and puts a complaint in, they
12 retaliated against the inmate and had them on
13 lockdown. We are women in Nassau County. We're
14 going to the county jail to visit people and
15 stuff and we're getting sexually harassed-

16 LEGISLATOR NICOLELLO: Thank you very
17 much. Thank you for your comments. It's
18 appreciated.

19 DOMENICA CALIFANO: -maybe someone could
20 reach out to us and help us women out. Thank you.

21 LEGISLATOR NICOLELLO: Legislator
22 Solages, I think you had something you wanted to
23 say.

24 LEGISLATOR SOLAGES: I appreciate it. I
25 would like to follow up on the comments made by

1 Mr. McCloy. I find that your research, by the
2 way, has been much appreciated that you reached
3 this many universities to see what equation they
4 use and how much time should be allotted. How
5 much more time are you asking for on the yellow
6 lights? Is it just a second, or half a second?

7 JACK MCCLOY: I want the correct formula
8 to be applied to what the yellow light minimum
9 duration should be. And the reason I reached out
10 to professors at the universities I mentioned is
11 because the specific report that Mr. Lutz and Mr.
12 Arnold mentioned, report 731, report 731 of the
13 National Cooperative Highway Research Program
14 uses an incorrect formula to determine what the
15 yellow light minimum should be.

16 Let me point out that the yellow light
17 minimum depends on what traffic speed is in that
18 area and also whether it's on an incline or not.
19 My point is that because they use a formula that
20 is incorrect, the result is incorrect. I ask that
21 the proper formula be adopted, which is in the
22 details that I submitted to you, because we had
23 more time to discuss it, I'm willing to submit
24 that to any of you other legislators because the
25 formula that's being used is an incorrect

1 application to determine yellow light minimum
2 timing.

3 LEGISLATOR NICOLELLO: Mr. McCloy, you
4 can provide your findings to the clerk and
5 they'll distribute it to everybody else here. I'm
6 assuming you're giving it to the administration.

7 JACK MCCLOY: I will give the detailed
8 follow up material to everyone on the Legislature
9 as I already submitted to Mr. Solages. Thank you.

10 LEGISLATOR NICOLELLO: Thank you.

11 LEGISLATOR SOLAGES: Thank you Presiding
12 Officer.

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4 CERTIFICATION
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78 I, FRANK GRAY, a Notaty
9 Public in and for the State of New York,
10 do hereby certify:11 THAT the foregoing is a true and
12 accurate transcript of my stenographic
13 notes.14 IN THE WITNESS WHEREOF, I have
15 Hereunto set my hand this 11th day of
16 June 2018.
17
1819 -----
20 FRANK GRAY
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