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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, February 25, 2019  
1:18 P.M.

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2     A P P E A R A N C E S:

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4     LEGISLATOR RICHARD J. NICOLELLO

5             Presiding Officer

6             9th Legislative District

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8     LEGISLATOR HOWARD KOPEL

9             Deputy Presiding Officer

10            7th Legislative District

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12    LEGISLATOR DENISE FORD

13            Alternate Presiding Officer

14            4th Legislative District

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16    LEGISLATOR KEVAN ABRAHAMS

17            Minority Leader

18            1st Legislative District

19

20    LEGISLATOR SIELA BYNOE

21            2nd Legislative District

22

23    LEGISLATOR CARRIE SOLAGES

24            3rd Legislative District

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2     LEGISLATOR DEBRA MULE

3             5th Legislative District

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5     LEGISLATOR C. WILLIAM GAYLOR III

6             6th Legislative District

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8     LEGISLATOR VINCENT T. MUSCARELLA

9             8th Legislative District

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11    LEGISLATOR ELLEN BIRNBAUM

12            10th Legislative District

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14    LEGISLATOR DELIA DERIGGI-WHITTON

15            11th Legislative District

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17    LEGISLATOR JAMES KENNEDY

18            12th Legislative District

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20    LEGISLATOR THOMAS MCKEVITT

21            13th Legislative District

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23    LEGISLATOR LAURA SCHAEFER

24            14th Legislative District

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2     LEGISLATOR JOHN FERRETTI, JR.

3             15th Legislative District

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5     LEGISLATOR ANDREW DRUCKER

6             16th Legislative District

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8     LEGISLATOR ROSE WALKER

9             17th Legislative District

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11     LEGISLATOR JOSHUA LAFAZAN

12             18th Legislative District

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14     LEGISLATOR STEVEN RHOADS

15             19th Legislative District

16

17     MICHAEL PULITZER

18             Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: Thank you  
3 all for joining us today. We have a couple of  
4 points of personal privilege, which we will  
5 get to in a couple of moments. We also have  
6 an appreciation of recognition of national  
7 African-American History month.

8 To start things off I will ask  
9 Legislator Bill Gaylor to please lead us in  
10 the Pledge of Allegiance and please remain  
11 standing after that for a moment of silence.

12 (Whereupon Pledge of Allegiance was  
13 recited.)

14 LEGISLATOR NICOLELLO: We ask  
15 that you again remain standing. As you all  
16 know, in the last two weeks detective Brian  
17 Simonson of the New York Police Department  
18 lost his life in an incident. Tremendous loss  
19 to the police community. Tremendous loss to  
20 his family and to the community where he lives  
21 in Calverton. I'd ask you all to keep him in  
22 your thoughts and prayers and his family.

23 LEGISLATOR WALKER: I ask you to  
24 remember the family of Chris Becker. Chris  
25 was a young Hicksville man, 44 years old, he

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2 was killed in a snowmobile accident a week ago  
3 Saturday. He's the husband of Trish Becker,  
4 who was one of our crossing guards. He is the  
5 son-in-law of Trish Horace, who is captain  
6 over in our sheriff's department and is  
7 commander and officer of the academy and is  
8 the brother-in-law of Chris Kelly, who is one  
9 of our detectives. So please keep all of them  
10 and all his friends in your thoughts and  
11 prayers too.

12 LEGISLATOR NICOLELLO: Mr.  
13 Pulitzer, would you please call the roll.

14 MR. PULITZER: Thank you. Roll  
15 call today. Deputy Presiding Officer Howard  
16 Kopel.

17 LEGISLATOR KOPEL: Here.

18 MR. PULITZER: Alternate Deputy  
19 Presiding Officer Denise Ford.

20 LEGISLATOR FORD: Here.

21 MR. PULITZER: Legislator Siela  
22 Bynoe.

23 LEGISLATOR BYNOE: Here.

24 MR. PULITZER: Legislator Carrie  
25 Solages.

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2 MR. PULITZER: Legislator Debra  
3 Mule.

4 LEGISLATOR MULE: Here.

5 MR. PULITZER: Legislator C.  
6 William Gaylor the Third.

7 LEGISLATOR GAYLOR: Present.

8 MR. PULITZER: Legislator Vincent  
9 Muscarella.

10 LEGISLATOR MUSCARELLA: Here.

11 MR. PULITZER: Legislator Ellen  
12 Birnbaum.

13 LEGISLATOR BIRNBAUM: Here.

14 MR. PULITZER: Legislator Delia  
15 DeRiggi-Whitton.

16 LEGISLATOR DERIGGI-WHITTON:  
17 Here.

18 MR. PULITZER: Legislator James  
19 Kennedy.

20 LEGISLATOR KENNEDY: Here.

21 MR. PULITZER: Legislator Thomas  
22 McKevitt.

23 LEGISLATOR MCKEVITT: Here.

24 MR. PULITZER: Legislator Laura  
25 Schaefer.

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2 LEGISLATOR SCHAEFER: Here.

3 MR. PULITZER: Legislator John  
4 Ferretti, Jr.

5 LEGISLATOR FERRETTI: Here.

6 MR. PULITZER: Legislator Arnold  
7 Drucker.

8 LEGISLATOR DRUCKER: Here.

9 MR. PULITZER: Legislator Rose  
10 Marie Walker.

11 LEGISLATOR WALKER: Here.

12 MR. PULITZER: Legislator Joshua  
13 Lafazan.

14 LEGISLATOR LAFAZAN: Here.

15 MR. PULITZER: Legislator Steven  
16 Rhoads.

17 LEGISLATOR RHOADS: Present.

18 MR. PULITZER: Minority Leader  
19 Kevan Abrahams.

20 LEGISLATOR ABRAHAMS: Here.

21 MR. PULITZER: Presiding officer  
22 Richard Nicolello.

23 LEGISLATOR NICOLELLO: Here.

24 MR. PULITZER: We have quorum  
25 sir.



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2 LEGISLATOR NICOLELLO: Thank you  
3 very much. As you all know, February is  
4 national African-American History Month. Our  
5 nation and county recognize the achievements  
6 of many, many great men and women as well as  
7 the achievements of men and women who may not  
8 be as well known but through their works have  
9 contributed to our society, to our nation and  
10 to the African-American community in  
11 particular.

12 We reflect on African-Americans who  
13 achieved great things in politics and  
14 government, business, arts and sciences,  
15 medicine, religion, the military, law  
16 enforcement, charitable work and work in the  
17 communities and other areas too numerous to  
18 mention, who have changed our society, the  
19 nation and the world. We also reflect upon  
20 the fact that these achievements came, in many  
21 cases, in spite of incredible adversity. Not  
22 the least of which has been hostile laws and  
23 societies intended to prevent those  
24 achievements.

25 Today the members of the Nassau

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2 County Legislature are privileged to celebrate  
3 two African-Americans for their extraordinary  
4 accomplishments and life stories. I have the  
5 privilege of recognizing the Honorable Gerald  
6 S. Carter and I would ask Judge Carter to  
7 please join us at the podium.

8 Judge Carter is the older son of  
9 Shirley and Eleanor Carter. He was born on  
10 January 27, 1952 in Harlem, New York. In 1956  
11 the Carters moved to Saint Albans, Queens  
12 where Gerald attended Saint Catherine of  
13 Sienna Elementary School and then Holy Cross  
14 High School. In 1970 Judge Carter entered  
15 Fisk University, a historically black college  
16 in Nashville, Tennessee where he played  
17 varsity baseball. During his senior year he  
18 served as student body president and graduate  
19 cum laude in 1974, majoring in history. Judge  
20 Carter attended his father's alma mater, The  
21 Howard University School of Law where he  
22 excelled in criminal law, winning the  
23 Jurisprudence Criminal Procedure Award.

24 In May 1977 he graduated number six  
25 in a class of 126. Which is a lot better than

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2 me. Upon his graduation, Judge Carter joined  
3 the Nassau County's District Attorney where he  
4 prosecuted misdemeanor and felony cases. In  
5 1980 he entered the private practice of law  
6 with his father specializing in criminal,  
7 labor and sports law. In 1989 Mayor Jim  
8 Garner appointed Judge Carter as associate  
9 justice of the Village of Hempstead. He  
10 served with distinction for six years until  
11 his elevation in April of 1996 to Nassau  
12 County District Court.

13 In 1997 Judge Carter was elected to  
14 the county court bench. And then was  
15 appointed as acting supreme court justice and  
16 reelected in November of 2007. Judge Carter  
17 retired from the bench as a senior judge in  
18 the county court in December of 2017.

19 Judge Carter was a member of the  
20 Fisk University board of trustees, a present  
21 member of the Touro School of Law Board of  
22 Governors and the Holy Cross High School Board  
23 of Directors. He served on Chief Judge Judith  
24 Kaye's Probation Task Force. He is a  
25 recipient of the Outstanding Young Men in

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2   America Award, the Norman Lent Award for  
3   Judicial Excellence, the NAACP Legal  
4   Leadership Award Cobank Fidelis Jury Award for  
5   Distinguished Service and the Honorary Law  
6   Enforcement Man of the Year.

7                   As an adjunct professor, Judge  
8   Carter has taught various courses at Touro Law  
9   School where he has been recognized as the  
10   2003 adjunct professor of the year. He has  
11   appeared as a television legal analyst on  
12   Court TV Like It Is, The McCreary Report and  
13   Rivera Live.

14                  Judge Carter, we thank you for your  
15   long, distinguished career in public service  
16   and the contributions you have made to our  
17   county and its residents. As judge you were  
18   completely respected by members of the bar who  
19   practiced before you as a fair, balanced and  
20   compassionate jurist. Your career and  
21   accomplishments are an inspiration to all of  
22   us. Congratulations. Would you like to say a  
23   few words?

24                  MR. CARTER:     Thank you all for  
25   the recognition. When I came out here to

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2 Nassau County I just wanted to make a  
3 contribution and that's the way I conducted my  
4 private service, public service. And I want  
5 to thank both sides of the aisle for this  
6 recognition and I just hope my work is not  
7 done. Thank you.

8 LEGISLATOR ABRAHAMS: Judge, I  
9 just want to take the opportunity also to  
10 thank you for your years of service. And I  
11 think the Presiding Officer spoke well about  
12 your achievements and your service to Nassau  
13 County has been tremendous and thank you again  
14 for your deliverance of that work in that  
15 capacity.

16 Also, what I would like to  
17 celebrate is two individuals today. Some of  
18 you may have read in the paper one of our  
19 well-established restaurants in Carle Place --

20 LEGISLATOR NICOLELLO: Judge  
21 Carter.

22 LEGISLATOR ABRAHAMS: I'm sorry.  
23 I'm reading from my notes.

24 LEGISLATOR NICOLELLO: When the  
25 Minority Leader is finished with his

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2 presentation we will all come up and present  
3 you with the citation.

4 LEGISLATOR ABRAHAMS: Don't go  
5 far Judge.

6 As I was saying before, some of you  
7 may have read in the paper one of our  
8 distinguished restaurants located in Carle  
9 Place LL Dent, which serves a whole cascade of  
10 food but specializes in southern cuisine,  
11 unfortunately will be closing. The two  
12 owners -- I have known Lillian Dent for quite  
13 some time -- have operated that restaurant  
14 there for the last 13 years. But more  
15 importantly, she has demonstrated the ability  
16 to give back in many different ways throughout  
17 our communities. Because of that giving back,  
18 not just to the Roosevelt community but the  
19 surrounding areas, the people of Nassau County  
20 have benefitted tremendously.

21 As you might have read in the  
22 paper, the Dents have decided to close the  
23 restaurant not because of economic conditions  
24 or anything along those lines. They have  
25 chosen to pursue a career in acting. Lillian

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2 Dent has appeared on -- I will let her talk  
3 about that -- she has appeared on shows like  
4 Law and Order and other places. This is a  
5 life changing change. Even though it will be  
6 sad to not have delicious food, they are  
7 closing I believe at the end of this month, so  
8 you have a few days to make your way over  
9 there, but at the end of the day I just wanted  
10 to continue to thank them as two  
11 African-American owners that have been able to  
12 build a business and structure business, a  
13 successful business and at the same time give  
14 back to our communities. I believe that their  
15 recognition should be here today.

16 I know Lisa is not here today  
17 Lillian, but you are here. If you want to  
18 come to the podium at this time. As I said  
19 before, I have known Lillian for quite some  
20 time. She lives in the Roosevelt community.  
21 I hope you plan to stay in the Roosevelt  
22 community even though we may see you on the  
23 Oscars like last night one day.

24 I just want to thank you  
25 personally. You and your daughter have been

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2 tremendous. And we have a proclamation as  
3 well as some flowers that I want to present to  
4 you as well. I want to wish you the best of  
5 luck. Sounds like you have a very exciting  
6 future that's leading up ahead. And it's  
7 bittersweet because I know many of us here on  
8 the dais have visited the restaurant plenty of  
9 times and we are sorry to see you go. But we  
10 are happy to see that you going out on your  
11 terms. So thank you again.

12 MS. DENT: Thank you.

13 LEGISLATOR ABRAHAMS: Talk about  
14 that acting stuff. I want to hear more about  
15 that.

16 MS. DENT: Hello everyone and  
17 thank you for the opportunity to stand here  
18 before you. We have had a great 13 years at  
19 LL Dent Restaurant. Now it's time to move on  
20 to another phase of my life. This is my  
21 second retirement. And I've already starting  
22 to do some acting and I'm looking to do other  
23 things. Also to focus on my golf. So I'm  
24 very happy and excited about the new phase of  
25 my life. Thank you.



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2 LEGISLATOR NICOLELLO: Ask Judge  
3 Carter and Lillian to come up for a  
4 presentation. Join us up here.

5 Congratulations again to Judge  
6 Carter and to the Dents. Very well deserved  
7 recognition.

8 We now have presentations for our  
9 top cops for the month of February and we  
10 would like to invite up James McDermott,  
11 president of the PBA, for purposes of a  
12 presentation.

13 MR. MCDERMOTT: My entourage.  
14 Once again I want to thank you, thank the  
15 legislature for having our top cops for the  
16 month of February 2019.

17 Nassau County police officers Adam  
18 Meyer, Michael Kenney, police officer medics  
19 Kathleen Fay, Scott Dipino and John Episcopo  
20 are being honored this month.

21 On February 13 of 2019,  
22 approximately eight a.m., a 911 call was  
23 dispatched in Roslyn Heights within the  
24 confines of the Third Precinct for a  
25 construction worker at the job site. The

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2 construction worker was severely injured when  
3 a large metal plate in excess of 2500 pounds  
4 slid off a stack and struck the worker in his  
5 knees. The force of the weight completely  
6 severed both his legs from his body and pinned  
7 the worker in a large ditch. Responding  
8 officers, police medics and construction  
9 workers were eventually able to remove the  
10 plate that pinned the injured worker.

11 At one point, the officers and  
12 medics, at a risk to their own personal safety  
13 and well being, did enter the construction  
14 ditch. Officer Meyer, experienced as a US  
15 Army combat field medic, was carrying his own  
16 tourniquets and was able to apply them to one  
17 of the aided's leg to prevent the aided from  
18 bleeding to death.

19 Officer Kenney arrived and  
20 assisted, placing his tourniquet on the  
21 aided's other leg. When the bleeding was  
22 under control the officers and police medic  
23 Fay prepped the aided for transport to the  
24 hospital. The aided was then treated and  
25 transported by EMTs Scott Dipino, John

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2 Episcopo and Kathleen Fay to Winthrop  
3 University Hospital.

4 At the hospital an emergency room  
5 trauma surgeon stated if the tourniquets  
6 weren't applied so quickly the aided would of  
7 course have died at the scene.

8 Because of the officers quick  
9 response to the scene, teamwork and diligence,  
10 let's not forget the training of officer Meyer  
11 which he received from the United States  
12 military, this construction worker was able to  
13 live to tell the story to his family. This is  
14 why we are proud to name these officers and  
15 these police medics as top cops and medics for  
16 February of 2019.

17 COMMISSIONER RYDER: You just  
18 heard the PBA president explain that  
19 situation. To put it into perspective and  
20 really understand it, if you've never worked  
21 in that type of world, and I did before I came  
22 on the job, when you'd be in hole, you're  
23 always worried about those walls collapsing  
24 behind you. Obviously our victim had no  
25 choice. They jumped in the hole. They put

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2 their lives in danger to help that victim and  
3 save his life. If it was not for the training  
4 they had, if it was not for the police medics  
5 knowing their job, he would not be alive  
6 today. They did an outstanding job and they  
7 truly are heroes. We're always asked to put  
8 ourselves out there and be the one that first  
9 line of defense, they were the first line of  
10 defense for that man that day and because of  
11 the work they did they saved his life and they  
12 truly are heroes and we commend them all.

13 MR. MCDERMOTT: Let me just add  
14 that officer Adam Meyer was in the army for  
15 three tours, two in Iraq and one in Kuwait and  
16 that he should be commended for also. Thank  
17 you to all.

18 MR. MEYER: Thank you to the  
19 legislature for hosting us, for PBA and Third  
20 Precinct. It was really a team effort. When  
21 we got there every call is different. We  
22 weren't aware of the severity until we arrived  
23 and quickly became a situation that was  
24 desperate. And if it wasn't for Kenney and  
25 the extra tourniquet and Brian McKaid helping

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2 out and especially the EMTs, once we did get  
3 him in the ambulance it needed to be done  
4 quickly and efficiently. And if we didn't  
5 have the training and tools we needed and  
6 weren't patrolling our sectors as we need to  
7 be then we wouldn't be here today. I wish the  
8 man a speedy recovery and I thank you for  
9 hosting us.

10 MR. KENNEY: Just as Adam said, I  
11 would like to thank James McDermott, the PBA  
12 as well as the legislature for acknowledging  
13 us today. It was truly a team effort. There  
14 were a number of other police officers on the  
15 scene who did help and I can't thank them  
16 enough. As well as the police medic, police  
17 medic supervisor. It was just lucky we were  
18 all there at the right time and the right  
19 place and worked quickly to help this man. So  
20 thank you again.

21 LEGISLATOR NICOLELLO: Legislator  
22 Schaefer.

23 LEGISLATOR SCHAEFER: Hi. I just  
24 wanted to -- I represent a part of the Third  
25 Precinct as well, and I just wanted to commend

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2 you all and I wanted to thank you for what  
3 you've done. I'm an attorney as well and I  
4 used to work at a personal injury firm and  
5 accidents like these happened more often than  
6 most of us know. I remember when I saw it on  
7 the news recently how devastating I recall  
8 seeing the families that we've dealt with in  
9 law who had situations like this and they were  
10 not all so lucky. Because of you, as was  
11 said, this man can now live on and he can  
12 continue his life and he can do more with his  
13 life. So I want to thank you because that's  
14 probably the greatest gift you can give to  
15 somebody is to save their life. Thank you for  
16 what you did.

17 LEGISLATOR NICOLELLO: We will do  
18 the presentation for the DAI and then we will  
19 have you all up for a physical presentation.  
20 I would like to invite up Nassau County  
21 Detectives Association, Inc. president John  
22 Wighaus for a presentation.

23 MR. WIGHAUS: Thank you. I would  
24 like to thank Presiding Officer Nicolello,  
25 Minority Leader Abrahams and the full

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2 legislative body number one, for remembering  
3 detective Brian Simonson this morning and also  
4 for honoring our detectives today.

5 Today we have detective Chris  
6 Barley and Gena Salerno of the Fifth Squad.  
7 There's a lot of subjects and locations on  
8 this case so just bear along with me.

9 Subject one and subject two became  
10 involved in a verbal altercation with subjects  
11 three and four in a deli in Elmont. Subjects  
12 three and four left the deli while subjects  
13 one and two robbed and assaulted two deli  
14 customers. When that was over, subjects one  
15 and two left the deli and entered a vehicle  
16 parked outside.

17 Subject three then returned and  
18 walked up to the vehicle with a handgun and  
19 fired multiple rounds into the vehicle.  
20 Subjects one and two fled in that vehicle with  
21 subjects three and four trailing them in a  
22 van. This chase wound up in Queens over the  
23 Nassau County border. The van then pulled up  
24 to the vehicle and subject three fired  
25 multiple rounds from a handgun into that

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2 vehicle striking subject one in the face.

3 Subjects three and four fled in the van.

4 Subject one was transported to Elmhurst  
5 Hospital.

6 Detectives Barley and Salerno were  
7 assigned the case and conducted interviews,  
8 secured surveillance videos and notified crime  
9 scene. The detectives coordinated efforts  
10 with the NYPD 105 Squad and identified  
11 subjects three and four. Search warrants were  
12 conducted on two vehicles, cell phones and a  
13 residence where a Glock nine millimeter  
14 handgun was recovered with assorted  
15 ammunition.

16 Subjects one and two were arrested  
17 on robbery charges. Subjects three and four  
18 were indicted on attempted murder charges.  
19 The detectives secured statements of admission  
20 from the defendants.

21 Nassau County Police took full  
22 jurisdiction of both cases since the crimes  
23 were continuous from Nassau County and the  
24 Queens case occurred less than 500 yards from  
25 Nassau County's line.



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2 The detectives successfully  
3 conducted a complicated and demanding  
4 investigation with numerous suspects, cross  
5 complainants and multiple crime scenes with  
6 overlapping jurisdictions.

7 I, along with the entire Detective  
8 Association, would like to thank these two  
9 detectives and also the full legislative body  
10 for your continued support of the Nassau  
11 County detectives. Thank you.

12 COMMISSIONER RYDER: President  
13 Wighaus has the advantage of reading from a  
14 script. These detectives live it. They walk  
15 through it every day. They go in to court and  
16 they're challenged by defense counsels and  
17 they're attacked because of their credibility  
18 or attacked because of evidence that might  
19 have been misplaced or not labeled correctly.  
20 That's the perfection that a detective goes  
21 through every single day to make these cases  
22 work. The case only begins for a detective  
23 when the arrest is made. They have to collect  
24 that evidence, the fingerprints, the DNA, the  
25 video, all the technology that is out there

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2 today and then they have to prepare for trial  
3 and hearings. That's the great work that our  
4 detectives do day in and day out. And I  
5 commend both of them for the great work they  
6 do and all of the detectives for the work that  
7 they do.

8 MS. SALERNO: I just wanted to  
9 thank the DAI, John Wighaus, Commissioner and  
10 the chiefs that are here and the legislature  
11 for your continued support especially in this  
12 climate. It means a lot. Thank you.

13 LEGISLATOR NICOLELLO: Legislator  
14 Muscarella.

15 LEGISLATOR MUSCARELLA: The  
16 commissioner is absolutely right. We take for  
17 granted as members of the public all that our  
18 police department does every single day of the  
19 year. Not only in preventing crime by their  
20 mere presence in our communities but in  
21 solving those crimes and taking those  
22 dangerous individuals and there are bad people  
23 out there.

24 I read this scenario a couple of  
25 times to actually figure out what went on.

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2 There were so many different crimes, so many  
3 different people involved that we don't really  
4 understand that after the arrest is made the  
5 commissioner said, the testimony and getting  
6 on the stand and being subject to memory lapse  
7 and keeping the individuals in the proper  
8 order as to what happened. It's really,  
9 really a very difficult job. And  
10 unfortunately sometimes we take it for  
11 granted. We are here to thank you. And I  
12 want to say on behalf of all the legislature,  
13 on behalf of our communities thank you for the  
14 great job that you do every single day of the  
15 year.

16 LEGISLATOR NICOLELLO: Invite you  
17 up for a presentation.

18 This is the part of the meeting for  
19 public comment. We have a three minute  
20 limitation. Of course we don't cut you off  
21 exactly at three minutes. If you do go over  
22 three minutes we ask that you sum up at that  
23 point.

24 First speaker is Karen Montalbano.

25 MS. MONTALBANO: Good afternoon.

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2 As you said, my name is Karen Montalbano. I'm  
3 here today representing the Baldwin Civic  
4 Association as chair of the Government  
5 Relations Committee. The BCA board as  
6 individuals and collectively favor the Grand  
7 Avenue Complete Streets Project.

8 The BCA has been involved from the  
9 very beginning in this process and commend the  
10 outreach by Nassau County DPW to the major  
11 stakeholders and community at large in both  
12 general and group meetings.

13 Opponents who have been here before  
14 of this so-called road diet, which is taking  
15 four and making it three lanes with a turning  
16 lane in the middle have based their worries  
17 about the emergency response. Early in the  
18 process I was assured by Inspector Flanagan,  
19 then the commanding officer of the First  
20 Precinct, that he had faith in Nassau County  
21 producing a design that they could work with.  
22 And that was recently reiterated by the police  
23 at the last open meeting and it was reported  
24 on in the Baldwin Herald.

25 From a practical stance, Baldwin

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2 has four firehouses strategically located  
3 across the community. Each is equipped to  
4 address emergencies. Police answer calls from  
5 locations throughout the patrol area.  
6 Emergency vehicles move freely in Baldwin  
7 because drivers and pedestrians act  
8 responsibly when sirens and lights are in  
9 action.

10 Nassau County representatives  
11 recently hosted walking tours of Merrick  
12 Avenue in Merrick and Post Avenue in  
13 Westbury. Unfortunately, the only people who  
14 showed up were supporters of the project. I  
15 wish those who are concerned about emergency  
16 response had been there to be an eyewitness to  
17 the fire engine zooming up Merrick Avenue  
18 without any interference.

19 Opponents and supporters of  
20 Complete Streets agree that Grand Avenue in  
21 Baldwin needs improvement. Change is not  
22 easy. But without changes nothing will get  
23 better on Grand Avenue.

24 Studies have been done. The  
25 experts have spent a lot of time working on

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2 this to provide the community with safer  
3 travel for pedestrians, turn lanes where there  
4 are none, and more attractive streets without  
5 sacrificing public safety. The BCA supports  
6 this Complete Streets project. Let's get the  
7 project done and make it better for those  
8 walking and driving and traveling through  
9 Baldwin. Thank you.

10 LEGISLATOR NICOLELLO: Thank you  
11 Ms. Montalbano. Jerry Presta is our next  
12 speaker.

13 MR. PRESTA: Good afternoon. My  
14 name is Jerry Presta. I represent the Nassau  
15 County Junior Fire Fighters Association. The  
16 Association is a group that puts together the  
17 association of all of the junior groups in  
18 Nassau County together as one. Our function  
19 basically is to introduce the fire service to  
20 the youth, to get them interested and then  
21 eventually they will graduate into the seniors  
22 of the department. So, we put this group  
23 together to give them more of an interest,  
24 more training, and with all of the activities  
25 that the kids have today it's so hard for them

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2 to focus just on one thing. So, we developed  
3 a camp.

4 A camp that takes place in the last  
5 month in July at the Nassau County Fire  
6 Service Academy. Gives them the training that  
7 we receive as fire fighters compacted down  
8 into one week. They fight live fires. They  
9 go through CPR training. They get something  
10 that nobody else has in the country.

11 The Association was designed 13  
12 years ago and we were visited by the National  
13 Office of the Fire Counsel. Nobody else in  
14 the country has what Nassau County has.  
15 Training, youth groups, organizations.

16 So, like everybody else, the  
17 problem is funding. Trying to fund this camp  
18 is very, very difficult. So we are coming to  
19 the legislature to hopefully, maybe we can get  
20 some funding for the camp. We don't want to  
21 interfere with the operating budget of the  
22 fire academy. That's not our purpose. We  
23 would like a line item set aside that we can  
24 use this every year to bring these kids back  
25 to the fire academy. We've had about 135 kids

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2 in the last four years go through this  
3 program. About 55 of them are in the fire  
4 department right now. About another 50  
5 something are still juniors and about 20  
6 something either left the fire service or  
7 moved out of the community or went away to  
8 college.

9 You can see that this camp is  
10 structured so much to keep these kids'  
11 interest to actually see what they're about.  
12 It's a very important thing because what  
13 happens is, when they go through this they  
14 find out early if it's for them. Not to go  
15 into a department to find out three months  
16 later after getting sworn in, medicals, \$3,000  
17 turnout gear, that this is not for me. They  
18 know right then and there if they want to  
19 stay.

20 We have such a high retention rate  
21 in the county. There's a 1,000 junior fire  
22 fighters in Nassau County and the retention  
23 rate is in the 80 percent. This is our  
24 strive. This is what we do. We have such a  
25 high retention rate that it's just amazing



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2 that these kids keep coming back. We have  
3 meetings four or five times a year. 150 to  
4 200 kids show up on a Sunday morning at 10  
5 o'clock time after time. Shows something.  
6 They want to be there. So we just ask for  
7 your help.

8 LEGISLATOR NICOLELLO: Thank you  
9 Mr. Presta. We all recognize the important  
10 service that you are providing and all of  
11 those who are responsible for the junior fire  
12 fighters program, especially in this era when  
13 our volunteer fire departments are having  
14 difficulty with retention. This is a  
15 fantastic program. I have a number of these  
16 chapters in my own district. The kids do a  
17 great job. They actually are a tremendous  
18 benefit to the department themselves before  
19 they actually go on to become fire fighters.

20 I received a letter and we have  
21 submitted a request and are pursuing a grant  
22 from the hotel-motel grant program. We are  
23 going down that avenue to perhaps get a grant  
24 for you. We will pursue other alternatives  
25 also. It's an important program.

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2 MR. PRESTA: We appreciate it.  
3 We have some legislators that do come to the  
4 camp on media day. I will make sure that I  
5 invite everybody when it comes up. If you can  
6 make it, come and see what these kids go  
7 through and come and see the looks on their  
8 faces. It's something really great to see.  
9 Since we are the only ones in the country that  
10 have this.

11 LEGISLATOR NICOLELLO: Thank you  
12 again. Legislator Walker.

13 LEGISLATOR WALKER: I just wanted  
14 to thank Mr. Presta and also Mr. Scanlon who  
15 is here today. Both who are very, very  
16 involved in the juniors. I have been out to  
17 that camp. Some of the other legislators have  
18 been there to see them in action. Also to  
19 some of their meetings. The dedication of  
20 these young men and women is unbelievable. I  
21 thank you for your dedication to them to help  
22 build our future fire fighters. Thank you  
23 very much. And like our Presiding Officer  
24 said, we will do everything we can to try to  
25 assist you.

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2 LEGISLATOR NICOLELLO: Pete

3 Gaffney.

4 MR. GAFFNEY: Name's Pete

5 Gaffney, Westbury-Carle Place School

6 District. Thanks for the partial patching of

7 Old Country Road. However, more work needs to

8 be done. Last year at a legislative meeting

9 Old Country Road was scheduled to be repaired

10 this spring. Hope that's still happening.

11 The county budget for road prepare has been

12 tripled for this year. But really that's not

13 enough for past failures of what we've done in

14 terms of our roads.

15 In addition to evaluating how our

16 roads are being maintained currently, we have

17 to start planning now and for the future of

18 Nassau County. Newsday on January 5th

19 published an article entitled Study: Long

20 Islanders Pay \$719 a Year for Riding on Rough

21 Roads. Nearly 70 percent of all Long Island

22 roads are in poor or mediocre condition. One

23 million plus vehicles are registered in Nassau

24 County. That's not including the thousands of

25 vehicles that are registered out of state but

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2 live and work in the New York area. That's  
3 lost revenue. Serious dollars.

4 How about these ride sharing and  
5 delivery companies like Uber, Lyft, Grub Hub  
6 Door Dash et cetera. I have no problem with  
7 workers making additional income just to make  
8 ends meet and pay your taxes. But what about  
9 the billionaire executive who reap the  
10 monetary benefit of using our roads?

11 Utilities also. Ones that dig up our roads.  
12 Especially when a road's just been  
13 resurfaced. That's a whole another issue.

14 You might want to check out  
15 legislation North Hempstead just passed to  
16 prevent major utility road work. It's going  
17 to save the taxpayers some serious dollars.  
18 The Town of Huntington and other states have  
19 using something called a pot hole killer. It  
20 cleans and seals the roadway two and a half  
21 times faster than the current way pot holes  
22 are repaired in the county. And it's also  
23 less obtrusive to traffic. There's a big push  
24 now coming on electric vehicles and currently  
25 there's no tax on them to pay for any of the

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2 roads.

3 California in 2020 is going to  
4 start charging \$100 fee for the privilege of  
5 driving on their roads. Why not do the same?

6 In 2015 a think tank that tracks  
7 this stuff states that an average driver using  
8 uses 656 gallons of fuel per driver. How  
9 about adding three or four cents for the  
10 privilege of driving on our roads. I do know  
11 that the tax in New York State is about 40  
12 cents. But as long as this charge can be  
13 split between the county and the  
14 municipalities and go directly into a specific  
15 roadway fund just to create a better and safer  
16 roads, I would like to believe that the public  
17 would go for it because our roads are in  
18 terrible shape.

19 Now the other thing. What's the  
20 plan for light rail going north and south?  
21 That would help in reducing vehicle traffic.  
22 Traffic mitigation where possible create  
23 bypass lanes during the a.m. and p.m. rush  
24 hours. Drivers are already using left turn  
25 lanes to bypass traffic on Old Country Road

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2 from Washington to almost to Glen Cove Road.

3 Traffic signage. No u-turns, no  
4 block the box along key intersections. Last  
5 but not least traffic enforcement. Thank  
6 you.

7 LEGISLATOR NICOLELLO: Legislator  
8 Ford.

9 LEGISLATOR FORD: Thank you very  
10 much. I know that the roads are an issue. We  
11 travel them day in and day out. Is there  
12 anyone from the administration here that I  
13 would like to ask? Because I know there was a  
14 program that we started here and I would like  
15 to get, if there is a possibility of getting a  
16 status update. I'm getting new glasses. In  
17 the future I will be able to see out there.

18 I know that in October of 2018 the  
19 county executive, along with DPW, had a press  
20 conference in regard to this new program with  
21 rather than just fixing pot holes, they were  
22 going to take patches of road where they had  
23 severe issues so that they can make it so it's  
24 safer and easier to drive. Do you know where  
25 we are with that? I know that I've reached

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2 out to DPW and I got a list of some of the  
3 roads in my area. Because the winter has been  
4 so warm. Have we actually started and have we  
5 finished any of these projects?

6 MS. HORST: Katy from the  
7 administration. I don't have an answer for  
8 you but I will have DPW reach out and answer  
9 that.

10 LEGISLATOR FORD: I know that  
11 they're looking. I'm hoping that we are  
12 working on them today. Because no matter  
13 where you go and I know that we have not even  
14 had snow this winter. We really haven't used  
15 the salt or the sand that we've had. We  
16 haven't had ice where I know with the cold and  
17 it gets warm, whatever. But you see all over,  
18 I mean, most of the gouges in the road are  
19 like where the middle where the lanes meet.

20 So, I think that, you know, I'm  
21 getting, I'm sure that every legislator is  
22 getting phone calls and emails from angry  
23 residents. I'd like to see us if we can just  
24 try to step this up and, you know, utilize our  
25 DPW members because I know that they can do it

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2 to really get them out there to start fixing  
3 these roads because they're getting worse.

4 MS. HORST: I will ask  
5 Commissioner Arnold to send out an update to  
6 all the legislators.

7 LEGISLATOR FORD: Thank you very  
8 much.

9 MR. GAFFNEY: It's not just a  
10 patch. It's also let's create some more  
11 additional options. Let's start thinking  
12 outside the box.

13 LEGISLATOR FORD: I don't want to  
14 belabor this because we are running out of  
15 time, but just to let you know there is a  
16 program so that they want to have it -- we  
17 have a road project where they'll fix the  
18 roads, you know, so that they'll like, I guess  
19 they'll take up the asphalt and put new  
20 asphalt down. They don't want any roads to be  
21 more than ten or 15 years old. Some of the  
22 roads the asphalt is older than that. But I  
23 know that this program, rather than just going  
24 to individual pot holes, they want to take  
25 areas and just like repave them until they can



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2 do the road.

3 MR. GAFFNEY: I do understand  
4 that but we need to thinking outside the box.  
5 The road killer is something that should be  
6 checked.

7 LEGISLATOR NICOLELLO: Joanne  
8 Borden.

9 MS. BORDEN: Good afternoon.  
10 I've been asking for discrimination protection  
11 for transgender people for virtually every  
12 month since August 2, 2010. Almost nine years  
13 my voice has been falling on deaf Republican  
14 ears. Since then we've had over two-thirds of  
15 Nassau population in towns and villages and  
16 cities voted favorably on my request for  
17 inclusion in the law. Past rolls have shown  
18 far more than two-thirds of Nassau's  
19 population favor transgender human rights  
20 laws. New York State has recently included us  
21 in the protection of the law.

22 In the past I presented facts that  
23 dismissed phobic thoughts presented here and  
24 elsewhere. I have also presented a multitude  
25 of reasons for why transgender human rights

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2 are right for the nation and good for Nassau  
3 County. The reasons were political,  
4 psychological, medical and patriotic.

5 Now you can add one more. I'm  
6 getting too old to make this trip and scream  
7 at you all the time. Protection of  
8 transgender people in New York State is now a  
9 fact. Why do you turn a blind eye toward it?  
10 It's pointless. There's nothing to lose now.  
11 Not even a vote because the state requires you  
12 to protect transgender people.

13 By maintaining this you keep people  
14 who are fearful of embarrassing discrimination  
15 from shopping and partying in our county. Why  
16 do you reinforce those fears and defy the will  
17 of your majority of your constituents? You've  
18 not kept pace with the law. You should  
19 recognize the state law as it exists. Step to  
20 the right side of history and join your  
21 constituents, both transgender and others, and  
22 do it now. Thank you for listening.

23 LEGISLATOR NICOLELLO: Thank you  
24 Joanne. Sherrie Gottfrey.

25 MS. GOTTFREY: Good afternoon

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2 Nassau County legislative board. I'm actually  
3 originally from Nassau County. I now live in  
4 Suffolk County. And I want to bring to the  
5 attention of this legislative board, because I  
6 did question the Suffolk County legislative  
7 board where I now reside in Suffolk County. I  
8 will read this what I read to them. I'm just  
9 going to change it up a little bit and then  
10 ask a question. Hopefully someone can give me  
11 a timely response and a quality answer.

12 So, on Wednesday, February 13,  
13 2019, Tuesday, March 20, 2018, June 5th, July  
14 17th, November 7th, December 18th, 2018 I  
15 stood before the Suffolk County legislative  
16 board asking for help and a solution to  
17 prevent recurrence of corrupt, unjust and  
18 biased misconduct that I have endured by  
19 businesses and/or organizations and/or  
20 divisions and/or libraries located in the  
21 County of Suffolk.

22 When I addressed the Suffolk County  
23 legislative board all of the above updates  
24 mentioned, one of my requests of the  
25 legislature assembly was to generate a new law

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2 what or that will recommend and prevent  
3 recurrence of prejudices, partisanship,  
4 favoritism, one-sidedness and/or unfair  
5 misconduct that I have endured by Suffolk  
6 county businesses, libraries divisions and/or  
7 organizations that operate not just in Suffolk  
8 County but also Nassau County, Long Island.

9 The Suffolk County legislative  
10 board is a, and this word gets me sometimes,  
11 that liberative assembly, as well as the  
12 Nassau County board, who has the authority to  
13 make new laws. And that is one of the main  
14 responsibilities of a legislative board.

15 So, I would like to know, and this  
16 is the juice of this, where is there in  
17 written law that prevents businesses,  
18 divisions and/or organizations from creating  
19 bogus, bias and unjust policies that are  
20 written for the conduct of their customers or  
21 consumers or patrons or guests or visitors et  
22 cetera that pertains to their business's  
23 place, a public accommodation? Just a  
24 question. I had directed this question to the  
25 Suffolk County Executive Steve Bellone but I

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2 did not get an answer. So I'm now addressing  
3 the question listed above to the lawmakers of  
4 not just Suffolk County but also Nassau.

5 I hope that my question will be  
6 taken seriously in that you all can contact  
7 me -- I have a number here (631) 624-8017 or  
8 Sherrie Gottfrey at Yahoo dot com -- with some  
9 sort of timely response.

10 I truly feel that the county's  
11 justice system, mental health system, prison  
12 systems, policy system, resource system,  
13 housing systems and written policies by  
14 businesses, division and/or organizations or  
15 libraries are bias, corrupt and broken and all  
16 need immediate reform. So I can only tell you  
17 what I've endured, which was injustice. I  
18 always state this. An unjust law is not a  
19 law. Unjust people of the law are unlawful.  
20 An injustice anywhere is a threat to justice  
21 everywhere. I'm sure you've all heard that.  
22 I hope that this does not fall on deaf ears.  
23 Thank you.

24 LEGISLATOR NICOLELLO: Thank you  
25 Ms. Gottfrey. If you have some written

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2 materials and you would like to give them to  
3 the clerk so we can have them you can give  
4 them. We can make a copy. I do have your  
5 contact information and there was a lot  
6 there. So our counsel is going to take a look  
7 and see if we can respond to you.

8 MS. GOTTFREY: This is a personal  
9 human rights matter. Black lives matter. But  
10 persons with disabilities and their human  
11 rights matter.

12 LEGISLATOR NICOLELLO: Thank you  
13 ma'am. Meta Mereday.

14 MS. MEREDAY: Meta J. Mereday,  
15 Baldwin resident. I come to you I guess on  
16 the last week of the shortest month that is  
17 considered Black History Month again to speak  
18 to the issues that I am most concerned about.  
19 Again, that is the plight of our veterans in  
20 Nassau County as well as Long Island, New York  
21 State et cetera, et cetera.

22 I have not seen any changes now  
23 that we are in February of 2019 with regard to  
24 any increase in the programs and support  
25 services. Very disappointed in the county

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2 executive's budget that I believe allocated  
3 two additional part-time people for a veterans  
4 service program that monitors the activities  
5 for over 80,000 veterans in Nassau County. We  
6 are one of the few counties of the size and  
7 number that we don't even have our own veteran  
8 facility. And Northport VA hospital is still  
9 toxic, it's been toxic and will always remain  
10 toxic until we change the dynamic and shift  
11 the paradigm.

12 As was mentioned earlier with  
13 regard to roads, they are atrocious. I will  
14 leave it at that. I don't know how many more  
15 of my rims I can get replaced. Just coming  
16 over here I avoided about 16 pot holes and  
17 seven craters. Then to spin around this  
18 parking area where we have county employees  
19 with their licensed tags in the visitors  
20 parking, including the delivery van that  
21 blocked at least one of the few remaining  
22 spots in the visitors section. Again, you  
23 don't make it easy for residents to even come  
24 and participate in this process.

25 Lastly, the Minority Affairs

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2 Committee again still does not have its true  
3 representation, budget, financing, leadership  
4 et cetera. So the voices of the diverse in  
5 this county continue to be unheard. So I  
6 don't know, I guess it just seems between  
7 Nassau County, Town of Hempstead, I don't know  
8 how many lawsuits are won or lost in North  
9 Hempstead or Oyster Bay but we just can't seem  
10 to win any lawsuits in Nassau County. And  
11 Town of Hempstead is not far behind you. With  
12 the outcome of the Woodmere Country Club where  
13 the county's got one view and the Town of  
14 Hempstead has another I sure that's going to  
15 be another court that's going to be a hoot.  
16 So, it just seems once again the taxpayers are  
17 continuing to be short-circuited.

18 But my major issue here has to do  
19 with asking when are we going to see some real  
20 results for our veterans? Long Island has a  
21 unique classification of having the largest  
22 percentage of Korean and Vietnam war veterans  
23 and World War II veterans that are still  
24 remaining. But their cries are still being  
25 unanswered. So when is the problem going to



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2 be fixed? Thank you.

3 LEGISLATOR NICOLELLO: Thank you  
4 Meta. Marco Cashman.

5 MR. CASHMAN: I wanted to first  
6 thank the legislature for the opportunity to  
7 speak today as well as commend the officers  
8 and medics and detectives that received praise  
9 today for all their service.

10 I want to speak briefly about the  
11 possibility of legalizing the use and sale of  
12 recreational marijuana in Nassau County.

13 Everything should not be about  
14 money but in today's age most things are. The  
15 need for innovative ideas that are both  
16 progressive and generate tax revenues have  
17 never been more urgent. All across the US  
18 different states have been looking into the  
19 legalization as well as the sale of  
20 recreational marijuana. Some states, like  
21 Colorado and California have already legalized  
22 the use and sale of recreational marijuana and  
23 the results have been beneficial to both the  
24 states and municipalities as well as the  
25 taxpayers.

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2 I believe the prevention of driving  
3 while high in addition to educating the youth  
4 about drug use should be the main focuses  
5 behind the possible legalization of  
6 recreational marijuana. I think everyone can  
7 agree rolling out this type of legislation has  
8 many moving parts. Making the need for its  
9 actual regulation to be clear, precise and  
10 fair to all it will affect. Not only will  
11 this have an immediate affect on the people of  
12 Long Island but throughout New York State.  
13 New York will become an example, good or bad,  
14 of the outcome of the legalization of  
15 recreational marijuana, including its sale.

16 The taxes generated from sales  
17 would be from residents who choose to use  
18 recreational marijuana. Unlike the red light  
19 camera program in Nassau County which has  
20 essentially become a tax-generating scheme to  
21 illegally tax commuters in Nassau County.

22 As I've stated previously, the  
23 effects of choices made in the next coming  
24 months and years will affect the residents of  
25 Nassau County for generations to come. It is

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2 my belief that if Nassau County chooses to opt  
3 out while other counties in Long Island and  
4 New York State choose to opt in and sell  
5 recreational marijuana, Nassau County will  
6 lose out on a revenue stream that would be  
7 both beneficial to not only the people that  
8 choose to use recreational marijuana but the  
9 regular taxpayers as well. Hopefully  
10 relieving some of the financial burden on the  
11 residents of Nassau County.

12 I urge Nassau County legislators to  
13 look at all information and reports from all  
14 sources and all different angles in regards to  
15 legalizing the use and sale of recreational  
16 marijuana. From the health and mental illness  
17 advantages to the possible tax revenue and  
18 economic growth this legislation could  
19 possibly help and provide. I thank you for  
20 all your time in regards to this matter.  
21 Thank you.

22 LEGISLATOR NICOLELLO: Thank you  
23 Mr. Cashman. Just your appearance here,  
24 coincidentally at 2:30 there is a brief  
25 upstairs by the governor's counsel on

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2 marijuana. We are still gathering information  
3 and we will see what the final outcome of  
4 what's in the governor's budget looks like.

5 Last speaker, public comment  
6 anyway, John Joseph Budnick.

7 MR. BUDNICK: Thank you  
8 Mr. Chairman, honorable members of the county  
9 legislature. With regard to the local law  
10 about the disclosure of intimate information  
11 about people, pictures, whatever, I have only  
12 two things that I must note to you.

13 First of all, the effective date  
14 has to be after the Secretary of State has  
15 accepted it for filing. And the other thing  
16 is the penalty provision currently only  
17 provides for a \$1,000 fine and up to one year  
18 in jail. That means that as it is currently  
19 constituted, there is no authorization for any  
20 post relief supervision, probationary  
21 supervision, any final order of protection or  
22 any order of restitution being allowed under  
23 the proposed county law as it currently reads  
24 and I think it should be amended to include  
25 these things.

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2 There was a gentleman talking about  
3 issues involving marijuana, which has four  
4 times the tar and 170 percent of the  
5 carcinogens of cigarette smoke. And recent  
6 studies have also shown that it is disruptive  
7 at best and destructive at worst of the minds,  
8 particularly those of people under the age of  
9 26, who ingest it.

10 I am very disgusted to say that  
11 over this past weekend the National Academy of  
12 Motion Pictures Arts and Sciences enclosed  
13 marijuana candy in their goody bags which  
14 included amounts of up to 20 milligrams of  
15 THC. Which if ingested by a child could end  
16 up with the child in the hospital at the best  
17 and at the worst, terrible outcomes.

18 Thank you very much for your time  
19 and trouble. God bless you one and all.  
20 Thanks for putting up with me.

21 LEGISLATOR NICOLELLO: Thank you  
22 Mr. Budnick. Legislator Drucker.

23 LEGISLATOR DRUCKER: Mr. Budnick,  
24 I wanted to tell you under the criminal  
25 procedure law and the penal law judges already

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2 have under their judicial authority the  
3 ability to render that type of post court  
4 disposition.

5 MR. BUDNICK: I have seen judges  
6 in the Nassau County District Court refuse to  
7 do that.

8 LEGISLATOR DRUCKER: But it's  
9 within their discretion to do so.

10 MR. BUDNICK: It may be in  
11 discretion but the problem is certain judges  
12 say if it's not in the enacting law it's an  
13 unclassified misdemeanor, so I am bound by the  
14 enacting law. Easily enough, all you have to  
15 do is just say it's a class A misdemeanor. I  
16 am very, very, very strenuously in favor of  
17 the provisions, and I'm merely trying to make  
18 sure that it can be successfully prosecuted  
19 based upon my own experiences in court both as  
20 an assistant district attorney and as a  
21 private practicing attorney before I ceased to  
22 practice law.

23 LEGISLATOR DRUCKER: Thank you  
24 for that. We have been assured by legal  
25 counsel at the District Attorney's Office, our

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2 county attorney's office and our minority  
3 counsel that we are within the law.

4 MR. BUDNICK: Go get them.

5 LEGISLATOR NICOLELLO: I have  
6 received another slip but it pertains to the  
7 first hearing. So I'm going to hold that  
8 until we jump into that legislation. But  
9 first I'm going to call the consent calendar.  
10 These are items that went through committees,  
11 were vetted at that time and it's agreed by  
12 majority and minority that there is no further  
13 need for debate or discussion on these items.

14 Starting with item seven ordinance  
15 four. Item eight Resolution six. Item nine  
16 Resolution seven. Item ten Resolution eight.  
17 Item 12 Resolution ten.

18 Moved by Legislator Birnbaum.  
19 Seconded by Legislator McKevitt. Any debate  
20 or discussion? Any public comment on the  
21 consent items? Hearing none, all in favor  
22 signify by saying aye. Those opposed?  
23 Carries unanimously.

24 One other item before we go to the  
25 hearings, we have an item which a legislator

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2 is going to recuse herself. That would be  
3 item 11 Resolution nine. That would be  
4 Legislator Bynoe is recusing herself. Leaving  
5 the chambers, not participating in any debate  
6 or discussion or vote. This item is moved by  
7 Legislator Kennedy. Seconded by Legislator  
8 Lafazan.

9 It is a resolution to accept a gift  
10 offered by the Nassau County Police Department  
11 Foundation for the Nassau County Police  
12 Department.

13 Any discussion or debate on this  
14 item? Any public comment? All in favor  
15 signify by saying aye. Those opposed?  
16 Carries unanimously. Please invite Legislator  
17 Bynoe back in. We are going to move to the  
18 hearings and local laws.

19 Item one is a hearing to protect  
20 against unlawful disclosure of intimate  
21 images. Moved by Legislator Mule. Seconded  
22 by Legislator Ford. We have a motion to open  
23 the hearing and second. All in favor of  
24 opening the hearing signify by saying aye.  
25 Those opposed? The hearing is now open.



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2 Anyone want to make remarks or do we want to  
3 call our speaker or you want to say  
4 something?

5 LEGISLATOR MULE: So thank you  
6 Presiding Officer. This is legislation that  
7 Legislator Drucker and I have cosponsored. We  
8 have been working very hard on it for about  
9 six months or so. This would give legal  
10 redress to someone who was a victim of someone  
11 who spread intimate images of that person  
12 without their consent. This is a problem that  
13 is a fairly new one with the advent of social  
14 media and instant access to photographs. It  
15 is something that has had significant and  
16 devastating results to the victims and it is  
17 something that cannot currently be taken care  
18 of under the law as it's written. This law  
19 would specifically close that hole and it's  
20 something that we feel very strongly about and  
21 we're very pleased with the support we have  
22 received for this. Thank you.

23 LEGISLATOR NICOLELLO: Any other  
24 legislators want to comment on this at this  
25 time? Legislator Drucker.

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2 LEGISLATOR DRUCKER: Just to echo  
3 Legislator Mule's comments. This is a very,  
4 very important piece of legislation. It's  
5 something that we have been unable, and this  
6 is after conferring with the Nassau County  
7 District Attorney for a while who has been a  
8 big supporter of this bill, because they have  
9 been hampered to some extent in the  
10 prosecution of this in the past. With this  
11 legislation, and we've solicited the  
12 assistance of Nassau County District Attorney  
13 Singas and the Nassau County Police  
14 Department's legal counsel to draft this  
15 legislation in a way that's going to  
16 facilitate and make it easier to prosecute  
17 people who commit these heinous acts.

18 In addition, it now offers an  
19 ability of a victim to pursue civil remedies  
20 and obtain damages. Someone doing this can  
21 also be prosecuted but it also can hit them in  
22 their pocketbooks too. That's an added relief  
23 that a victim can now pursue if in fact this  
24 heinous act results in a loss of employment,  
25 career opportunities, educational

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2 opportunities that are lost.

3 So we are very pleased with it and  
4 very happy that we are now able to provide  
5 this legislation, give our law enforcement the  
6 tools they need to prosecute this quickly and  
7 it would go into effect immediately without  
8 having to wait so we can provide this  
9 protection and relief to our residents  
10 immediately.

11 LEGISLATOR NICOLELLO: Thank you  
12 Legislator Drucker. Anyone else? Any other  
13 legislators? Legislator Lafazan.

14 LEGISLATOR LAFAZAN: I want to  
15 thank my colleagues, Legislator Mule and  
16 Legislator Drucker, for your steadfast support  
17 and encouragement here. My comments here are  
18 very simple. I am desperately imploring  
19 parents in every Nassau County household to  
20 remind your children that their actions taken  
21 on social media are now amplified and  
22 immortalized. They are amplified in terms of  
23 their audience and they are immortalized in  
24 that they will live on forever on the  
25 internet. And though this law delivers

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2 justice to victims of revenge porn, the  
3 panacea we are all seeking is for these  
4 intimate images to never be sent in the first  
5 place.

6 So I remain optimistic that this  
7 law will serve as a reminder for parents to  
8 have discussions with their kids about  
9 digital citizenship in the 21st Century, and I  
10 hope this law inspires us to collectively  
11 endeavor to form a kinder and more gentle  
12 society. So again, thank you to Legislator  
13 Mule, thank you to Legislator Drucker and I'm  
14 proud to give my support.

15 LEGISLATOR NICOLELLO: Thank you  
16 Legislator Lafazan. Legislator Schaefer.

17 LEGISLATOR SCHAEFER: I wanted to  
18 add to that. Never mind not sending anything  
19 out. How about not take any pictures. I  
20 think that's what got to be relayed to the  
21 children, young people, anybody really.  
22 Because once you start it you can't stop that  
23 chain once it's out there.

24 LEGISLATOR NICOLELLO: Anyone  
25 else? I would like to call up our speaker,

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2 Elizabeth Osowiecki.

3 MS. OSOWIECKI: Hello  
4 legislators. Again, my name is Liz  
5 Osowiecki. I am an educator at the Safe  
6 Center, and I would like to thank you for your  
7 support in drafting this legislation and for  
8 everyone having support in passing, hopefully  
9 passing this legislation.

10 Again, just a reminder that the  
11 Safe Center does operate 24-7 365. That's how  
12 we are providing support to survivors in many  
13 different ways. I go out into the community  
14 and speak to high school students about this  
15 type of behavior and the consequences to this  
16 type of behavior. And again, the main focus  
17 with this law is the idea of consent in that  
18 we are trying to make a cultural change that  
19 encompasses a consent culture and helps people  
20 to understand that.

21 We get it when it comes to people's  
22 bodies. We get that you can't look at people  
23 when they say you can't look at them. But  
24 when it's on a phone you forget all these  
25 aspects of consent and that's the main focus

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2   of this bill again. It may be to stop those  
3   images from being sent or help get that  
4   message across. But the main point we want to  
5   make is that a person's body is their own and  
6   when we recognize consent these obstacles  
7   won't happen. And our laws do have to keep up  
8   with the technology and consent within  
9   technology has to be taken seriously as well.  
10   Thank you so much for taking that seriously  
11   thank you. I would just like to submit a  
12   victim's statement as well.

13                   LEGISLATOR NICOLELLO:     Do we have  
14   any other public comment? Hearing none, take  
15   a motion to close the hearing by Legislator  
16   Mule. Seconded by Legislator Ford. All in  
17   favor of closing the hearing signify by saying  
18   aye. Those opposed? Hearing is closed.

19                   We are going to jump to item four,  
20   which is a vote on the local law to protect  
21   against the unlawful disclosure of intimate  
22   images. Moved by Legislator Drucker.  
23   Seconded by Legislator Walker. Any debate or  
24   discussion? Any public comment? All in favor  
25   signify by saying aye. Those opposed? It

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2 carries unanimously.

3 LEGISLATOR NICOLELLO: Legislator  
4 Drucker.

5 LEGISLATOR DRUCKER: I just want  
6 to thank the majority for supporting this  
7 bill. Legislator Mule and I worked on this  
8 for a long time and obtaining your support is  
9 very gratifying. And what this shows today  
10 that this body can do is work in government --  
11 and the minority caucus as well, I take that  
12 for granted, they always support us and me.  
13 But what this shows today is that we can  
14 operate the way government is supposed to  
15 operate. And it makes me feel good to see I'm  
16 part of a body here that when we need to get  
17 things done that are not political in any way  
18 but what we are elected to do. And that is to  
19 protect the citizens of this county and  
20 protect them and advocate for them and support  
21 them in any way we can and that's what this  
22 bill does and I want to thank everybody on  
23 this body for that.

24 LEGISLATOR FORD: Thank you for  
25 bringing this to our attention because I think

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2 it is something very timely. And I know that  
3 hearing from the Safe Center and from one of  
4 the family members who gave beautiful and  
5 touching, moving testimony during the  
6 committee hearings in regards to this when you  
7 realize the damage that can be done to an  
8 individual just is mind boggling to say it  
9 without any further do. But just to say how  
10 much it is. How it can impact somebody's life  
11 when they do this porn, revenge porn. They  
12 try to go after them with these pictures and  
13 stuff like that.

14 I think that it is something that  
15 we are happy that you brought it to our  
16 attention and of course you can see every  
17 single one of us supports this. I think to  
18 even when we say it is immortalized on the  
19 internet, it will never be erased. But I  
20 think even Legislator Schaefer brought up  
21 something up that was key. We must remind our  
22 young people try not to take these pictures.  
23 Try to keep them off. When you think about  
24 it, I think of some young kids and some of the  
25 pictures that I know that they posted and you



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2 just want to cry because you know that it's  
3 going to follow them for the rest of their  
4 lives.

5 So for all of us, I think this is a  
6 good day to show that we can work together for  
7 the betterment of our community and especially  
8 for the protection of our children.

9 LEGISLATOR NICOLELLO: Thank you  
10 Legislator Ford and Legislator Drucker.  
11 Legislator Mule.

12 LEGISLATOR MULE: Thank you  
13 Presiding Officer. In the spirit of the  
14 Oscars, which many of us saw last night, I do  
15 have some thank yous. I would like to thank  
16 certainly Legislator Drucker for working so  
17 closely and hard on this. I would like to  
18 thank Crystal for bringing this to our  
19 attention. I would like to thank my staff for  
20 working again so hard on this. Kienna and  
21 Vanessa. Legislator Ford for being a champion  
22 for this and making sure that this happened.  
23 Pete and his staff for crossing all the Ts and  
24 dotting all the I's. The Safe Center for  
25 really helping us to understand the magnitude

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2 of this problem. Commissioner Ryder, DA  
3 Singas for looking at the law and again making  
4 sure that it was the best law possible for  
5 Nassau County to protect its citizens.

6 To Carmen, our new friend and we're  
7 so happy that we can do this. Hope that  
8 nothing like this ever happens that happened  
9 to your brother. And we were hoping that this  
10 can serve as not just a way to redress it when  
11 it happens but to actually prevent it from  
12 happening again.

13 Finally, I would like to thank my  
14 friend and partner in the Town of Hempstead  
15 government Erin King-Sweeney, who was a very  
16 vocal proponent of this. I know she did a lot  
17 of work behind the scenes to make sure that  
18 this moved forward. So thank you everyone.

19 LEGISLATOR NICOLELLO: Thank  
20 you. Next hearing is on item two, a hearing  
21 on a local law to amend the Nassau County  
22 administrative code in relation to providing  
23 additional whistleblower protection to county  
24 employees by removing certain notification  
25 requirements.

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2 Moved by Deputy Presiding Officer  
3 Kopel. Seconded by Legislator Ferretti. All  
4 in favor of opening the hearing signify by  
5 saying aye. Those opposed? The hearing is  
6 now open.

7 MR. HARDEMAN: Kevin Hardeman  
8 from the county attorney's office. This local  
9 law would amend Section 22-4.4 of the  
10 administrative code, which is the county  
11 whistleblower law. To remove the prior  
12 notification requirements of paragraph D of  
13 subdivision three in order to be consistent  
14 with Section 75(b) of the New York State Civil  
15 Service Law. In addition, the local law also  
16 amends paragraphs A and B of subdivision three  
17 of the county whistleblower law to officially  
18 list the inspector general as a county  
19 government official to whom allegations of  
20 improper government actions can be reported  
21 and referred. Thank you.

22 LEGISLATOR NICOLELLO: Thank  
23 you. Any debate or discussion? Any public  
24 comment?

25 MS. MEREDAY: With regard to the

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2 law itself, I'm just trying to get a handle.  
3 I understand the second part of it as far as  
4 clerical to officially list the inspector  
5 general. I just want to get some  
6 clarification with regard to the application  
7 of the law itself. What has been some of  
8 the -- well, if we don't hear about it in  
9 Newsday -- just want to get an idea of what is  
10 being put in place overall in the county as  
11 far as processes and procedures so that we can  
12 reduce even the opportunities for someone to  
13 have to come out of the dark to address issues  
14 that impact our taxes and finances. So if  
15 someone could bring some clarity with regard  
16 to the actual structure of this whistleblower  
17 process I would appreciate it. Crickets?

18 LEGISLATOR NICOLELLO: Maybe the  
19 gentleman from the county attorney's office  
20 can respond to your question.

21 MR. HARDEMAN: The process would  
22 be that the public employees notify various  
23 individuals that are listed within the law  
24 whenever they are aware of improper actions  
25 taken by government officials that need to be

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2 reported pursuant to the law. So, the law  
3 itself lists out the various different  
4 individuals that you can bring, as a public  
5 employee, can bring various improper  
6 government actions to their attention. And  
7 then it follows through a process after that  
8 to certain people that would do additional  
9 investigation into it.

10 MS. MEREDAY: I think because --  
11 I still have time -- I think because the  
12 layers that have been involved that are  
13 currently under review, investigation,  
14 indictment, et cetera in this county, it just  
15 begs the question as to who exactly can you  
16 report to? For example, if it's your  
17 immediate supervisor and then your immediate  
18 immediate supervisor who is the problem.  
19 Again, what is the county and those of you who  
20 monitors and stewards of our funding and  
21 financing, what is being done, what type of  
22 training, what type of awareness? Because  
23 clearly we have issues when it comes down to  
24 discrimination, lack of diversity and  
25 inclusion. So we have lent ourselves well to

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2 a number of lawsuits and potential lawsuits  
3 that we just don't seem to get, we don't seem  
4 to address those concerns and those lapses in  
5 the process and procedure.

6 So, I'm just trying to understand  
7 what protections are being put in place. One,  
8 for employees who notice that there is  
9 wrongdoing. And two, what are we doing from a  
10 preventive standpoint to address those  
11 issues. Because I could roll off a number of  
12 violations that are already in practice with  
13 the county as it pertains to veterans and lack  
14 of support services. I just wanted to make  
15 sure that that was on the record. Because as  
16 I said, I'm sure I will see it on Newsday or  
17 News 12 as to what's going to be coming up  
18 next. Thank you.

19 LEGISLATOR NICOLELLO: Thank you  
20 Ms. Mereday. Any other public comment?  
21 Hearing none, motion by Deputy Presiding  
22 Officer Kopel, second by Legislator Ferretti  
23 to close the hearing. All in favor of closing  
24 the hearing say aye. Those opposed? Hearing  
25 closed.

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2 Now we will go to vote, which is  
3 number five. It is a local law to amend the  
4 Nassau County administrative code in relation  
5 to providing additional whistleblower  
6 protection to county employees by removing  
7 certain notification requirements.

8 Moved by Alternate Deputy Presiding  
9 Officer Ford. Seconded by Legislator Bynoe.  
10 Any debate or discussion at this time? Any  
11 public comment? All in favor signify by  
12 saying aye. Those opposed? That carries  
13 unanimously.

14 Number three is a hearing on a  
15 local law requiring county contracts to state  
16 the maximum amount of consideration payable to  
17 the vendor.

18 Moved by Legislator  
19 DeRiggi-Whitton. Seconded by Legislator  
20 Rhoads. All in favor of opening the hearing  
21 signify by saying aye. Those opposed?  
22 Hearing is now open. Legislator  
23 DeRiggi-Whitton.

24 LEGISLATOR DERIGGI-WHITTON:  
25 Thank you Presiding Officer. As someone who

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2 has been a legislator going into my eighth  
3 year already, which I can't even believe,  
4 there have been a few times when we've been  
5 reviewing contracts and we notice that there's  
6 a minimum stated more than a maximum stated as  
7 far as the spending that the county will  
8 incur. As a legislator, I truly believe us  
9 approving a contract or any type of purchase  
10 order without clearly stating the maximum  
11 amount this county will spend on said item is,  
12 in my opinion, us not doing the job that we  
13 were elected to do.

14 There were a couple of different  
15 examples. One being when we entered into a  
16 LICAP contract it was actually stated that the  
17 county will spend at least \$50,000 a year with  
18 no maximum. Another time, just in recent  
19 memory, we had two items tabled because in the  
20 items themselves on August 6, 2018 the maximum  
21 stated amount cost shall exceed \$100,000.

22 So again, it's very simple. I take  
23 my life experience of having three daughters.  
24 I always feel it's more important to tell them  
25 the max to spend rather than the minimum that



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2 they are allowed to spend.

3 I also want to thank everyone for  
4 their support, and I think it's going to make  
5 our jobs easier. It will also make it clearer  
6 as to what we are voting on especially when it  
7 comes to purchase orders that are in a  
8 repetitive position. We will see if it's just  
9 a one-year purchase order or if it's a  
10 five-year purchase order. Whatever the case  
11 may be we will have the total in front of us.  
12 So I think it will make our job a little bit  
13 easier in the sense we will know exactly how  
14 much we are committing to and it will make  
15 another layer of protection because it will  
16 also have the different groups monitor the  
17 spending prior to coming back to the  
18 legislature should they need more.

19 Again, I think it really classifies  
20 the fact that we are the watchdogs for the  
21 county's finances and we take that role very  
22 seriously.

23 I want to thank my legal team for  
24 drafting it and writing it and for the  
25 administration for supporting it. And I hope

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2 it's something that I can have everyone's  
3 support on. Thank you.

4 LEGISLATOR NICOLELLO: Thank you  
5 Legislator DeRiggi-Whitton. Anyone else want  
6 to comment or discussion? Any public comment  
7 on this item?

8 MS. MEREDAY: Stand on too many  
9 shoulders not to speak. I definitely support  
10 Legislator DeRiggi-Whitton's proposal with  
11 regard to this legislation. It's definitely a  
12 long time in coming. I just want to again  
13 reiterate the concerns that those of us who  
14 are out here fighting for diversity and  
15 inclusion still see lacking. So, if there's  
16 any consideration if we look down the road, I  
17 don't know if this has to be legislated or if  
18 it's just again something procedural, to speak  
19 to the inclusion of the contracts for the  
20 public, for many of us who don't have the  
21 supporting staff and resources and connections  
22 within the various agencies, to have an  
23 understanding if these contracts are actually  
24 inclusive of service disabled veteran  
25 business, minority and women-owned business

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2 when we are doing the actual contracting and  
3 presenting that information to the public.  
4 Because we can't determine any type of  
5 benchmark. I just find it amazing when I  
6 attend these hearings for the budgets and we  
7 talk about the budgets, for example, Minority  
8 Affairs or for our veteran support services,  
9 that there is no line item specifically as it  
10 pertains to the outreach and training  
11 internally with the county agencies to do the  
12 outreach for service disabled, veteran-owned  
13 businesses, minority and women-owned  
14 businesses specifically. And to continually  
15 be told we handed the package over to Minority  
16 Affairs with nothing supporting that. No  
17 recommendations, no platform.

18 Again, it's giving a disservice to  
19 again the diverse and inclusive business model  
20 that is reflective in the county. I still  
21 have yet to get any type of report as to the  
22 breakdown in the support services for minority  
23 businesses, service-disabled businesses. And  
24 from my recollection of the report from the  
25 county administration, I think the number

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2 percentage was less than one percent and that  
3 was for minority women as well as service  
4 disabled. I guess if I'm the only one that's  
5 upset about that that speaks loudly for those  
6 of you that promote yourselves in campaign  
7 that you are inclusive of diverse businesses  
8 when we are not even providing opportunities  
9 for our veterans for their businesses to grow  
10 when statistically 85 percent of our veterans  
11 prefer to work for other veterans and we are  
12 not even giving them opportunities.

13 So, as it pertains to this  
14 legislation, before someone asks me does my  
15 statement pertain to this legislation, I'm  
16 just hoping that we can consider some type of  
17 procedural or process, documentation that  
18 speak to not only to the maximum on these  
19 contracts but if we are going to be following  
20 federal law, that if these contracts are  
21 including -- they are awarded to a  
22 service-disabled veteran owned business or  
23 minority and women business enterprise that  
24 it's listed. If it's a majority business,  
25 which the majority of these contracts are, and

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2 God willing if the vetting process is  
3 approved, then fine. Thank you.

4 LEGISLATOR NICOLELLO: Thank  
5 you. Any other public comment? Hearing none,  
6 Legislator DeRiggi-Whitton makes a motion to  
7 close the hearing. Legislator Rhoads seconds  
8 it. All in favor of closing the hearing  
9 signify by saying aye. Those opposed?  
10 Hearing is closed.

11 Item six is a vote on a local law  
12 requiring county contracts to state the  
13 maximum amount of consideration payable to the  
14 vendor. Moved by Legislator DeRiggi-Whitton.  
15 Seconded by Legislator Rhoads. Any debate or  
16 discussion? Any public comment? All in favor  
17 signify by saying aye. Those opposed?  
18 Carries unanimously.

19 That concludes the regular  
20 calendar. We have an emergency. I'm going to  
21 ask our clerk to please call the emergency.

22 MR. PULITZER: Thank you. An  
23 emergency resolution declaring an emergency  
24 for an immediate action upon a resolution  
25 authorizing the county attorney to compromise

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2     and settle the claim of plaintiffs as set  
3     forth in the action entitled Mhany Management,  
4     Inc. versus County of Nassau EDNY docket  
5     number 05-CV-2301 pursuant to the county law,  
6     the county government law of Nassau County and  
7     the Nassau County administrative code.

8                   LEGISLATOR NICOLELLO:     Motion to  
9     establish the emergency moved by Legislator  
10    Gaylor.   Seconded by Legislator Mule.   All in  
11    favor of establishing the emergency signify by  
12    saying aye.   Those opposed?   I believe we have  
13    then it's 17-2.   Legislator Bynoe and Minority  
14    Leader Abrahams are voting against it.   The  
15    emergency has been established.

16                   It's time to read the item again.  
17    Clerk item 642 2018, a resolution authorizing  
18    the county attorney to compromise and settle  
19    the claim of plaintiffs as set forth in the  
20    action entitled Mhany Management versus County  
21    of Nassau.

22                   Motion to place that before us by  
23    Legislator Drucker.   Seconded by Legislator  
24    Muscarella.   I will now entertain a motion to  
25    table this.   Moved by Legislator Gaylor.

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2 Seconded by Legislator Schaefer. All in favor  
3 of tabling this item signify by saying aye.  
4 Those opposed? Carries unanimously.

5 I am going to put the legislative  
6 meeting into recess at this time. Thank you  
7 everyone.

8 (Meeting was recessed at 2:58 P.M.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have  
hereunto set my hand this 26th day of  
February 2018

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FRANK GRAY