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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

RICHARD NICOLELLO,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, November 19, 2018
1:33 P.M.

1

2 A P P E A R A N C E S:3 RICHARD NICOLELLO,
4 Presiding Officer5 HOWARD KOPEL,
6 Alternate Deputy Presiding Officer7 DENISE FORD, Alt. Deputy Presiding Officer
8 (Not Present)

9 STEVEN RHOADS

10 DEBRA MULE (Not Present)

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM (Not Present)

14 LAURA SCHAEFER

15 THOMAS MCKEVITT

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER (Not Present)

19 JOHN FERRETTI, JR.

20 JOSHUA LAFAZAN

21 ARNOLD DRUCKER

22 JAMES KENNEDY

23 DELIA DERIGGI-WHITTON

24 CARRIE SOLAGES

25 SIELA BYNOE

26 MICHAEL PULITZER,
27 Clerk of the Legislature

28

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2 CHAIRMAN NICOLELLO: I would
3 invite all legislators to the chamber so we
4 can begin our meeting. I would like to
5 welcome everyone to the meeting of the
6 Nassau County Legislature. Please all rise
7 and I ask Legislator Colonel Bill Gaylor to
8 please lead us in the Pledge.

9 (Whereupon, the Pledge of
10 Allegiance was recited.)

11 CHAIRMAN NICOLELLO: I'll ask our
12 clerk to read the roll.

13 CLERK PULITZER: Deputy Presiding
14 Officer Howard Kopel?

15 LEGISLATOR KOPEL: Here.

16 CLERK PULITZER: Alternate Deputy
17 Presiding Officer Denise Ford?

18 (No verbal response.)

19 Legislator Siela Bynoe?

20 LEGISLATOR BYNOE: Here.

21 CLERK PULITZER: Legislator
22 Carrie Solages?

23 LEGISLATOR SOLAGES: Here.

24 CLERK PULITZER: Legislator Debra
25 Mule?

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2 (No verbal response.)
3 C. William Gaylor the III?
4 LEGISLATOR GAYLOR: Present.
5 CLERK PULITZER: Legislator
6 Vincent Muscarella?
7 LEGISLATOR MUSCARELLA: Here.
8 CLERK PULITZER: Legislator Ellen
9 Birnbaum?
10 (No verbal response.)
11 CLERK PULITZER: Legislator Delia
12 DeRiggi-Whitton?
13 LEGISLATOR DERIGGI-WHITTON: Here.
14 CLERK PULITZER: Legislator James
15 Kennedy?
16 LEGISLATOR KENNEDY: Here.
17 CLERK PULITZER: Legislator
18 Thomas McKeivitt?
19 LEGISLATOR MCKEVITT: Here.
20 CLERK PULITZER: Legislator Laura
21 Schaefer?
22 LEGISLATOR SCHAEFER: Here.
23 CLERK PULITZER: Legislator John
24 Ferretti, Jr.?
25 LEGISLATOR FERRETTI: Here.

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2 CLERK PULITZER: Legislator
3 Arnold Drucker?
4 LEGISLATOR DRUCKER: Here.
5 CLERK PULITZER: Legislator Rose
6 Marie Walker?
7 (No verbal response.)
8 Legislator Joshua Lafazan?
9 LEGISLATOR LAFAZAN: Here.
10 CLERK PULITZER: Legislator
11 Steven Rhoads?
12 LEGISLATOR RHOADS: Present.
13 CLERK PULITZER: Minority Leader
14 Kevan Abrahams?
15 LEGISLATOR ABRAHAMS: Here.
16 CLERK PULITZER: Presiding
17 Officer Richard Nicolello?
18 CHAIRMAN NICOLELLO: Still here.
19 CLERK PULITZER: We have a
20 quorum.
21 CHAIRMAN NICOLELLO: Thank you
22 very much. We have several presentations to
23 make and then we will go to the public
24 comment portion of the meeting.
25 The first presentation will be

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2 our top cops for November and I would like
3 to invite up James McDermott, president of
4 the PBA and Commissioner Ryder as well,
5 Nassau County Police Department.

6 MR. MCDERMOTT: Good afternoon.
7 Thank you once again for honoring our top
8 cops. October 5th, Officer Casey Quinn of
9 the Eighth Precinct was working RFP 810
10 patrolling the Farmingdale area.
11 Approximately 1:05 p.m., he received a radio
12 assignment for a fraud complaint.

13 He interviewed the victim who
14 said she received a phone call from a female
15 claiming that her granddaughter, and a man
16 claiming to be a sergeant, had been arrested
17 in Haiti.

18 He told the victim that the
19 granddaughter would be released if they got
20 them \$9,000 in cash.

21 The elderly victim was legally
22 blind, had her neighbor bring her to the
23 bank to withdraw the money. She went home
24 and decided to call her granddaughter for
25 which she didn't answer.

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2 The granddaughter did eventually
3 call back and told her she was okay so she
4 called the Eighth Precinct.

5 Officer Quinn realized it wasn't
6 a typical phone scam and decided to set up
7 this Sergeant Bradshaw.

8 The victim called back and said
9 she had the money. She was instructed to
10 put the money into an envelope and put it
11 into the mailbox.

12 Officer Quinn waited inside and
13 while the unmarked unit was down the block,
14 the subject came to the house, removed the
15 envelope, and was subsequently arrested.

16 The subject was has been linked
17 to several other fraud cases county wide
18 being investigated by our detectives.

19 Due to Officer Quinn's quick
20 thinking, we are proud to name him
21 legislative top cop for November 2018.

22 COMMISSIONER RYDER: Officer
23 Quinn got three and a half years on. We
24 give out these intel bulletins and media
25 blitzes all the time educating our public

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2 and the elderly, especially to watch out for
3 these types of scams.

4 This is what you call thinking
5 out of the box. If he wasn't doing his job
6 that day, this individual might have paid
7 that price and lost that \$9,000 which is
8 crucial to their survival. He's done
9 outstanding work as well as the rest of the
10 Nassau County Police Department to continue
11 our young cops doing great work. Thank you.

12 OFFICER QUINN: I just want to
13 thank Commissioner Ryder and thank Ms. Sasha
14 Burn, and thank you for giving me all the
15 tools that I need to do what I did. Thank
16 you.

17 CHAIRMAN NICOLELLO: Legislator
18 Kennedy.

19 LEGISLATOR KENNEDY: Thank you,
20 Presiding Officer. First I would first like
21 to say thank you so much, Officer Quinn. We
22 have the greatest police officers right here
23 in Nassau County. This is another example
24 of just that.

25 We live in a time unfortunately

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2 that far too much of this goes on. We have
3 people out there who will pray on the
4 elderly or the vulnerable.

5 It wasn't too long ago that my
6 mother, who just turned 83, had a similar
7 phone call and I'm sure many can talk about
8 similar situations, these kinds of scams are
9 unfortunately too prevalent.

10 But thankfully we have men and
11 women in the Nassau County Police Department
12 like Officer Casey Quinn right here who step
13 up and take these low life criminals off the
14 street.

15 I can't thank you enough. I'm
16 honored to be here today to be able to
17 commend you. Thank you for everything that
18 you did on that day. Thank you for
19 everything that you do every day and all the
20 Nassau County Police Department as well.
21 Thank you so much.

22 OFFICER QUINN: Thank you.

23 CHAIRMAN NICOLELLO: I wanted to
24 add my thanks as well. You hear about this
25 particular scam so often that seniors and

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2 others get fooled into believing a relative
3 is in trouble in some far away land and ask
4 to wire money, et cetera. So many of them
5 fall for it unfortunately. It's refreshing
6 to see that you got one of these guys and
7 they're brought to justice. Great work. We
8 appreciate it. Thank you.

9 We will have a presentation up
10 here in a moment.

11 We also at this point are going
12 to bring up President John Wighaus from the
13 Detective's Association Inc., joined with
14 our Commissioner who is here already.

15 MR. WIGHAUS: Good afternoon. I
16 would like to thank Presiding Officer
17 Nicolello, Minority Leader Abrahams, and the
18 Full Legislative Body for honoring our
19 detectives from the Special Victims Unit
20 today.

21 Today we have with us Detective
22 Sergeant Carlo Maltempi, Detective Paul
23 Giobana, Detective Kerry-Ann Hoover,
24 Detective Mike Campavene, Detective Alfredo
25 Rodriguez, Detective Louis Salazar,

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2 Detective Christian Napolitano Furro, and
3 Detective Antonios Ramos.

4 On September 28, 2018 a 36 year
5 old female, while walking home in Freeport,
6 was followed by a sexual predator. The
7 subject, a stranger to the female, grabbed
8 her from behind and began to brutally attack
9 her. She was physically and sexually
10 assaulted for over one hour which was
11 captured on a video surveillance.

12 Special victims detectives were
13 notified and immediately initiated an
14 investigation into this horrific attack.
15 Every detective of special victims squad was
16 involved in this investigation.

17 The investigation was very
18 complex and the detectives were able to
19 identify a subject.

20 On October 5th, 2018, the
21 subject, a 24 year old male, was located and
22 placed under arrest in Suffolk County by the
23 special victims squad detectives and
24 transported back to Nassau County for arrest
25 processing.

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2 It was discovered during the
3 arrest that the defendant was planning on
4 fleeing back to his country in El Salvador
5 later that day. The defendant was charged
6 with two counts of rape first degree, two
7 counts of sexual abuse first degree, and
8 assault second degree.

9 I, along with the entire
10 Detective's Association, would like to thank
11 the Full Legislative Body for your continued
12 support of the Nassau County Police
13 Department and the Detective's Division.
14 Thank you.

15 COMMISSIONER RYDER: Detective
16 Wighaus is a little modest. This was a
17 brutal attack, a brutal attack. I spoke to
18 many of you that night when this occurred,
19 what was going down. These detectives and
20 you're going to hear the same tune,
21 detective, detective, detective, these
22 detectives took this case and treated it
23 like their own daughter, their own mother.
24 They pursued it and went after work with the
25 airport, before the individual did get on a

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2 plane, working our detectives working in the
3 airport, with his, and working with our
4 detectives that work in the HSI group out
5 here in Long Island.

6 The individual was undocumented
7 and was going back and it was the great work
8 of the detectives that gave closure to that
9 family. Again, in my 36 years, it was one
10 of the most brutal attacks I have ever seen.

11 I can't commend these guys
12 enough. They go day in and day out, look at
13 all these special victims which are the
14 hardest to do, hardest to look at those
15 videos and photos and speaking with those
16 victims. They will live with this victim
17 and their family for the rest of their
18 careers as they hear constantly reaching out
19 on the anniversary to make sure that they
20 let them know that we are still watching,
21 still looking out for them, and if there's
22 anything that they need. That's who the
23 Nassau County detectives are and I'm very
24 proud of all of them. Thank you.

25 SERGEANT MALTEMPI: Good

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2 afternoon. On behalf of the special victims
3 squad, we are pleased, honored, and humbled
4 to be recognized by the Nassau County
5 Legislature.

6 Thank you to each one of you and
7 to the president of the DAI, John Wighaus,
8 and his executive board for nominating us.

9 We would also like to acknowledge
10 the ongoing support and assistance we
11 received from the Commissioner of police,
12 Patrick Ryder, chief of detectives, Neil
13 Deloggi, chief of department, Steven Palmer,
14 the Nassau County Police Department, the
15 District Attorney's Office, special victims
16 bureau, the Safe Center, and all our other
17 multi disciplinary partners that we work
18 with each and every day.

19 I'm proud and honored to be part
20 of a squad of individuals that are
21 dedicated, passionate, and professional.

22 Detectives assigned to the Nassau
23 County Police Department special victims
24 squad has successfully investigated many
25 serious crimes involving adults and children

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2 that were sexually and physically abused,
3 exploited and trafficked. As a result of
4 their diligent dedicated efforts and
5 expertise in these sensitive investigations,
6 many sexual predators have been successfully
7 apprehended and prosecuted which has helped
8 to keep the residents of Nassau County safe.

9 Once again, a sincere thank you
10 to each and every one of you. Thank you for
11 your ongoing support and everybody that's
12 here to support us. Thank you.

13 CHAIRMAN NICOLELLO: Legislator
14 Rhoads and Minority Leader Abrahams would
15 like to say a few words.

16 LEGISLATOR RHOADS: Thank you
17 very much, Presiding Officer. I cannot tell
18 you how incredibly proud I am as a
19 legislator representing part of the Freeport
20 community in your quick action and the work
21 that you did to apprehend this predator.

22 There are a variety of crimes
23 committed over the course of a day but I
24 don't know if there is any more violent, or
25 more disgusting, or any more disturbing

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2 crime than a sexual assault. Even in the
3 case of a homicide. At the conclusion of a
4 homicide, the victim doesn't have to live
5 with the pain every single day of what
6 occurred to them. That's something that
7 that victim is going to remember for the
8 rest of their lives.

9 The fact that you were able to
10 bring closure so quickly and apprehend the
11 perpetrator was absolutely astounding and is
12 the finest example of good police work that
13 I think you can possibly see.

14 I want to thank you on behalf --
15 Kevan and I are going to join in thanking ou
16 on behalf of the residents of Freeport that
17 took this individual off the streets, but I
18 want to thank you on behalf of all Nassau
19 County residents. The work that you do day
20 in and day out, keeping us safe, we can't
21 give you enough thanks for that.

22 What you did was the coincidence
23 that he was able to flee the country and
24 escape justice, makes your work even that
25 much more impressive. The fact that you had

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2 him in custody within just about a week of
3 that crime having been committed basically
4 with nothing other than a video and some
5 victim interviews to work off of.
6 Absolutely astounding police work.
7 Congratulations to each and every one of you
8 and thank you.

9 LEGISLATOR ABRAHAMS: I just
10 wanted to concur with Legislator Rhoads and
11 also, as you know, this incident occurred in
12 Legislator Mule's district, and I have
13 spoken to her and she shares the same
14 sentiments that Legislator Rhoads speaks
15 about and I will speak about.

16 I know you thanked us for trying
17 to provide as much resources to you, but
18 it's your diligence, it's your devotion to
19 giving closure and being able to stare the
20 families in the eye and tell them you did
21 everything you could. I'm proud of every
22 one in your department.

23 I spoke to John about this a
24 couple of weeks ago. Obviously I wanted to
25 rush out and thank you that moment. I live

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2 in Freeport. I have a daughter, obviously
3 my wife, my mother-in-law lives with us. I
4 can tell you that it was a scary time for us
5 for a period of time knowing that somebody
6 like that was on the loose.

7 Because of your hard work and
8 your diligence and your devotion obviously
9 to bring closure to this family, but also to
10 Nassau County and the larger Freeport
11 community safe, you were able to bring him
12 to justice and justice he will get.

13 So, from that standpoint, I want
14 to continue to thank you, thank the members
15 of your department, I want to thank the
16 Commissioner.

17 This was something that I
18 appreciate your swiftness, your devotion,
19 the resolve of this matter in getting this
20 horrible criminal off the street. Thank you
21 again.

22 CHAIRMAN NICOLELLO: I would
23 invite our top cops to the dais for a
24 presentation, please.

25 (Presentation to top cops.)

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2 CHAIRMAN NICOLELLO: We have one
3 more presentation to go and I would like to
4 invite up Deputy County Executive Brian
5 Schneider for the purposes of recognition.

6 MR. SCHNEIDER: Brian Schneider,
7 Deputy County Executive Department of
8 Public Works. Good afternoon. I would like
9 to thank the Legislature for allowing me
10 this the opportunity to make a very short
11 presentation.

12 On October 25th at 12:25 in the
13 afternoon, a gentleman who was swimming at
14 the pool, the aquatic center at Eisenhower
15 Park, pulled himself out of the water in
16 front of the lifeguard office. He was
17 obviously distressed and immediately went
18 into full cardiac arrest.

19 The lifeguard team noticed this
20 and came to his aid very, very quickly and
21 they worked to conduct CPR, rescue
22 breathing, and eventually utilizing AED to
23 shock the gentleman and revive him.

24 By the time the EMTs arrived he
25 was conscious and breathing on his own.

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2 As first responders they will
3 tell you they were just doing their jobs.
4 But it should be very important to recognize
5 these unsung heroes for the critical roles
6 they play in protecting the health and
7 safety of our residents time and time again.

8 I'm joined this afternoon by the
9 Commissioner of the Department of Parks,
10 Recreation and Museum, Eileen Krieb; Shawn
11 McBride, Deputy Commissioner for Parks, and
12 also Lisa Dennis who is the lifeguard
13 coordinator.

14 At this time I would like to
15 present citations to the five lifeguards who
16 played such a crucial role in making this
17 Thanksgiving a very happy one for this
18 gentleman and his family.

19 Mr. Hota really wanted to be here
20 today. He's actually traveling in
21 Connecticut but he wanted me to inform you
22 all that he has made a full and complete
23 recovery.

24 The lifeguards behind me are John
25 Gillin, Gail Fitzpatrick, Collin Horace,

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2 Michael Gay, and Quinn Dennis. I wanted to
3 thank them for everything that they do.

4 MR. GILLIN: It's my pleasure to
5 work for the Nassau County Parks and
6 Recreation Center. I've had many long years
7 of working with the parks and hope to
8 continue. Thank you.

9 CHAIRMAN NICOLELLO: Brian, thank
10 you for bringing this to our attention and
11 to the presentation on behalf of the County
12 Executive.

13 Obviously these lifeguards put in
14 a tremendous amount of time of their own
15 time to train, to be certified, to know
16 exactly what to do in an emergency and it
17 really paid off in saving this gentleman's
18 life. So thank you for all you are doing
19 for keeping our residents safe.

20 MR. SCHNEIDER: Thank you very
21 much.

22 CHAIRMAN NICOLELLO: We are going
23 to move to public comment. I have a large
24 number of slips for public comment today.

25 I would ask that each speaker try

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2 to stay within the three minute limit so we
3 can get as many done as we can before the
4 Legislative meeting as possible.

5 We usually do an half an hour but
6 it will probably take a little longer. We
7 will try to get everybody in before the
8 meeting, but, again, it helps when we stay
9 within the limits. Is James McDermott here?
10 He is outside. I will call him back.

11 MR. MCDERMOTT: I apologize. I
12 was outside with the top cops. Over the
13 past years, the department has seen a
14 drastic decline in the number of crossing
15 guards.

16 When a crossing goes uncovered by
17 a county guard, the individual precinct must
18 assign a police officer to cover that
19 crossing. Once on the crossing, the officer
20 must stay at the crossing until completion.
21 This is usually around an hour. The
22 crossings are done both in the morning and
23 afternoon. Like I said, during that time,
24 they are bound to that crossing.

25 In the First, Third, and the

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2 Fifth Precincts, they have seen a drastic
3 decline in crossing that must be covered.
4 These precincts have anywhere from ten to 18
5 patrol vehicles and respective officers that
6 are unavailable for their primary patrol
7 functions during those crossing hours.

8 This is 75 percent of the
9 precinct's available cars. Be will be on
10 crossing for an hour in the morning and an
11 hour in the afternoon. Like I said, they
12 are bound to the crossing so they are unable
13 to respond to any kind of assignments.

14 I will give you a couple of
15 recent examples. On Halloween, the Fifth
16 Precinct, around 3 p.m. in the afternoon,
17 there were 15 cars out on crossing out of
18 the 21 cars that are available for
19 assignment.

20 On Dutch Broadway and Elmont Road
21 in Elmont, there was a four car auto
22 accident with four cars with an overturned
23 vehicle. There were many people injured and
24 four kids hurt and a couple of unconscious
25 people. This created an unacceptable and

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2 dangerous response time.

3 It was a huge traffic issue. We
4 had trouble getting officers in and out of
5 the area. These officers came from the
6 Third and Fourth Precinct because there was
7 nobody available in the Fifth Precinct to
8 handle this terrible incident.

9 On November 8th of this year, in
10 the First Precinct, at about 3 o'clock in
11 the afternoon, a bicyclist was struck on
12 Northern Boulevard and Eastern Parkway in
13 Baldwin Harbor during a busy day shift.

14 At this time, the normal course
15 of business, 15 cars were out of service on
16 crossings.

17 It took nearly ten minutes for
18 the nearest police car to arrive to
19 Uniondale because of all the cars that were
20 out on crossings. Coincidentally, car 122
21 was out of service and down the street from
22 this bicyclist that was struck.

23 He was able to even see the
24 incident and this guy felt so bad he
25 couldn't move because he's bound to that

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2 crossing that he went over the radio and
3 said, I can see what is happening, I can see
4 what is going on, but I'm on a crossing I
5 can't respond.

6 The county's inability to
7 properly staff this position of crossing
8 guards has caused many precincts to be
9 routinely down nearly half of their normal
10 cars during the school hours.

11 This is becoming a crisis and is
12 negatively affecting public service in our
13 communities.

14 I know I only brought up two
15 incidents, that was within the last couple
16 of weeks. This is something that happens
17 every day and it's at a critical point right
18 now.

19 You got the police officers
20 coming in, you got the detectives. We're
21 describing all this great police work that
22 we're doing. Can you imagine if we are
23 fully staffed and we have cops doing their
24 jobs 24/7 instead of being held out on
25 crossings. This is something -- I'm not

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2 coming here with a solution but this is
3 something that we need to fix and fix it as
4 soon as possible before something terrible
5 happens. Thank you for your time.

6 CHAIRMAN NICOLELLO: Thank you
7 very much. Unfortunately, our Alternate
8 Deputy Presiding Officer, she could not be
9 here. She was scheduled to be here but we
10 had moved the meetings from the 12th to the
11 19th.

12 This is a major issue she's been
13 advocating on for months, if not longer than
14 that.

15 We have to do something to
16 attract more crossing guards; whether it's
17 changing the work rules, extending the day
18 or whatever it is, this is an unacceptable
19 situation.

20 You cannot tie up police so they
21 can't go across town or several blocks
22 because they have to stay at a location when
23 there should be crossing guards there.

24 Minority Leader.

25 LEGISLATOR ABRAHAMS: Real quick,

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2 Jimmy. I remember there was some discussion
3 in the past about some of the impediment
4 being tied to civil service in terms of
5 getting people hired as quick as possible.
6 Is that still your understanding?

7 MR. MCDERMOTT: From my
8 understanding, it's recruitment and
9 retention. Tough time recruiting. Benefits
10 went away from the part-time crossing guard.
11 I don't know if Jerry Laricchiuta is going
12 to be here, he can speak about his contract,
13 I can't.

14 It's not the package that it once
15 was for the crossing guards. So you having
16 trouble getting crossing guards, and
17 retaining them.

18 A lot of time you'll have a
19 crossing guard that lives in Massapequa and
20 he or she has to go to Elmont or Woodmere to
21 cross and they have a morning and afternoon
22 crossing.

23 So for the money they make, and
24 without a benefit package, it's tough.
25 Again, this is something that's going to

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2 have to be worked out with the CSEA, but
3 it's really affecting the police work that
4 we do.

5 I don't think -- I see the brass
6 on my job left, but I don't know think Pat
7 Ryder or any of the chiefs on the job would
8 argue at this point one bit.

9 LEGISLATOR ABRAHAMS: Thank you.

10 CHAIRMAN NICOLELLO: Thank again.
11 Joanne Borden.

12 MS. BORDEN: Joanne Borden, North
13 Woodmere. Good afternoon.

14 This Legislature has been
15 separating me and all transgender people
16 from the rights guaranteed by our
17 Constitution.

18 Our Constitution guarantees equal
19 protection of the law to all people. Since
20 you exclude mention of transgender and
21 gender expansive people from the list of
22 those protected by the Human Rights Law, you
23 automatically exclude us and make us
24 vulnerable to harmful discrimination in
25 employment, housing and public

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2 accommodations when experience proves we are
3 good employees, good tenants, and good
4 customers.

5 Many people don't know us because
6 we feel compelled to hide in the closet. We
7 must hide because your inaction demonstrates
8 an opposition to an inclusive just and
9 compassionate America.

10 For all of us, for all people.
11 If you did, you would pass an inclusive law
12 protecting all people and abandon your
13 exclusive law that protects only those
14 people listed.

15 Your inaction defies your
16 Republican party oath to extend human rights
17 throughout the world. You make your oath a
18 mockery. The history of implementing
19 liberty and justice for all to gender
20 expansive people since 1993 proves
21 transgender inclusive human rights to over
22 180 million people over half the US
23 population did not cause a noticeable change
24 in voting and cause zero attacks on women
25 and girls.

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2 Instead, it emphasizes your
3 belief in American principles. Over three
4 quarters of our population favors your
5 including us in the protection of the law.

6 Don't wait to be forced into a
7 state law which will surely be passed next
8 year by a Democratic senate. Be your own
9 judge. Show the people that you agree with
10 the Lord God that urges us to judge people
11 by what is beneath the surface. Samuel 167,
12 John 724 and the Quran.

13 So I ask you to include
14 transgender and the gender expansive people
15 in Nassau's protection from harmful
16 discrimination. Thank you for listening.

17 LEGISLATOR KOPEL: Next will be
18 Jay Peltz.

19 MS. BORDEN: One other thing, I'm
20 going to give you a Christmas present again
21 by not coming to holler at you next month.

22 MR. PELTZ: Thank you for the
23 opportunity to speak to the Legislature
24 today regarding plastic bag legislation
25 introduced by Legislator Mule.

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2 My name is Jay Peltz, I'm the
3 general counsel and senior vice president of
4 government relations for the Food Industry
5 Alliance New York.

6 FIA a non profit trade
7 association that advocates on behalf of
8 grocery, drug and convenience stores
9 throughout the state including in Nassau
10 County.

11 We support Legislator Mule's
12 thoughtful bill. The legislator is modeled
13 on Suffolk County's plastic bag law which
14 mandates a minimum fee of a nickel on
15 plastic and paper bags.

16 FIA member data reveals that from
17 January 1, 2018, implementation date of the
18 Suffolk law, through June 30, 2018, plastic
19 bag distribution declined an average of 81
20 percent while paper bag distribution
21 decreased an average of 83 percent.

22 Significant reductions in plastic
23 and paper bag use provide a big double win
24 for the environment.

25 A major reason for the striking

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2 success is that the Suffolk law is a result
3 of the collaborative effort between
4 stakeholders.

5 FIA and environmental groups work
6 together to cause a law to be enacted.
7 Environmentalists, county officials,
8 organized labor, and FIA are facilitating
9 implementation of the law by participating
10 in a plastic bag working group. The results
11 of this collaboration have been striking as
12 noted above.

13 Accordingly, we respectfully
14 request that this Legislature consider and
15 adopt Legislator Mule's consensus
16 legislation. Thank you for your
17 consideration of our position.

18 LEGISLATOR DERIGGI-WHITTON: Is
19 it true that the stores charge for plastic
20 bags now?

21 MR. PELTZ: In Suffolk.

22 LEGISLATOR DERIGGI-WHITTON: What
23 about in Nassau County?

24 MR. PELTZ: To my knowledge, no.

25 LEGISLATOR DERIGGI-WHITTON:

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2 There is to expense at the supermarkets for
3 a plastic bag?

4 MR. PELTZ: To my knowledge,
5 there are no grocery stores in Nassau County
6 that are voluntarily choosing to impose it.

7 LEGISLATOR DERIGGI-WHITTON: I
8 thought there was a fee that is just built
9 into your bill.

10 MR. PELTZ: Well, it's not the
11 case that every cost, every penny of every
12 expense is passed through the customers. If
13 that were the case, then no business would
14 ever go out of business. It's a cost
15 accounting issue as to what gets passed
16 through and what doesn't.

17 LEGISLATOR DERIGGI-WHITTON: I
18 heard the theory there is a penny cost per
19 plastic bag in your checkout. What I'm
20 saying is, if we are being charged for it
21 already, I would think doing this would make
22 sense.

23 MR. PELTZ: Well, prices are
24 based on cost of goods, and costs of goods
25 varies by item. It's not like we sit down

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2 and say, here's the cost of goods for a can
3 of tuna and now we're going to slap on a
4 penny because of the plastic bag. It just
5 doesn't work that way. It's based on the
6 market which competitors are charging what
7 the cost of goods are.

8 Now with all this new competition
9 from Walmart to internet to organics,
10 traditional grocers have less of an ability
11 to pass cost through not more.

12 LEGISLATOR DRUCKER: Can you tell
13 us what the supermarkets do with the
14 revenue?

15 MR. PELTZ: In Suffolk County
16 they are putting a lot of the money into
17 reasonable bag discounts and give aways.

18 So last January there is one
19 operator out there who sold over 90,000
20 reusable bags in one month by doing a buy
21 one get two free promotional campaign for
22 two weeks and buy one get one free.

23 The losses on those sales would
24 triple the amount of nickels that were taken
25 in.

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2 LEGISLATOR DRUCKER: Is there any
3 mechanism theoretically or otherwise to get
4 the municipality or the county in Suffolk,
5 and presumably Nassau, to share in any of
6 that revenue?

7 MR. PELTZ: It would have -- you
8 would have to get a state enabling law
9 enacted that would authorize the county to
10 implement a tax.

11 LEGISLATOR DRUCKER: It would
12 have to be construed as a tax?

13 MR. PELTZ: Correct. If a
14 municipality were directing use of proceeds,
15 in effect it would be a tax, which couldn't
16 be done without the state.

17 LEGISLATOR DRUCKER: Thank you
18 very much.

19 MR. PELTZ: You're welcome.
20 Anybody else?

21 CHAIRMAN NICOLELLO: Thank you,
22 Mr. Peltz. Joseph Brown.

23 MR. BROWN: Good afternoon. My
24 name is Joseph Brown and I'm the senior vice
25 president, chief merchandising officer for

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2 King Kullen grocery.

3 Not to speak too much of what Jay
4 had just spoken to, but I'm here to speak in
5 support of Legislator Mule's bag bill
6 mirroring the Suffolk County law requiring
7 the five cents fee on single use plastic and
8 paper bag.

9 Since the implementation of the
10 Suffolk law, King Kullen has experienced an
11 80 percent reduction of plastic and paper
12 usage. It was a relatively problem free
13 transition. The reduction was immediate.

14 Consumer push back was minimal
15 and in most circumstances it was due to lack
16 of awareness, and the paper and plastic
17 continue to decline in usage.

18 In light of the above, King
19 Kullen respectfully requests that this
20 Legislature consider and adopt Legislator
21 Mule's plastic bag legislation. Thank you.

22 CHAIRMAN NICOLELLO: Thank you,
23 Mr brown. Joanne Moore.

24 MS. MOORE: Thank you. I'm from
25 All Our Energy and I live in Long Beach. I

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2 just want to tell you first that I saw a
3 commercial the other day. I found myself
4 kind of looking at Ray Liota. He was acting
5 very tough and macho saying how he tried to
6 give up smoking cigarettes and how he took
7 this pill and the craving went away.

8 But I want to tell you, that in
9 the next scene he is walking down this
10 pretty woodsy path, he's relaxed and
11 smiling, and he's carrying not one, but two
12 cotton canvass re-usable bags. This is the
13 new normal.

14 Plastic bags used to be
15 considered a litter problem, a nuance, but
16 not a menace. We now know that plastic is
17 far more pervasive and sinister than most
18 people had ever imagined.

19 As a 501C3 non-profit, All Our
20 Energy does a lot of education to the
21 public. We show films and host talks about
22 plastic pollution in the environment. We do
23 beach cleanups. We table. We petition. We
24 talk to a lot of people.

25 We find that many people do not

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2 know that plastic bags are made from fossil
3 fuels. They may not know that like all
4 plastic, the bags degrade into tiny bits of
5 plastic in the ocean and that, along with
6 other plastics, is mistaken by fish as food.

7 Most people do not know that the
8 recycling of plastic bags is done in China
9 and other overseas countries. They do not
10 know it is a very dirty toxic poorly
11 controlled process. They do not know that
12 China no longer wants to take our plastic
13 waste.

14 Most people do not know that
15 paper is not the answer. They do not know
16 that it is too expensive and therefore not
17 an alternative to single use disposable
18 plastic.

19 However, they all know that
20 plastic bags entangle birds and sea animals.
21 That bags are mistaken for food by whales,
22 porpoises and turtles and that that these
23 animals are killed by the plastic bags.

24 Most people are aware that the
25 simple act of bringing your own reusable bag

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2 when you shop can have a real impact on the
3 environment.

4 But they do acknowledge they need
5 an insensitive in order to make the change
6 to re-usable bags. They are expecting
7 Nassau County Legislature to do this.

8 In fact, some of the people we
9 speak to actually think that there is a law
10 that was passed to be effective January 1st,
11 that it's already been done, and of course
12 we tell them that's not so.

13 So we feel this is really the
14 time, the public is really aware, this is
15 really the new normal, you bring your own
16 re-usable bag. I hope you can make this a
17 reality.

18 CHAIRMAN NICOLELLO: Thank you,
19 Ms. Moore. Matt Gove.

20 MR. GOVE: I'm Matt Gove from
21 Surf Rider Foundation. We have a bunch of
22 members and a chapter in Long Beach.

23 Our members in Long Beach realize
24 the connection between the economy there and
25 a clean beach and clean waters.

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2 Without the beach being clean and
3 the waters being not polluted, Long Beach
4 really would suffer. So they want to get
5 these bags off the beach, out of the water,
6 out of our seafood, all of that.

7 I was in Washington D.C. a few
8 months ago getting some groceries at The
9 Safe Way, I realized I was the odd man out
10 in the line. Everybody in the line had
11 reusable bags.

12 I ended up stuffing my groceries
13 in my suitcase. But it dawned on me because
14 they passed a bag fee rule about ten years
15 ago and it's totally normal down there.
16 There were no bag riots that I know of and
17 stores didn't go out of business. It's
18 every day at the grocery store, they bring
19 their bags. They figured it out.

20 We really would like to have a
21 public hearing on this issue. Hear what
22 people have to say. A lot of people can't
23 be here for this time of day, do something
24 at night that would really help our members
25 come out and tell you what they think, and

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2 how they really enjoy the new law in Long
3 Beach.

4 I think this is an issue that
5 shows what government is for really. This
6 is a problem. There's bags all over the
7 place littering. There is a solution. You
8 guys can be that solution and it's not
9 something that an individual can do and fix,
10 one business can't fix. There needs to be a
11 level playing field. So we ask you to bring
12 that level playing field to Nassau County.
13 And thank you for your time.

14 CHAIRMAN NICOLELLO: Thank you,
15 Mr. Gove. Martin Blum.

16 MR. BLUM: Martin Blum, Board of
17 Directors of office of the Youth Services.

18 MR. MADDIN: Charles Maddin,
19 Nassau County Youth Board Office of Youth
20 Services.

21 MR. BLUM: Members of the
22 Legislature, Honorable Mr. Nicolello
23 Mr. Abrahams, my name is Marty Blum. I'm
24 the chairperson for the Board of Directors
25 of Nassau County Youth Board. It's been my

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2 privilege to be a member of that board over
3 the past eight years.

4 It's been an honor to assist
5 Nassau County in the helping of youth and
6 families work with our 36 contracted
7 agencies.

8 Interestingly enough, on your
9 agenda, ladies an gentleman, you have after
10 item 43, Resolution 43, a number of
11 particulars pertaining to the budget
12 manipulation affecting our agencies and this
13 has been done on a continual basis.

14 I invite your inquiries, perhaps
15 I can help you in understanding why you have
16 all of these particular amendments after
17 Item 43.

18 In think about thinking about my
19 remarks, I had to reflect on a lifetime of
20 professional involvement and personal
21 involvement in education of families
22 inherent in such involvement.

23 It never seems to amaze me all
24 those years about the many community, state,
25 city officials who would promised resources

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2 and support the families and children but
3 not deliver on their promises.

4 Budget crises resulted in even
5 less resources and support. I'm 100 percent
6 positive that every one in this room has had
7 a raise in pay over the last ten years.

8 The county budget for our 36
9 contracted agencies that service 50,000
10 children and families has not increased for
11 ten years.

12 In those years, ladies and
13 gentlemen, the county has changed with an
14 increase in population, demographics, gang
15 violence. In fact, the support staff of the
16 Office of Youth Services in 2012, it used to
17 have 12 professionals helping the agencies.
18 In 2012, it was cut to 1.5. One and a half
19 people.

20 Two years ago it was increased to
21 two and a half people, including the
22 executive director. Once you -- I want you
23 to get an idea of the numbers we are talking
24 about here.

25 We service 36 contracted agencies

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2 serving 50,000 kids and families. Two
3 months ago, Long Island suffered the
4 terrible death of Evelyn Rodriguez who was a
5 relentless warrior for crusading against
6 gangs after her daughter's tragic murder.
7 She urged support and budget increases for
8 youth programs.

9 The Board of Directors of which I
10 am proud to be chair, on October 16th voted
11 unanimously to request an increase in
12 funding for the first time in ten years to
13 the fee of \$600,000 in fiscal 2020.

14 We understand new administration
15 you've cut a new budget for 2019. We are
16 talking about projecting for the first time
17 in ten years an increase to 36 contracted
18 agencies, and as I said you have a
19 manipulation and amendments on your agenda
20 here.

21 Why our 36 youth agencies are the
22 last to be taken care of; the easiest to not
23 fund? It's ten years.

24 Last year, as I said, I don't
25 want to be redundant regarding the numbers.

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2 Why aren't our families and the structures
3 that serve them supported by the good will
4 of the people who are elected to serve our
5 county?

6 I will tell you the response made
7 by one the members of my board. Marty, they
8 don't vote. The kids, that is. Ten years,
9 no increases, almost all the staff
10 eliminated.

11 No one has been able to explain
12 this to me. You think I'm angry? Yeah.
13 You think I'm upset? Yeah, I am. Perhaps
14 someone on the dais can explain to me why
15 this has been allowed to occur for ten
16 years.

17 Mr. Nanton, just as an aside, who
18 is an unbelievable worker for youth in our
19 county, has been a member of the board for
20 20 years, retired NYPD detective, and we
21 have coalition members sitting here, members
22 of the Board of Directors sitting here,
23 we're talking to you because you make the
24 laws, pass the budgets.

25 We are aware of the difficulties

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2 of the budgets. We have had these
3 discussion multitudes of times. But ten
4 years? No staffing?

5 CHAIRMAN NICOLELLO: Mr. Blum,
6 I'm sure you're aware of the county's budget
7 cycle. We just passed a budget. You are
8 here making these representations and making
9 these arguments, all well founded, but the
10 budget was just passed. We had public
11 hearings, public meetings all throughout the
12 year. You are coming to us after the budget
13 is passed?

14 If you are going to be advocating
15 I think it's better you do it before the
16 budget gets passed and we can make changes.

17 MR. BLUM: I'm advocating for
18 2020 because with the new administration
19 coming in, and the particular changes
20 initiated by the new administration, we
21 quite frankly didn't want to compound the
22 difficulties of an outgoing administration
23 with a new administration coming in.

24 The particular amendments on your
25 to do list today reflects the difficulties

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2 that were handled in December of 2017 with
3 the manipulations of the youth board budgets
4 and the cut to 75 percent.

5 The residual monies in here are
6 the other 25 percent that are being
7 allocated for fiscal 2018.

8 I'm very well versed with the way
9 the system works. That's why I'm here
10 proposing for 2020 to set it up in advance,
11 due diligence, setting it on the table so
12 that we deal with the issue.

13 CHAIRMAN NICOLELLO: We would
14 invite you to return in September and
15 October and certainly something that we will
16 consider from our end depending on what the
17 County Executive's budget is, if there are
18 any changes. We may have to consider that
19 by amendment. But we appreciate your
20 advocacy and invite you back.

21 MR. BLUM: I thank you very much
22 for your time and your patience. If you
23 feel my fire, I apologize. Mr. Nanton has
24 been here for many years watching all of
25 this and he represents a lot of youth

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2 programs in western Nassau for many years as
3 well as some of the good people here who
4 work in the trenches on behalf of our family
5 and children. Thank you very much.

6 CHAIRMAN NICOLELLO: Thank you
7 again, Mr. Blum.

8 MR. NANTON: Good afternoon,
9 ladies and gentlemen. My name is Charles
10 Nanton. I'm retired policeman for 32 years
11 and I made working with youth my life's
12 work. Since I have retired, I became the
13 chairman of the Lake for Youth Federation,
14 50C organization completely staffed with
15 volunteers. We service the area of school
16 district 12 which is compromised Malverne,
17 Lynbrook and Lakeview respectfully.

18 Some of the programs we provided
19 for the county and all the youth of Long
20 Island, some of you have attended that.

21 One of them was the 25 year
22 program at Nassau Community College which is
23 called the friendship games which is
24 dedicated and run from our late partner,
25 Cobert Britt, Junior.

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2 Recently, in school district 12
3 we dedicated the field to him, in honor of
4 him. We started this program 25 years ago.
5 Unfortunately we couldn't continue.

6 But, my organization is a group
7 of volunteers. We don't ask for much but we
8 deliver. We've done that over the last
9 years. I'm the assistant head coach of
10 Malverne High School in football, also was
11 at one time assistant tennis coach. But I
12 take the time out of my life to do this
13 because I have made youth my life's work, as
14 I said before.

15 I'm 87 years old going on 88. I
16 think I been the longest member of the
17 Nassau County Youth Board, without bragging
18 about anything. But I'm going to continue
19 to work as long as I live and God let's me
20 live.

21 I would like to say to every one
22 here, the work and commitment to youth is
23 very vital in today's society. You see all
24 the problems we have all over the world, all
25 over the United States.

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2 But, in all of this, there's one
3 thing that we always say at LWF, a
4 commitment to youth to ensure a better
5 tomorrow. That's what I'm going to continue
6 to do as long as I work with Chairman Blum
7 and the rest of our colleagues in the
8 audience here.

9 I urge you to please give us help
10 and to what you have to do. We understand
11 budget considerations, but this is vital,
12 our youth are very vital. We ask a lot of
13 them. They serve our country. They do a
14 lot of things. So this I feel is an urgent
15 matter.

16 So thank you very much. I
17 respect your time. Thank you.

18 CHAIRMAN NICOLELLO: Thank you,
19 Mr. Nanton and Mr. Bloom and thank you for
20 your service to the youth in our county.

21 The next speaker is Hanna. I do
22 not have your last name correctly. I will
23 let you tell us what it is.

24 MS. ROTH: My name is Hanna Roth
25 and I reside at 41 Barbie Road in Port

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2 Washington, New York.

3 Good afternoon, members of the
4 Nassau County Legislature and thank you for
5 this important opportunity.

6 Our goal is to realize that
7 county wide a five cent fee on single use
8 plastic bags to incentivize reusables
9 producing the rapidly growing impact plastic
10 bags are having on the environment and human
11 health. We have broad support for this.

12 A report from the Ellen McArthur
13 Foundation and World Economics stated by the
14 year 2050 stated there will be more plastic
15 in the ocean than fish.

16 The research predicts that there
17 will be \$895 million tons of fish in the
18 ocean, however, there will be 937 million
19 tons of plastic.

20 As Newsday recently reported, our
21 ability to reduce this plastic through
22 recycling is being challenged because of
23 plummeting demand by China.

24 As a young adult, I can no longer
25 sit by and watch what is happening to our

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2 environment.

3 In 2050 I will be 49 years old.

4 The future is the world that I will raise my
5 children in and I don't want to explain to
6 them how I sat by and watched this demise.

7 This year I'm working for my Girl
8 Scout gold award in which I'm responding
9 away to decrease the plastic bags in my
10 community.

11 On April 28th, I participated in
12 Residents Forward Long Island Youths
13 Conference. There is a privilege of
14 learning about climate change and hearing
15 about several well known speakers, one of
16 whom was Doctor John Burn, a contributor to
17 the intergovernmental panel on climate
18 change which was awarded the 2007 Nobel
19 Peace prize.

20 Doctor Burn shared with us that
21 in order to create action it is necessary to
22 collect data, educate and raise awareness.

23 At the summit, we explored a
24 range of legislation to reduce plastics.
25 But it took local discussion and outreach to

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2 determine what makes the most sense for our
3 community.

4 I used Doctor John Burns' advice
5 and decided to take action. We gathered a
6 group of residents who were interested in
7 our project and we created a survey. This
8 survey asked many questions to find out how
9 our community feels about plastic bags and
10 their reactions to a fee versus a ban versus
11 doing nothing.

12 We collected responses at
13 community events, meetings, the train
14 station during rush hour, Stop and Shop as
15 well as through local newspapers, email and
16 social media.

17 The results were extremely clear
18 and pointed us towards the direction of a
19 fee. Currently there have been 473
20 responses. The survey results show that 99
21 percent of people express concern with the
22 amount of plastic in our environment and 93
23 percent of people aim to use more reusable
24 bags.

25 There was support for a fee over

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2 a ban. Next we held an educational event at
3 Stop and Shop in Port Washington where we
4 can gave out 2000 reusable bags that were
5 donated over 30 retail stores, big box to
6 mom and pops and local organizations. You
7 can see the signage to my left.

8 The responsive gratitude from the
9 community was overwhelming. The chamber of
10 commerce and the local landmark on Main
11 Street helped plan the event by setting up
12 donation boxes.

13 We also have studied impacts of
14 plastic bag legislation around the state and
15 beyond.

16 Before the five cent fee was
17 passed in Suffolk County, 71 percent of the
18 residents were using plastic bags and after
19 the fee was passed, only 30 percent were
20 using plastic bags.

21 In addition, according to the
22 EPA's 2009 --

23 CLERK PULITZER: Ma'am, your time
24 has expired.

25 MS. ROTH: I know you need to

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2 move on so I will submit my full statement.

3 CHAIRMAN NICOLELLO: You can sum
4 up.

5 MS. ROTH: I'm proud to live in
6 Nassau County. People don't want to sit
7 around and wait any longer to see what will
8 happen.

9 This has been a constant message
10 through my community and Thriving Seniors,
11 Amsterdam at Harborside, Party in the Park
12 which attracts young families and at my high
13 school environmental club which I'm
14 co-president of. Even my town supervisor,
15 Judy Bosworth, saluted me for bringing
16 awareness to this issue.

17 I'm glad to be part of a
18 generation that is proactive. Thank you for
19 the opportunity to not just talk about this
20 problem but do something.

21 We respectfully request that the
22 Nassau County Legislature advance the
23 legislation placing a five cent fee on
24 plastic bags for a vote. Thank you.

25 CHAIRMAN NICOLELLO: Ms. Roth, if

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2 you want to submit your comments to clerk,
3 they will make it part of the record.

4 LEGISLATOR DERIGGI-WHITTON: I
5 just want to say you have done an incredible
6 job and your energy I think is really what
7 we need right now and I'm really hopeful
8 this will happen.

9 You give us hope for the next
10 generation. I think you will be a lot
11 smarter than we were. Good luck and thank
12 you for everything.

13 CHAIRMAN NICOLELLO: Thank you.
14 Pete Gaffney.

15 MR. GAFFNEY: Good afternoon. My
16 name is Pete Gaffney, I'm a resident of
17 Westbury, Carle Place School District.
18 Happy Thanksgiving everybody. The holidays
19 are upon us.

20 My question is, is there a plan
21 in place to use traffic agents along the
22 retail hub on Old Country Road and Glen Cove
23 Road? Especially since there's insufficient
24 parking now in Roosevelt Field because
25 there's over 500 new parked cars in the back

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2 taking spaces away from shoppers.

3 There is no U-turn sign on Old
4 Country Road, no left turn signage. There's
5 one spot that has a block in the box.
6 There's nothing on Old County Road in the
7 intersection of Glen Cove Road plus other
8 intersections. It's going to be a traffic
9 nightmare.

10 I mean the secondary and tertiary
11 roads, they already have a failing grade. A
12 D-minus and Fs on all of them. It's only
13 going to become worse. Motorists are now
14 using Cherry Lane to bypass and cutting
15 through so they can get to the Meadowbrook
16 Parkway. We have seen a tremendous volume
17 of cars coming through our little roadways,
18 our little hamlet. Congestion is just
19 awful, it's only going to get worse.

20 And with all of that going on,
21 now factor in the third rail project. They
22 decided to start the project in Carle Place
23 over by the train station December 1st. So
24 just imagine having 15 to 25 construction
25 trucks, plus up to 75 workers working over

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2 there. There is no parking garage, it's
3 going to be horrendous. People are going to
4 be parking to try to shop. It's going to be
5 a two mile standstill, worse than the Long
6 Island Expressway.

7 One question, does Nassau County
8 have an MOU understanding with the LIRR,
9 MTA, and third track constructives? Do we?

10 CHAIRMAN NICOLELLO: They are
11 working together. I don't believe there's a
12 memorandum of understanding.

13 MR. GAFFNEY: With the county
14 there should be because they're going to be
15 on Nassau County roads.

16 CHAIRMAN NICOLELLO: We can check
17 and find out but I know they are working
18 together. I don't know if there is a
19 written agreement between the county and the
20 MTA.

21 MR. GAFFNEY: It's the next four
22 years. Thank you. I hope we can really do
23 it. And traffic agents would help also the
24 police with their problem as well. Maybe
25 even include Public Safety in this, all

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2 different angles to save money. Thank you.

3 CHAIRMAN NICOLELLO: Thank you,
4 Mr. Gaffney.

5 LEGISLATOR SCHAEFER: Mr.
6 Gaffney, I just wanted to let you know in
7 case you didn't hear about it, we do have a
8 hearing on the hub and the development open
9 to the public on the 27th of this month at 2
10 o'clock. So if you can make it down, please
11 do.

12 Those are all things, we have the
13 same questions. We are concerned as you are
14 about the traffic and what their plan is
15 going to be.

16 CHAIRMAN NICOLELLO: Mindy
17 Germane from the Residents Forward.

18 MS. GERMANE: Good afternoon.
19 Thank you for this opportunity. I reached
20 out to many of you, and before I get to the
21 plastic bag fee, I want to thank you all for
22 your support on protecting our groundwater.

23 Presiding Officer Richard
24 Nicolello, you have been a true leader in
25 this area, and I salute you as well as the

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2 entire body. We are fighting for data and
3 science and we will get there.

4 In terms of plastic bags, this
5 issue is a real dilemma. It deserves
6 conversation. Conversation was started this
7 work. We met with Presiding Officer Richard
8 Nicolello and he brought up some real
9 concerns. We want to start imposing fees on
10 our residents, should it be from the county?
11 That's why we are here. We want to continue
12 that conversation and we want to be able to
13 research this and provide the right solution
14 for Nassau County.

15 At Residents, we have undergone
16 as you heard from one of our students, a
17 youth climate summit.

18 One of our missions is to foster
19 a community that is both sustainable and
20 resilient. Within that, the issue of these
21 plastics that are permeating our environment
22 became a very central theme of our summit.

23 Over the summer, the students
24 took part in cleanups literally on the
25 water. They got on paddle boards with

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2 buckets and the big ah-ha moment was that it
3 wasn't bags they were picking up, it wasn't
4 bottles, tiny little pieces of plastic.

5 They were actually getting a
6 front row seat to how all this breaks down.
7 With that, they really wanted to look at
8 legislation and they looked at legislation
9 across the board. They realized you can go
10 the route of a fee, they can go the route of
11 a ban.

12 Then going back to what they
13 learned at the summit, they wanted to reach
14 out to the community.

15 One of the biggest insights that
16 we learned is that this isn't an issue that
17 is upsetting the environmentalists. This is
18 an issue that's affecting and resonating
19 with the broader community.

20 We were at the train station
21 talking to commuters, we were at the park
22 talking to young families, talking to
23 retailers and big box and mom and pops.

24 99 percent of the community that
25 we surveyed said that this is a real issue

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2 that we need to address.

3 Well, more than half supported a
4 fee and the ban. The fee was supported by
5 75 percent of our results.

6 So, for that reason, I will wrap
7 it up, is what we are asking for is let's
8 continue this conversation together of how
9 we can overcome the challenges, the
10 barriers, the perception of imposing fees
11 being a challenge.

12 Let's work together and let's
13 find the right solution for Nassau County.
14 Thank you.

15 CHAIRMAN NICOLELLO: Thank you
16 very much. Very kind of you to mention our
17 aquifers and what we have to do to protect
18 them. You have been very out in front about
19 that and getting all of our public
20 officials, from every level of government,
21 both parties, and support has been
22 tremendous. Thank you for all that you have
23 done.

24 Jane Carber Viola.

25 MS. VIOLA: Good afternoon and

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2 thank you for the opportunity to speak
3 before you.

4 I only recently learned that I
5 would have an opportunity to come and speak
6 so I don't have anything rehearsed.

7 But I can say that I'm very proud
8 of Nassau County. I've lived here and
9 practiced as a lawyer here now for over 25
10 years.

11 Recently I went back to school
12 because of my passion for protecting the
13 environment and, feeling civic duty, I
14 studied at NYU, and I had an opportunity to
15 study in their environmental conservation
16 education program which led me to work with
17 college students.

18 I was more impassioned by the
19 young people and by people such as our Girl
20 Scouts from Port Washington. And my
21 daughter also was a Girl Scout and received
22 her gold award in an environmental awareness
23 project.

24 Young people are very concerned
25 about their future. They are our future.

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2 They are our future parents, our future
3 educators, our future lawyers, doctors,
4 health administrators, our future
5 policymakers, our future government leaders.

6 So I see that the young people
7 are concerned with what's happening today
8 around them, and working with a local school
9 organization where I live, Planet Manhasset
10 for the Manhasset Public Schools, three
11 schools, two elementary, and one high
12 school. I had an opportunity to work with a
13 summer program that I helped establish
14 students working in organic vegetable
15 garden. They cultivate, they maintain it,
16 they learn about the impact of chemicals
17 leading into the waterways.

18 So this summer I also had an
19 opportunity to do a lot of listening working
20 side by side with them and asking them
21 what's important.

22 We had an opportunity to learn
23 about some sustainability initiatives in our
24 own town, at local businesses. And always,
25 always, foremost were students concerned

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2 about too much plastic pollution in our
3 waters, in our parks, ending up in our food
4 as we learned today.

5 The science is on the table.
6 People know it. What they are really
7 looking for is a simple way to revolve the
8 plastic single use bag.

9 So many now young people,
10 parents, adults workers are carrying
11 reusable bags. Why do we need a law? Laws
12 influence the way we think. They influence
13 the way we live, and they set good
14 parameters of our behavior.

15 So I ask you today in support of
16 the other environmental groups and concerned
17 citizens to please consider a bag law to
18 protect our environment and our public
19 health. Thank you.

20 CHAIRMAN NICOLELLO: Thank you.
21 Jordan Christenson.

22 MS. CHRISTENSON: Hello. Thank
23 you for the opportunity to speak. My name
24 is Jordan Christenson. I'm here representing
25 Citizens Campaign For the Environment. I

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2 know we have met you with already on this.
3 But we are of course here today to support
4 bringing forward five cent fee on plastic
5 and paper bags.

6 I think that everybody can
7 probably agree, regardless of where you
8 stand on the idea of the fee that plastic is
9 a big problem for an island. It's one of
10 the most common things we always see in
11 beach cleanups.

12 Globally we are finding
13 microplastics in our tap water, in bottled
14 water, in fish and shell fish, in beer,
15 honey and soil. Most recently in our own
16 digestive systems.

17 So just putting a small fee on
18 plastic bags, will it solve the entire
19 problem, no, but it's a really good start
20 and it's emblematic of the fact that people
21 are willing to change their behavior over
22 time with good policy and good education
23 combined.

24 So just a couple of points on
25 Suffolk. You already heard the big number

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2 which is 80 percent reduction with their
3 five cent fee, but just a couple of other
4 quick stats out of there.

5 While recently we were speaking
6 to the municipal recycling facility in
7 Brookhaven town, so all of the recycling
8 facilities are in crisis at this point
9 because China is no longer taking our
10 recycling, but one of the biggest issues
11 that a lot of them face is that plastic bags
12 are recyclable at the curb side, they get
13 caught in the machine, clog the machine, and
14 cost a lot of time and money. Brookhaven
15 was estimating about \$100,000 just to clean
16 up the clogged bags.

17 Since the fee has gone into
18 effect, that fee has greatly decreased, and
19 a lot of other municipalities are moving
20 forward with bills, Ulster County, New York
21 City, recycling plays a big part in it
22 because they're dealing with enough already,
23 and, you know, consistent clogging of the
24 recycling bags is a huge issue for them.

25 We conducted a survey in April,

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2 that was four months after the bag fee went
3 into affect in Suffolk. We're seeing almost
4 a nine-fold increase in reusable bags as
5 well.

6 So of course some people are
7 taking the single plastic bag with a bottle
8 of soda or pack of gum, but they're also
9 changing behavior and bringing multiple bags
10 with them to the store over time now as
11 well.

12 Then just one other quick thing.
13 I mentioned that plastic bags were always
14 one of the common things we found in beach
15 cleanups. For the last international
16 coastal cleanup day, we did a clean up in
17 Patchogue with National Sea Shore at Fire
18 Island.

19 First time we only found one
20 plastic bag in the entire cleanup day. We
21 are pretty confident that we can see that in
22 our Long Island Sound and South Shore
23 beaches here as well with a small fee, and
24 we urge you to move it forward to the public
25 hearing and the vote and I know some people

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2 couldn't come today, but I do think having a
3 formal public hearing will allow you to hear
4 more diverse voices, we'll be able to have
5 students there and not just sort of the same
6 people that always hear on this issue. So
7 thank you for letting us speak.

8 CHAIRMAN NICOLELLO: Thank you,
9 Jordan. Kay Bromberg. No. Okay. Meta
10 Mereday.

11 MS. MEREDAY: Meta J. Mereday,
12 Baldwin resident. Just very concerned
13 particularly with regard to hearing
14 statements that were made to the speakers
15 from the youth board that they came after
16 the fact that the budget was passed. Funny.

17 I been before this body before a
18 number of budgets have been passed of
19 providing information, insights, research,
20 data, et cetera, recommendations,
21 resolutions, suggestions and still not much
22 has basically moved the needle.

23 I'm very much concerned
24 particularly when I read the report in
25 Newsday with regard to Nassau vets missing

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2 out on services.

3 I found it interesting that it
4 was below the headline story of corruption
5 trial opens. Always find those connections
6 very interesting where we live in terms of
7 the ongoing and additional litigations that
8 will be taking place and in looking at this
9 agenda to see yet another bond resolution
10 for settlements. That's always concerning
11 to me.

12 Considering I also have a press
13 release that's dated April 25, 2016 that
14 speaks to a bill that was passed by this
15 body working in one of those bipartisan few
16 occurrences that addressed bringing support
17 services to help our veterans. Our veteran
18 owned businesses.

19 And to look at this Newsday
20 article dated a week ago that said the
21 report targeted the areas outlined, should
22 guide local policies concerning veterans
23 including connecting veterans with existing
24 services, the housing requirements have
25 recently discharged downsized employment

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2 financial security and support for
3 entrepreneurial and mental health and
4 substance abuse.

5 So I ask you again, today,
6 November 19, 2018, what exactly is this body
7 planning to do specifically as it pertains
8 to increasing the support services for our
9 veterans, and also to correct the numbers
10 that Nassau County has over 80,000 veterans,
11 not 50,000? That is also part of the
12 problem. The numbers that you're using are
13 very indicative of the lack of research and
14 resources that apply to this.

15 I applaud the officers coming
16 from the police department with regard to
17 crossing guards because that was another
18 issue that I wanted to bring to the table.

19 And, lastly, because I want to be
20 respectful of time, even though some people
21 are put on the clock and some people were
22 not, I took note of that, so I will try to
23 be respectful of that but I will get my
24 points across. Thank you very much.

25 As we look down the street

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2 there's a major retail facility that is
3 closing, Sears. I'm asking in terms of what
4 does the county plan to do from a proactive
5 standpoint with regard to that facility
6 trying to bring together public and private
7 sector resources to try to do something that
8 will possibly help even this young lady who
9 spoke so eloquently before to have someplace
10 that she can live and stay in Nassau County,
11 where there is a facility that has access to
12 transportation that is much needed for our
13 young people, because everything else that
14 we are doing is chasing everyone away.

15 So I just want to put that on the
16 table and just to say you do get the ideas
17 and the information and the resources prior
18 to the budget, but it's sad to think that
19 you consistently disregard the information
20 that's coming from residents who do have a
21 the expertise and the resources to try to
22 help the situation.

23 I am working on some projects if
24 anybody is interested because, if Sears
25 closes, which we are going to have a number

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2 of facilities closing, it's not going to
3 help us. We already have enough empty
4 buildings, bad roads and poor
5 transportation.

6 Lastly, as Joanne said --

7 CLERK PULITZER: Ma'am, your time
8 has expired.

9 MS. MEREDAY: Usually it is. I'm
10 hoping that we can do something that's going
11 to benefit the residents here with regard to
12 this new situation with Amazon and Long
13 Island City.

14 So I put it on the record. I'm
15 looking forward to hearing from anyone, but
16 meanwhile my work will continue. Thank you.

17 CHAIRMAN NICOLELLO: Neal Lewis,
18 do you want to wait until the item is
19 called? Okay. Kathy Whalen, I think you
20 are here to speak on an item that's going to
21 be called. Lastly, Francine Furtado.

22 MS. FURTADO: Okay. Good
23 afternoon. Thank you for allowing me to
24 speak. My name is Francine Furtado, and I'm
25 here on behalf of all residents of Port

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2 Washington who support a ban on plastic
3 bags.

4 I want to say thank you to Hanna
5 and Mindy for their work so far on this
6 important environmental issue and especially
7 to Legislator Mule and Delia
8 DeRiggi-Whitton.

9 I also want to note that County
10 Executive Laura Curran supported this bill
11 back in May. So more than six months ago.
12 And I read that it immediately was shot down
13 because of the five cents fee issue. That
14 seems ludicrous to me.

15 It also seems incredibly
16 negligent at the same time. The cost of use
17 of the plastic bag far outweighs the five
18 cents fee. The use of plastic bags destroys
19 the quality of our land, the waterways, and
20 most importantly our health.

21 Lastly, I just wanted to request
22 that any proposed legislation if it comes
23 from Nassau County or from the state,
24 hopefully, builds upon the most current
25 plastic bag ban that's passed. Thank you.

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2 CHAIRMAN NICOLELLO: Thank you.

3 That concludes the public comment portion of
4 our meeting.

5 Item 1 on the calendar is a
6 hearing on the proposed local law to amend
7 Title 83 of the miscellaneous laws of Nassau
8 County in relation to the sustainable energy
9 loan program in the county.

10 LEGISLATOR FERRETTI: So moved.

11 LEGISLATOR DRUCKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Ferretti, seconded by Legislator
14 Drucker.

15 There's a motion to open the
16 hearing and a second to open the hearing.

17 All in favor of opening the
18 hearing signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 The hearing is open. I'm not
23 sure we have a presentation. Mr. Lewis, can
24 you come up?

25 MR. LEWIS: Thank you,

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2 Mr. Presiding Officer, and all the members
3 of the Nassau County Legislature. My name
4 is Neal Lewis, and I'm the executive
5 director over at the Molloy College
6 Sustainability Institute. We are a
7 not-for-profit college and they give me an
8 opportunity to work with the professionals
9 on a number of different issues. So I'm
10 here not as a business trying to get
11 something approved, but just as someone who
12 has been identifying ideas that we think
13 present real win win kind of ideas.

14 My approach is not to try to work
15 on everything but to pick a few things and
16 stay with it. Commerical PACE is something
17 that we have been talking about since at
18 least 2016. I was actually involved in
19 residential PACE in one of our Long Island
20 towns going back more than a decade. It's a
21 topic I'm very interested in.

22 This presents one of those rare
23 win win win opportunities for the county. I
24 want to say that it has no external cost for
25 the county but I should acknowledge right

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2 from the beginning that the Presiding
3 Officer, your legal team, all the
4 legislators now, you all put time into
5 learning about this, so that's an inkind
6 contribution that the county is making to
7 help make this program a success here and an
8 option here.

9 But the basic premise is that
10 there is no taxpayer money involved in
11 facilitating the sustainable loan program.

12 I should point out that the idea,
13 when it was first presented, going like I
14 said a number of years back, the state said,
15 you know what, we need some help to make
16 this happen.

17 So you do have here today from
18 Energize New York a not-for profit that the
19 state set up and we have the expert that's
20 the executive director of that time program
21 and I know he's here to answer questions as
22 I know he has been doing in the last several
23 days with various back and forths.

24 So when I'm done, I will throw it
25 over to Mark. But I do want to say from the

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2 perspective of why this is something that's
3 really exciting for local government, local
4 businesses, people might say why don't
5 businesses renovate and do this stuff just
6 on their own?

7 What this program attempts to
8 address is two of the problems that comes
9 up. You are asking a business owner to
10 invest in a building when the building may
11 not be their real business. Their business
12 is not about the building so to speak.

13 So the idea under this program,
14 if they invest in a building by putting
15 solar on the roof or renovating the old air
16 conditioning and heating system, they made
17 it more competitive. We've invested in
18 people because all that work was done by
19 local jobs, local people.

20 But the business owner, that loan
21 for paying that off, stays with the
22 property. So it's done as a fee similar to
23 a sewer fee.

24 That's the mechanism that you as
25 a Legislature being asked to approve is a

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2 mechanism for local government being able to
3 treat these renovations as a fee similar to
4 a sewer hookup or other public benefit.

5 What that does is it keeps the
6 bill where the savings are which is the
7 property. So the property is now more
8 energy efficient, has more energy bills,
9 generating revenue from the renewables, all
10 that benefit is going to stay at the
11 property.

12 So until the fee is paid off,
13 until the loan is paid off, that stays at
14 the business. This makes it much more
15 advantageous for the businesses to agree to
16 do this, because it makes it so it doesn't
17 impede their ability to get other loans and
18 make other business decisions.

19 So that's kind of the thing, we
20 have to kind of wrap our heads around why
21 this loan program becomes something we are
22 asking government to be involved in.

23 Again, you are not backing up the
24 loans, not guaranteeing the loans, not
25 paying the loans, none of that kind of

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2 stuff, just a mechanism to allow into the
3 tax assessments this line for the
4 sustainable loan program which would be
5 called PACE on the line, Publicly Assisted
6 Clean Energy funding.

7 The other thing I always like to
8 point out is that the county level, this is
9 one of the significant things you can do to
10 help promote clean energy, a lot of other
11 things you don't have any direct control
12 over, or rules that have to do with
13 renewables which is really carried out by
14 the utilities.

15 But this is one mechanism here,
16 and I would encourage if we can get this
17 enacted in Nassau County, that perhaps you
18 have Mark come back in a year, give a
19 report, that kind of thing, because I think
20 there's a lot of potential here.

21 What you are going to hear is
22 that many of these loans are significant in
23 size. Some of the smallest ones are like a
24 quarter of a million dollars.

25 So when you hear that \$100

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2 million renovation is being for building,
3 hopefully what you're going to hear is local
4 jobs, people being put to work to make our
5 businesses here more efficient and reduce
6 costs for businesses here on Long Island.

7 So we are very excited about the
8 program. We're hoping that Nassau would be
9 next so when we tell people about this we'll
10 be able to say it's available all across
11 Long Island.

12 I think someone forgot to start
13 the timer so I apologize if I went over the
14 three. I usually try to make a point of
15 sticking to it. I can throw it Mark.

16 MR. THEILKING: I'm Mark
17 Thielking, I'm the executive director of the
18 Energy Improvement Corporation. We're a
19 not-for profit local development corporation
20 much like Neal said.

21 We are controlled by
22 municipalities around the state that wish to
23 offer the sustainable energy loan program on
24 their behalf, so we are literally a
25 constituted authority of counties and cities

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2 around the state that wish to offer this
3 public benefit.

4 So EAC is controlled again by our
5 member municipalities and commensurate with
6 that what we're offering is public benefits
7 related to energy efficiency and renewal
8 energy and how they're integrated into the
9 building stock of your county, in essence.

10 Back in 2009, the state passed
11 the enabling legislation, Article 5L of the
12 General Municipal Law which, again, allows
13 counties and cities around the state to
14 offer these public benefits related to
15 improving our building stock.

16 The reason why they did that is
17 that New York State's building stock is very
18 old, very inefficient, basically not
19 competitive relative to other states.

20 So this, again, offers a tool to
21 counties and cities to allow building owners
22 to improve those buildings, create a lot of
23 jobs at the same time, but also again reduce
24 energy costs as the fundamental reason.

25 In September of 2017, the New

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2 York State Legislature and Governor Cuomo
3 amended Article 5L and, if you remember, two
4 years ago in August, the county passed local
5 law number 6-2016 unanimously, that's the
6 law you are amending today.

7 Basically you are doing that
8 because you are essentially creating a
9 housekeeping measure to keep concurrent with
10 the General Municipal Law amended last year.

11 Most of our members view these
12 amendments as housekeeping measures required
13 by changes, again, to the state statute.

14 Here in Nassau County, Energize
15 New York PACE was never activated by the
16 former County Executive, even though the
17 Legislature took action two years ago to
18 enable the program, but in the last two
19 years EIC has released other products which
20 we're considering as well. I handed out a
21 packet that explains what the County
22 Executive wishes to move forward with.

23 The whole idea here is, again, we
24 can scale up energy improvements as much as
25 Neal said to buildings that are inefficient

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2 with a lot of opportunity to improve them,
3 and, again, we're here to help do that in
4 the best way possible.

5 Again we have over 50 members
6 across the state representing close to half
7 the population outside of New York City. So
8 we are here to help you move forward with
9 this as you see fit and I'm here to answer
10 questions. I will stop there.

11 LEGISLATOR KOPEL: Thank you.
12 Anything further? Anyone else wishes to be
13 heard?

14 MR. LEWIS: If I could, the two
15 letters of support I mentioned.

16 LEGISLATOR KOPEL: Just give it to
17 the clerk, we will be sure to have it
18 entered. Thank you. Legislator Bynoe.

19 LEGISLATOR BYNOE: Thank you. Hi
20 Mark, how are you? Thank you to you and
21 Neal for spending some time with me to go
22 over this with me in my office.

23 I have one question. So, under
24 the terms and condition the loan repayment,
25 further review indicates that it says here

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2 that Nassau County shall make payment to EIC
3 or its designee in the amount of all such
4 separately listed charges within 30 days of
5 the date it is due to be made to the County
6 of Nassau.

7 So I've heard you say that we
8 don't pay unless we receive payment. But
9 I'm not sure that this clearly indicates
10 that.

11 MR. THIELKING: If you refer to
12 the addendum part of the package. So we
13 have three documents that are important to
14 understand how PACE is enabled versus the
15 local law which restates Article 5L, that's
16 what you are amending today.

17 The second two documents are the
18 EIC municipal agreement which is the
19 template agreement between ourselves and all
20 our members allowing us to create bonding
21 structures that again are ubiquitous across
22 the state.

23 The third is the municipal
24 agreement addendum which is specific to what
25 we call pay when received product. That's

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2 the product that you will enable here in the
3 county that relieves the municipality of
4 paying if the property owner does not pay
5 their taxes.

6 So while the date of due date
7 does not change, so if taxes are paid, and
8 you are expected to receive those payments
9 from your township on a certain date, the
10 county would be required to pay that to our
11 trustee bank within 30 days, but if you do
12 not receive payment from the town, then you
13 are relieved of that payment obligation
14 according to the addendum.

15 LEGISLATOR BYNOE: What happens
16 in the event that we are delayed in making
17 the -- we received the payment but we are
18 delayed in transferring that payment to you;
19 is there a penalty?

20 MR. THIELKING: It would be an
21 act in the contrary to our agreement with
22 you. So that would be an act of default
23 which we don't want to see. It would be a
24 problem our bond holders. That would be
25 that if you receive payment and do not

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2 forward it over, that would be an act of
3 default. So our trustee and other entities
4 would like to remedy that as soon as
5 possible.

6 LEGISLATOR BYNOE: Specifically
7 what penalties would we suffer?

8 MR. THIELKING: It's spelled out
9 in section I believe seven of the municipal
10 agreement should the municipality default on
11 any obligations, fail to make required
12 payments, the penalties and interests
13 attributable to the charge shall be paid
14 over to EIC, so any interest and penalties
15 on delinquent charge will be paid over to
16 EIC.

17 EIC will suspend membership,
18 suspend the program in the county, and we
19 will discontinue any providing of financing.
20 So it's spelled out in Section 7 A, B and C.

21 LEGISLATOR BYNOE: Have you had
22 any circumstances where there were any type
23 of operational delays based on some mishap
24 at the county level in receiving the
25 payment?

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2 MR. THIELKING: We have had
3 situations where the county or our member
4 would like to be notified and reminded of
5 their obligation. We've actually instituted
6 a software process that actually reminds the
7 county at various times during the process
8 to pay us. That's a situation we're
9 on-boarding right now.

10 LEGISLATOR BYNOE: We would be
11 linked into that?

12 MR. THIELKING: Yes, you would.

13 LEGISLATOR BYNOE: So we would be
14 reminded.

15 MR. THIELKING: Yes.

16 LEGISLATOR BYNOE: Thank you.
17 Have a good day.

18 CHAIRMAN NICOLELLO: Any other
19 debate or discussion?

20 (No verbal response.)

21 Thank you very much. Is there
22 any public comment?

23 MS. MEREDAY: Meta J. Mereday,
24 Baldwin resident. Just curious as to the
25 job creation model with regard to this.

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2 I agree that our buildings are
3 aged and do require updating in bringing
4 them current and environmentally sound but
5 I'm always concerned about the level or the
6 lack of diversity when it comes down to the
7 actual jobs that would be required to make
8 those upgrades and improvements happen.

9 Would this involve some on call
10 structure where the businesses are already
11 established via connections, et cetera, or
12 is there an outreach or development process
13 that would be inclusive of those entities
14 and constituencies that remain historically
15 outside of the box as it pertains to
16 veterans, minorities, women, things of that
17 nature? What pool is in place?

18 If that information was a part of
19 that packet that the public wasn't privy to,
20 feel free to enlighten me. But just curious
21 as to this and as to Legislator Bynoe's
22 question as it pertains to the penalties or
23 the payment relationships if those occasions
24 do happen where the payments are not made
25 or, again, changes in administration and

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2 policies, people kind of forget what the
3 arrangements are, we seem to be back in
4 court for some reason.

5 So what are the protections
6 particularly for those of us on the taxpayer
7 side that can keep us from having to go to
8 court?

9 So diversity as far as the
10 recruitment for the employment and the
11 opportunities, the outreaching, and, again,
12 in the application itself, are we talking
13 about individual land owners or property
14 owners, is there any clauses in there if
15 those property owners have had issues in the
16 past with regard to maybe some default, I
17 mean, do they have to come to the table with
18 pristine packages or backgrounds?

19 That's something very important
20 for a number of our land owners and property
21 owners because of circumstances they have
22 faced due to the nature of our environment.
23 Thank you.

24 CHAIRMAN NICOLELLO: I don't know
25 if Neal or Mark wants to respond to that at

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2 all especially in terms of the vetting of
3 the applicants of the program.

4 MR. THIELKING: Sure. To answer
5 your question specifically around types of
6 buildings, it's commercially owned
7 structures, or not-for-profit owned
8 structures that would be eligible,
9 individually owned properties are not
10 eligible for this product.

11 The pay when received product is
12 specifically geared for larger types
13 projects, so the types of entities that
14 would be coming to use it would be more like
15 entities that are redeveloping buildings
16 probably for multifamily buildings, but
17 we've seen that in other states. It's a new
18 product here in New York State.

19 Other states use this type of
20 product to redevelop buildings to make them,
21 again, multi-family buildings, larger
22 structures like hotels.

23 Then, as for the applicant's
24 process, we have certain criteria that are
25 embedded within our own standards but

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2 ultimately comes down to the creditor, the
3 creditor is on the hook if the property does
4 not pay their taxes. So the creditor is
5 going to determine who the most credit
6 worthy entities are to receive this public
7 benefit.

8 CHAIRMAN NICOLELLO: Thank you.
9 Any other public comment?

10 (No verbal response.)

11 Motion to close the hearing.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR SCHAEFER: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Muscarella, seconded by
16 Legislator Schaefer. All those in favor of
17 closing the hearing signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Hearing is closed. I'm going to
22 jump to Number 5 which is the vote on the
23 local law to amend Title 83 of the
24 miscellaneous laws of Nassau County in
25 relations to the sustainable energy loan

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2 program.

3 LEGISLATOR MCKEVITT: So moved.

4 LEGISLATOR BYNOE: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator McKevitt, seconded by Legislator
7 Bynoe. That's before us. Any further
8 debate or discussion on this?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Item carries unanimously.

18 I failed to do this before. What
19 I'm going to do now is I'm going to call the
20 consent calendar so we can have some of the
21 county officials finish their business
22 today.

23 Consent calendar are items that
24 minority and majority have agreed to, passed
25 through committees and received thorough

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2 vetting at that time.

3 Number 10, Ordinance Number 176;
4 Number 11, Ordinance Number 177; Number 12,
5 Ordinance Number 178; Number 13, Ordinance
6 Number 179; Number 14, Ordinance Number 180;
7 Number 15, Ordinance Number 181; Number 16,
8 Ordinance Number 182; Number 17, Ordinance
9 Number 183; Number 18, Ordinance Number 184;
10 Number 19, Ordinance Number 185; Number 20,
11 Ordinance Number 186; Number 21, Ordinance
12 Number 187; Number 22, Ordinance Number 188;
13 Number 23, Ordinance Number 189; Number 24,
14 Ordinance Number 190; Number 25, Ordinance
15 Number 191; Item 29, Resolution 205; Item
16 31, Resolution 207; Item 32, Resolution 208;
17 Item 33, Resolution 209; Item 34, Resolution
18 210; Item 35, Resolution 211; Item 36,
19 Resolution 212; Item 37, Resolution 213;
20 Item 39, Resolution 215; Item 40, Resolution
21 216; Item 41, Resolution 217; Item 43,
22 Resolution 219.

23 LEGISLATOR LAFAZAN: So moved.

24 LEGISLATOR GAYLOR: Second.

25 CHAIRMAN NICOLELLO: Moved by

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2 Legislator Lafazan, seconded by Legislator
3 Gaylor. Those items are before the
4 Legislature. Any debate or discussion?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 Carries unanimously.

14 We need a motion on a hearing,
15 Item Number 2, a local law amending Title 72
16 of the miscellaneous laws of Nassau County
17 requiring signage at intersections informing
18 motorists of a photo violation monitoring
19 system.

20 LEGISLATOR FERRETTI: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRMAN NICOLELLO: Moved by
23 Legislator Ferretti, seconded by Deputy
24 Presiding Officer Kopel. That is a motion
25 to open the hearing. All in favor of

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2 opening the hearing signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The hearing is now open.

7 Ms. Whalen has been waiting. Why
8 don't you come up.

9 MS. WHALEN: Good afternoon,
10 Presiding Officer and members. I actually
11 used to work at traffic court so when I
12 heard about this, it was near and dear to my
13 heart so I felt I should come down and speak
14 about it.

15 Actually there is one issue I see
16 with your proposed legislation, as many of
17 you know, we only have state law roads, we
18 have county roads and local roads.

19 So there is an issue as to who is
20 going to pay for the signage and who will
21 get approval and if it will take a long time
22 to get approval through these other
23 agencies.

24 That, to me, opens up an avenue
25 of possibly an affirmative defense in

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2 traffic court if the sign hasn't been
3 approved, if it's not there, the legislation
4 takes effect and a person could in fact use
5 it possibly as an affirmative defense
6 meaning that a person that went through a
7 red light, because there is no sign, even
8 though it's the law, could get away with it.

9 I do believe that basically
10 you're rewarding bad behavior. I find that
11 offensive. I think that there's better ways
12 to use our tax dollars to use money to say,
13 don't go through this red light is absurd.
14 I realize it's only at the red light ticket
15 areas.

16 Where the cameras are, there has
17 been an indication in other jurisdictions
18 that they move them. When they move them,
19 not without any type of signage, they do
20 find that people actually stop for all red
21 lights which is required under the VTL.

22 Sitting here throughout the
23 afternoon, we see that there's areas where
24 there's money can be well spent. I just
25 don't think that this is an area where money

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2 could be well spent.

3 To put up a sign to say basically
4 obey the law. If you're going to argue it's
5 an issue of safety, I would argue that you
6 need it at every single light because then
7 it would be an issue of safety. I don't
8 believe it's necessary. So that's what I'm
9 here to talk about.

10 CHAIRMAN NICOLELLO: Thank you.
11 Considering the amount of money that flows
12 in through this program, I think the
13 signage, which the county by and large does,
14 is a small expense, number one.

15 Number two, specifically, with
16 respect to some intersections, it is
17 difficult for motorists to determine where
18 the stop line is. We just had an issue, I
19 think it was East Norwich, where that was
20 going on, because of the way the
21 intersection was configured, the turning
22 lane, impossible for motorists approaching
23 it where they actually had to stop.

24 So we just want to make sure that
25 this program which is designed for public

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2 safety is not executed as a trapped
3 motorist.

4 MS. WHALEN: I would just venture
5 to say there is a difference between saying
6 the stop line is here, and saying this is a
7 light that is governed by a camera.

8 There is no reason to put up a
9 sign that says this is governed by a camera
10 other than to avoid getting a ticket because
11 you're going through a red light. That's
12 all I say. Thank you.

13 CHAIRMAN NICOLELLO: Do we have
14 any other discussion? Anyone here who wants
15 to speak on this? Legislator Lafazan.

16 LEGISLATOR LAFAZAN: I just want
17 to thank my colleague, Legislator Ferretti,
18 for putting this forward. The camera that
19 you mentioned, Presiding Officer, was in my
20 district. We had senior citizens. We had
21 people on fixed incomes with hundreds if not
22 thousands of dollars in levies.

23 My hope is for these red light
24 cameras to flash zero times during the day.
25 I think this bill accomplishes that. I'm

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2 voting in favor and I hope for a unanimous
3 vote. Thank you, Legislator Ferretti.

4 CHAIRMAN NICOLELLO: Thank you.
5 Anything else?

6 (No verbal response.)

7 I need a motion to close the
8 hearing.

9 LEGISLATOR MUSCARELLA: So moved.

10 LEGISLATOR DRUCKER: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Muscarella, seconded by
13 Legislator Drucker.

14 All in favor of closing the
15 hearing say aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The hearing is closed. We have
20 had the hearing. We are not going to be
21 calling the local law today. The
22 administration and TPVA have made requests
23 regarding certain changes to the law so we
24 are going to consider those changes before
25 we go ahead and do that, but we fully intend

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2 to hold this vote and pass this law by our
3 December meeting.

4 Item 3, a hearing on a local law
5 to amend the Nassau County Administrative
6 Code in relation to low income pursuant to
7 Section 4678A of the New York State Real
8 Property Tax Law.

9 LEGISLATOR SCHAEFER: So moved.

10 LEGISLATOR DERIGGI-WHITTON:
11 Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Schaefer, seconded by Legislator
14 DeRiggi-Whitton. That's was a motion to
15 open the hearing. All in favor of opening
16 the hearing signify by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 The hearing is open.

21 This is basically allowing the
22 county to opt into something that is
23 provided by state law which gives homeowners
24 who missed the filing deadlines for
25 obtaining exemptions to file on a late basis

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2 provided they establish good cause with the
3 Assessor's Office. This is for seniors
4 citizens.

5 Again, it allows late filings for
6 exemptions provided to seniors, can show a
7 good cause for their reason on why the
8 missed the filing.

9 I believe there is somebody here
10 from the Department of Assessment. This
11 actually could be a lot of money if the
12 senior misses a filing and were prompted
13 this with us, there was a senior from
14 Lynbrook whose taxes went \$2,000 to \$11,000
15 because they missed the filing. So it could
16 be a major life altering factor if they lose
17 their exemptions.

18 MR. MILES: Robert Miles, Deputy
19 County Attorney. We are in favor of the
20 bill.

21 The only request that we made
22 when we met with majority's counsel is if we
23 could push the effective date a couple of
24 months so that we can set internal policy
25 and administrative policy.

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2 CHAIRMAN NICOLELLO: In talking
3 with counsel, good point, is that we don't
4 want to delay this such as it will preclude
5 this relief for some of the seniors.

6 In the interim, however, we will
7 work with the Department of Assessment to do
8 whatever we have to do to notify those
9 seniors who haven't filed at this point, who
10 have been eligible in the past.

11 So we will work with you to alert
12 them to know what their rights are so we can
13 avoid any refund liability on the part of
14 the county.

15 But, again, we don't want to
16 delay it so this will close the door on some
17 seniors getting this relief.

18 MR. MILES: Understood.

19 CHAIRMAN NICOLELLO: Thanks. Any
20 or discussion on this? Yes. John Budnick.

21 MR. BUDNICK: John Budnick, 122
22 Vonhuenfeld Street, Massapequa Park. I'm
23 curious as to whether this provision will
24 also apply to village taxes or not and
25 whether it may be nunc pro tunc or not.

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2 Because I know of one particular
3 situation in Massapequa Park where a widow
4 had to be hospitalized for an extensive
5 period of time and missed her application
6 deadline. I'm curious as to whether this
7 might be of help to her or not.

8 CHAIRMAN NICOLELLO: It would not
9 assist her if the town -- or village has its
10 own assessment, assessor. This affects the
11 counties.

12 MR. BUDNICK: Thank you very
13 much. Any other public comment?

14 MS. MEREDAY: I was also curious
15 with regard to this. When you are talking
16 about exemptions, are you just talking for
17 the seniors or does this also include
18 exemptions for veterans as well?

19 CHAIRMAN NICOLELLO: It's for
20 seniors and authorized by state law
21 otherwise we would not be able to do it. We
22 are opting in pursuant to state law.

23 MS. MEREDAY: So it's not
24 changing the actual classification for what
25 is considered low income, one, and, two,

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2 with regard to your statement about you're
3 going to work with the assessor's office to
4 make sure all eligible seniors are notified,
5 how exactly is that going to take place?

6 CHAIRMAN NICOLELLO: They know
7 the seniors who have had this exemption in
8 the past. They know the seniors that --
9 that group they know the seniors who have
10 not filed for this exemption this year.

11 So these seniors have until the
12 end of the year to file for their exemptions
13 so we can reach out to them and say, look,
14 if you're still eligible, if you're still
15 living in the house, you have to file. So
16 basically prompting the seniors who have not
17 filed yet.

18 MS. MEREDAY: But, again, as Mr.
19 Budnick pointed out, and, again, we have a
20 situation in Baldwin where we got a senior
21 couple that are displaced, basically, one is
22 in one facility and the other is in another
23 facility. Those are the types of scenarios,
24 again, when you say reach out, what does
25 that mean, does it mean you're sending a

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2 mailing and you're going to say we reached
3 out because we sent a mailing?

4 Are you going to utilize all
5 available resources, senior services,
6 veteran services, whatever, to make sure
7 that every senior, every resident, every
8 taxpayer who is eligible is adequately
9 notified and given the resources and support
10 systems to make this happen, incorporating
11 local libraries?

12 Again, with your own example, a
13 resident who went from a \$2,000 tax to
14 \$11,000 tax. This is where my concern is.
15 I'm not going to ask for forgiveness and
16 requesting how my elected officials are
17 going to notify residents who are vulnerable
18 in this type of situation. Thank you.

19 CHAIRMAN NICOLELLO: We are going
20 to work with the Assessor's Office to reach
21 out to the residents.

22 Is there any other public
23 comment?

24 (No verbal response.)

25 Hearing none, I need a motion to

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2 close the hearing.

3 LEGISLATOR BYNOE: So moved.

4 LEGISLATOR DERIGGI-WHITTON:

5 Second.

6 CHAIRMAN NICOLELLO: Moved by
7 Legislator Bynoe, seconded by Legislator
8 DeRiggi-Whitton. All those in favor of
9 closing the hearing signify by saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 The hearing is closed.

14 Going to Item Number 7, which is
15 a vote on a local law to amend the Nassau
16 County Administrative Code in relation to
17 low income exemptions.

18 LEGISLATOR ABRAHAMS: So moved.

19 LEGISLATOR DRUCKER: Second.

20 CHAIRMAN NICOLELLO: Moved by
21 Minority Leader Abrahams, seconded by
22 Legislator Drucker.

23 We need an amendment to this.

24 The amendment will correct the title of the
25 local law to read a local law to amend the

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2 Nassau County Administrative Code in
3 relation to taxation exemptions for certain
4 persons about limited income pursuant to
5 Section 4678A of the New York State Real
6 Property Tax Law. Motion to amend?

7 LEGISLATOR RHOADS: So moved.

8 LEGISLATOR GAYLOR: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Rhoads, seconded by Legislator
11 Gaylor. Any discussion on the amendment?

12 (No verbal response.)

13 Is there any public comment?

14 (No verbal response.)

15 Any discussion on the item as
16 amended?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 The item as amended is passed.

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2 I'm going to open the hearing on
3 an ordinance to adopt a capital budget for
4 the County of Nassau for the first year of
5 the four year capital plan to commence on
6 January 1st, 2019 pursuant to Section 310 of
7 the County Government Law of Nassau County.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR DERIGGI-WHITTON:
10 Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Muscarella, seconded by
13 Legislator DeRiggi-Whitton to open the
14 hearing. All in favor of opening hearing
15 say aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The hearing is open. The
20 minority and majority are going to be
21 submitting proposed amendments to the
22 capital plan in the next few weeks and we
23 intend to move on this at our December
24 meeting, but, for now, we will put this
25 hearing in recess so that we can call it

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2 again at our December meeting.

3 Any questions, Mr. Budnick?

4 MR. BUDNICK: I was very
5 distressed to note today it is reported in
6 Newsday that a park in New Hyde Park was
7 closed to the public because of
8 contamination problems.

9 It's where the Sperry Unisys site
10 was. I'm curious whether the capital budget
11 will include funds to test the aquifer to
12 determine whether if any of that toxic waste
13 problem has migrated away from the New Hyde
14 Park location only or not I hope.

15 I would like to ask that
16 consideration be made to making sure that
17 the county fulfills its Charter requirement
18 in terms of being the lead agency with
19 regard to waters in the county to consider
20 such a question. Thank you.

21 CHAIRMAN NICOLELLO: That soccer
22 field is on property that was formally the
23 Sperry property located in North New Hyde
24 Park, actually Lake Success. It is a
25 property that is a superfund site. It is

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2 being cleaned by Lockheed, I believe it is,
3 the successor to Sperry and being over seen
4 by the DEC. So it is a state issue. So
5 it's not really something that we would put
6 in our --

7 MR. BUDNICK: I just ask that
8 somehow we make sure that somebody keeps on
9 top of this question so it doesn't become a
10 problem for anywhere else in the county.
11 Thank you very much.

12 CHAIRMAN NICOLELLO: Okay. I'm
13 going to put this hearing into recess at
14 this time.

15 (Whereupon, the hearing was
16 recessed in the Full Legislative Committee
17 pertaining to Item Number 7.)

18 CHAIRMAN NICOLELLO: We will move
19 on to the next item, which is Item 9,
20 ordinance 175 of 2018, a bond ordinance
21 making certain determinations pursuant to
22 SEQRA providing for a capital expenditure to
23 finance a payment of certain judgments
24 compromised or settle claims resulting from
25 court orders or proceedings brought pursuant

1 Full Legislature/11-19-18
2 to Article 7 of the RPTL and determinations
3 of the Nassau County Assessment Review
4 Commission.

5 LEGISLATOR DRUCKER: So moved.

6 LEGISLATOR MUSCARELLA: Second.

7 CHAIRMAN NICOLELLO: Moved by
8 Legislator Drucker, seconded by Legislator
9 Muscarella.

10 Do we have someone from the
11 administration who can speak with respect to
12 the proposed ordinance?

13 MR. PAGE: Mark Page, I'm the
14 Deputy County Executive for finance and I
15 guess I'm available to answer your questions
16 on this topic.

17 CHAIRMAN NICOLELLO: No
18 presentation?

19 MR. PAGE: I could do a brief
20 presentation if you would like that.

21 CHAIRMAN NICOLELLO: Why don't
22 you tell us what this is about.

23 MR. PAGE: As you are very much
24 aware, Nassau County faces a number of
25 claims for overpayment of property taxes.

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2 Many of these claims have been outstanding
3 for a long time.

4 As of the end of the county
5 fiscal year 2017, the audited financial
6 statements listed a liability for this
7 purpose of \$569 million. The administration
8 has proposed that the county finance a
9 portion of this amount.

10 About 200 of the 500 plus is
11 expected to be handled in a settlement with
12 LIPA. Approximately 360 remains.

13 Of that amount, the
14 administration has identified \$100 million
15 of claims relating to the period before the
16 administration took office.

17 We are asking the authorization
18 of the Legislature for the bonding of \$100
19 million of this amount at this time.

20 As provided in the budget for
21 2019 and this year, we are proposing a total
22 of up to \$300 million. This would be the
23 first installment of paying off this
24 accumulated liability.

25 CHAIRMAN NICOLELLO: Here's the

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2 difficulty we have, or an issue we have with
3 this, which is that NIFA drew a line in the
4 sand with the Mangano administration said,
5 after this date, you are done with borrowing
6 for tax certs, number one. So we have that
7 representation in NIFA as in strong as
8 possible terms.

9 Number two, we approved borrowing
10 for the Restivo judgement earlier this year,
11 \$23 million, which was subsequently brought
12 to NIFA for the purpose of them approving
13 the borrowing which they rejected.

14 How do we proceed with this
15 without a representation from NIFA that they
16 will approve this either in part or in
17 whole?

18 MR. PAGE: We have had extensive
19 discussions with NIFA, the members of its
20 board, its chairman, and I guess I and the
21 Chief Deputy County Executive spent several
22 hours last week speaking with board members.

23 I believe that they basically
24 recognize that the size of this past
25 liability is too much for the county to meet

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2 out of its current resources.

3 And that, therefore,
4 notwithstanding prior statements, we believe
5 that if this Legislative body moves ahead to
6 authorize this \$100 million installment of
7 financing the back liability for cert
8 claims, that NIFA will in fact also act to
9 approve it.

10 We are faced with their policy of
11 refusing to make public commitments on
12 financings before all prior authorizations
13 have taken place.

14 Unfortunately that puts us in a
15 position of asking this Legislative body for
16 its authorization without an official act or
17 statement by NIFA.

18 But, again, I believe that they
19 do recognize that ultimately this amount is
20 too high to fit within the county's
21 operating budget and, therefore, there's a
22 good likelihood they will approve this
23 proposed bonding.

24 CHAIRMAN NICOLELLO: Look, we
25 know that there's many commercial entities

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2 many many small businesses that are owed
3 refunds by the county. We certainly want to
4 see them get paid. We don't want to see
5 them under any distress that they have to
6 be.

7 In terms of NIFA's policy
8 refusing to make public commitments on
9 financing, that's not in a vacuum.

10 In this case, they have
11 specifically said no more. It's not as if
12 they haven't spoken on this, they have.
13 They have said no.

14 We need to know from NIFA. We
15 need some direction from NIFA they have
16 changed their direction. Before we pass
17 bonding, just to have our legs cut out from
18 under us by NIFA, by turning around and
19 saying no, we already told you, we are not
20 going to allow this, we need them to make a
21 representation to us of sub kind to
22 substantiate what you are telling us.

23 Again, this is an unique
24 situation which they have previously said
25 no. The size of the refund liability facing

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2 the Mangano administration was also in the
3 area of \$300 million. So that's not new.

4 MR. PAGE: The actual total in
5 the financial statement at the end of '17
6 speaking at the end of the Mangano
7 administration was \$569 million.

8 The 300 that we have spoken of
9 reflects the reduction of a settlement that
10 is currently under negotiation with LIPA
11 which we hope and believe will not require a
12 back payment from the county which is how
13 the current number is 360 sum.

14 There is some amount of money in
15 the DAF which will also apply to this
16 balance.

17 The request before this body this
18 afternoon is for \$100 million which would
19 enable us to address claims owing many of
20 them going back to settlements arrived at by
21 the county in 2013 and before, and coming up
22 through 2016 as a general floor.

23 CHAIRMAN NICOLELLO: There is
24 precedent for the NIFA weighing in
25 beforehand because with the Mangano

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2 administration they did approve in advance a
3 plan in which the Mangano budget included
4 \$60 million in borrowing to address this.

5 MR. PAGE: I understand that they
6 approved a plan. They did not -- I think
7 that the understanding was that any actual
8 borrowing was going to require a further
9 specific approval by NIFA to go forward
10 notwithstanding a general plan before that.

11 CHAIRMAN NICOLELLO: Right. I
12 understand that, but they had actually done
13 more than what you are suggesting that they
14 will do now, that they would refuse to make
15 public commitments.

16 I understand they are not going
17 to vote before we vote but they can make a
18 public commitment. We seem to be logger
19 heads, maybe I'll just open the floor to
20 anyone else.

21 MR. PAGE: I guess I would just
22 state one further observation.

23 Obviously this question of trying
24 to clean up on the out the back claim, the
25 accumulated back claim, and to move forward

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2 with current payments on tax cert is
3 something that's been discussed actively
4 since last February or March, which included
5 a proposal for state legislation to enable
6 NIFA to be the bonding agent for this
7 financing.

8 NIFA at the time was I think
9 supportive of that concept. It did not in
10 the end happen in large part because of
11 reservations here about using them as the
12 agent but NIFA, as a body, was generally
13 supportive of that financing concept.

14 CHAIRMAN NICOLELLO: Just to go
15 back, we did not approve that because the
16 savings having NIFA doing the borrowing was
17 outweighed by the cost of having NIFA in
18 existence and none of us wanted to
19 perpetuate --

20 MR. PAGE: I understand that, but
21 just as an indication you referred to the
22 general plan including the \$60 million, the
23 Mangano administration is being indicative
24 of their intent.

25 I would suggest that their

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2 attitude to the proposal for NIFA capacity
3 to fund this expense might be compared to
4 the approval of a plan.

5 CHAIRMAN NICOLELLO: Any other
6 legislators have any questions for Mr. Page?
7 Minority Leader Abrahams.

8 LEGISLATOR ABRAHAMS: Mr. Page,
9 there is more of a comment. I was just
10 discussing with our counsel and finance
11 director.

12 I think when you do make that
13 argument to NIFA, if I recall there was an
14 agreement between the majority and minority
15 with the County Executive in regards to
16 bonding. If I remember correctly, it was
17 \$60 million per year for each year. I don't
18 expect you to know this because you weren't
19 there at the time.

20 However, it was in the last year
21 as part of that bonding agreement with the
22 County Executive and the majority minority,
23 the County Executive declared that he no
24 longer needed that bonding; for whatever
25 reason, he decided that he was going to be

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2 able to go forward any pay for it out of the
3 operating.

4 I bring that up as a reminder
5 obviously, as the majority is looking for
6 NIFA to opine, you should remind NIFA that
7 the county never went forward with that \$60
8 million.

9 So, from that standpoint, for
10 them to take a difficult position on this
11 would seem a little imprudent being that the
12 county never utilized the 60 that was part
13 of the agreement that they approved a few
14 years ago before the current administration
15 took place.

16 But just something that -- I
17 don't think you were aware of but something
18 that you should be reminded of.

19 CHAIRMAN NICOLELLO: I did have a
20 follow-up question. My understanding is
21 that there's still upwards of \$20 million in
22 the budget, 2018 budget, that was intended
23 for use in paying tax refunds. What's the
24 administration's intention with those
25 monies?

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2 MR. PAGE: We are trying to
3 access the DAF funds for tax refunds
4 relating to '17 and '18 in Class 4.

5 As you're aware, the DAF as it
6 existed for those two years, had an
7 individual account for each individual
8 property owner.

9 We have been holding back on
10 using the full amount of the \$30 million to
11 make certain that we have enough to fill in
12 shortages in accounts in paying out from
13 those years of the DAF fund which we are
14 very actively trying to accomplish.

15 I think that in the next couple
16 of weeks we will basically know how much we
17 need to hold for that need in this year and
18 the remainder will be paid out before the
19 end of the year.

20 We have plenty of active claims
21 particularly outside of Class 4 so not
22 related to the DAF issue, that will more
23 than use up that remaining appropriation in
24 '18.

25 CHAIRMAN NICOLELLO: Thank you

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2 very much for that comment, that response.

3 Anyone else have any questions?

4 (No verbal response.)

5 Hearing none, I'm going to ask

6 for a motion to table.

7 LEGISLATOR GAYLOR: So moved.

8 LEGISLATOR MCKEVITT: Second.

9 CHAIRMAN NICOLELLO: Moved by

10 Legislator Gaylor, seconded by Legislator

11 McKevitt. No debate or discussion. All

12 those in favor of tabling signify by saying

13 aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 Motion passes unanimously.

18 It's our intention since it was

19 tabled it can be called at the December

20 meeting, but, again, there will have to be

21 discussions with NIFA and some

22 representations from NIFA.

23 I'm now moving to Item 27,

24 Resolution 203 of 2018. Legislator Ferretti

25 is recusing himself; he will not be

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2 participating in any debate or discussion or
3 vote on this item.

4 27, Resolution Number 203 is a
5 resolution authorizing the County Attorney
6 to compromise and settle the claim of
7 plaintiffs as set forth in the action titled
8 Valley Stream Green Acres, L.L.C. against
9 County of Nassau.

10 LEGISLATOR KENNEDY: So moved.

11 LEGISLATOR LAFAZAN: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Kennedy, seconded by Legislator
14 Lafazan. It's now before us. Any debate or
15 discussion on Item 27?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 MS. MEREDAY: Meta J. Mereday,
20 Baldwin resident. Just curious as to what
21 is the amount of this settlement?

22 Also, I'm just curious as to what
23 lessons we have learned from this as far as
24 moving forward since this really speaks to a
25 lot of decisions that are made and what

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2 happens after the fact with regard to
3 promises that are made and they're not kept.
4 Then the cost involved to fill in the gap
5 has to be made up by taxpayers.

6 CHAIRMAN NICOLELLO: The amount
7 of this settlement is \$9,725,000 plus three
8 percent interest. This actual action
9 relates to assessment of the Green Acres
10 property that preceded the whole issue of a
11 PILOT payment. This is before the PILOT
12 issue arose, and the PILOTS were granted.
13 This is settling an earlier case.

14 MS. MEREDAY: I understand that,
15 but because the whole issue is around a
16 PILOT and looking at again when you are
17 looking at Newsday and you have companies
18 like Mattress Firm and Altice that are
19 looking for PILOTS, I'm sure the residents,
20 the ones that have not run out of their
21 homes in the middle of the night to increase
22 the number of zombie homes would love to
23 have a situation where they can have a
24 reduced payment in lieu of taxes.

25 So I'm just curious as to again

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2 what are the lessons that have been learned
3 by this so that we do have a better
4 understanding and awareness of the impact
5 down the road.

6 CHAIRMAN NICOLELLO: Thank you.

7 MS. MEREDAY: So no answer to
8 that. So we haven't learned anything? It's
9 just going to be business as usual?

10 CHAIRMAN NICOLELLO: You have an
11 opportunity for public comment. You don't
12 have an opportunity to interrogate. So
13 thank you very much.

14 MS. MEREDAY: I wasn't trying to
15 interrogate. I'm just trying to get an
16 understanding because you said earlier if
17 people wanted to bring issues or suggestions
18 or recommendations or ask questions as it
19 pertains to policies or things that are
20 going to be in place, it would be opportune
21 before the policies are in place.

22 So I'm asking, is there a policy
23 that's now in place that provides
24 protections for taxpayers again in
25 situations such as this?

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2 CHAIRMAN NICOLELLO: This is a
3 settlement of a tax refund case.

4 MS. MEREDAY: In other words, the
5 answer to my question is nothing has
6 changed.

7 CHAIRMAN NICOLELLO: You can
8 reach whatever conclusions you want.

9 Any other public comment?

10 (No verbal response.)

11 Hearing none, all those in favor
12 signify by saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Passes by a vote of 13 to one.

17 Please invite Legislator Ferretti back into
18 the chambers.

19 Item 28, Resolution 204,
20 authorizing the County Executive to execute
21 a grant agreement between the County of
22 Nassau acting on behalf of the Nassau County
23 Department of Parks, Recreation and Museums
24 and the Wantagh Preservation Society.

25 LEGISLATOR RHOADS: So moved.

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2 LEGISLATOR KENNEDY: Second.

3 CHAIRMAN NICOLELLO: Moved by
4 Legislator Rhoads, seconded by Legislator
5 Kennedy. This item needs an amendment which
6 will correct the last paragraph and replace
7 Friends of Cedarmere with Wantagh
8 Preservation Society.

9 LEGISLATOR RHOADS: So moved.

10 LEGISLATOR KENNEDY: Second.

11 CHAIRMAN NICOLELLO: The
12 amendment is moved by Legislator Rhoads,
13 seconded by Legislator Kennedy.

14 All in favor of amending this
15 resolution signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 It's amended.

20 Any debate or discussion on the
21 amended item?

22 (No verbal response.)

23 Hearing none, all those in favor
24 signify by saying aye.

25 (Aye.)

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2 Those opposed?

3 (No verbal response.)

4 Carries unanimously.

5 With the consent of the minority

6 we're going to waive the reading of

7 Resolution 206, it's Item 30.

8 LEGISLATOR DRUCKER: So moved.

9 LEGISLATOR LAFAZAN: Second.

10 CHAIRMAN NICOLELLO: That is

11 moved by Legislator Drucker, seconded by

12 Legislator Lafazan. That item also requires

13 an amendment. It corrects the title to read

14 a resolution to amend Resolution 387 of 2008

15 as last amended by Resolution 247 of 2017 to

16 designate newspapers to publish and identify

17 the real property listed by school district

18 number located wholly or partly in the Town

19 of Hempstead, Town of North Hempstead, City

20 of Glen Cove and City of Long Beach on which

21 real estate tax liens are subject to sale by

22 the county treasurer for unpaid taxes

23 pursuant to County Government Law of Nassau

24 County and the Nassau County Administrative

25 Code.

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2 LEGISLATOR DRUCKER: So moved.

3 LEGISLATOR LAFAZAN: Second.

4 CHAIRMAN NICOLELLO: The
5 amendment is made by Legislator Drucker and
6 seconded by Legislator Lafazan.

7 Any debate or discussion on the
8 amendment?

9 (No verbal response.)

10 All in favor signify by saying
11 aye.

12 (Aye.)

13 We have the item as amended. Any
14 debate or discussion or public comment?

15 (No verbal response.)

16 All in favor of the item as
17 amended signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Carries unanimously.

22 Item 38, Resolution 214, a
23 Resolution to authorize the transfer of
24 appropriations heretofore made within the
25 budget for the year 2018.

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2 LEGISLATOR DERIGGI-WHITTON: So
3 moved.

4 LEGISLATOR SCHAEFER: Second.

5 CHAIRMAN NICOLELLO: Moved by
6 Legislator DeRiggi-Whitton, seconded by
7 Legislator Schaefer. That's before the
8 legislator.

9 MR. MILES: Robert Miles, Deputy
10 County Attorney. This \$200,000 for the
11 postage for the tax impact notices.

12 CHAIRMAN NICOLELLO: Mr. Moog is
13 not here today?

14 MR. MILES: He's not. I'm a
15 sorry replacement.

16 CHAIRMAN NICOLELLO: Can you
17 answer questions about the tax impact
18 notice?

19 MR. MILES: Yes.

20 CHAIRMAN NICOLELLO: The first
21 question is, is the tax impact notice going
22 to include any phase in or exemption
23 resulting in a phase in?

24 MR. MILES: The most recent
25 draft, yes.

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2 CHAIRMAN NICOLELLO: What phase
3 in is it going to reference?

4 MR. MILES: In terms of?

5 CHAIRMAN NICOLELLO: Well, we had
6 asked the assessor the last time he was here
7 if anything had been drafted, he said it had
8 not been finalized or not been done yet, not
9 been drafted and submitted? How can we
10 reference a phase in on our tax impact
11 notice?

12 MR. MILES: The legislation is
13 still not in file form.

14 CHAIRMAN NICOLELLO: That's my
15 point, how can the tax impact notice use a
16 phase in which doesn't exist yet?

17 MR. MILES: We fully expect there
18 to be a five year phase in.

19 CHAIRMAN NICOLELLO: If it's
20 going to the residents and they see it on
21 there, they're going to assume that their
22 taxes -- assuming that they're getting tax
23 increases, that their taxes are going to be
24 phased in. But that doesn't exist.

25 MR. MILES: We are assuming it

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2 will exist in January.

3 CHAIRMAN NICOLELLO: Tell me a
4 little bit about the proposed phase in. Is
5 it a phase in of assessed value?

6 MR. MILES: Yes, over five years.

7 CHAIRMAN NICOLELLO: But is it a
8 phase in, tentative assessment increases?

9 MR. MILES: Phase-in for
10 increases and decreases.

11 CHAIRMAN NICOLELLO: Since the
12 administration has applied the smaller
13 fraction, virtually 95 percent of the county
14 is going to see a decrease in assessed value
15 so it can't be for assessed value.

16 MR. MILES: As of now, based on
17 current form, or the drafting, it will be
18 based upon the fair market value. The
19 increases in fair market value reflecting
20 the assessed value.

21 CHAIRMAN NICOLELLO: Has that
22 ever been done before, has there ever been a
23 phase-in in New York State not of assessed
24 value, but of fair market value?

25 MR. MILES: I can speak to the

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2 commercial side, there is a phase-in of the
3 market value.

4 CHAIRMAN NICOLELLO: Where was
5 that done?

6 MR. MILES: It's done regularly.
7 It's commercial it's 1805.

8 CHAIRMAN NICOLELLO: What about
9 residential. We heard a lot about a
10 Greenberg, my understanding that involved a
11 phase in of assessment increases.

12 MR. MILES: Yes. I believe that
13 would be a three year phase in.

14 CHAIRMAN NICOLELLO: And this is
15 different, this is something that there is
16 no history of in terms of state Legislature
17 passing a phase-in of fair market value
18 increases.

19 MR. MILES: No. There is not.
20 This will be a creative solution for our
21 taxpayers.

22 CHAIRMAN NICOLELLO: We don't
23 have any idea and no one has explained to us
24 how this phase-in of fair market value would
25 work.

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2 In good faith, sorry, obviously
3 you're not making policy decisions here, but
4 in good faith, how can you put something
5 like that on a tax impact notice? By
6 definition, it's completely ambiguous and
7 contingent.

8 MR. MILES: I don't know how I
9 would respond to that question.

10 CHAIRMAN NICOLELLO: Anyone else
11 have any questions? Deputy Presiding
12 Officer Kopel.

13 LEGISLATOR KOPEL: So once this
14 goes to the Legislature, the state
15 Legislature in January, it's possible they
16 can come up with something different than
17 what has been proposed by the
18 administration; isn't that true?

19 MR. MILES: There is a
20 possibility, but we will advocate for our
21 solution.

22 LEGISLATOR KOPEL: Will advocate.
23 So what will happen is, we have to send out
24 another tax impact notice because this one
25 may have been proved totally unusable?

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2 MR. MILES: Well, it will provide
3 the information of the tax impact without
4 the transitional. So that will be as
5 accurate as you can be based on the '17,
6 '18.

7 LEGISLATOR KOPEL: In other
8 words, without the phase in or transitional,
9 it will show that as well?

10 MR. MILES: Yes, of course.

11 LEGISLATOR KOPEL: It will show
12 that for each one of the various taxes that
13 are being charged?

14 MR. MILES: I believe so.

15 LEGISLATOR KOPEL: In other
16 words, it will have separate for school.

17 Now, what is the administration's
18 position on this transitional in terms of
19 the fact that it's actually a moving target
20 because every year you're planning to change
21 it, aren't you, in terms of the assessed
22 valuation?

23 MR. MILES: That's being
24 contemplated in the Legislature.

25 LEGISLATOR KOPEL: So you don't

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2 know that yet?

3 MR. MILES: It's definitely in
4 discussion for sure.

5 LEGISLATOR KOPEL: You said you
6 had the latest draft of the notice, can you
7 make that available to us?

8 MR. MILES: That that will be up
9 to the County Executive's Office.

10 LEGISLATOR KOPEL: So,
11 essentially, what you're asking for is for
12 us to sign a blank check? Because you're
13 asking us -- well, the administration has
14 already sent out a notice which, in my
15 opinion, and that of I know of many other
16 people, it's not -- I wouldn't say it's
17 useless, it's harmful, because it frightened
18 people. It confuses people. Some people
19 think their taxes are going to double or
20 triple. Some people think their taxes are
21 going to go down. The last one that went
22 down provides no useful information, just
23 confusing information.

24 You can't item us what the new
25 one will have, and, as a matter of fact,

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2 even know whether the new one will be
3 accurate, and you're asking us to fund it.
4 That just sounds -- it sounds at best
5 wasteful and at worst, once again,
6 misleading.

7 MR. SANTERAMO: Mike Santeramo
8 from the administration.

9 Legislator, are you making the
10 argument that we should not send out the tax
11 impact statements and hold until we get the
12 legislation?

13 LEGISLATOR KOPEL: Maybe what you
14 should do is make the announcement that you
15 can't do it, because you can't send out
16 anything accurate because in fact that's
17 true, isn't it?

18 MR. SANTERAMO: I'm sorry what is
19 true?

20 LEGISLATOR KOPEL: As a matter of
21 fact, if you made an announcement that you
22 cannot send out anything that's accurate,
23 that would be the truth.

24 MR. SANTERAMO: So it would seem
25 to --

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2 LEGISLATOR KOPEL: Because, in
3 other words, all you would be sending out is
4 something that would once again not give
5 people any kind of accurate information.

6 MR. SANTERAMO: In conversations
7 with both the assembly speaker and the soon
8 to be majority leader in the senate, we have
9 received commitments on at least the five
10 year transitional piece of legislation but,
11 perhaps, you are correct, perhaps we should
12 wait to see what that legislation looks like
13 before we send out the tax impact notice, is
14 that what the legislator is suggesting?

15 CHAIRMAN NICOLELLO: No one is
16 suggesting that. We're not giving the
17 administration another opportunity to delay
18 this.

19 LEGISLATOR KOPEL: No. But what
20 I'm suggesting is that maybe you should say
21 that these are just educated guesses at
22 best.

23 MR. SANTERAMO: Sorry. Deputy
24 Presiding Officer, the entire tax impact
25 statement is a hypothetical piece of paper.

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2 It's hypothetical, based on new assessment,
3 and an old tax levy, correct?

4 LEGISLATOR KOPEL: Will it so
5 state that it is hypothetical?

6 MR. SANTERAMO: It is
7 hypothetical, correct.

8 LEGISLATOR KOPEL: I didn't ask
9 that. Will it say on it that this is --

10 MR. SANTERAMO: Correct.

11 LEGISLATOR KOPEL: It will say
12 so?

13 MR. SANTERAMO: Yes. It is
14 hypothetical.

15 CHAIRMAN NICOLELLO: Legislator
16 Rhoads.

17 LEGISLATOR RHOADS: Mr.
18 Santeramo, there is a difference between an
19 educated estimate which is what we were
20 looking for in the tax impact notice that we
21 are required through legislation through the
22 administration to send out.

23 There's a difference between that
24 and a complete fantasy which is the notion
25 of there being a five year phase-in. That

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2 phase-in does not exist.

3 Now I know that you've been
4 representing to us today that you've had
5 communications with the assembly speaker,
6 had communications with presumptive
7 president of the senate, and they've given
8 you some sort of assurance that there's
9 going to be some sort of phase-in, but the
10 reality is, you don't know that it's a done
11 deal until it's a done deal, correct?

12 MR. SANTERAMO: I don't know what
13 that last comment is meant to mean, but --

14 LEGISLATOR RHOADS: What it means
15 is that there's plenty of things that
16 happen, Mr. Santeramo, in the legislative
17 process. We've even seen it here in the
18 county Legislature. We had a deal back in
19 March and all of a sudden we don't. Things
20 happen. Things change, correct?

21 MR. SANTERAMO: No, no. And I
22 understand the reasoning for tax impact to
23 allow the residents of Nassau County to see
24 in a --

25 LEGISLATOR RHOADS: To see in a

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2 way that they can understand it.

3 MR. SANTERAMO: In a hypothetical
4 situation what their tax impact will look
5 like.

6 LEGISLATOR RHOADS: But here's my
7 concern, Mr. Santeramo --

8 MR. SANTERAMO: Excuse me,
9 Legislator, I just wanted to finish my point
10 on the transitional, if I could.

11 LEGISLATOR RHOADS: Sure, go
12 ahead.

13 MR. SANTERAMO: Correct, we have
14 had discussions with the incoming majority
15 leader and with the state assembly speaker
16 who have committed to at least a five year
17 transitional piece of legislation coming out
18 of both houses.

19 It's obviously something that
20 will help the residents on both ends of the
21 spectrum. I think, again, as I stated in
22 the past, the members of the county
23 Legislature would be very supportive of that
24 type of legislation.

25 LEGISLATOR RHOADS: Well, let's

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2 start off by saying, what would have helped
3 the residents is abiding by the state 620
4 cap. That would have provided the phase-in
5 the state law already provides that would
6 have limited the impact of the revaluation
7 and would have blunted the impact of anyone
8 receiving an increase, correct?

9 I gave you your opportunity. But
10 because the administration has made the
11 decision to drop the level of assessment and
12 has now created a situation where
13 potentially homeowners and the estimates
14 that we have seen are that 40,000 property
15 owners will receive a tax increase of
16 between 15 and 25 percent.

17 Another 50,000 homeowners with
18 receive an increase of 25 percent or more
19 potentially, the administration is now
20 trying to come up with a transitional
21 phase-in to limit the direct impact of those
22 increases occurring in a single year.

23 I understand that you are trying
24 to do that. The danger of putting that on
25 the tax impact notice is that those tax

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2 impact notices are going to be used by
3 homeowners whether or not they are going to
4 grieve their taxes.

5 What are you going to do and what
6 is the state going to do in that legislation
7 if there's a homeowner who views the
8 transitional phase-in and says, you know
9 what, it's not that bad, I'm not going to
10 grieve my taxes. Then, all of a sudden, it
11 doesn't happen.

12 MR. SANTERAMO: The grieving
13 process is on the assessed value of the
14 home, is it not?

15 LEGISLATOR RHOADS: Yes, but the
16 assessed value of the home is what
17 determines the amount of property taxes that
18 you pay, correct?

19 MR. SANTERAMO: The assessed
20 value of the home goes into the creation of
21 the tax levy, correct, but the grievance is
22 on the actual value of the home.

23 LEGISLATOR RHOADS: So the
24 assessed value is not divided by the levy?

25 MR. SANTERAMO: It is. But I

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2 want to make sure we are clear for everybody
3 on the record that the people are grieving,
4 the residents are grieving the assessed
5 value of their home.

6 LEGISLATOR RHOADS: That is
7 correct. But the purpose of including a
8 dollar value estimate is so they can
9 understand the tax impact of what the
10 changes in assessment have made, correct?

11 MR. SANTERAMO: Correct. The
12 hypothetical understanding based on the
13 current levy on the new assessed value of
14 the home.

15 LEGISLATOR RHOADS: So wouldn't
16 putting a five year phase-in that we don't
17 know for certain is going to pass leave
18 individuals with the impression that they
19 may actually get a lower -- there may be a
20 lower tax impact because it's spread out
21 over five years when in fact that may not
22 occur.

23 MR. SANTERAMO: Again, the County
24 Executive has a commitment from the majority
25 leader, the incoming majority leader, and

1 Full Legislature/11-19-18
2 the assembly speaker on at least a five year
3 transitional piece of legislation.

4 LEGISLATOR RHOADS: We had a
5 commitment in writing from the County
6 Executive that she wasn't going to change
7 the 620 rule and she did.

8 MR. SANTERAMO: And I can only
9 state what I know the commitment is on this.

10 LEGISLATOR RHOADS: That's
11 wonderful but sometimes thing changes.

12 MR. SANTERAMO: Also, I don't
13 want to interrupt, just to put on the
14 record, I know it's on a different matter,
15 but I believe that NIFA is looking to talk
16 to the Presiding Officer right now, so I
17 think they are giving him a call. I just
18 want to put that on the record.

19 LEGISLATOR RHOADS: Great. I
20 appreciate that. What is it about?

21 MR. SANTERAMO: I have feeling
22 it's about the bonding.

23 LEGISLATOR RHOADS: Okay. We
24 appreciate that information. Incidentally,
25 by the way, will we actually be provided a

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2 draft of the legislation that's being
3 submitted to Albany?

4 MR. SANTERAMO: I will see if I
5 can get you a draft relatively soon.

6 LEGISLATOR RHOADS: It is
7 finalized?

8 MR. SANTERAMO: It is not
9 finalized. A draft by definition is not
10 finalized.

11 LEGISLATOR RHOADS: But that's
12 the answer we received in response to that
13 question a month ago when it was initially
14 proposed.

15 MR. SANTERAMO: That's right.

16 LEGISLATOR RHOADS: And it's
17 still not final?

18 MR. SANTERAMO: That's correct.

19 LEGISLATOR RHOADS: But you have
20 had conversations with the speaker, had
21 conversations with presumptive senate
22 president?

23 MR. SANTERAMO: Correct.

24 LEGISLATOR RHOADS: Based on what
25 if there is no legislation?

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2 MR. SANTERAMO: Based upon their
3 desire to help the residents of Nassau
4 County in some level of tax transition to
5 mitigate the impact of the new reassessment.

6 LEGISLATOR RHOADS: So you have
7 gotten some sort of commitment, not in
8 writing, not certain what it is, that the
9 state legislature is going to act to bail
10 the tax payers of Nassau County out of a
11 situation that the County Executive has
12 created by manipulating the level of
13 assessment?

14 MR. SANTERAMO: Do you -- and I
15 don't think that anybody believes that the
16 County Executive has frozen the tax roll for
17 the past eight years, frozen the values and
18 created what we will call the tax assessment
19 mess.

20 I think that the Mangano
21 administration is the culprit on that one.
22 So I think saying that the administration
23 and County Executive has caused this problem
24 I think is misleading.

25 LEGISLATOR RHOADS: The

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2 administration has not caused the problem
3 that necessitated a revaluation. The
4 administration has unilaterally decided that
5 it was going to bypass state law so the
6 phase-in could occur quicker.

7 MR. SANTERAMO: I feel we are,
8 and I think we'll all agree, we are beating
9 a dead horse, and having the same
10 conversation over and over.

11 LEGISLATOR RHOADS: So let's
12 stop.

13 MR. SANTERAMO: But I just want
14 to finish your thought here. I think that
15 when information came to light from the
16 assessor, who has is an actual, qualified,
17 certified assessor, when information was
18 analyzed, I think under the previous or
19 under the state legislation, the 6 and 20
20 cap rule, I think that it was found that it
21 would take decades in order to get the roll
22 back to fairness and equity for all the
23 residents of the county.

24 LEGISLATOR RHOADS: So since you
25 brought up the assessor, and I notice that

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2 Mr. Moog obviously is not here today. By
3 the way, is he ill?

4 MR. SANTERAMO: The only request
5 we got to have Mr. Moog speak at the
6 Legislature was approximately 20 minutes
7 ago.

8 LEGISLATOR RHOADS: Okay. There
9 is an item obviously on the calendar
10 regarding funding of the tax impact notices
11 that he needs to send out. I would presume
12 that he would be here because, you can
13 probably anticipate that we have some
14 questions about it.

15 MR. SANTERAMO: Well, Robert
16 Miles, we thought who was a pretty capable
17 to somewhat capable to somewhat capable
18 qualified guy is here to answer the
19 questions on the postage.

20 LEGISLATOR RHOADS: I have no
21 doubt that Mr. Miles is extraordinary
22 qualified as a Deputy County Attorney is
23 qualified to do what Mr. Miles does.

24 But Mr. Moog is the assessor and
25 we have questions with regard to the tax

1 Full Legislature/11-19-18
2 impact notices. Mr. Miles is simply
3 relaying information that's provided to him
4 presumably by Mr. Moog.

5 It would be nice to have the
6 actual policy maker here so we would be able
7 to make that inquiry.

8 The reality is, we don't know
9 what's included in those tax impact notices.
10 We have asked for a copy of the draft impact
11 notice. We asked for it in a request from
12 the Presiding Officer back on October 18th.
13 We still have not received it.

14 The question for Mr. Moog was
15 going to be, when are we going to receive it
16 and why is it that the folks that are in the
17 mail room, who are going to send these tax
18 impact notices out, have the opportunity to
19 see it before the Legislature, and have the
20 opportunity to see it before the homeowners,
21 who it's impacting?

22 MR. SANTERAMO: I'm sorry. I
23 didn't mean to not pay attention to that
24 last little bit.

25 LEGISLATOR RHOADS: The question

1 Full Legislature/11-19-18
2 is, why is it when we've asked for a copy of
3 the tax impact notice that's going to be
4 sent out by the administration that's
5 supposed to be in people's homes by December
6 1st, right? That's the county executive's
7 deadline.

8 Incidentally, the deadline, by
9 the way, that we had set initially in the
10 proposed legislation was November 1st. As
11 an accommodation to Mr. Moog, we moved that
12 deadline to November 15th.

13 MR. SANTERAMO: I don't think it
14 was to accommodate Mr. Moog. I think it was
15 so that Mr. Moog can get his job done
16 correctly and accurately.

17 LEGISLATOR RHOADS: Mr. Moog
18 indicated that he needed seven weeks to
19 prepare those notices, November 15th was
20 seven weeks and now that's notices are not
21 prepared.

22 But the question that I had was,
23 why is it once those notices go out that we
24 haven't received a copy of the tax impact
25 notice, why is that that the homeowners have

1 Full Legislature/11-19-18
2 absolutely no idea at the moment what's
3 going to be included in the tax impact
4 notice?

5 Why is it that the people in the
6 administration and the mail room who are
7 going to be sending these notices out know
8 more information than their elected
9 representatives here on the Legislature?

10 MR. SANTERAMO: I will see if I
11 can get you a draft copy.

12 LEGISLATOR RHOADS: But it wasn't
13 finalized. That's what Mr. Miles just said.

14 MR. SANTERAMO: It is not
15 complete and it's not finalized.

16 LEGISLATOR RHOADS: How are you
17 going to get notices prepared and mailed so
18 that taxpayers can receive them by December
19 1st, and now it's November 19th, how is that
20 going to happen when you haven't even
21 decided in final draft what is going to be
22 in the notices?

23 MR. SANTERAMO: I apologize, I
24 don't know how long, me personally, don't
25 know the printing process on these.

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2 LEGISLATOR RHOADS: I suspect
3 that Mr. Moog would have known but he is not
4 here.

5 MR. SANTERAMO: Again, Mr. Moog's
6 presence was requested approximately 25 or
7 30 minutes ago.

8 LEGISLATOR RHOADS: But it's not
9 necessarily a presence. We sort of
10 anticipate at some point in time common
11 sense is going to come into play and when
12 there's an issue coming up with assessment
13 and you know it's been a hot button issue
14 for several months at this point, that you
15 could have anticipated there would have been
16 some questions that we would have that only
17 Mr. Moog can answer.

18 MR. SANTERAMO: We thought the
19 questioning was going to be on the
20 allocation of the postage, not on the
21 details of what was contained in the tax
22 impact notice.

23 LEGISLATOR RHOADS: When the
24 money is for the tax impact notice, you can
25 be pretty certain there's going to be some

1 Full Legislature/11-19-18
2 questions about the impact notice when we
3 ask for it a month ago and we haven't seen
4 it yet.

5 By the way, incidentally,
6 referring to that letter from Presiding
7 Officer Nicoletto dated October 18th of 2018
8 to Assessor Moog, we have asked that he
9 provide not only the tax impact notice but
10 copies of any proposed draft and sample tax
11 impact notice prepared by any official or
12 member of staff at the Department of
13 Assessment; copies of proposed tax impact
14 notices submitted to the Department of
15 Assessment, its official and employees by
16 county contractors, documents, including
17 reports, memoranda, analysis, or similar
18 documents prepared by the assessor, actual
19 tax impact notices, any communication plan
20 related to the systematic review; documents
21 including reports, memoranda, analysis, or
22 similar documents prepared by the assessor,
23 department of assessment officials, staff,
24 and/or contractors regarding estimated
25 potential or actual tax impacts of the

1 Full Legislature/11-19-18
2 systematic review; written correspondence
3 including emails prepared by, received, sent
4 and/or exchanged between the assessor,
5 Department of Assessment official, and staff
6 and other employees or officials of county
7 government or any county contractors
8 regarding the determination of whether to
9 prepare or send tax impact notices.

10 And it indicates, for the purpose
11 of the request, the tax impact notice shall
12 mean any notice that informs or is intended
13 to inform taxpayers as to the estimated or
14 hypothetical estimated tax impact of the new
15 tentative assessed value including but not
16 limited to notices to be sent by two
17 taxpayers pursuant to New York State Real
18 Property Tax Law 511.

19 We requested that the information
20 be provided no later than the close of
21 business on November 1st of 2018.

22 What we received in response to
23 that was nothing, other than a phone call
24 to, I believe on Friday, to majority counsel
25 indicating that they wanted to sit down for

1 Full Legislature/11-19-18

2 a meeting with counsel.

3 Do we know what, if any, of that
4 information, that litany of information we
5 requested is actually going to be provided
6 as a result of that meeting?

7 MR. SANTERAMO: I wasn't cc'd on
8 that correspondence. I'm not familiar. I
9 believe the phone call Robert just
10 mentioned.

11 MR. MILES: I believe the County
12 Attorney called majority counsel three weeks
13 ago to discuss preparation of the documents
14 responsive to the request.

15 LEGISLATOR RHOADS: Do we know
16 that any of the information that we actually
17 asked for, do we know what information --

18 MR. MILES: Documents are being
19 prepared to respond to the request.

20 LEGISLATOR RHOADS: Because I do
21 have a question. It seems as though we have
22 a difference of opinion as to when it was
23 determined or whether it was ever discussed
24 by the administration as to whether or not
25 the actual dollar value impact was going to

1 Full Legislature/11-19-18
2 be included in any of the notice of
3 tentative assessment that was going to be
4 sent out, particularly the one sent out on
5 November 1st.

6 Assessor Moog has been asked on
7 three separate occasions, I believe by
8 Legislator Kopel, myself and I believe by
9 Legislator Ferretti if I'm not mistaken, to
10 which the answer was no. That it was never
11 considered that the dollar value impact was
12 going to be included on the notice of
13 tentative assessment that was going to be
14 sent out pursuant to 511 back on November
15 1st.

16 Then we have a statement by
17 Mr. Martino, the communications director,
18 which appeared in Newsday, indicating
19 something to the contrary. Do we know which
20 is accurate?

21 MR. SANTERAMO: I will have to go
22 with what the assessor says.

23 LEGISLATOR RHOADS: Okay. So
24 when Mr. Martino indicated that the
25 administration did not include prior year

1 Full Legislature/11-19-18
2 assessment data because the county had
3 changed the level of assessment from .25 to
4 .1 and additional information would only
5 confuse property owners, that information is
6 incorrect?

7 MR. SANTERAMO: Can you repeat
8 the question? Sorry.

9 LEGISLATOR RHOADS: Mr. Martino
10 actually made two statements; he said the
11 administration did not include prior year's
12 assessment data because the county had
13 changed the level of assessment from .25 to
14 .1 and the additional information would only
15 confuse property owners.

16 Then Mr. Martino said that there
17 had been multiple drafts of the disclosure
18 notice but the change in level of assessment
19 which was recommended by an outside
20 assessment expert was the key to why
21 additional data was not included.

22 Isn't that inconsistent with
23 Mr. Moog's statement?

24 MR. SANTERAMO: I'm not familiar
25 or read Mr. Martino's statement on that. I

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2 will take your word for it that that's what
3 was printed in the paper. I'm not familiar
4 enough to understand where he was coming
5 from, where he got his information from.

6 LEGISLATOR RHOADS: Because what
7 it makes it sound like is the information
8 that was contained in what we now I think
9 would agree was woefully inadequate, notices
10 of tentative assessment that went out on
11 November 1st providing the minimum amount of
12 information permitted by law was made as a
13 result of a desire not to impact an
14 election.

15 MR. SANTERAMO: Impact the
16 election that just happened a few weeks ago?

17 LEGISLATOR RHOADS: Exactly.

18 MR. SANTERAMO: I think it would
19 have taken a lot more than that to impact
20 those results.

21 LEGISLATOR RHOADS: And that's a
22 fair point. That is a fair point. But it
23 seems as though the decision by the
24 administration not to include information in
25 the initial tax impact notices that were

1 Full Legislature/11-19-18
2 sent out, the initial notices of tentative
3 assessment, has only served to confuse
4 homeowners more.

5 We've stressed from the beginning
6 that all we wanted was openness and
7 transparency in the process and we wanted a
8 situation where taxpayers would be able to
9 understand what the actual impact was to
10 them.

11 It seems as though that
12 information could have been provided in the
13 initial disclosure notices.

14 I find it odd that Mr. Moog's
15 representation would be correct that it had
16 never been considered by the administration,
17 that you would reduce the actual impact to
18 dollar values so the taxpayers could
19 understand what was happening, and then we
20 seem to be complicating the issue now by
21 continuing to delay the assessment, the tax
22 impact notices, making it more difficult for
23 homeowners to have the time to be able to
24 review and react to those situations.

25 As it is now, those impact

1 Full Legislature/11-19-18
2 notices are going to go out, you're saying
3 they're going to be in hand December 1st.

4 But since you don't even know
5 what will be in the impact notice yet, I
6 suspect that there is already going to be a
7 delay from that December 1st date unless
8 miraculous things happen in the next few
9 days.

10 MR. SANTERAMO: Let's see if
11 that's the case.

12 LEGISLATOR RHOADS: We don't know
13 that to be true, just like we don't know
14 whether the transitional is true. Isn't it
15 the case that the roll has to be sent up to
16 the state by December 15th?

17 MR. MILES: I'm not aware of that
18 section in the law.

19 LEGISLATOR RHOADS: Okay. It's
20 my understanding that the roll that goes
21 final as of January 1st has to be sent up 15
22 days in advance to the state so that it can
23 be processed.

24 MR. MILES: I believe it has to
25 go up to the state. I'm not aware of the

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2 timing.

3 LEGISLATOR RHOADS: Which means
4 that any changes to the roll would have to
5 be made by December 15th?

6 MR. MILES: No, because senior
7 exemptions still come through past December
8 15th so we still apply exemptions.

9 LEGISLATOR RHOADS: Is there a
10 reason why the assessor's satellite offices
11 are closing on December 15th?

12 MR. MILES: I'm assuming for
13 holiday purposes, not enough staffing, but
14 we will continue through January.

15 LEGISLATOR RHOADS: But my
16 understanding is that changes to the roll
17 that are going to be made as a result of
18 anything occurring at these meetings, the
19 opportunity for that to be effective will
20 cease on December 15th.

21 My concern is that the delays
22 that have already occurred, delaying these
23 impact notices to December 1st, have already
24 left homeowners with only a 15 day window,
25 to be able to see the impact, be able to

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2 question the Department of Assessment, and
3 be able to attempt to get some sort of
4 adjustment if there is an error in that
5 adjustment prior to having to resort to the
6 grievance process after the roll is
7 finalized.

8 MR. MILES: So the one issue that
9 I have, legislator, is the concept of
10 grieving taxes.

11 They can still, the point of the
12 outreach and the satellite office is, ensure
13 that they come, review their fair market
14 value, and will tell the assessment official
15 who is working there where they feel there
16 is an error in the value.

17 So I understand the tax impact
18 notice and the importance of it. But
19 changes in taxes and, still, this is all
20 hypothetical because we are using the levy
21 from '17, '18 and we don't know what the
22 budgets are moving forward for our county,
23 town, and school. The main focus should be
24 the fair market value.

25 Anywhere they feel it's incorrect

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2 or something that needs to be changed, they
3 have had the opportunity since November 1st
4 to come in and express their concerns.

5 We have taken that into
6 consideration and are still reviewing the
7 roll to make sure everything is correct and
8 accurate which is what we are here for.

9 LEGISLATOR RHOADS: But without
10 providing a homeowner the opportunity to
11 understand the information that's provided,
12 because they're seeing large jumps in their
13 market value, right, and at the same time
14 they are seeing reductions in their assessed
15 value, those two things don't necessarily
16 correspond based on their experience, right?

17 MR. MILES: But they have had the
18 opportunity since November 1st to have come
19 in and we have had very good response to
20 that. Great responses.

21 LEGISLATOR RHOADS: But the issue
22 is, for individuals who have grieved their
23 taxes on a regular basis, they recognize
24 that a reduction in the assessed value often
25 represents a reduction in the amount of

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2 taxes that they pay.

3 Whereas, as a result of the
4 change in the level of assessment, that may
5 not necessarily be the case this year.
6 That's why it was important for us to
7 include actual dollar value impact so that
8 it will provide context for the average
9 homeowner to be able to understand what the
10 change in the level of assessment meant in
11 terms of their assessed value and in terms
12 of their taxes.

13 MR. MILES: The difference is in
14 this year and in previous years, there is
15 none in terms of how your assessed value
16 compares with those in your neighborhood and
17 school district.

18 So I understand that you are
19 saying reductions may be confusing, but, no
20 matter what, the assessed value is based on
21 your portion of how you pay your taxes.

22 So it's no different than what
23 this year is versus last year in terms of
24 how you view assessed value.

25 LEGISLATOR RHOADS: But when you

1 Full Legislature/11-19-18
2 are changing the formula by which it is
3 calculated, wouldn't it have been prudent,
4 and I suspect, as I've said, what Mr. Moog
5 had indicated that it had never been
6 considered to provide the tax impact to
7 taxpayers, the actual dollar value impact to
8 taxpayers.

9 Wouldn't it have been prudent to
10 provide homeowners with all the changes in
11 valuation, and now the changes in the level
12 of assessment, to provide them with some
13 context in which they can understand those
14 changes?

15 MR. MILES: We are doing that for
16 transparency purposes but it does not change
17 how you grieve your assessment.

18 LEGISLATOR RHOADS: But my point
19 is, wouldn't it have been better for
20 transparency purposes to do that on November
21 1st when the notice are sent out?

22 Those notices exist for the very
23 purpose of providing homeowners transparency
24 so that they can make a decision if they see
25 an error, they can meet with the Department

1 Full Legislature/11-19-18
2 of Assessment to have it corrected before
3 they have to subject themselves to the
4 grievance process.

5 MR. MILES: They are doing that
6 currently with the notices that were already
7 sent out with the assessed value.

8 The misnomer is saying you are
9 growing your tax you are greeting your
10 value. The misnomer is saying, you're
11 grieving your taxes, you're grieving your
12 value.

13 So they have had that opportunity
14 since November 1st to do that and we're
15 adding additional information based on this
16 2017-2018 levy.

17 They've always had this
18 opportunity since November 1st and come and
19 fill these appointments and meet for a large
20 amount of time with our assessment officials
21 and we take that information into
22 consideration.

23 LEGISLATOR RHOADS: One of the
24 things we requested was community meetings
25 inside of our individual districts with the

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2 Department of Assessment.

3 That obviously hasn't come to
4 fruition. Is there any plan between now and
5 January 1st to accommodate that request on
6 behalf of the individual legislators?

7 MR. MILES: I believe there are
8 discussions as to how best work that out.
9 There are 19 districts. We are trying to
10 figure out timing and trying to at least
11 finish up the roll as it is now.

12 I know the values are already out
13 but, like, we were just discussing, with
14 homeowners coming in and giving us
15 information that actually improves our role,
16 we still have the obligation to complete an
17 accurate roll based on the information
18 that's provided to us in these very good
19 meetings.

20 LEGISLATOR RHOADS: You're going
21 to be providing us with the documents that
22 we have requested?

23 MR. MILES: They are being
24 prepared as we speak.

25 LEGISLATOR RHOADS: And we can

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2 anticipate having those documents when?

3 MR. MILES: Soon. I don't have a
4 time, but they are being prepared.

5 LEGISLATOR RHOADS: It seems as
6 though this \$200,000 expense that we have
7 could have been avoided if we had done it
8 correctly the first time. I hope that
9 whatever information is provided in that
10 response is complete.

11 We have a couple of different
12 representations that have been made by the
13 assessor versus the communications director.
14 I think we really need to get to the bottom
15 of what was -- what conversations were had
16 by the administration, what information was
17 considered by the administration, what the
18 administration did with that information or
19 decided not to do with that information
20 which resulted in situation that we're in
21 now.

22 We need those responses to be
23 accurate and, if it comes to pass that we
24 find those responses are not accurate, I can
25 assure that that there will be hell to pay.

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2 MR. SANTERAMO: Hypothetically?

3 LEGISLATOR RHOADS: No, that's
4 actual hell.

5 LEGISLATOR KOPEL: Anyone else?
6 Mr. Ferretti.

7 LEGISLATOR FERRETTI: Good
8 evening, gentlemen. I promise to only be
9 three quarters as long as Legislator Rhoads.

10 I would like to know, the
11 proposal, this bill, the meat and potatoes
12 of it, you know what they are? It's mostly
13 drafted? Can we talk about it a little bit?

14 MR. SANTERAMO: What I can do, to
15 make things a little bit easier, I can send,
16 if the Legislature would like, I can
17 actually send a piece of legislation based
18 upon the same premises that was passed in
19 Newburg, the use of the meat and potatoes
20 would be the same.

21 LEGISLATOR FERRETTI: Maybe I can
22 get the intent of the administration on a
23 couple of things as to what they're looking
24 to do.

25 I want to understand what it's a

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2 phase-in of because I heard a couple of
3 different things.

4 Is it a phase-in of a tax dollar
5 amount, a phase in of a fair market value, a
6 phase in of an assessed value; what is she
7 looking to do?

8 MR. MILES: You cannot legally --
9 I believe phase in the taxes. But this is a
10 phase-in of the fair market value as it
11 affects the fair market value.

12 LEGISLATOR FERRETTI: So a
13 phase-in of the fair market value?

14 MR. MILES: As it affects the
15 assessed value. The relationship is
16 important.

17 LEGISLATOR FERRETTI: With that
18 phase-in work in both directions?

19 MR. MILES: Yes.

20 LEGISLATOR FERRETTI: So if a
21 fair market value goes down, that reduction
22 would be phased in over five years under
23 this proposal as well?

24 MR. MILES: Currently, yes.

25 LEGISLATOR FERRETTI: Would this

1 Full Legislature/11-19-18
2 proposal cover all property in Nassau
3 County?

4 MR. MILES: All Class I
5 properties.

6 LEGISLATOR FERRETTI: Residential?

7 MR. MILES: Yes.

8 LEGISLATOR FERRETTI: Does it
9 account for the rare instance of a natural
10 disaster where a property may be leveled by
11 a storm, what happens then if the assessment
12 gets drastically reduced, would that
13 reduction as a result of a natural disaster,
14 would that be phased in as well?

15 MR. MILES: There is a law. It's
16 in the charter. It's within RBTL that we
17 take into considerations homes that have
18 been destroyed or portions that have been
19 removed. It isn't directly in the law.

20 LEGISLATOR FERRETTI: I'm asking,
21 we haven't seen the proposal, but this is
22 one of the reasons we want to.

23 Would this proposal, does it
24 account for that?

25 MR. MILES: It only affects

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2 changes for this assessment roll. Not when
3 moving forward in terms of your value based
4 on future rolls. It affects how you phase
5 in the value for this roll. Not that you
6 won't be able to take into consideration
7 natural disasters or anything like that.

8 LEGISLATOR FERRETTI: So let's
9 just assume property X, fair market value,
10 went from \$400,000 to \$800,000 due to the
11 reassessment.

12 Just for an easier number, 400 to
13 900, so you're saying the fair market value
14 would increase \$100,000 over a five year
15 period to get to \$900,000?

16 MR. MILES: Yes.

17 LEGISLATOR FERRETTI: What
18 happens in year two if the market explodes
19 and instead of the assessed value being
20 \$900,000, it's now \$1.2 million? How would
21 that be calculated in the phase-in?

22 MR. MILES: Your value is based
23 on the taxable status state as of that
24 moment in time. We can't legally increase
25 it to that 1.3 in between that time period,

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2 there is case law that would rule against
3 this. It's been attempted before. We can't
4 legally do that.

5 LEGISLATOR FERRETTI: Can't
6 legally do what?

7 MR. PAGE: Mark Page, Deputy
8 County Executive for finance.

9 The five year phase-in is for the
10 change from the prior assessment to the new
11 assessment roll being published in January
12 and was noticed on the first of November.

13 So you have an assessment
14 pursuant to that phase-in. If there is some
15 other event, this makes no difference to how
16 the subsequent event would be treated in
17 assessment process.

18 LEGISLATOR FERRETTI: Can I ask,
19 if you are telling me that the proposed
20 phase-in is a fair market value, why wasn't
21 the phase-in in this proposal included on
22 the notice that went out that was received
23 on November 1st because that's what had the
24 fair market value on it? Why wasn't the
25 phase-in included on that?

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2 MR. PAGE: I believe the notice
3 on November 1st was as required by the State
4 Real Property Tax Law and it asks for the
5 market value and the ratio and the taxable
6 assessment.

7 The phase-in is, as you're aware,
8 a pending Legislative proposal. It's not a
9 fact as of that moment.

10 LEGISLATOR FERRETTI: So is it
11 what you're saying, you don't put pending
12 Legislative proposals on mailings?

13 MR. PAGE: You can put them on
14 mailings but in terms of the statutory
15 requirements for that notice --

16 LEGISLATOR FERRETTI: It wasn't
17 required. But is the phased-in tax impact
18 required by the county law that we passed
19 and that the County Executive signed a
20 couple of days ago, is the phased-in tax
21 impact required on that notice?

22 MR. PAGE: The --

23 LEGISLATOR FERRETTI: Just yes or
24 no, if you know.

25 MR. PAGE: I don't know the

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2 answer to the question required.

3 LEGISLATOR FERRETTI: Do you
4 know, Mr. Santeramo, is that required?

5 We did not put a phase on the
6 fair market value in the notice that went
7 out November 1st, and Mr. Page says it is
8 not legally required.

9 So my question is, is a tax
10 impact phase-in estimate, as Mr. Page said,
11 a bill that's not yet passed, is that
12 legally required in the county law that the
13 County Executive signed?

14 MR. SANTERAMO: No. We go back
15 to what Legislator Kopel said in trying to
16 be as accurate and understanding as possible
17 to folks that are trying to adjust the
18 budgets of their households.

19 LEGISLATOR FERRETTI: So why
20 didn't we do that on the previous mailer?

21 MR. SANTERAMO: I can't answer
22 why we didn't do that on the previous
23 mailer, I can just tell you why we think
24 it's important to allow the residents of
25 Nassau to understand something that we've

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2 gotten commitments from to get past so that
3 people will understand, and I understand
4 some folks, not you guys of course, but some
5 folks who would want there to be a gigantic
6 shock to the residents of Nassau County, and
7 it would make the County Executive look, you
8 know, in a bad light, and I understand that
9 some folks, again, not you, but some folks
10 would think that was a successful outcome.

11 The County Executive would like
12 to fix the system to be more fair and
13 equitable. At the same time be transparent
14 in total taxes. And at the same time let
15 folks know what is going to end up happening
16 so that they can adjust their pocket books
17 and their budgets accordingly.

18 LEGISLATOR FERRETTI: So by
19 putting a proposed bill that has not yet
20 passed, by putting a tax impact based on
21 that, you feel that's fulfilling that
22 obligation?

23 MR. SANTERAMO: I think that is
24 the minimum. I think that it's a
25 responsibility if that is a minimum

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2 commitment that we received.

3 Remember, what ends up happening
4 in Albany next year could be even better
5 than a five year transition.

6 LEGISLATOR FERRETTI: Could it be
7 worse?

8 MR. SANTERAMO: Now because we
9 got a commitment for at least the five year.

10 LEGISLATOR FERRETTI: Who did you
11 get that commitment from?

12 MR. SANTERAMO: From the state
13 majority, the incoming majority leader of
14 the senate and the assembly speaker.

15 LEGISLATOR FERRETTI: Was that
16 vote taken already who the majority leader
17 of the senate is going to be?

18 MR. SANTERAMO: No, it hasn't
19 been taken yet.

20 LEGISLATOR FERRETTI: You're
21 assuming who it's going to be?

22 MR. SANTERAMO: I have a good
23 hunch.

24 LEGISLATOR FERRETTI: When you
25 talk about some people, of course none of

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2 us, that you say would want people to know
3 if there is a significant tax increase
4 coming, is it then fair to assume that if
5 the phase-in is not passed that there is
6 large tax increases coming to some people in
7 Nassau County?

8 MR. SANTERAMO: We have, again, I
9 will continue to say and we've hit this
10 question I think the last five sessions in a
11 row.

12 LEGISLATOR FERRETTI: I just
13 don't have an answer yet.

14 MR. SANTERAMO: I understand what
15 you're looking for me to say.

16 LEGISLATOR FERRETTI: I'm look
17 for you to say the truth.

18 MR. SANTERAMO: The truth is we
19 have a commitment for at least a five year
20 transitional.

21 LEGISLATOR FERRETTI: Forget the
22 transitional for a second. You said that
23 some people, none of us, would love nothing
24 more than for people to receive notices in
25 the mail with large tax increases.

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2 MR. SANTERAMO: I think there are
3 people, again, not you, that have a
4 political agenda.

5 LEGISLATOR FERRETTI: If you
6 stood here and told me there's not going to
7 be large tax increases on anybody then
8 that's a moot point, right?

9 MR. SANTERAMO: I don't
10 understand the question.

11 LEGISLATOR FERRETTI: Well, your
12 statement assumes that a phase-in is
13 necessary in order to avoid large tax
14 increases on residents, correct?

15 MR. SANTERAMO: I think we all
16 agree that a transitional or a cap that has
17 been referenced here today is sent for the
18 purpose of ensuring that there are no large
19 swings in taxes, I think that that's --

20 LEGISLATOR FERRETTI: You are
21 referring to the state cap, right?

22 MR. SANTERAMO: I think everybody
23 understands that, yes.

24 LEGISLATOR FERRETTI: So that
25 really didn't answer my question. Are you

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2 saying that by eliminating the state cap
3 there is a possibility of large increases --

4 MR. SANTERAMO: The state cap is
5 still the state law. I think that the level
6 of assessment which we mentioned before and
7 going for a transitional, under the current
8 state law, I think that it was determined by
9 our assessor that it would take decades to
10 fix the assessment system that was broken in
11 eight years by the previous Mangano
12 administration.

13 I think we can all agree that we
14 want to get past what happened under the
15 Mangano administration and fix this
16 assessment system and I think that this is
17 the way to do it.

18 LEGISLATOR FERRETTI: Let's talk
19 about the timing of it.

20 I'm assuming you're aware and the
21 County Executive is aware that the county
22 law that requires these tax impact notices
23 to go out has a date of November 15th?

24 MR. SANTERAMO: Yes.

25 LEGISLATOR FERRETTI: And it's

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2 November 19th. Has the County Executive
3 addressed this with the assessor and asked
4 why the mailings have not been out timely?

5 MR. SANTERAMO: I believe that
6 the County Executive, and I agree, and I
7 think every one would agree, that making
8 sure these assessment notices are accurate
9 is the most important thing.

10 LEGISLATOR FERRETTI: I would
11 just like to know, what are we waiting on?
12 What's the missing piece here for these
13 notices to go out?

14 MR. SANTERAMO: I don't
15 understand the question.

16 LEGISLATOR FERRETTI: The
17 assessor had indicated, I think it was
18 October 16 or 18th that the assessor needed
19 seven weeks to get these notices out, that
20 would be November 15th.

21 I think it's fair to assume that
22 something caused the deviation. You didn't
23 get it done in seven weeks. Why?

24 MR. SANTERAMO: I think he's
25 trying to be accurate. I don't work in the

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2 Department of Assessment for that minutia,
3 but I can certainly ask.

4 LEGISLATOR FERRETTI: I think
5 it's called more than minutia. I have been
6 having town hall meetings with my residents
7 and they're all extremely concerned that
8 they have not received an estimated tax
9 impact, and I think every day that goes by
10 there's a lot of angst going on with a lot
11 of residents in Nassau County.

12 I certainly wouldn't call it
13 minutia that they have not received their
14 tax impact notice that by law was set to be
15 out by November 15th.

16 MR. SANTERAMO: I'm talking about
17 the change in the date, the 19th, I'm
18 talking about the dates.

19 LEGISLATOR FERRETTI: Me too.

20 MR. SANTERAMO: It is the
21 assessor's job and role and our role as the
22 administration, and I would imagine it would
23 be your role as county legislators to want
24 to ensure that the statements that go out to
25 your residents are as accurate as possible.

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2 LEGISLATOR FERRETTI: Sure. And
3 I would like to know why that can't be done
4 in the time frame that the assessor -- maybe
5 counsel knows.

6 MR. MILES: As Mr. Santeramo was
7 saying, there was a large process, it took a
8 lot of effort from very few staff to get
9 this together. They are just shoring up the
10 numbers making sure everything is accurate.

11 LEGISLATOR FERRETTI: Does the
12 revelation that we are now going to include
13 the phase-in tax impact number on the
14 mailer, is that delaying it?

15 MR. MILES: No, it was always
16 going to be difficult because of it creating
17 a pseudo tax roll. It would have been the
18 same time.

19 The issue that I think gets
20 missed some times is that not only are we
21 taking into consideration the different
22 school districts and the towns and counties,
23 but the special districts, I believe 400 or
24 so, and on top of that, I believe this tax
25 impact notice is taking into consideration

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2 the exemptions that everyone has, so you can
3 predict how your taxes are impacted with the
4 inclusion of the exemptions that are on the
5 properties. It's a large task.

6 MR. SANTERAMO: Just to also make
7 a statement, in reviewing the law that was
8 signed by the County Executive in the
9 approval message that was filed, we pointed
10 out I believe three different pieces of
11 problems in the technical flaws in how the
12 legislation was drafted.

13 We, again, welcome the majority's
14 cooperation in possibly working to get those
15 flaws corrected.

16 LEGISLATOR FERRETTI: So December
17 1 is the new date, right, that we are
18 claiming we are going to get, the assessment
19 department is going to get these notice out?

20 MR. SANTERAMO: That's correct.

21 LEGISLATOR FERRETTI: December
22 1st is when you guys are saying it's going
23 to be put in the mail or received by
24 homeowners by December 1st?

25 MR. MILES: I was under the

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2 impression they would be receiving the first
3 batch in December.

4 LEGISLATOR FERRETTI: The
5 December 1st?

6 MR. MILES: Yes.

7 LEGISLATOR FERRETTI: So I guess
8 we're going to put the stuffing aside and
9 the turkey and get these out around
10 Thanksgiving I hope.

11 That being said, will they be put
12 online? If they're going to be hitting
13 mailboxes December 1st, when can we
14 anticipate they be put online?

15 MR. MILES: We are hoping this
16 week the online numbers.

17 LEGISLATOR FERRETTI: So by the
18 end of the week meaning Friday?

19 MR. MILES: Hopefully earlier
20 than that, yes.

21 LEGISLATOR FERRETTI: Okay. Does
22 the County Executive or the administration
23 believe that the proposed bill for the
24 phase-in requires a home rule?

25 MR. SANTERAMO: We will let the

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2 state legislators determine whether or not
3 we need a home rule. I'm not sure but I
4 don't think so. I would imagine you would
5 support such a piece of legislation.

6 LEGISLATOR FERRETTI: I'm almost
7 done, I promise. That was way shorter than
8 Legislator Rhoads.

9 So a lot of constituents have
10 asked me about the grievance process going
11 forward.

12 Obviously the prior
13 administration had a policy of offering
14 settlements, wide mass settlements.

15 Is that going to be the policy
16 when this reassessment hits for the 2021
17 roll?

18 MR. SANTERAMO: I think that the
19 policy of the mass settlement is what has
20 ruined the assessment system. I think we
21 can all agree with that.

22 It is our goal to have not only a
23 fair and equitable tax assessment roll, but
24 to have a defensible one as well over time,
25 where you preserve your right to grieve but

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2 you don't feel you need to grieve to get an
3 accurate assessment.

4 LEGISLATOR FERRETTI: Sounds like
5 a no to the question. The question of --

6 MR. SANTERAMO: Yes, the answer
7 is no.

8 LEGISLATOR FERRETTI: Here's my
9 concern with that. The way I understand it,
10 once January 1st comes the roll becomes
11 final.

12 So the only way to change the
13 assessment is to grieve it or by vote of the
14 Legislature.

15 MR. MILES: And ARC has, if there
16 is a correction of error petition, you have
17 concurrent jurisdiction.

18 LEGISLATOR FERRETTI: Can you
19 repeat that, I missed that?

20 MR. MILES: You have concurrent
21 jurisdiction over correction of error
22 petitions. So they can also do correction
23 of error petitions if we find errors in --

24 LEGISLATOR FERRETTI: My concern
25 is, by these notices that have yet to be

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2 sent in violation of the county law, as we
3 keep going back back back towards January
4 1st, that's less and less time for people to
5 be able to change an error or miscalculation
6 in the assessment where they don't have to
7 grieve; and, now, what we are hearing is,
8 when you do grieve, which I understand your
9 position on this, but it's not going to be
10 the process where it was in the past where
11 you are just going to get a letter in the
12 mail with a settlement offer.

13 So if you're grieving your
14 assessment on your own, you are going to
15 have to go into court.

16 MR. MILES: Not court. The
17 Assessment Review Commission, which is the
18 first administrative remedy that's available
19 to you, and then SCAR, but it's
20 significantly less.

21 Last year alone, I'm only to
22 going to use last year's numbers, I can't
23 predict, it was 200,000 grievances and
24 10,000 SCAR. So significantly less. More
25 so handled in the Assessment Review

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2 Commission and they will be --

3 LEGISLATOR FERRETTI: But isn't
4 that because there was a mass settle
5 program?

6 MR. MILES: I can't speak to --
7 well, for moving forward, the Assessment
8 Review Commission's job is to look at the
9 validity of our assessments. And with a
10 more accurate role, we're assuming they'll
11 be less reductions. I can't speak for an
12 independent commission. It's an independent
13 body.

14 LEGISLATOR FERRETTI: I totally
15 understand what you're saying, the logic.
16 My only point is, I have constituents who
17 have made appointments with the assessment
18 department, has had those appointments and
19 what the Assessment Department is telling
20 them is you grieve.

21 MR. MILES: You have the right to
22 grieve.

23 LEGISLATOR FERRETTI: They are
24 advising them they should grieve if they
25 feel their fair market value is high.

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2 My only point is, the process of
3 grieving, which the vast majority of Nassau
4 County residents do is changing. And I
5 don't think people know that. I'm not
6 saying that it shouldn't change. I'm just
7 saying people don't realize it will be
8 changing. So people that grieve their
9 assessment on their own, don't realize it's
10 going to be a whole different process come
11 next year.

12 MR. MILES: I just want to point
13 out. The process that's in place in terms
14 of filing the grievances will be the same.
15 In terms of an automatic reduction that's no
16 longer the case.

17 But you have the right to grieve
18 and if your value is wrong, you always have
19 the right to go to the Assessment Review
20 Commission, and the point of these meetings
21 is to take back information from the
22 taxpayers. And if we are finding that
23 descriptions are woefully erroneous, that
24 they can request physical inspections and we
25 will go and validate the -- validate their

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2 concerns, so to speak, and then correct the
3 assessed value if it is incorrect based on
4 the error in the description or whatever
5 makes up the assessed value.

6 LEGISLATOR FERRETTI: I'm
7 finished. I just want to close with, I will
8 be supporting this because I think that this
9 notice is absolutely necessary and
10 imperative, but I think it's very
11 unfortunate that this money could have been
12 saved by putting this information on the
13 November 1st mailing. It's not duplicative
14 but, to me, it's certainly -- although it's
15 a necessary notice this money could have
16 been saved, in my opinion. Thank you.

17 CHAIRMAN NICOLELLO: Legislator
18 Schaefer, did you have a question? Okay,
19 no.

20 I think in response to the
21 question as to when, as to the tax impact
22 notice that's going to be used, I think the
23 response was, it will be provided soon. Is
24 that an accurate response?

25 MR. MILES: The online?

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2 CHAIRMAN NICOLELLO: No, the
3 notice that's going to be mailed. We would
4 like to see the form that you are going to
5 use to mail to people, their tax impact
6 notice?

7 MR. MILES: Yes, I represented
8 that it would be -- you'll see it soon.

9 CHAIRMAN NICOLELLO: Why do we
10 have to wait? We're not talking about
11 coming up with a pseudo tax roll, seven
12 weeks of preparation and all that. You're
13 talking about a very simple form. Why can't
14 you provide it now? Why do we have to wait?

15 MR. SANTERAMO: We will try to
16 get it for you, Presiding Officer. I will
17 see how quick I can get it for you. Okay?

18 CHAIRMAN NICOLELLO: Second
19 question is, you mentioned the majority
20 leader and the assembly speaker are in
21 support. Who had conversations with them?

22 MR. SANTERAMO: The County
23 Executive.

24 CHAIRMAN NICOLELLO: Now no
25 legislation has been filed, correct?

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2 MR. SANTERAMO: Correct.

3 CHAIRMAN NICOLELLO: So,
4 basically, the conversation had to do with
5 just the pure concept of whether they would
6 be in favor of a phase-in?

7 MR. SANTERAMO: A concept that
8 most of the state legislators are familiar
9 with because of the Greenburgh legislation.

10 CHAIRMAN NICOLELLO: Well, this
11 is different than Greenburgh, isn't it?
12 Wasn't Greenburgh a phase-in of assessment
13 increases? This is going to be a phase-in
14 of fair market value increases?

15 MR. SANTERAMO: This is a
16 phase-in of the assessment -- correct.

17 CHAIRMAN NICOLELLO: So it's not
18 a phase-in of assessed value because you've
19 reduced everyone's assessed value to below
20 what it was before. So there is no
21 increases in assessed value except for maybe
22 a smart part of the county.

23 MR. MILES: I don't want to keep
24 on -- to reiterate, it's seen before. It's
25 not something that's a novel concept. It is

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2 utilized for class twos and fours.

3 CHAIRMAN NICOLELLO: What about
4 residential, has it been seen before in
5 residential?

6 MR. MILES: It has not been used
7 in class one. But the concept is very
8 applicable.

9 CHAIRMAN NICOLELLO: So if the
10 County Executive had discussions about the
11 concept and, certainly, anyone would be in
12 support of a reasonable period of time to
13 phase-in increases. No one wants to see
14 increases all at once.

15 But without an analysis of those
16 increases, of the phase-in, how does the
17 majority leader or the assembly know if
18 there are any ill effects of the phase-in?
19 How do they know it's going to work?

20 What if they look at it and says,
21 this is not something we can support?

22 MR. SANTERAMO: I think in order
23 to get to fairness and equity, the phase-in
24 will have half of the folks go up and half
25 of the folks go down. Ultimately it's to

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2 try to take the time to make sure that those
3 increases are not too drastic so folks can
4 adjust their household budgets accordingly.

5 CHAIRMAN NICOLELLO: I agree.

6 That's not to the point. Without an
7 analysis of how a phase-in would work, who
8 it would affect and any complications to any
9 group in the county, how can a majority
10 leader say, I'm in favor of that? They
11 don't know.

12 MR. SANTERAMO: I think that the
13 conversations that have been had, Nassau
14 County's assessment woes and the broken
15 system under the previous administration for
16 all those years under the Mangano
17 administration, I think that people
18 understand what Nassau is going through and
19 what Nassau has been going through.

20 We've had some really really
21 smart state legislators that have come from
22 Nassau County and have the ear and/or higher
23 level members of their respective
24 delegations.

25 So I think that the leaders on

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2 both sides, both houses, and the assembly
3 and the senate listen to our state
4 legislators, and they understand taxation
5 more than some other counties.

6 CHAIRMAN NICOLELLO: I'm sure
7 they do. But the point I'm making, and your
8 answers have not changed at all, is they
9 have just apparently approved a concept, and
10 without the details of how it will actually
11 work and who will be affected and who will
12 not be affected, I don't think -- they may
13 have approved a concept, but if they don't
14 like the affects of a phase-in, it's not
15 going to happen; number one.

16 Number two, look, I think putting
17 the phase-in on the tax impact notice, we
18 know why you would do that. It's the same
19 reason that the administration sent out the
20 first notice with as little information as
21 possible.

22 By removing the tax cap you've
23 got 40,000 people in the county, homeowners
24 who are going to see increases of 25 percent
25 and up. Another 40,000 between 15 and 25

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2 percent.

3 The reason that this whole dance
4 is going on is, the administration knows
5 that those people are going to be very
6 angry.

7 The reason it went out without
8 any sort of tax impacts the first time,
9 you're afraid of those people.

10 Now, because you are afraid of
11 those people, you are going to put on a tax
12 impact notice, a phase-in that does not
13 exist.

14 Making the decision to avoid the
15 tax cap, you should really have the courage
16 to be frank with people. That's what the
17 problem is.

18 Your first notice, the
19 administration thought they were being cute
20 by not including the tax impacts. They made
21 it infinitely worse for themselves.

22 Half of the people saw their fair
23 market value go up, and getting a 100
24 percent tax increase, or a 50 percent tax
25 increase.

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2 The other half saw their assessed
3 value go down and they're thinking they're
4 in good shape when they may see a tax
5 increase.

6 So you created a muddle. And,
7 potentially, what you could be doing here
8 with this tax impact statement, by including
9 a phase-in, you could be deceiving the
10 entire populous of the county.

11 If the phase-in never happens,
12 people are going to be reassured or lulled
13 into a sense of security that these tax
14 increases are not coming all at once and
15 then they will.

16 I think this is the wrong
17 approach to this. I think you should have
18 the courage of your convictions. The
19 administration made the decisions. Be frank
20 with the people. I think you are making it
21 worse for yourselves. Anyone else have any
22 questions?

23 LEGISLATOR RHOADS: Just a quick
24 statement. Let's be honest, Mr. Santeramo,
25 that's essentially what you kind of

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2 conceded, right? You told us that the
3 reason that some people don't want to see
4 the transitional included on the tax impact
5 notice is because the shock would make the
6 County Executive look bad.

7 The converse is true. The reason
8 that the administration is putting the
9 transitional phase-in onto the tax impact
10 notice, despite the fact that it doesn't
11 actually exist, is to try to make the
12 administration look good.

13 It's about politics. It's not
14 about honesty. It's not about transparency.
15 That's what I believe is deceptive on the
16 part of the administration.

17 To follow-up on the Presiding
18 Officer's point, yes, you made this
19 decision. You should own what the results
20 of that decision are and be honest with the
21 taxpayer.

22 I will make one other comment
23 which is, by the way, if you have the ear of
24 the state legislators the way you're saying
25 you do, perhaps you should be suggesting to

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2 them to do away with the county guaranty
3 instead of many of the other things you seem
4 to be pursuing.

5 CHAIRMAN NICOLELLO: Any other
6 discussion?

7 (No verbal response.)

8 Thank you, guys. Appreciate it.

9 MR. MILES: Thanks.

10 MR. SANTERAMO: Thanks.

11 CHAIRMAN NICOLELLO: Is there any
12 public comment?

13 (No verbal response.)

14 All those in favor of Item 38,
15 Resolution 214 signify by saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 Carries unanimously.

20 We have one more item on the
21 calendar. Just to let you know, we are
22 going to take a brief recess after that item
23 to determine whether or not we are going to
24 recall an item that was tabled.

25 Item 42, Resolution 218.

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2 Legislator Bynoe is recusing herself. She
3 will not be participating in any debate,
4 discussion, or vote.

5 It is a resolution to authorize
6 the county assessor and/or the county
7 treasurer and/or receivers of taxes of the
8 Town of Hempstead to wholly exempt certain
9 real property situated in various school
10 districts, et cetera.

11 LEGISLATOR RHOADS: So moved.

12 LEGISLATOR DRUCKER: Second.

13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Rhoads, seconded by Legislator
15 Drucker. Any discussion?

16 (No verbal response.)

17 Is there any public comment?

18 (No verbal response.)

19 All those in favor signify by
20 saying aye.

21 (Aye.)

22 Those opposed?

23 (No verbal response.)

24 Carries unanimously.

25 We are going to take a brief

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2 recess and then we will be back to determine
3 whether or not we will calling to table
4 that. Thank you.

5 (Whereupon, the Full Legislative
6 Committee recessed at 5:06 p.m. and
7 reconvened at 5:24 p.m.)

8 CHAIRMAN NICOLELLO: We are ready
9 to call the Legislature back into session.
10 I'm going to ask for a motion to untable
11 Item 9, Ordinance 175.

12 LEGISLATOR MCKEVITT: So moved.

13 LEGISLATOR DERIGGI-WHITTON:
14 Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator McKevitt, seconded by Legislator
17 DeRiggi-Whitton. All in favor of untabling
18 this item signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 It's back on the table. We have
23 had discussions with Jeremy Wise, of counsel
24 to NIFA, as well as Adam Barsky, chairman of
25 the board. I can represent this, that the

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2 prior mandate by NIFA that there be no
3 borrowing, no more borrowing for tax refunds
4 does not exist anymore. That they are open
5 to considering the County Executive's
6 proposal, and that Mr. Barsky has
7 represented to me that he has four votes of
8 the board to pass to approve it.

9 So it's the intention of the
10 majority at this time to pass this item to
11 approve the borrowing. We understand it is
12 one part of the county's plan in terms of
13 addressing the outstanding refund liability,
14 and that the County Executive intends to put
15 forward \$200 million more in borrowing next
16 year.

17 By no means, no way, shape, or
18 form should our vote today be considered to
19 be a commitment in any sort of way that we
20 are going to approve an additional \$200
21 million next year. That should not be
22 interpreted at all.

23 That \$200 million in borrowing
24 may never be approved by this body and there
25 is a great deal of resistance in continuing

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2 to do this.

3 But, for today's purposes, the
4 majority will be voting for this item. Go
5 ahead.

6 LEGISLATOR DERIGGI-WHITTON: Thank
7 you. I would just like to put on the record
8 that we are also going to be supporting this
9 item and we are happy to be seeing some
10 movement in paying back some of the tax
11 certs that are owed.

12 It is a burden for the people
13 that are owed the money and it is also
14 something that's been over our heads for so
15 long.

16 I also want to extend the fact
17 that both Minority Leader, Kevan Abrahams,
18 as well as Legislator Josh Lafazan, did
19 indicate that they would have liked to have
20 stayed to support the vote, however, they
21 had prior obligations.

22 CHAIRMAN NICOLELLO: I want to
23 echo something that Legislator
24 DeRiggi-Whitton said, and that was a big
25 factor in our equation, which is that there

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2 are many businesses, many commercial
3 entities, many many small businesses that
4 have been owed this money by the county for
5 years. In this environment, we need to pay
6 back the refunds of those that are owed
7 those monies.

8 Anyone else have anything to add
9 to this?

10 (No verbal response.)

11 Do we have any public comment?

12 (No verbal response.)

13 Hearing none, all in favor
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 Carries unanimously.

19 We have one last item which is an
20 emergency. Mr. Pulitzer is going to call it
21 right now.

22 CLERK PULITZER: Thank you. An
23 emergency resolution declaring an emergency
24 for immediate action upon a resolution
25 directing Nassau County to restore lost

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2 funding to the Safer Tuition Assistance
3 Program for volunteer fire fighters and
4 volunteer ambulance workers.

5 CHAIRMAN NICOLELLO: I need a
6 motion for the emergency.

7 LEGISLATOR RHOADS: So moved.

8 LEGISLATOR DRUCKER: Second.

9 CHAIRMAN NICOLELLO: Moved by
10 Legislator Rhoads, seconded by Legislator
11 Drucker. Any discussion on the emergency?

12 (No verbal response.)

13 All in favor of the emergency
14 signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 The emergency has been
19 established.

20 Now I have a resolution directing
21 Nassau County to restore funding to the
22 Safer Tuition Assistance Program for
23 volunteer fire fighters and volunteer
24 ambulance workers.

25 I would request that all 12 of us

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2 be listed as moving this. I will second the
3 motion. Any discussion on it?

4 (No verbal response.)

5 This is obviously the Safer Grant
6 which goes to tuition assistance for our
7 volunteer fire fighters and volunteer
8 ambulance workers.

9 My understanding is that the
10 federal government had declined or rejected
11 the college's request for safer grant for
12 this year and that the college is attempting
13 to get that money.

14 But, in the interim, we want to
15 make sure that our volunteer fire fighters
16 and ambulance workers are getting this grant
17 and getting a reduction in their tuition,
18 elimination of tuition in large part.

19 It's important that we continue
20 this program. It's important for
21 recruitment of our volunteer fire fighters,
22 and it's just the right thing to do for our
23 emergency responders.

24 Anyone else have anything to say?

25 (No verbal response.)

1 Full Legislature/11-19-18
2 Hearing none, any public comment?
3 (No verbal response.)
4 All in favor signify by saying
5 aye.
6 (Aye.)
7 Those opposed?
8 (No verbal response.)
9 Carries unanimously.
10 A motion to adjourn.
11 LEGISLATOR RHOADS: So moved.
12 LEGISLATOR GAYLOR: Second.
13 CHAIRMAN NICOLELLO: Moved by
14 Legislator Rhoads, seconded by Legislator
15 Gaylor. All in favor of adjourning signify
16 by saying aye.
17 (Aye.)
18 Those opposed?
19 (No verbal response.)
20 Carries unanimously. Happy
21 Thanksgiving everyone.
22 (Whereupon, the Full Legislative
23 Committee adjourned at 5:30 p.m.)
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LIST OF SPEAKERS

3

JAMES MCDERMOTT 6

4

COMMISSIONER RYDER 7

5

OFFICER QUINN 8

6

JOHN WIGHAUS 10

7

CARLO MALTEMPI 13

8

BRIAN SCHNEIDER 19

9

JOHN GILLON 21

10

JOANNE BORDEN 28

11

JAY PELTZ 30

12

JOSEPH BROWN 35

13

JOANNE MOORE 36

14

MATT GOVE 39

15

MARTIN BLUM 41

16

CHARLES MADDIN 41

17

CHARLES NANTON 45

18

HANNA ROTH 50

19

PETE GAFFNEY 56

20

MINDY GERMANE 59

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JANE VIOLA 62

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JORDAN CHRISTENSON 65

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META MEREDAY 69

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FRANCINE FURTADO 73

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LIST OF SPEAKERS (CONT'D)

NEAL LEWIS	7 5
MARK THIELKING	8 1
MS. WHALEN	9 6
JOHN BUDNICK	1 0 3
MARK PAGE	1 1 2
ROBERT MILES	1 3 1
MIKE SANTERAMO	1 3 8

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C E R T I F I C A T E

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

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 27th day of November, 2018.

-----FRANK GRAY-----