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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

RICHARD NICOLELLO,
Presiding Officer

(RECONVENED FROM MAY 20, 2019)

1550 Franklin Avenue
Mineola, New York

Monday, June 3, 2019
1:08 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,
8 Alt. Deputy Presiding Officer

9 STEVEN RHOADS

10 DEBRA MULE

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 THOMAS MCKEVITT

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

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

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2 CHAIRMAN NICOLELLO: Welcome,
3 everyone, to today's meeting.

4 To start things off, I'm going to
5 reconvene the Legislative meeting and I'd
6 ask Legislator Colonel Gaylor to please lead
7 us in the Pledge of Allegiance.

8 (Whereupon the Pledge of
9 Allegiance was recited.)

10 CHAIRMAN NICOLELLO: Thank you.

11 LEGISLATOR ABRAHAMS: Can
12 everyone please stand again? I just wanted
13 to do a brief moment of silence for the
14 victims and families of Virginia Beach.

15 (A moment of silence was
16 observed.)

17 LEGISLATOR ABRAHAMS: Thank you.

18 CHAIRMAN NICOLELLO: We are going
19 to first do the emergencies to establish and
20 then vote on the Home Rule messages which
21 are going to be sent up to Albany.

22 After that, we will be voting on
23 the veto override and then following that we
24 will move on to the committees.

25 So, to start things off, Mr.

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2 Clerk, can you read the emergencies, please?

3 CLERK PULITZER: Yes, thank you.

4 Emergency for Clerk Item 195-19, Emergency
5 Resolution 13-2019, an Emergency Resolution
6 declaring an emergency for immediate action
7 upon a resolution requesting the Legislature
8 of the state of New York to enact and the
9 governor to approve and act to amend chapter
10 269 of the laws of 1979 relating to
11 authorizing the County of Nassau to lease
12 certain lands acquired pursuant to the
13 provision of Article 15 of the Park and
14 Recreation Law in relation to extending such
15 authorization to lease or permit certain
16 premises. Would you like the other two?

17 CHAIRMAN NICOLELLO: Yes, please.

18 CLERK PULITZER: Thank you.

19 Resolution 102B-2019, a resolution
20 requesting the Legislature of the state of
21 New York to enact and the governor to
22 approve an act to amend the Retirement and
23 Social Security Law in relation to providing
24 performance of duty, disability retirement
25 benefit for ambulance, medical technician

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2 supervisors, ambulance, medical technician
3 coordinators, ambulance medical technicians
4 in Nassau County.

5 Resolution Number 102c 2019, a
6 resolution requesting the Legislature of the
7 state of New York to enact and the governor
8 to approve an act to amend the Retirement
9 and Social Security Law in relation to
10 providing accidental disability retirement
11 benefits for chief fire marshals, assistant
12 chief marshals, division supervising fire
13 marshals, supervising marshals, fire
14 marshals, and fire marshal trainees in
15 Nassau County.

16 CHAIRMAN NICOLELLO: Stop there
17 for now. We will do some of these next. We
18 need a motion to establish. He called all
19 three emergencies. So I know you have
20 questions on the beach, correct? That was
21 called. We will get a motion and second on
22 the emergencies.

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR FORD: Second.

25 CHAIRMAN NICOLELLO: Moved by

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2 Deputy Presiding Officer Kopel, seconded by
3 Legislator Ford. Before we vote on the
4 emergencies, you can go ahead and ask the
5 questions you have. All right. Ask away.

6 LEGISLATOR ABRAHAMS: Dan, good
7 afternoon.

8 MR. GRIPPO: Dan Grippo from the
9 Nassau County Attorney's Office.

10 LEGISLATOR ABRAHAMS: How are
11 you?

12 MR. GRIPPO: Fine. Thank you.

13 LEGISLATOR ABRAHAMS: I understand
14 the other emergencies and we're fine with
15 those. Our question is more tied into
16 Silver Point.

17 Can you give us a brief history
18 in terms of how we are here today? It
19 sounds like this has been a long stemming
20 agreement with the county and the owners of
21 Silver Point.

22 MR. GRIPPO: The specific item
23 I'm here to discuss is the Home Rule Message
24 requesting New York State Legislature to
25 approve bills pending in the senate and

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2 assembly. That would extend the county's
3 authority to lease land in Silver Point and
4 Atlantic Beach to the current beach club
5 operators, continued on payment of fair
6 market rent, continued payment of real
7 estate taxes, and upon such other terms and
8 conditions as the Legislature deems fair and
9 reasonable.

10 So, if the bills that are pending
11 before the State Legislature are approved,
12 the administration will negotiate terms and
13 conditions of a new lease and we will come
14 back to the Legislature to present those
15 terms and conditions and new lease for
16 approval. That's the Home Rule Message of
17 the set up for that, that's why I'm here.

18 You asked about history. Just
19 briefly, in 1968, Nassau County purchased
20 over 100 acres of land in Atlantic Beach to
21 prevent commercial development of that land.

22 The law at the time, section 1511
23 of the New York State Parks and Recreation
24 Law allowed the county to enter into an
25 agreement with the former owners or their

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2 tenants to continue to operate the beach
3 clubs as long as they paid fair market rent
4 and real estate taxes.

5 LEGISLATOR ABRAHAMS: We
6 purchased land so that we can rent it back
7 to the owners?

8 MR. GRIPPO: We purchased land to
9 prevent commercial development almost akin
10 to what we did more recently in terms of
11 purchasing development rights and preventing
12 commercial development.

13 The law specifically contemplated
14 and authorized an agreement between the
15 county and the former owners.

16 LEGISLATOR ABRAHAMS: Not to cut
17 you off. When we purchased the property the
18 beach club was there already?

19 MR. GRIPPO: Yes. The law again
20 allowed the agreements with the former
21 owners. That law was extended in 1979 and
22 again in 1998 at the behest of Nassau
23 County, at Nassau County's behest.

24 So in a sense we are here to
25 further extend the New York State law that

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2 allows for agreements between the county and
3 the beach club operators.

4 LEGISLATOR ABRAHAMS: So the
5 county feels, the administration feels while
6 you go, assuming it gets the emergency and
7 assuming the Legislature passes Home Rule up
8 in Albany, the county feels comfortable in
9 the sense that the amount we are collecting
10 in rent during the interim period, and I'm
11 guessing they are still paying rent today,
12 even though they haven't had an agreement in
13 the last couple of months, correct?

14 MR. GRIPPO: Right. Fair rent.

15 LEGISLATOR ABRAHAMS: So the fair
16 rent is still a fair number?

17 MR. GRIPPO: Yes, it is. It's
18 over a million dollars.

19 LEGISLATOR ABRAHAMS: How does
20 the county justify that that number is fair?
21 Appraised as part of the rent?

22 MR. GRIPPO: You see, the rent
23 was reset in '08, and essentially what you
24 have in so many words is almost a hold over
25 tenancy. But the rent had CPI adjustments.

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2 So the rent, December 2018, they've
3 continued to pay. It's essentially, it is
4 -- we have confirmation that it's a fair
5 price. But, again --

6 LEGISLATOR ABRAHAMS: Confirmation
7 from our assessor?

8 MR. GRIPPO: Will be set.

9 LEGISLATOR ABRAHAMS: Dan, work
10 with me for a second. Confirmation from
11 who, our assessor?

12 MR. GRIPPO: No, no, no. There
13 was an appraiser, I believe Mike Haberman.

14 LEGISLATOR ABRAHAMS: That was in
15 2008?

16 MR. GRIPPO: No, No. More
17 recently. Last year, last fall.

18 LEGISLATOR ABRAHAMS: Last fall,
19 okay. What was the market value as part of
20 that appraisal?

21 MR. GRIPPO: The question was was
22 it a fair monthly amount. I don't have the
23 -- what was the amount of the rent?

24 LEGISLATOR ABRAHAMS: In order
25 for you to get to the rental amount you

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2 would want to know what the market value is.
3 I'm curious as to what the appraiser came
4 back with the market value to determine that
5 the rental amount was fair

6 MR. GRIPPO: I think again the
7 question was to set a fair rent. I don't
8 recall the overall value of the property. I
9 don't recall that.

10 LEGISLATOR ABRAHAMS: I see what
11 you're saying. But counsel was telling me
12 that you came up with a fair rent value but
13 you didn't come up with a fair market value.

14 I'm curious on how Haberman, you
15 said did this, right, how did they come up
16 with a fair rent value without determining
17 the market value?

18 MR. GRIPPO: There is a companion
19 item that hasn't been filed with the
20 Legislature that has additional details.
21 It's for a permit that may bridge us over
22 till the new lease. Perhaps that package
23 has additional details that would answer
24 your question.

25 LEGISLATOR ABRAHAMS: My point is

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2 two things. Before we authorize the
3 emergency it's, one, we want to make sure
4 during its interim period the county is
5 getting a fair rent value. Obviously that's
6 number one.

7 Then, two, by us acting on
8 requesting this Home Rule be done through
9 the Legislature, as in any lease and
10 occupancy agreement, there is use of the
11 land which would be have to be negotiated so
12 that the public does have some level of
13 access to the land, which I don't know if
14 they do now. In the last 20 years since
15 1998 to 2018 has that been part of the
16 agreement?

17 But whatever we envision, any
18 type of lease and occupancy agreement
19 permit, I would think that the county or
20 administration is going to work with their
21 negotiations to ensure that all county
22 residents, because we are talking about
23 county land, has the opportunity to visit
24 the space.

25 Has that been in the past, has

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2 that been discussed? I'm not familiar with
3 the property.

4 MR. GRIPPO: I do know that the
5 legislation that we are requesting
6 contemplates terms and conditions that the
7 Legislature, Nassau County Legislature,
8 deems fair and reasonable.

9 LEGISLATOR ABRAHAMS: I
10 understand we are going to have an
11 opportunity to vote on the lease which I'm
12 glad about that part.

13 MR. GRIPPO: I hesitate to
14 speculate on specific lease terms.

15 LEGISLATOR ABRAHAMS: The lease
16 terms now don't allow the public to access
17 the property.

18 MR. GRIPPO: So you're talking
19 about the last lease, 1998, expired in
20 December of 2018. I believe that lease
21 contemplates a bird sanctuary, protected
22 area of the property. And the current
23 operators have been good stewards of the
24 land and have been praised by the department
25 of the interior for their work with the

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2 Piping Plovers and the birds.

3 But as far as that lease having
4 specific provisions for county events or
5 things like that I don't believe it does.
6 Again, it doesn't preclude future
7 discussions.

8 LEGISLATOR ABRAHAMS: I think, I
9 don't know if Mr. Santeramo standing behind
10 you, I would think going forward, none of
11 us, well, some of us, Rich and Vinnie were,
12 only last two that were here. But I would
13 think that that provision should be included
14 in the future agreement.

15 Obviously we want to see the
16 county have the ability to negotiate
17 something that's fair, generates more
18 revenue for the county, but we have to make
19 sure that the residents have the ability to
20 be able to participate in public events that
21 are there as well. Mike, did you want to
22 say something?

23 MR. SANTERAMO: I don't want to
24 simplify the matter too much. I've been up
25 in Albany and discussed this with the

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2 assembly delegation from Nassau. The state
3 senate delegation from Nassau.

4 I think ultimately what we are
5 trying to do is make sure that the county
6 which gets a sizeable amount of money in
7 fair market rent and a large portion of
8 dollars that go into the local tax base, I
9 believe in Atlantic Beach they are the
10 largest contributor of property taxes in the
11 area that we continue to have that property
12 on the rolls.

13 This gives the county the ability
14 to continue to negotiate through a two year
15 use and occupancy for a more longer term
16 lease and then obviously looking to the
17 Legislature to be partners with us in trying
18 to get this through for a much again longer
19 term lease.

20 So I think this is step one in
21 the process that will ultimately lead to a
22 use and occupancy and then a long term
23 lease, but, again, keeps this property and
24 keeps this particular company in these
25 particular beach clubs who have been good

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2 local investors in the community, they have
3 invested in the property and are also able
4 to balance the infrastructure that the
5 streets and the traffic with providing a
6 service in which a number of families across
7 Nassau County and local folks are employed
8 at the property so I think this is kind of a
9 win win and it's the beginning of moving
10 forward.

11 LEGISLATOR ABRAHAMS: So three
12 things, because I don't want to spend too
13 much time. Just quickly, who pays for the
14 repairs if there are repairs that are
15 necessary to be done at the property that
16 can be done to any level of storms or
17 anything along those lines in the previous
18 agreement?

19 MR. GRIPPO: The tenant and, in
20 fact, expended millions after Sandy.

21 LEGISLATOR ABRAHAMS: The second
22 two things, Mike, it sounds like obviously
23 the county, the Legislature will approve a
24 lease and occupancy permit that will come
25 before us at some point after today?

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2 MR. SANTERAMO: Correct.

3 LEGISLATOR ABRAHAMS: So between
4 now and then, can we get a better
5 understanding from Haberman in regards to
6 how they determine the rental value and what
7 the market value is?

8 MR. SANTERAMO: Absolutely. I
9 will get some information back. My
10 information and what we were discussing, I
11 was told during the use and occupancy, I
12 believe that the county is actually going to
13 be getting, I'm told I think it's \$67,000 a
14 year more during that portion of time than
15 it was during the long term lease.

16 So we are always looking to
17 negotiate and get the best lease possible
18 for the taxpayers and we will continue to
19 try to do that.

20 LEGISLATOR ABRAHAMS: The third
21 thing would be getting a level of commitment
22 from the administration in regards to more
23 of a global use of all county residents
24 being able to utilize the event that would
25 get negotiated.

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2 Obviously you can commit that at
3 the time when we actually do the permit or
4 even when we do the lease, but if we can get
5 that level of commitment that there will be
6 something that will be going in that
7 direction, sounds like it hasn't happened
8 yet?

9 MR. SANTERAMO: That hasn't
10 happened yet. And as I committed to you in
11 other discussions and in talking to staff,
12 those types of discussions will happen when
13 we are negotiating a longer term lease and I
14 can state that on the record that we will be
15 having those discussions moving forward.

16 LEGISLATOR ABRAHAMS: I think,
17 Presiding Officer, we will support the
18 emergencies, all three.

19 CHAIRMAN NICOLELLO: We have a
20 motion second on the emergencies. All in
21 favor of establishing the emergencies
22 signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

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2 The emergencies are established.

3 Can we waive the reading of these items that
4 were just called, Items 198, 199, 195? With
5 the consent of the minority we will do that.

6 Those three items now I need a
7 motion and second to approve these Home Rule
8 Messages.

9 LEGISLATOR RHOADS: So moved.

10 LEGISLATOR BIRNBAUM: Second.

11 CHAIRMAN NICOLELLO: Moved by
12 Legislator Rhoads, seconded by Legislator
13 Birnbaum.

14 The three are before us, the one
15 we just discussed and the other two relate
16 to providing item 198 is legislation to
17 provide disability retirement benefits for
18 medical technicians, supervisors, ambulance
19 medical technicians, coordinators, and
20 ambulance medical technicians in Nassau
21 County;

22 199 provides for a disability
23 retirement benefits for chief fire marshals,
24 assistant chief fire marshals, division
25 supervising fire marshals, supervising fire

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2 marshals, fire marshals, and fire marshal
3 trainees.

4 Any debate or discussions on
5 these items?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 Hearing none, all those in favor
10 signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 The three items carry
15 unanimously.

16 Now moving on to the veto
17 override vote, that will be calendar item
18 83. This is a resolution pursuant to
19 section 153 of the County Government Law of
20 Nassau County to reconsider and approve a
21 local law disapproved by the Nassau County
22 Executive in relation to establishing an
23 independently elected assessor.

24 LEGISLATOR FERRETTI: So moved.

25 LEGISLATOR MCKEVITT: Second.

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2 CHAIRMAN NICOLELLO: Moved by
3 Legislator Ferretti, seconded by Legislator
4 McKevitt.

5 This item is now before the
6 Legislature. I will say a few words and
7 open it up to debate and discussion. This
8 bill does not create -- I'm going to hold
9 off for a second.

10 LEGISLATOR BYNOE: Thank you,
11 Presiding Officer. I would like to take
12 this opportunity to welcome Malverne's AP
13 government class, the teacher Ms. Shraker
14 here to the Legislature.

15 They participated in a mock
16 legislative session earlier today and they
17 are joining us for the first hour of our
18 committee session. Welcome. Would you like
19 to stand? Thank you for your participation
20 and engagement earlier today. Thank you,
21 Presiding Officer.

22 CHAIRMAN NICOLELLO: Thank you
23 for joining us today. This bill does not
24 create an elected assessor, it creates a
25 referendum. It gives the people the right

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2 to decide whether the assessor should be
3 elected and accountable to the residents of
4 Nassau County or appointed and accountable
5 to the County Executive.

6 Why do we think an elected
7 assessor would be better? An elected
8 assessor will be responsible. Would make
9 herself available to the people. The
10 appointed assessor, Mr. Moog, has not.

11 This body has had to force the
12 Department of Assessment to send out tax
13 impact statements indicating potential tax
14 impacts from the reassessment.

15 Mr. Moog has not had a single
16 forum in any majority district in which he
17 himself has come out and answered the
18 residents' questions.

19 We have done that, legislators
20 have done that, and they're difficult
21 questions and concerns that people need
22 answers. He has not done that at all. Not
23 appeared at all in majority districts to
24 answer those questions.

25 An elected assessor would demand

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2 transparency from the Department of
3 Assessment. Mr. Moog has not.

4 In fact, he has refused to
5 provide the algorithm in which the
6 assessments were determined. He has refused
7 to answer questions at public hearings on
8 the advice of counsel.

9 He has refused to inspect the
10 home of one of our residents who had a very
11 easily confirmable issue with their home,
12 unless that resident gave the Department of
13 Assessment full access to the entire home.

14 An elected assessor would be
15 accountable. Mr. Moog has not been. I will
16 go over just a part of the history.

17 Department of Assessment posted
18 the wrong assessment roll in January 2019
19 which included 18,400 errors in property tax
20 assessments. 85,000 property tax
21 assessments had to be reduced in January of
22 2019 due to errors.

23 60,000 property tax impact
24 notices had to be corrected in November of
25 2018 because the assessor used preliminary

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2 home values instead of final values to
3 calculate reassessment's impact on taxes.

4 \$20,000 assessment disclosure
5 notices had to be recalculated because the
6 property tax assessment increases exceeded
7 the state's cap on maximum allowable
8 assessment increases.

9 It was discovered in February of
10 2019 that the incorrect tax grievance
11 deadline appeared in over a dozen locations
12 on the Assessment Department and Assessment
13 Review Commission website.

14 We can go on and on no but no one
15 has been held accountable for any of this.
16 It has gotten to the point or did get to the
17 point that the County Executive felt the
18 need to hire someone who does not have
19 assessment qualifications or credentials to
20 sit and oversee this department and, as she
21 said at her press conference, to baby-sit
22 the department.

23 We need somebody who is going to
24 be accountable. We need someone who is
25 going to be responsible to the residents,

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2 and we need someone who is going to insist
3 on transparency. An elected assessor who
4 has answer to the public over a given period
5 of time would be all of those things.

6 Now you may disagree with me, and
7 disagree with our position, but ultimately
8 what we are saying is, let the people decide
9 this issue.

10 Let it go to the people in
11 November for a referendum. Let the voters
12 of this county decide whether they approve
13 of an elected assessor or appointed
14 assessor. Anyone else want to speak? Sure.
15 Minority Leader Abrahams.

16 LEGISLATOR ABRAHAMS: Thank you,
17 Presiding Officer. Before I start, let me
18 say first and foremost from the outset, from
19 the outset, that we disagree with the
20 Presiding Officer's stake and I'm sure we
21 will debate and discuss this as the revote
22 takes place.

23 But a couple of points, some of
24 this may sound familiar to you because of an
25 elected assessor. We had an elected

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2 assessor right up until 2009. The previous
3 assessors, Democrat and Republican alike,
4 neither one had the credentials to be the
5 assessor of the county.

6 Now one would think as we train
7 our police officers in the academy to become
8 police officers in Nassau County, one would
9 think one person would have credentials,
10 would have the experience and know how
11 before they become an elected assessor.

12 However, the bill that is before
13 us for a revote did not require any
14 credentials, does not require anyone having
15 any experience.

16 Anybody that wants to run for
17 this seat, and you would think that somebody
18 would be running for this seat similar to
19 the district attorney's office or anything
20 along those lines, you wouldn't elect
21 someone who doesn't have legal experience in
22 prosecuting cases to be the district
23 attorney, nor should you elect someone to be
24 elected to the Assessor's Office.

25 Second, the people of Nassau

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2 County spoke on this issue. There was a
3 referendum to remove the assessor from being
4 an elected position, why? Because the
5 office has been politicized. This is not a
6 knock on my colleagues to my right. It was
7 being politicized whether it was by
8 Democrats, which the office is held by
9 Harvey Levinson before it was dissolved and
10 before that with Charles O'Shea.

11 So this is not an issue of
12 Republican or Democrat. It's about getting
13 it right. Because something of this
14 magnitude, we are talking about 400 plus
15 thousand properties that exist in Nassau
16 County. It should be done by somebody who
17 has the credentials and background to do the
18 job right. Not someone who is going to make
19 decisions based off how many votes they are
20 going to get out of a particular area versus
21 another.

22 Three, I talked a little bit
23 about assessor credentials. Again, this
24 particular revote on this bill does not
25 require the assessor to have any

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2 credentials.

3 The Presiding Officer talked
4 about errors. The same errors, those, I
5 have seen errors being made by elected
6 assessors. I have been here for some time
7 and I have seen errors being made by elected
8 assessors. Making the person accountable,
9 the person that's accountable, the person
10 that appoints the person to that position.

11 The County Executive has not run
12 away from that accountability. She's
13 accepted it.

14 So from that standpoint the
15 accountability falls on her and falls on
16 this body to ensure we hold her accountable.

17 Then, last but not least, we talk
18 a little bit about giving the power to the
19 people. It's funny that we say that but
20 when our side was pushing for an Inspector
21 General to give the power to the people to
22 decide whether there should be an Inspector
23 General, that fell on deaf ears.

24 That being said, I truly believe
25 on these points alone that the county should

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2 not engage in this process. The County
3 Executive has made herself accountable in
4 terms of any of the errors that may have
5 occurred in the past and the county has
6 established a record of having an elected
7 assessor from both sides of the aisle and
8 the office has been politicized.

9 The people of Nassau County
10 deserve better. They deserve someone that
11 is going to be appointed and, more
12 importantly, somebody that's going to be
13 there that has the credentials and know how
14 to get the job done. Of this magnitude
15 we've seen, the shifts and the amount of
16 money that we are all paying in taxes, we
17 need to make sure to follow through and make
18 sure the process is done thoroughly and
19 appropriately. Thank you.

20 CHAIRMAN NICOLELLO: We have
21 Deputy Presiding Officer Kopel and then
22 Legislator Rhoads.

23 LEGISLATOR KOPEL: Thank you,
24 Presiding Officer.

25 First, I would like to say, in my

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2 personal experience, the current assessor
3 has been up here to answer questions and to
4 deal with the Legislature.

5 I personally have found him not
6 unresponsive but down right evasive at times
7 when he has answered, supposedly answering
8 questions.

9 Getting beyond the personality,
10 some of the points that have been made by my
11 friend, the Minority Leader, I would like to
12 respond to those.

13 The fact that an office is
14 politicized is not a dirty word necessarily.
15 It seems to have become something like that
16 in recent years. Everyone over here is
17 politically involved, and we were all
18 involved in elections and we all had
19 opponents. That's not a bad thing, that's a
20 good thing. That's the way people determine
21 who is presenting the better case for who's
22 going to do a better job for the people.

23 Now, the fact that this person is
24 responsible to the County Executive, of
25 course every one is supposedly responsible

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2 to someone. But this responsibility and
3 this particular case it's too diffused, too
4 small. The County Executive is a person who
5 supervises thousands of employees in this
6 particular county. It's a big county.

7 The fact that this particular
8 person is responsible to her and to her in
9 this particular case is insufficient. The
10 fact that we had an election a number of
11 years ago and this was before my time, and
12 I'm here almost ten years, doesn't mean that
13 we foreclosed this option forever. We can
14 elect someone and we can make mistakes and,
15 God knows, we've made mistakes in elections
16 some times. Every one of us I supposed have
17 voted for someone at one time or another
18 that we have come to regret. That's what
19 elections are for. That's when we make a
20 change.

21 So, I think from my point of
22 view, and let me just also say that the
23 minority has made a big point of saying that
24 the bill does not require specific
25 credentials.

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2 We know, all of us again know
3 people with all kinds of wonderful
4 credentials that make terrible mistakes or
5 do a really bad job. Credentials in and of
6 themselves are no guarantee of
7 responsibility or accuracy or of knowledge
8 or anything else for that matter. Doctors,
9 lawyers, and so forth. We know people make
10 mistakes and people do the wrong thing.

11 This is basically a job, the
12 assessor, where the elected person or the
13 appointed person supervises a large
14 department. It's a matter of hiring the
15 right people, it's a matter of supervising
16 the right people in the right way. It's a
17 matter of knowing how to get things done and
18 getting it done right and with accuracy.

19 For that, I think that a
20 political election where different people
21 vying for the position can present their
22 ideas of how this ought to work, and I think
23 that's the best and most credible way of
24 getting this job done right.

25 I think that the fact that we've

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2 got, finally, the fact that we've got at
3 this point a record number of people who are
4 contesting their taxes, a record in this
5 county is history, and this county has a lot
6 of people protesting valuations going back
7 many years. The fact that this is a record
8 year I think is a testament that something
9 is wrong. We need to get this right.
10 Clearly what we are doing now is not
11 working. Thank you.

12 CHAIRMAN NICOLELLO: Legislator
13 Rhoads.

14 LEGISLATOR RHOADS: Thank you,
15 Mr. Presiding Officer. In responding to my
16 colleague's comments, we've had an appointed
17 assessor now for ten years.

18 I wasn't on the Legislature the
19 last time we had this debate whether or not
20 there would be a public referendum. I
21 certainly understand the reasons why at the
22 time that referendum was created, because
23 the Legislature at that time felt as though,
24 at least on this side of the aisle, we feel
25 as of today this is so important a decision

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2 it should not be made by the 19 of us
3 sitting here. It's a decision that should
4 be made by the people of Nassau County. The
5 taxpayers of Nassau County. It's their
6 voice and it's their money that's at stake
7 here.

8 As a result, they should be the
9 ones that are making the decision. And in
10 2008 when they had this referendum, the
11 people of Nassau County decided that they
12 would move towards an appointed assessor.
13 We have had that experiment now for ten
14 years.

15 In the time I have been sitting
16 here on the Legislature, I have heard
17 complaints about the previous assessor that
18 he wasn't qualified. Now that we have an
19 assessor that's supposedly qualified, we
20 have complaints about a complete lack of
21 transparency in an assessment process that
22 is riddled with errors.

23 So, in the ten years that we have
24 had an appointed assessor, no one has been
25 happy. Are we better off today than we were

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2 ten years ago? I don't know that that
3 answer is yes. I think that that answer in
4 all likelihood is probably no.

5 The voters of Nassau County again
6 should have the right to be able to say, did
7 we ask themselves did we make a mistake?
8 Should we go back to someone who is directly
9 accountable, directly answerable and
10 directly elected by us?

11 Because if you look at this
12 process over the course of the last year, I
13 think we've learned that qualifications and
14 competence for communication and explanation
15 to the public and providing transparency and
16 disclosure, they don't necessarily have to
17 be mutually exclusive but it appears as
18 though at least in the case of this
19 particular assessor that they are.

20 Presiding Officer Nicoletto spoke
21 about the fact that there were late notices
22 that were sent out. There were 31 public
23 information sessions that were scheduled by
24 the Department of Assessment. Not a single
25 one of those public information sessions

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2 where taxpayers, where the Department of
3 Assessment was going to explain to taxpayers
4 exactly how the reassessment was going to be
5 conducted; how the Department of Assessment
6 was going to calculate their values; and
7 what steps they could take to protect
8 themselves if they felt those values were
9 wrong.

10 Tax impact notices. We had our
11 hearing back in March, Assessor Moog
12 admitted that the information contained on
13 the tax impact notices received just before
14 Christmas were wrong. They were largely
15 invalid. And the Department of Assessment
16 had plans to send out new tax impact notices
17 so that prior to taxpayers being able to
18 participate in the grievance process that
19 they had actually had accurate information
20 to be able to base their decision as to what
21 was in their best interest and whether or
22 not to participate.

23 Those impact notices themselves
24 were sent out. We required that be sent
25 out. But those impact notices themselves

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2 that were supposed to be received in
3 mailboxes by November 15th, didn't arrive
4 until the week before Christmas. So all of
5 those appointments, the 14,000 appointments
6 that the Department of Assessment spoke
7 about, when there are 383,000 residential,
8 450,000 residential and commercial
9 properties in Nassau County. The 14,000
10 taxpayers they claimed to have met with,
11 those individuals, when they made that
12 appointment, didn't have the opportunity to
13 know what the actual tax impact was going to
14 be, and, by the time they realized it, they
15 had probably 7 to ten days before the roll
16 went tentative on January 2nd.

17 We have an assessor now who is
18 providing absolutely no transparency, who
19 refuses to explain not only to the residents
20 of Nassau County but refused to explain to
21 us, as legislators, what's a neighborhood
22 factor. How is that calculated? Claiming
23 that the algorithm that's used to calculate
24 a home value is somehow a trade secret.

25 The residents of Nassau County

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2 deserve transparency. We've spoken about
3 this on both sides of the aisle on a bunch
4 of different issues and both sides on this
5 issue are right.

6 Anything that's in favor of more
7 disclosure and transparency to the residents
8 is something that we should all be
9 interested in. That's good government.

10 That's exactly what has not taken
11 place over the course of the last year with
12 how this reassessment has been conducted.

13 So residents have a right to have
14 their voice heard and it shouldn't be the 19
15 of us making the decision.

16 By casting a vote in favor of the
17 veto override today, we are not making a
18 decision as to whether or not there is going
19 to be an elected assessor. We are giving
20 the voice back to the people of Nassau
21 County to make that decision for themselves
22 and what can be more Democratic than that?
23 Giving them the voice to be able to say how
24 they want their own government to be run.

25 So I'm going to urge each of my

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2 colleagues here on the Legislature, I'm
3 going to urge my colleagues on the other
4 side of the aisle, put the rights and voice
5 of your constituents ahead of party
6 politics.

7 Please give the voice back to the
8 people in each of our districts to be able
9 to make a decision on their own, whether an
10 elected or appointed assessor is right for
11 them. They deserve it. Thank you,
12 Presiding Officer.

13 CHAIRMAN NICOLELLO: Legislator
14 Ferretti.

15 LEGISLATOR FERRETTI: Thank you,
16 Presiding Officer. When I first heard that
17 the County Executive vetoed the bill for
18 referendum and then I heard that we had an
19 override vote scheduled, my fear was that
20 this would become a discussion or debate
21 between the majority and minority on whether
22 we had should have an elected assessor or
23 appointed assessor. That's nothing more
24 than a distraction. It's premature.

25 That's not what this is about.

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2 This bill puts the choice in the hands of
3 the people. So I know we already heard from
4 Minority Leader Abrahams, and I suspect we
5 will hear from other members in the
6 minority, and I certainly hope it doesn't
7 become a discussion from my colleagues on
8 the other side of the aisle as to why an
9 appointed assessor is the way to go because
10 that's not what the bill is about.

11 So if a no vote comes from any
12 legislator, I would certainly hope they
13 would give a reason why they think they
14 would know better than the residents in
15 their district, why they don't think the
16 residents in their district deserve to have
17 a voice in this process. Not why we need an
18 appointed assessor. That's not the issue
19 for today.

20 But I kind of knew it was going
21 to be a point of discussion so I would like
22 to get a couple of points out there as to
23 why we need an elected assessor.

24 First of all, Minority Leader
25 Abrahams brought up that there was already a

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2 referendum on this issue. I've heard that a
3 lot, whether it's on social media or in
4 Newsday. I didn't own property when that
5 referendum happened. I don't think
6 Legislator Lafazan was old enough to vote.
7 Legislator, I don't mean that as a jab.
8 It's a fact. So there's a whole generation
9 of property owners that have not been heard
10 on that issue. Number one.

11 Number two, when that vote took
12 place, and we had hearings on reassessment
13 as we've all sat through, I know, Legislator
14 Mule, you made a point, that when the prior
15 administration took over, we had the most
16 accurate roll in New York state, and now we
17 have the least accurate. I have heard that.

18 You know what coincides with
19 that? When we went to an appointed
20 assessor. You can't have it both ways.

21 Let's look at the appointed
22 assessors that we've had. The first
23 appointed assessor who had the credentials,
24 that was another point made by Minority
25 Leader Abrahams, this building we are

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2 sitting in, he put on the tax rolls and
3 messed up the whole thing. That's where his
4 credentials got him.

5 The next appointed assessor
6 wasn't even the assessor, he was an acting
7 assessor. Now we have an appointed assessor
8 who I'm sure we're going to hear from many
9 people, and you've heard from me in hearings
10 before over again, but, certainly, in many
11 people's opinions and many residents'
12 opinions, whether he has credentials on
13 paper or not, is not doing the job.

14 So, I join Legislator Rhoads in
15 urging my colleagues on the other side of
16 the aisle, give your constituents a voice.
17 Make them stakeholders in this process.
18 They deserve that much. If you're not going
19 to, at least tell them why. Thank you.

20 CHAIRMAN NICOLELLO: Actually
21 Legislator Rhoads had a point of
22 clarification and then Minority Leader
23 Abrahams.

24 LEGISLATOR RHOADS: Just
25 something I forgot to mention. Just to

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2 address the point with respect to
3 qualifications. The qualifications that are
4 listed in our bill directly mirror the
5 qualifications that are set forth in
6 Sections 310, 316 and 318 of the Real
7 Property Tax Law of the state of New York.
8 So it's not as though these things have been
9 pulled out of thin air. These are the
10 qualifications that are established by the
11 state for elected and appointed assessors.
12 Thank you for that point.

13 CHAIRMAN NICOLELLO: Minority
14 Leader Abrahams.

15 LEGISLATOR ABRAHAMS: Just to
16 touch on a couple of points that were made.
17 For one, I think Legislator Ferretti started
18 to touch on it. The County Executive,
19 previous County Executive demonstrated no
20 ability to put a qualified assessor into
21 that position. Having an elected assessor,
22 the errors that were made, and we agree that
23 the errors should not have been made and we
24 have been very outspoken in regard to those
25 errors, that no one up here has a crystal

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2 ball that can determine that an elected
3 assessor wouldn't make those errors.

4 Gathering from the majority's
5 point, what their saying is, an elected
6 assessor would be held accountable to those
7 errors. That's possible, that the people of
8 Nassau County may vote against someone for
9 those particular errors. However, they
10 haven't in the past.

11 The people of Nassau County when
12 they have spoken elected an assessor,
13 Charlie O'Shea, who ran funeral homes before
14 he actually became the assessor, who
15 challenged -- and we can debate that, but
16 the bottom line is he challenged the need
17 and the reasoning for an assessment in the
18 first place. He didn't think an assessment
19 or reassessment in Nassau County values was
20 even worthy of being done.

21 The second assessor, as I said
22 before, this is not a Republican or Democrat
23 matter, the second assessor came from the
24 District Attorney's Office. Again, neither
25 one had the credentials or the ability to

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2 execute the assessment office.

3 That being said, we are spending
4 multiple time, when we should be having a
5 greater debate on what is going on in
6 Albany, because Albany has already passed a
7 phase-in plan which would protect many, 45
8 percent of the residents that would be going
9 up as per the assessment. Albany already
10 passed legislation which would allow that
11 phase-in to happen. But that phase-in right
12 now is being stalled because my colleagues
13 in the majority have chosen not to call it.
14 They may tell you it's under consideration
15 but I don't know what's to consider if
16 somebody is going to get a full impact of
17 their reassessment come next year, or they
18 can get it phased in over five years.

19 I don't know what the debate is
20 but we are spending time today, however,
21 debating something that the residents of
22 Nassau County have already spoken on.

23 Again, we know how complex this
24 system is. You can't compare this system to
25 anywhere in New York State, why? Because we

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2 are the only county in this state that do
3 mass appraisals. Everyone else does it on a
4 much smaller level.

5 That being said, you cannot
6 compare us to any other particular
7 municipality. We have to make sure, folks,
8 this is very simple. If you are electing
9 someone to the District Attorney's Office,
10 you would want to make sure they have
11 prosecutorial experience. If Nassau County
12 police officers join the ranks and join the
13 streets, we want to make sure they go to the
14 academy and are successful in the academy.

15 Only in Nassau County, my
16 colleagues to my right in the majority feel
17 you don't need to have any experience to
18 manage appraisals in this county, even
19 though it's complex and no one up here has
20 explained it clearly in the last six months
21 or last six years or last six decades. You
22 don't need that experience. Not necessary.
23 You can be any person off the street and
24 you're going to be held accountable because
25 you are going to manage the office.

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2 I have to tell you, we tried that
3 before. With Mr. O'Shea, whether he was in
4 the assembly or where ever he was and tried
5 it with Mr. Levinson and we got it wrong.
6 The system got worse.

7 Then, on top of it, the majority
8 with the previous County Executive did
9 nothing to fix it. They froze the rolls for
10 eight years and allowed it to get worse.
11 But now, today, they want to sell you on,
12 give the power to the people, we are the
13 saviors. Well, you had the chance to be the
14 saviors for the last eight years before the
15 County Executive was elected and you did
16 nothing.

17 Now we are supposed to believe
18 that you are the savior?

19 On top of it, if we are so
20 empowered to give power to the people, then
21 why didn't you give power to the people when
22 our side was asking for an Inspector General
23 to be done and all we are asking for was the
24 people to have a vote on whether an
25 inspector general would take place, and you

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2 shut it down.

3 So don't try to claim that you
4 got this power to the people thing, because
5 you don't really believe it. The reality
6 is, you just want to politicize it. You
7 realize that the County Executive is in a
8 tough spot, she's trying to take on a mass
9 reassessment in Nassau County, and,
10 Mr. Moog, which we agree, has made some
11 mistakes. So you are trying to politicize
12 it, we get it. But we have to move on.

13 The issue of the day, the more
14 important issue of the day is that we have
15 in front of us, which Albany approved, a
16 phase-in plan which will protect residents.
17 For whatever reason, you have not brought
18 this to the floor. That's what we should be
19 focused on, how we should protect residents,
20 not politicizing this thing back and forth.
21 We have been down this road before.
22 Democrat assessors, Republican assessors.

23 The fact is, if they are not
24 qualified to do it, they shouldn't be in
25 that role. Now, you can't give me the

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2 termination, nor can I give it to you that
3 the party bosses will make sure that an
4 elected assessor has the qualifications. No
5 one on your side can say that and no one on
6 my side can say that.

7 So, the best way to go is ensure
8 the County Executive, which she's not run
9 away from, is accountable to the appointment
10 she makes no different than any other
11 department in Nassau County.

12 But, again, we are trying to
13 politicize this when we should be focusing
14 on a phase-in plan that protects residents.
15 That's what we should be focused on today
16 more than anything else, not focusing on the
17 back and forth of whether it works or didn't
18 work or so on and so forth.

19 CHAIRMAN NICOLELLO: Couple of
20 quick points of response. First of all,
21 Charlie O'Shea was actually an assemblyman
22 before he was the assessor.

23 LEGISLATOR ABRAHAMS: Just to
24 wrap up one more thing. Sorry to cut you
25 off. We will be happy to give you the

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2 emergency for the transitional aid this
3 second right now if you are committed to
4 that as well. We will be happy to do that.
5 Are you willing to do that?

6 CHAIRMAN NICOLELLO: What are you
7 talking about?

8 LEGISLATOR ABRAHAMS: The five
9 year phase-in. We will be happy to get that
10 to you right now.

11 CHAIRMAN NICOLELLO: You
12 apparently want us to do that without even
13 looking at the information that we requested
14 from the Department of Assessment. We want
15 to look at the information. We want to find
16 out exactly what we have in terms of the
17 assessment that's been done.

18 We want to make sure when we make
19 our decision we are making the right
20 decision. Maybe you want to give them a
21 blank check, we don't.

22 LEGISLATOR ABRAHAMS: Presiding
23 Officer, Albany already passed this.

24 CHAIRMAN NICOLELLO: Albany did,
25 but it doesn't mean we have to. We still

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2 have to make a decision what's best for
3 Nassau County residents.

4 LEGISLATOR ABRAHAMS: Let's make
5 sure this is clear.

6 CHAIRMAN NICOLELLO: Don't you
7 want to know how it's going to impact your
8 residents?

9 LEGISLATOR ABRAHAMS: Absolutely.
10 We've done the research. But you're saying
11 to me that a phase-in is by no stretch
12 better than somebody getting blunted with
13 the full assessment next year?

14 CHAIRMAN NICOLELLO: No. I'm not
15 saying that. What I'm saying is, we want
16 information from the Department of
17 Assessment which took them weeks to provide.
18 We finally got it because we asked for it
19 because we want to know how this is going to
20 affect our residents. We want to know
21 exactly what the impact is going to be.
22 Which is what we as legislators should be
23 doing.

24 LEGISLATOR ABRAHAMS: So what you
25 are looking to do or what you possibly could

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2 be looking to do is not do the phase-in at
3 all?

4 LEGISLATOR ABRAHAMS: No. We are
5 up here for a reason, to ask questions, to
6 get as much information as we possibly can
7 before we vote on something. That's what
8 the majority wants to do. If you want to do
9 a knee jerk vote and pass it immediately,
10 that's not in the best interest of the
11 taxpayers.

12 Especially after this process
13 that has been so messed up, that has caused
14 so much concern, so much outrage and people
15 worried about losing their houses, we are
16 not jumping into it until we know exactly
17 what is going to happen when this phase-in
18 takes place and that's what legislators
19 should be doing.

20 LEGISLATOR ABRAHAMS: But,
21 Presiding Officer, that is not a knee jerk
22 reaction because Albany has presented this
23 and has already taken place. It's not like
24 something --

25 CHAIRMAN NICOLELLO: Let me say

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2 this on behalf of the majority. The fact
3 that Albany does anything has no credibility
4 with us given what's been going on in Albany
5 for the last six months.

6 LEGISLATOR ABRAHAMS: Okay. The
7 bottom line is, this is bigger than Albany,
8 this is bigger than the senate or assembly
9 where ever you want to see it. This is
10 something that we all believe. If you truly
11 believe that assessments that are going to
12 take place, which the County Executive has
13 already announced that, and this allows a
14 phase-in so that people are not blunted in
15 year one and then it's spread out over a
16 period of time which is from our standpoint
17 which is what the best this Legislative body
18 can collectively do, and, for some reason,
19 if that is not receiving the same
20 consideration as an elected assessor, this
21 should be both debated and discussed at the
22 same time. We should be debating and
23 discussing this phase-in now.

24 CHAIRMAN NICOLELLO: It seems as
25 if the minority does not want to talk about

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2 an elected assessor --

3 LEGISLATOR ABRAHAMS: No, no. We
4 talked about it already.

5 CHAIRMAN NICOLELLO: They don't
6 want to talk about whether the public should
7 have the right. They rather divert
8 attention to we have the IG coming up from
9 last year or two years ago, we have
10 transitional phase-in.

11 Let's talk about the elected
12 assessor, that's what we are here to do.
13 You made some points that need to be
14 rebutted. Number one --

15 LEGISLATOR ABRAHAMS: You were
16 discussing this as if you are the saviors to
17 Nassau County people in regard to
18 transparency.

19 CHAIRMAN NICOLELLO: No. No. We
20 aren't. You are missing the point. You
21 missed the entire point.

22 LEGISLATOR ABRAHAMS: I get the
23 point.

24 CHAIRMAN NICOLELLO: We are not
25 the saviors but we do believe the public are

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2 the people that should be deciding this
3 issue.

4 LEGISLATOR ABRAHAMS: So why
5 didn't you believe that when we talked about
6 the inspector general?

7 CHAIRMAN NICOLELLO: We trust the
8 public to make the decision. You apparently
9 don't.

10 LEGISLATOR ABRAHAMS: Why didn't
11 you trust the public when we talked about
12 transparency and Inspector General in this
13 county several years ago?

14 CHAIRMAN NICOLELLO: So you are
15 getting back at us because we didn't give --

16 LEGISLATOR ABRAHAMS: No. We are
17 not getting back at you.

18 CHAIRMAN NICOLELLO: Why don't we
19 talk about the merits of the assessor?

20 LEGISLATOR ABRAHAMS: Unlike what
21 you are saying now and getting back at you,
22 I came up with points on why the elected
23 assessor can't work. You never come up with
24 a point one to not allow the people of
25 Nassau County to vote on an inspector

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2 general. Not once. Not one point.

3 CHAIRMAN NICOLELLO: The fact
4 that you keep moving off the subject shows
5 that --

6 LEGISLATOR ABRAHAMS: No. I --

7 CHAIRMAN NICOLELLO: Let me
8 finish. I'm making a point. The fact that
9 you move off the subject shows the weakness
10 of your position. If you believe in your
11 position, you would be up here arguing about
12 the elected assessor, you wouldn't be
13 arguing about phase-ins, wouldn't be arguing
14 what happened three years ago at the IG.

15 Let's talk about the elected
16 assessor. Let's talk about what the people
17 of Nassau County have the wherewithall to
18 make the decision for themselves because we,
19 in the majority, believe that they do.

20 LEGISLATOR ABRAHAMS: Okay. And
21 we have discussed that. And based on past
22 practice in Nassau County, we have already
23 seen two elected assessors. Look, I'm not
24 politicizing this. I'm saying the
25 Republican and Democrat alike, which made

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2 the same mistakes that Mr. Moog has made.
3 They are not perfect. They are infallible.
4 They are people, human beings. They will
5 make errors.

6 So from that standpoint, an
7 elected assessor is not going to remove the
8 errors.

9 Secondly, the people of Nassau
10 County, and I respect Mr. Ferretti's point,
11 some people that missed that last referendum
12 didn't have an opportunity to vote. I
13 totally understand that and I get that.

14 But a majority of the people that
15 did vote voted overwhelming to remove the
16 elected assessor from office, overwhelming
17 supported that. It wasn't passed by a 51
18 percent 49 percent majority. It passed
19 overwhelmingly.

20 Thirdly, your assessment of the
21 office, you are not allowing any credentials
22 for that person to be an elected assessor.
23 Not one. Who up here would claim that the
24 district attorney in this great county would
25 not have some level of prosecuting

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2 experience? Maybe you guys do. Kate Murray
3 ran for the office and she didn't win, why,
4 because she didn't have the prosecutorial
5 experience. Maybe you guys make decisions
6 like that, but we don't.

7 From our standpoint we tried to
8 run people for elected office that are
9 actually qualified to run for office.
10 Strange little notion, but we try to do
11 that.

12 That being said, maybe that's why
13 you want to do it. Maybe you want to
14 politicize the office all over again and
15 create opportunities for patronage and
16 everything else.

17 People of Nassau County cannot
18 afford your bill for patronage. We can't do
19 it anymore. The County Executive is
20 accountable.

21 CHAIRMAN NICOLELLO: The people
22 of Nassau County can afford to let them make
23 that decision. So if you have such a great
24 qualified candidate, then by all means run
25 that candidate. That's what democracy is

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2 all about.

3 LEGISLATOR ABRAHAMS: I'm not
4 saying we have a candidate or don't.

5 CHAIRMAN NICOLELLO: Understand
6 something about an assessor. They don't
7 actually individually go out and assess
8 every property. The person who is the
9 assessor essentially runs a department.
10 Number one.

11 Number two, they are required
12 once elected to obtain credentials.

13 Number three, this bill sets out
14 that the people that work for the elected
15 assessor must have all of the credentials
16 you can speak about.

17 Just another point about our
18 elected assessor in the past. Charlie
19 O'Shea was not just a guy whose family ran
20 the funeral home, he was an elected
21 assemblyman before an assessor. He was the
22 guy that actually started out the transition
23 for a full value reassessment back in the
24 early part of the last decade.

25 LEGISLATOR ABRAHAMS: He was

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2 against it before he was for it.

3 CHAIRMAN NICOLELLO: Secondly,
4 the individual who was in the DA's office,
5 Harvey Levinson, who served as an elected
6 assessor before it went to appointed. He
7 was the elected assessor when we went
8 through this whole process with reassessment
9 that began under Charlie O'Shea.

10 Harvey Levinson went to every
11 part of this county. He went all over the
12 county. He went to meetings. He met with
13 people. He answered every question that he
14 could. The last time we went through this,
15 it was done much more seamlessly. The
16 concerns of the residents were answered.

17 You compare that to now, we have
18 a gentleman who lives in Sunnyside Queens
19 who has no stake in the game and hasn't seen
20 fit to go out and answer the questions that
21 we have been trying to answer. Legislator
22 Rhoads.

23 LEGISLATOR ABRAHAMS: Before you
24 cut me off, I was still finishing my point.
25 We would be cutting off each other, so,

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2 respectfully, I apologize.

3 CHAIRMAN NICOLELLO: Finish your
4 point and then Legislator Rhoads.

5 LEGISLATOR ABRAHAMS: Just to
6 finish my point, one, I disagree with you in
7 regards to the ability for us not to
8 consider the item for the phase-in today.
9 To me, this item is just as important as any
10 other item that's before the county.

11 Today we are ending on the fact
12 that the people of Nassau County will have
13 one more day, one more week, of not being
14 assured that we are doing all we can to
15 ensure that their taxes will be phased in.

16 Two, I can't disagree with you
17 enough in regards to Mr. O'Shea. Maybe he
18 was an assembly member. Maybe he wasn't
19 attached to the funeral home. Whatever be
20 the case. But Mr. O'Shea made one glaring
21 mistake. He came to this legislative body
22 when we were in the old building and
23 announced that we did not do a reassessment.
24 He was basing your assessed value off of
25 1937 construction costs.

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2 How in God's green earth can that
3 make sense in the year 2003. That you are
4 basing construction costs off a 1937 -- he
5 said that. He was your elected assessor.
6 That's what they want to go back to.
7 Incompetence and people that do not know how
8 to do the job. But that's what they want to
9 go back to. Guys that say on the public
10 record that it's completely fine to assess
11 values of properties based off of 1937
12 construction costs when it's 2003. In what
13 world can that make sense?

14 CHAIRMAN NICOLELLO: Before I go
15 to Legislator Rhoads, the one point he's
16 leaving out is that we fought -- Charlie
17 O'Shea was a very qualified individual. He
18 actually did oversee the beginning of the
19 reassessment process, the full value
20 reassessment.

21 But ultimately what happened was
22 he came up for election and another
23 individual was elected. That's how it was
24 supposed to work. If you're doing the job
25 well, chances are you will be re-elected and

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2 if you're not, then you're out, which is
3 what democracy is all supposed to be about.
4 Legislator Rhoads.

5 LEGISLATOR RHOADS: Just a couple
6 of points in response.

7 First we are talking about the
8 2021 rule that's going to be implemented in
9 September of 2020. There is no absolute
10 look. I can certainly speak for myself, I
11 think I also can probably speak for the
12 majority members, we want to pass whatever
13 fix we can pass to restore some of the
14 protections that the County Executive
15 stripped away when she broke her deals with
16 this Legislature and bypassed the 620.
17 There were protections in place under state
18 law.

19 Laura Curran made the decision
20 that she was going to break her word and
21 make the decision that she was going to
22 bypass those caps and manipulate the level
23 of assessment.

24 This taxpayer protection plan
25 that the County Executive is touting, was

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2 only made necessary because she bypassed
3 state law.

4 So we absolutely want to restore
5 protections to taxpayers when this roll
6 comes out in September of 2020, but we have
7 every right and we have a responsibility to
8 our constituents to get explanations from
9 the Department of Assessment as to how
10 exactly these taxes have been calculated;
11 how exactly this phase in is going to be
12 implemented, and how it's going to impact
13 our residents.

14 The reason we are having the
15 discussion today about an elected assessor,
16 is that we would like for this to be on the
17 ballot in November of 2019.

18 We have time to talk about this
19 phase-in plan after the assessor does his
20 job and gets us the information that we are
21 asking for which seems to be a problem for
22 him.

23 Second, again, in our bill the
24 qualifications, the minority is saying that
25 there is no qualifications for the assessor.

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2 The qualifications that are in our bill, are
3 the qualifications that are the exact
4 qualifications that are in Section 310.
5 Sections 316, and Section 318 of the Real
6 Property Tax Law, sets forth the
7 qualifications for elected and appointed
8 assessors. So I'm not entirely sure where
9 that information is coming from.

10 My final point and then we will
11 move on to the next speaker, my final point
12 is, you brought up the district attorney
13 multiple times now.

14 You brought up the fact that a
15 candidate was put forth during the last
16 district attorney election that you feel as
17 though was not qualified to be a candidate,
18 and you are using that as an excuse for why
19 the people shouldn't have the opportunity to
20 vote because you're afraid they are not
21 smart enough to be able to make that
22 decision on their own.

23 But when you look at that last
24 election, what happened? The people were
25 smart enough. The people made their

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2 decision. And they made the decision that
3 they opted for somebody who they believed
4 was more qualified.

5 We're asking for the public to
6 have the same opportunity here. Don't sit
7 here and say the public is not smart enough
8 to be able to make this decision on their
9 own. That somehow the County Executive or a
10 County Legislature is somehow, our wisdom is
11 better than the people of Nassau County.

12 Inspector General, not an excuse.
13 We have an Inspector General today. I don't
14 know if everybody has seemed to forgotten
15 about that. There is an Inspector General.
16 Again, give the people the voice to be able
17 to decide for themselves whether or not this
18 experiment, this ten year experiment has
19 failed. They're smart enough to make that
20 choice and I have confidence in their
21 ability to choose. I hope that you can join
22 me in that confidence.

23 LEGISLATOR KOPEL: So several
24 small points.

25 First of all, the point that was

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2 made about inspections -- valuations being
3 done off the 1937 construction values. Of
4 course that was ridiculous but that was what
5 the law required that Charlie had to do it
6 at the time. He was the one actually who
7 changed it. So that criticism doesn't
8 really hold water.

9 Two other things. The Minority
10 Leader mentioned that his opinion that the
11 previous County Executive showed an
12 inability to appoint a qualified assessor,
13 that he appointed people who botched the
14 job, who didn't do this right. Don't you
15 think that that kind of makes our point?
16 That kind of makes our point.

17 The previous County Executive, if
18 you take your point as correct, if indeed
19 the people that he appointed were
20 incompetent, perhaps that might have been
21 avoided if they were independently elected.

22 Finally, yes, of course the
23 majority, we want the phase-in, of course we
24 want the phase-in. Everybody wants the
25 phase in. I don't think that's something

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2 that is an issue at all. It's a false
3 issue. Everyone wants a phase in, there is
4 going to be a phase in. The question is
5 what kind of phase in, we need to get it
6 right. We need to make sure the phase in is
7 done fairly. We need to make sure the
8 calculations are done right.

9 So far the calculations done by
10 this assessor have not been demonstrated to
11 have been done right.

12 So the residents who were told
13 need to be assured that it will be phased
14 in. They can be assured. It will be. Once
15 we get it right. Once we get the details
16 down. We don't have to be, yes, certainly
17 for the Legislature in Albany who have not
18 demonstrated such magnificent competence
19 themselves. Legislator Ferretti.

20 LEGISLATOR FERRETTI: Thank you,
21 Legislator Kopel. I've heard a lot about
22 Charlie O'Shea when he was the assessor. I
23 will be the first to admit when he was an
24 assessor I was a teenager and I was paying
25 attention to a lot of different things than

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2 Charlie O'Shea's assessment practices.

3 But what I did hear is that he
4 based his assessments on 1937 construction
5 value. I don't know if that's true or not,
6 but what I know, at least we know what he
7 based it off of.

8 We don't even know how this
9 assessor is coming up with his assessments
10 because he's not disclosing the algorithm.

11 We read in Newsday about these
12 neighborhood factors where people across the
13 street from one another, their assessments
14 are altered based on the neighborhood they
15 are in. One street could be different than
16 the other. We need more information.

17 So, Charlie O'Shea, maybe he
18 wasn't doing a bang up job. At the time I
19 didn't care. But the Democratic process
20 fixed that. And what we have now is an
21 assessor that holds all the cards close to
22 his chest, doesn't tell the residents
23 anything, doesn't tell us enough, and, in my
24 opinion, that would be fixed by having the
25 people decide this.

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2 I'm just saying, when we go to
3 the issue of deeper qualifications,
4 qualifications on paper. Let's not forget,
5 this assessor has all the qualifications,
6 and I'm putting my fingers up in quotes,
7 because the County Executive felt it
8 necessary to take the unprecedented move of
9 appointing what she calls a baby-sitter over
10 this qualified assessor.

11 So the idea of needing paper
12 qualifications, honestly, I have from this
13 administration, what the role of Anna Susa
14 is and they really couldn't tell me. I
15 asked if she had to sign off on the
16 assessments. They couldn't answer. They
17 couldn't answer if Anna Susa had to sign off
18 on the assessments.

19 What qualifications does Anna
20 Susa have, nothing against Ms. Susa, but
21 what qualifications does she have to sign
22 off on the assessments?

23 Again, let's get back to the
24 reason we are here. It's to look at a bill,
25 this debate is great. We have should have

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2 it. We should have it after we have the
3 referendum set. Debating appointed versus
4 elected is a debate we should have. It's a
5 vote worth taking by the residents. Let's
6 have that vote. Let's have that debate
7 after we set the referendum. Thank you.

8 LEGISLATOR KOPEL: Legislator
9 Mule.

10 LEGISLATOR MULE: Thank you.
11 I've been writing things down as they were
12 coming up, so I'm hoping this will come out
13 somewhat coherent.

14 Regarding the qualified assessor
15 in this legislation that's been proposed, I
16 read it. Yes, it may include what is
17 considered the correct thing within New York
18 State laws.

19 Just for everyone's edification,
20 the assessor does not need to get
21 qualifications the correct qualifications
22 until three years into their term. Let that
23 sink in. You could have a completely
24 unqualified person in office for three years
25 and the determine is four years so they

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2 might have the qualifications by the fourth
3 year.

4 The industry standard is that you
5 have an appointed assessor. That's what
6 every one has been moving to. It's of
7 paramount importance that we have a
8 qualified assessor which we have now.

9 David Moog is a very qualified
10 highly experienced assessor. Yes, mistakes
11 have been made. There have definitely been
12 mistakes. We are moving past that.

13 And for people who have not had
14 the opportunity to read the very in-depth
15 articles presented by Newsday, just about a
16 month ago, they said it very, very well. We
17 are moving in the right direction.

18 The reassessment is a very good
19 one. Under any reassessment you are going
20 to have properties that are not assessed
21 accurately. But that is normal.

22 Our assessment has come in under
23 what the industry standard said is
24 tolerable.

25 What else? It will take some

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2 time to undo the mess of the last ten years.
3 I heard that this was a ten year experiment
4 with the elected assessors. That's not a
5 fair way of looking at it.

6 Under the Mangano administration,
7 the assessor was appointed and completely
8 completely unqualified. Created a huge huge
9 mess. We were paying hundreds of millions
10 of dollars in refunds and it's going to take
11 some time to fix that.

12 So now we have a highly qualified
13 assessor and we need to give him the
14 opportunity to do the job.

15 With regards to the trade
16 secrets, those are not Mr. Moog's trade
17 secrets to give out. Those trade secrets
18 belong to the vendor who was actually hired
19 by this body several years ago to do the
20 reassessment. To try to pin that on
21 Mr. Moog just don't make any sense.

22 Let's see what else. With
23 regards to the last time a complete
24 reassessment was done, my mother was a
25 deputy assessor at that time. I can assure

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2 you it was not a seamless event that
3 happened. There were huge bumps along the
4 way. There are some bumps along the way
5 here. We need to give it some time to work
6 those bumps out and was reported by Newsday
7 in their in depth look at the reassessment,
8 we are on the right path and we need to
9 continue on that. Thank you.

10 LEGISLATOR KOPEL: Thank you,
11 Legislator Mule. By the way, I think your
12 points are excellent arguments to be used in
13 referendum on the con side.

14 I believe those are the kinds of
15 things that you are presenting and those are
16 valid kinds of arguments that you want to
17 use. But that's not in my opinion a good
18 reason to avoid the referendum. Legislator
19 Ford.

20 LEGISLATOR FORD: I was here when
21 we decided to allow a referendum to give the
22 voters a choice as to whether or not to
23 continue with an elected assessor and/or go
24 to the appointed. I attended many meetings
25 with them, the Democratic legislators who

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2 were at the forefront making this change and
3 allowing this to allow the public to vote.
4 I thought it was a good idea then and I
5 support -- I thought it was pretty
6 interesting to go toward an appointed
7 assessor, I thought it might work out
8 better.

9 But I think even now, after all
10 these years, ten years, somebody who has
11 been appointed and seen some of the problems
12 that have arisen since then, I think it's
13 fair enough to allow the voters to allow the
14 voters in Nassau County to be given another
15 opportunity to make their choice.

16 I think even then we never had a
17 lot of the issues we have right now dealing
18 with assessment and it seems to be the topic
19 on the mind of everybody.

20 I think that to allow it even now
21 where we would have to give arguments for
22 both pro and con as to why should you have
23 an elected or should it be appointed, I
24 think we all more engagement from the public
25 and probably will demand more answers and

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2 more explanations.

3 I think that in truth and maybe a
4 better educated population that will be
5 making this decision and can very well be
6 people may say, you know what, after
7 listening to everything, they will vote and
8 continue with an appointed assessor.

9 I remember Mr. O'Shea but I came
10 into office when Mr. Levinson was our
11 elected assessor. While maybe he didn't
12 have the credentials that is expected of an
13 assessor, I thought that he did a very good
14 job.

15 Legislator Mule did say that it
16 was not seamless going through the
17 reassessment of all our properties. I had a
18 lot of residents who had a lot of complaints
19 and a lot of concerns. We even had a big
20 issue down in the city of Long Beach where
21 there was a misclassification of co-op and
22 condo buildings.

23 To Mr. Levinson's credit, he came
24 out and met with the owners. He went to
25 very angry meetings. Had people yelling at

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2 him. It wasn't pleasant at all. I was at
3 those meetings with him.

4 But I have to say that he
5 answered them, he faced the public and he
6 gave explanations as to what happened and
7 made every effort in a timely manner to have
8 this corrected so the residents were not
9 unfairly taxed more so because of this
10 error.

11 I respect Mr. Moog and, for me,
12 this is not, this choice of having this
13 referendum, to allow the people to vote, it
14 has nothing to do with the County Executive
15 but has everything to do with the County
16 Assessor.

17 For me, I believe Mr. Moog does
18 have the credentials. He can move to Nassau
19 County and he can run as a candidate and
20 possibly be elected if that's the choice of
21 the residents.

22 But I really feel whether or not
23 you're appointed or elected, you really have
24 to be responsive. If you're in charge of
25 making this great change here in the county

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2 that's affecting each and every single
3 person who lives here in the county, I think
4 it's up to you to be responsive to be able
5 to answer questions. I'm still waiting for
6 an answer on an answer on an issue that's
7 impacting people in my area due to Sandy.
8 To me, I can't explain to them why they're
9 being taxed or their market value went up by
10 so much because of a certain adjustment on
11 the ladder report.

12 I believe that if he is doing
13 such a good job he should be able to defend
14 what he's doing and to be able to go out and
15 meet with the public. It's not my job to be
16 able to go out and try to explain to people
17 what their assessments are about and why
18 this didn't happen and this didn't happen.

19 He has been blessed, I have to
20 say, with having very well trained people
21 that have worked for the county for many
22 many years and can provide the answers that,
23 even for him, it's not always who is running
24 the ship but who is also -- who is heading
25 it but who is running the ship. Who

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2 actually are the people? We always say,
3 well, it's like the star, the it's always
4 the background people who always make the
5 star look good.

6 I think that regardless of
7 whether you have an elected or appointed
8 assessor, you are still going to have those
9 great dedicated and hard working employees
10 working for the county and to be able to
11 make sure that they can try to correct the
12 mistakes and try to help the people.

13 Even with the five year phase in,
14 I think that that's still protected
15 regardless of whether you are elected or
16 appointed. We're looking at maybe having
17 this on the referendum for this year, this
18 November, that five year phase in, which I
19 think would be a good protection for our
20 residents, that necessarily those tax bills
21 will then be coming the following year after
22 November.

23 But I think we all have to work
24 together, but I think regardless of what the
25 people decide, I honestly believe that it

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2 should be up to the residents of Nassau
3 County and not really up to us.

4 In all fairness, I thought that
5 even as an elected assessor, Levinson did a
6 good job. There were problems when we did
7 go to the appointed assessor, both the
8 appointee for Tom Suozzi and then later for
9 Ed Mangano, there were issues. We're trying
10 to correct it now.

11 But I really think that with an
12 elected assessor that person will be
13 responsive.

14 LEGISLATOR KOPEL: Legislator
15 Gaylor.

16 LEGISLATOR GAYLOR: Thank you. I
17 will try to be brief. So the Minority
18 Leader clearly stated his political position
19 even though he repeatedly said he didn't
20 want to politicize that. That's akin to
21 what my daughter used to say. I don't want
22 to hurt your feeling but then go on and hurt
23 your feelings.

24 Most of what the Minority Leader
25 said was politicized in my opinion. He

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2 wants us to believe the people he represents
3 as well as the people that I represent that
4 all 19 of us represent are either not smart
5 enough or don't deserve the opportunity to
6 vote their conscious. I beg to differ.

7 The issue here today is simply to
8 allow for a referendum for the people to
9 have an opportunity to make a decision on
10 whether they want to have an appointed
11 assessor or elected assessor. Nothing more.
12 We don't have to get into personal attacks
13 about past assessors or whether it worked
14 better under an appointed system or elected
15 assessor.

16 The point here today is that the
17 reassessment is showing that there is
18 problems with the reassessment. They have
19 been going on in the county. People are
20 telling they want an elected assessor. 250
21 people came out to the Rockville Centre
22 library when we had a public hearing. These
23 250 people of Legislator Mule's
24 constituents, and mine, and Howard Kopel
25 constituents. I heard from people in

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2 Legislator Lafazan's district, Legislator
3 DeRiggi-Whitton's neighborhood who are
4 asking for an elected assessor.

5 We are not here to debate whether
6 an elected or appointed assessor is a better
7 choice. We are here simply to provide an
8 opportunity for the people to make that
9 decision.

10 I didn't appreciate nor did I
11 care about the Minority Leader's opinions on
12 what party bosses may or may not do
13 regarding an elected assessor. It's time
14 for us as the legislators to man up as to
15 what our jobs are and that is to represent
16 to the best of our ability the people who we
17 are elected to serve for. If they don't
18 like what we are doing, they'll vote us out.
19 We know that.

20 Equally so, we need to give the
21 people of our districts the same opportunity
22 when it comes to the position of an
23 assessor.

24 I agree with Legislator Mule,
25 mistakes have been made. I don't agree with

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2 her assessment that we are moving in the
3 right direction. Nor do I agree that we
4 should accept that those mistakes are below
5 what she calls the intolerable level. For
6 those 52 or 54, 58 percent as a number who
7 are receiving a tax increase, it's beyond
8 intolerable.

9 They are asking for the
10 opportunity to choose whether they want to
11 have an elected or appointed assessor, and I
12 believe we have to give them that choice.
13 That's what we are going to ask for today,
14 that the 18 other legislators that sit up
15 here today give the people who we represent
16 that right to choose whether they want an
17 elected assessor or remain as an appointed
18 assessor. Nothing more. Thank you.

19 LEGISLATOR KOPEL: Thank you. I
20 guess we will go to public comment. I have
21 a slip here from Evelyn Conrad Lorper. Just
22 state your name.

23 MS. LORPER: My name is Evelyn
24 Conrad Lorper. I live at 8 Brisbane Street
25 in New Hyde Park. I would like to urge all

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2 the legislators to override the veto of the
3 referendum on the ballot. I would like to
4 have the choice to choose if the position
5 for Nassau County assessor should be an
6 elected position or appointed position.

7 What should be on the ballot
8 right now is simply the ability to say, do
9 we want to have that choice? There is a lot
10 of discussion going back and forth, lots of
11 valid things were said.

12 The tax burden we are now facing
13 in Nassau County is tremendous. If this is
14 going to give us someone who is going to
15 have a little more transparency and will
16 respond to questions from the Legislature
17 and the public, then I would prefer to have
18 an assessor that is elected. Thank you.

19 CHAIRMAN NICOLELLO: Thank you.
20 Receiver of taxes, Don Clavin.

21 MR. CLAVIN: Good afternoon
22 everyone. Let me start off by saying, the
23 Malverne High School picked the best day to
24 be here. They had so much fun at this
25 meeting, want everybody to know that, and

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2 happy birthday Legislator Solages. It was
3 his 40th last week.

4 I certainly believe that every
5 one should override this. I have been the
6 receiver for a long time and I have gone
7 through five assessors, Charlie O'Shea and
8 the residents held him accountable. They
9 are not happy with the job he did.

10 Then they brought in Harvey
11 Levinson. Maybe Harvey didn't have the
12 background credentials that some people he
13 didn't, I longed for the days of Harvey
14 Levinson, ladies and gentlemen. Harvey was
15 a very dedicated public servant who came out
16 of the District Attorney's Office and
17 brought a very unique perspective to that
18 office. Sometimes having credentials
19 doesn't get it done.

20 I never worked with an assessor
21 like I had with my years with Harvey. The
22 most enjoyable years.

23 Then we switched to an appointed
24 assessor. That's really where I think the
25 misstep was done. We had someone who

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2 allegedly had all the credentials that were
3 justified. They were justified. Brought
4 him down from Massachusetts, Ted Jankowski.
5 His tenure was marked with errors, loss
6 exemptions, exemptions being on tax bills
7 they weren't entitled to.

8 With the cherry on top of that,
9 as I sit here today, was when he put this
10 very building on tax rolls and created a
11 \$1.3 million deficit for the Garden City
12 school district. The county got on the hook
13 for that mistake. After that, he was
14 ultimately let go when he was held over with
15 Ed Mangano.

16 Then they brought another
17 individual, a nice individual. Jim Davis is
18 a nice man. Worked for assessor's office,
19 but he was the acting assessor.

20 Frankly, things did not improve
21 under him. And, lastly, when we get to the
22 most recent appointment, David Moog, this is
23 the most troubling because it hasn't been a
24 few mistakes. This has been a litany of
25 mistake after mistake that has happened,

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2 from the rolling out of assessments to the
3 tens of thousands of 60,000 letters that had
4 to be remailed to the 400,000 phone calls
5 that went out to the residents that they
6 were in danger of losing a senior exemption
7 when that phone call was only meant for
8 3,500 people.

9 The remailing out of 20,000
10 notices, you know, one the legislators
11 talked about the fact that this body
12 required them to send out impact notices.
13 Those notice did not only were not received
14 until the end of December, I had over 600
15 residents that never received that impact
16 notice. I call that the mother of all
17 notices because that tells you where you are
18 going.

19 Then they had a big press
20 conference where Mr. Moog announced he was
21 putting information online for everybody to
22 see. Not 24 hours later, they sent out a
23 press release saying we put the wrong
24 information online.

25 Then, lastly, the acknowledgement

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2 of this past March that the impact notices
3 were incorrect.

4 Ladies and gentlemen, the
5 appointed assessor has not worked out in
6 Nassau County. We pay, frankly, the highest
7 taxes in the nation. Our houses are our
8 greatest asset as well as our greatest
9 financial liability in Nassau County.
10 That's why I'm asking ou to simply give it
11 back to the residents.

12 Harvey, I go back to him all the
13 time. He might not have been the qualified
14 assessor; he was a very good assessor and he
15 was a very good administrator. That's part
16 of the assessor's job, being an
17 administrator. Frankly, in government, come
18 from backgrounds that have nothing to do
19 with the position they're elected to. The
20 cream rises to the top. That's what I
21 always said. In this case, it has not
22 worked out. And all the legislators hold
23 meetings.

24 Josh, I have done them with you
25 in the past. Challenging your assessment.

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2 I usually have a thousand, 1200. I had over
3 5,000 residents come out this year.
4 Residents as far as Great Neck. Residents
5 from Massapequa looking for help, looking
6 for answers and that is also part of the
7 problem. The assessor's unwillingness to
8 come out and talk to the residents.

9 In December, this body held a
10 legislative meeting. It was a cold December
11 night and 700 people showed up and hundreds
12 were turned away because they felt it was
13 their one chance to talk and get answers
14 made about the assessment. Compound that to
15 every resident across the board and this
16 assessor has failed at that incredibly from
17 the errors that have taken place.

18 But the unwillingness to answer
19 questions, it is about accountability. Just
20 give the residents, I have faith in the
21 residents. I have faith they are going to
22 make the right choice, and whatever choice
23 that may be, you might say, convince him,
24 not we need that appointed assessor who only
25 answers to the County Executive.

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2 You know what, I'm going to say
3 to the residents that I've met all over
4 Nassau County and I love to tell the story,
5 this is not a very isolated incident.

6 In February I went skiing with my
7 two girls. I don't take my son it's too
8 dangerous. I'm on the top of a mountain in
9 southern Vermont. And I take my helmet off
10 and I'm with my 12 year old and my six year
11 old, and someone says, are you Don Clavin?
12 Are you the receiver of taxes in Hempstead?
13 And I said, yes, I am. She said, can I talk
14 to you about assessments for a little bit.
15 I'm in southern Vermont and residents are
16 stopping me to talk to me up there because
17 they have not received their answers.

18 They don't understand this
19 process. They don't know how they got to
20 these numbers, how it changed, and the
21 assessor has failed in coming out and as I
22 said simply making the residents
23 stakeholders in this process, getting them
24 on board. To me, that's important. It's
25 giving the residents a voice in this

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2 process.

3 I was disappointed when the
4 county executive vetoed this. I think the
5 residents deserve that opportunity to have
6 to say if they want that assessor not. Like
7 I said, I can speak from a unique ability,
8 I've dealt with five of them and I like
9 Charlie O'Shea. He's a very nice guy. I
10 do. But my favorite assessor was Harvey
11 Levinson. I was sorry he retired because,
12 you know what, he was great to work with.
13 He was a solid administrator but Legislator
14 Ford hit it on the head. He would come out
15 in public like nobody else. He would
16 explain it to the residents and that's what
17 the residents deserve in this process.

18 We all know the assessment system
19 has been broken. We all want it fixed. I
20 will tell you that the residents of Nassau
21 County do not feel it's an open transparent
22 matter. They are not stakeholders and
23 frankly they deserve it. We tried this
24 experiment. I can tell you because I deal
25 with it in a very unique basis.

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2 This has not worked out and it's
3 by all the appointed assessors, acting or
4 not acting, they haven't got it done. So I
5 ask all of you, give the residents the
6 opportunity, let them just give you the
7 message that so many of you are reaching out
8 and asking for help.

9 I thank you all for the
10 opportunity to come here today. It's always
11 a pleasure to be with all of you, you're
12 great colleagues across every party line.
13 So thank you all for having me.

14 CHAIRMAN NICOLELLO: The next
15 speaker Diane Schaefer.

16 MS. SCHAEFER: Hello Rich. Diane
17 Schaefer from Garden City Park. You have
18 been a great great tremendous help to me.
19 All those people with their heads down, and
20 I know I don't look like a senior citizen
21 but I am. If it wasn't for him, I would
22 have gotten no help whatsoever by this
23 invisible Moog guy that sent me a letter
24 after filling out what the application was
25 online for the senior citizen tax exemption

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2 program.

3 I filled out everything, went up
4 to the office, turned everything in. They
5 stamped everything yes, yes, yes. You're
6 filed, good. I got a letter that tells me
7 dated March that I have until the end of
8 April -- the beginning of April actually, to
9 supply them with the insufficient documents.

10 This is a whole different thing
11 that you people have been talking about
12 today. This is a side step. This concerns
13 our senior citizens. They send a letter out
14 to the elderly after they've already applied
15 and think they've been approved because they
16 turned in their paperwork. That they have
17 insufficient documentation but they don't
18 tell them what it is.

19 So what do they do? They have in
20 the letter here, call Mr. Moog or Laura
21 Curran, or assessor's office. Nobody
22 answers the phone. We all know that. You
23 have to leave a message. Do you know how
24 many weeks it takes if they are going to
25 call you back?

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2 If it wasn't for my legislator,
3 Rich Nicoletto, I wouldn't have gone
4 anywhere with this. He's the one that
5 helped me. Him and his people.

6 I got no response from anybody
7 else that was on-site on that letter and
8 that's wrong. Then I had to go back to the
9 Assessor's Office to ask them what I was
10 missing.

11 The things that they asked me for
12 were not part of the original application.
13 So how do you explain that to somebody who
14 is like 80 years old, or 85 years old that's
15 living by themselves? They're worried about
16 this new tax assessment; how they are going
17 to stay in their houses.

18 Then they go and fill this thing
19 out because they got a robo call, don't
20 forget that, that was totally wrong and got
21 all the elderly lined up outside the
22 Assessor's Office lined up with walkers and
23 canes. It was really for the Senior
24 Citizen's tax exemption program. It wasn't
25 for the star. That's how I learned about it

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2 and how I applied. But you have all these
3 elderly people that did also and they may
4 not have thought to reach out to their
5 legislator like I did, but I did and he
6 helped me.

7 That's why I feel that when
8 someone is going to sign their name to a
9 letter and turn people down for something
10 that they have a right to and not give them
11 any reason why, then it doesn't make sense
12 to me to have somebody appointed that's not
13 going to be there to answer our questions.

14 If someone is elected, then they
15 won't be elected again. There's a change
16 going on in the whole United States. Look
17 who we have for president. Come on.

18 If you don't do the job, you're
19 out. As far as Laura Curran, I'm sorry, she
20 doesn't answer anybody's phone calls.
21 Doesn't answer anybody's emails. So what
22 she's accountable. It doesn't help unless
23 your legislator steps up for you. Thank you
24 for listening to me.

25 CHAIRMAN NICOLELLO: Thank you,

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2 Diane. John Budnick.

3 MR. BUDNICK: Good afternoon,
4 honorable members of the County Legislature.
5 I continue to advocate for an elected Nassau
6 County assessor.

7 Forgive me for phrasing it this
8 way, but we need to get to get rid of the
9 Moog synthesizer because he seems to be
10 synthesizing nothing but horror shows for
11 all the taxpayers of Nassau County. That
12 makes him and the post of an appointed
13 chairman of the board of assessment in my
14 personal view, makes it a clear and present
15 danger to the taxpayers of this county that
16 can be remediated very easily by going to an
17 amendment of the County Charter, making our
18 appraiser an elected official who will be
19 responsible directly to the taxpayers and to
20 the citizens and residents of Nassau County.

21 That is as it should be and I
22 highly recommend that the county executive's
23 veto of basically the power of being taken
24 away from her office to appoint and control
25 that assessor should be overridden because,

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2 if nothing else, I feel that that veto of
3 the proposed amendment of the County Charter
4 and the vote upon it is shall we say, at the
5 very least, shall we say, based upon a
6 question of her trying to hold on to power
7 where the events of the past several years
8 have clearly factually shown that there is a
9 serious problem and there needs to be a
10 complete change.

11 Let's get an elected person in
12 charge of these very, very important issues
13 for so many people here in Nassau County.

14 I that you all very much. God
15 bless you one and all.

16 CHAIRMAN NICOLELLO: Thank you,
17 John. Is there any other member that would
18 like to speak? Ms. Mereday can speak first.

19 MS. MEREDAY: Meta J. Mereday,
20 Baldwin resident. Just sitting here just
21 overwhelms me on a regular occasion, but I
22 try to be encouraged when residents do take
23 the time and it's costly for residents to
24 come and take the time to be here, but I
25 have been here, and I have been a homeowner

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2 with an elected, an appointed, an acting, an
3 indifferent, invisible and inaccurate, et
4 cetera.

5 First, let me say, before I'm
6 asked am I speaking relevant to the issue on
7 the table and it may surprise some folks,
8 actually I am in favor of the override
9 because I do feel that these are one of
10 those rare occasions that this Legislature
11 is actually going to let the people have a
12 say to Minority Leader Abrahams' point, I
13 also sat in the room that year with the
14 discussion and implored this body to look
15 into the factor of getting an inspector
16 general and it basically fell on deaf years
17 within the majority and it was an important
18 point to be made because, funny, right after
19 the election when Laura Curran was elected,
20 literally within days, all of a sudden the
21 majority was on board with an Inspector
22 General that this county needed for a long
23 period of time.

24 As I'm holding this land
25 recording fees as the resident talked about

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2 the elderly, I was here in this room when
3 the discussion was about the incorrect
4 notices that were sent out to our veterans
5 and I was assured that that was going to be
6 corrected even though that shouldn't have
7 happened.

8 But we have another issue, we are
9 talking about the houses and being at the
10 meeting that Legislator Denise Ford was and
11 working with the residents in Freeport and
12 South Shore areas who are paying taxes on
13 homes that they can't live in and they are
14 running the risk of possibly losing their
15 home.

16 We need to kind of get passed
17 this so we can get to those issues because
18 we do have veterans and minorities and
19 seniors who are basically packing their bags
20 now to move into the streets.

21 So we need to move forward with
22 this. But we also need to give the
23 Assessor's Office, whether elected,
24 appointed, delegated, patronaged, or
25 nepotistic, we need to give them the

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2 resources they need to do the job and that
3 has not happened in years.

4 So if we are going to move
5 forward with this, let's move forward, and
6 let's move forward collectively,
7 strategically, and make it happen, and,
8 lastly, can we finally address the fact that
9 when you do your budget for the next year,
10 let's try to provide resources to these same
11 groups with these land recording fees
12 because right now I'm working with the
13 seniors and veterans and trying to transfer
14 their properties and paying over \$1,500 in
15 fees including a \$355 bill for the assessor
16 map. That's ridiculous. That needs to be
17 addressed. \$355 for a map?

18 Let's get to the real issues so
19 the residents are not leaving or living in
20 their cars or doing what they need to do to
21 pay. We are still the second highest taxes
22 but we're swiftly catching up to Westchester
23 county. Let's fix this and let's move on.
24 Thank you.

25 CHAIRMAN NICOLELLO: Thank you.

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2 MR. SMITH: Hello. My name is
3 John Smith. That's my real name.

4 Pocahontas, I had nothing to do with that.

5 Anyhow I would like to veto this
6 thing that Ms. Curran, County Executive
7 Curran has put forth.

8 I think we should have an elected
9 assessor. I was here back in December. I
10 could not believe the disgraceful mess the
11 County Executive made by taking upon
12 changing the tax code when she had no idea
13 what she was doing. Our county assessor
14 came here with an attitude problem. He
15 treated people like they were dirt at this
16 meeting. I was here for the entire meeting.
17 I spoke.

18 It was disgraceful behavior
19 that's led everybody here to feel that they
20 have been cheated and treated like garbage.

21 You might not agree with me.
22 Steve Rhoads, very, very -- well, we've had
23 arguments but that's where it ends. I
24 appreciate all the work he's done. I
25 appreciate what you guys are doing. I feel

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2 Ms. Curran had no right to do this.

3 I went to one of her meetings and
4 she claims this is reparation for the people
5 who were over taxed. I don't think she
6 knows what the word means. It scares me. I
7 won't go any further than that. I hope
8 you'll listen. I know somebody said
9 something about Newsday. Read what the Wall
10 Street Journal had to say about the
11 editorial rag that Newsday is, and you'll
12 find out what they really think of our
13 assessment. It's a disgrace. And maybe we
14 should not roll it until it's ironed out and
15 straightened out the right way. Thank you
16 for your time.

17 CHAIRMAN NICOLELLO: Thank you,
18 Mr. Smith. Anyone else that would like to
19 speak? Come on up and state your name.

20 MR. STEIN: My name is David
21 Stein. Mr. Kopel is my legislator. I agree
22 with almost everything that's been said by
23 the people who have come up here. What I
24 find fascinating is, we're not talking about
25 electing an assessor; we're talking about a

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2 referendum to give the people the right to
3 go forward and decide if they want to elect
4 an assessor. For anyone to object to the
5 idea that we have the right to decide that
6 concept is, to me, beyond imagination.

7 We are not talking about, well,
8 this is the way things are happening now. A
9 lot of people feel that we're in like a deep
10 state now, where the bureaucrats make all
11 the decisions for us. This is supposed to
12 be a democracy. This is supposed to be a
13 place where we make our own decisions and we
14 as the electorate have that responsibility.

15 I vote in every election. I have
16 run for minor offices. But, the fact is, I
17 can't believe that anybody in this panel
18 would object to giving the citizens of
19 Nassau County the right to make that
20 decision. Thank you.

21 CHAIRMAN NICOLELLO: Thank you,
22 sir. Dan Salmore.

23 MR. SALMORE: Hello everyone.
24 Daniel Salmore, Republican candidate in the
25 Fifth District.

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2 I want to thank you all for
3 giving me this opportunity to voice not only
4 my own concerns but the concerns of my
5 family, friends, and many others in my
6 district.

7 It is my firm belief that the
8 residents of Nassau County should possess
9 the ability to choose whether or not the
10 county assessor is an elected or an
11 appointed position.

12 This bill will empower us, the
13 people, to make our own decisions on a
14 matter that will change the course of the
15 future for Nassau County.

16 But the County Executive vetoed
17 this legislation. That's why we are all
18 here today, to hold a vote once more and
19 decide if we should override this absurd
20 decision.

21 It's imperative that the county
22 assessor appointment process be decided by a
23 fair vote. This will ensure that whoever
24 holds the position of County Assessor will
25 be held accountable for their actions. I

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2 would also like to add that this would also
3 make us, the people, accountable. If we
4 have a vote and we decide whether or not
5 it's a voted position or an appointed
6 position, we are a part of that ruling and
7 we would be also held accountable as
8 citizens.

9 This countywide assessment was
10 rushed and flawed in its execution. It's
11 likely that over half the residents of
12 Nassau County will experience a tax increase
13 of which their assessment is directly
14 responsible. In many cases households are
15 compared in values to homes in other
16 neighborhoods driving up the value and
17 therefore their taxes as well.

18 We do not believe that this
19 decision is acting in the best interests of
20 the people of Nassau County. We must put a
21 stop to it here now.

22 With that being said, I would
23 encourage all the members of this chamber to
24 vote in the affirmative.

25 Please override this overreach

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2 and in doing so show the people of Nassau
3 County that you value their opinions. Thank
4 you.

5 CHAIRMAN NICOLELLO: Thank you.
6 Anyone else like to speak before we move to
7 a vote?

8 CHAIRMAN NICOLELLO: Hearing
9 none, we are going to have a roll call vote.
10 Mr. Pulitzer.

11 Let me clarify. Legislator
12 Muscarella pointed out that if you vote yes
13 you are voting to override the veto; if you
14 are voting no, you are voting not to
15 override the veto. Thank you, Vinny.

16 CLERK PULITZER: Roll call vote.
17 Deputy Presiding Officer Howard Kopel?

18 LEGISLATOR KOPEL: Yes.

19 CLERK PULITZER: Thank you.
20 Legislator Siela Bynoe?

21 LEGISLATOR BYNOE: No.

22 CLERK PULITZER: Alternate
23 Deputy Presiding Officer Denise Ford?

24 LEGISLATOR FORD: Yes.

25 CLERK PULITZER: Legislator

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2 Carrie Solages?

3 LEGISLATOR SOLAGES: No.

4 CLERK PULITZER: Legislator Debra
5 Mule?

6 LEGISLATOR MULE: No.

7 CLERK PULITZER: Legislator C.

8 William Gaylor, III?

9 LEGISLATOR GAYLOR: Yes.

10 CLERK PULITZER: Legislator

11 Vincent Muscarella?

12 CHAIRMAN MUSCARELLA: Yes.

13 CLERK PULITZER: Legislator Ellen
14 Birnbaum?

15 LEGISLATOR BIRNBAUM: No.

16 CLERK PULITZER: Legislator Delia
17 DeRiggi-Whitton?

18 LEGISLATOR DERIGGI-WHITTON: I

19 have had a lot of concerns about the way the
20 assessment process has been rolled out. If
21 I thought this would fix anything I would
22 vote yes; but I'm voting no.

23 I'm also going to say having a
24 politician in this position is not going to
25 solve the problem.

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2 The fact that the county
3 legislature is the ones who basically can
4 look at this and see if it's working or not,
5 we also do have the ability to fire an
6 assessor if we had to. To give that up and
7 have an elected official there for three
8 years doing whatever they want, then that's
9 something I don't support.

10 The County Executive does have
11 the right to fire someone, whereas, if it's
12 an elected official, we do not. We have to
13 wait for them to finish their term.

14 So the bottom line is I, again,
15 if I thought this would be anything that
16 would help the situation, I would be in
17 favor of it. I have spoken out against this
18 in the past but I think we need to focus on
19 making sure that ARC has everything it needs
20 to fix or correct the roll if necessary, and
21 I think, look, if you're going to delay it
22 and wait too long, it's not going to be in
23 place. So we need to make sure it's voted
24 on as soon as possible.

25 Again, we are willing to give the

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2 emergency today if you want to vote on that
3 and if we wait too long, we have to let the
4 residents know it's not going to be in place
5 and, again, that's my opinion and again I
6 vote no.

7 CLERK PULITZER: Thank you.
8 Legislator James Kennedy?

9 LEGISLATOR KENNEDY: Yes.

10 CLERK PULITZER: Legislator
11 Thomas McKeivitt?

12 LEGISLATOR MCKEVITT: Yes.

13 CLERK PULITZER: Legislator Laura
14 Schaefer?

15 LEGISLATOR SCHAEFER: Yes.

16 CLERK PULITZER: Legislator John
17 Ferretti, Jr.?

18 LEGISLATOR FERRETTI: Yes.

19 CLERK PULITZER: Legislator
20 Arnold Drucker?

21 LEGISLATOR DRUCKER: No.

22 CLERK PULITZER: Rose Marie
23 Walker?

24 LEGISLATOR WALKER: Yes.

25 CLERK PULITZER: Legislator

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2 Joshua Lafazan?

3 LEGISLATOR LAFAZAN: No.

4 CLERK PULITZER: Legislator

5 Steven Rhoads?

6 LEGISLATOR RHOADS: Yes.

7 CLERK PULITZER: Minority Leader

8 Kevan Abrahams?

9 LEGISLATOR ABRAHAMS: No.

10 CLERK PULITZER: Presiding

11 Officer Richard Nicoletello?

12 CHAIRMAN NICOLELLO: Yes.

13 CLERK PULITZER: Total vote; 11

14 Yes, 8 no.

15 CHAIRMAN NICOLELLO: The override
16 fails.

17 We are going to move on to the
18 rest of our calendar. We have one more item
19 on the Full Legislative calendar before we
20 adjourn which is a procedural resolution to
21 establish an Air Craft Noise Abatement
22 Committee in Nassau County.

23 LEGISLATOR GAYLOR: So moved.

24 LEGISLATOR KOPEL: Second.

25 CHAIRMAN NICOLELLO: Moved by

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2 Legislator Gaylor, seconded by Legislator
3 Kopel.

4 Let me real briefly tell you why
5 we are doing this. The issue aircraft noise
6 has existed for decades and someone who
7 lived in a community underneath the flight
8 patterns I've known that noise my entire
9 life.

10 However, I can tell you and
11 residents throughout this county can tell
12 you that it has gotten exponentially worse
13 in the last several years.

14 Anyone who lives in those
15 neighborhoods across Nassau County from the
16 South Shore to North Shore can tell you how
17 this is disrupting their lives. You have to
18 interrupt conversations. You can't watch
19 television shows without pausing it or
20 putting it louder. It's relentless, every
21 60 seconds to two minutes.

22 The agencies are responsible for
23 overseeing the issue are airports, aircraft
24 noise, are simply not listening to local
25 residents, not listening to local officials.

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2 The committee is designed to use
3 the Legislature's bully pulpit to
4 disseminate information to the public the
5 agencies are not doing. For example, most
6 people in this county do not know two
7 runways are currently closed for
8 construction which accounts for some of the
9 noise persistent noise on the other routes.

10 Again, very few people know that
11 because the information simply has not been
12 put out. We will be holding hearings,
13 bringing in responsible parties who advocate
14 and bring pressure for changes to assist us.

15 It is also our intention to work
16 with the groups that exist already. We have
17 a group called Plane Sense for Long Island
18 which we look forward to working with. The
19 Nassau County Aviation Committee, the Town,
20 Villages and Aircraft Safety and Noise
21 Abatement Committee.

22 We believe that by working
23 together with these groups and presenting a
24 united effort on behalf of the board and
25 residents of our county that we can finally

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2 make a difference in terms of gaining some
3 relief for our residents. That's the whole
4 purpose of our committee. Does anyone else
5 have any discussion?

6 LEGISLATOR ABRAHAMS: Obviously
7 we are going to support the formation of the
8 committee. I would also charge the
9 committee with something that's a little bit
10 more current. Obviously all of us deal with
11 some areas of Nassau County deal with louder
12 aviation noise than other parts.

13 But one of the things that I hope
14 this committee can look into may not be
15 aviation noise but tied to I guess aerial
16 surveillance is in regard to drones being
17 launched from county parks and just recently
18 in my area a neighbor witnessed one that was
19 potentially launched from a neighboring park
20 that was surveilling his area above his
21 home.

22 So I don't know what can be done
23 and obviously that's also tied into FAA air
24 space, but it's something that if we can
25 make the public a little more aware and use

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2 this committee as a pulpit to be able to do
3 this it would be appreciated as well.

4 CHAIRMAN NICOLELLO: Sure.
5 That's a very good point. We will
6 definitely accomplish that within the
7 mission of this committee.

8 I should have also mentioned that
9 the issue of helicopter noise is equally an
10 issue for the residents especially in the
11 summer months, especially on Fridays and
12 Sundays as the helicopters go across our
13 island to get to the Hamptons.

14 Any discussion on the formation
15 of this committee? Legislator Solages.

16 LEGISLATOR SOLAGES: Yes, I would
17 like to the thank the Presiding Officer and
18 also look forward to the creation and
19 productivity of this committee. One
20 additional factor or issue that I hope this
21 committee to explore would the environmental
22 impact of the air plan traffic.

23 I represent the great community
24 of Inwood, the first of the Five Towns, and
25 it's been rated to have some of the poorest

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2 air quality in the county.

3 And also for this committee to
4 explore any possible connections or
5 relations to cancer rates. A concern that
6 the exhaust and other fumes or liquids that
7 the planes pass over the communities of
8 Valley Stream and Inwood have caused or have
9 some sort of relationship to the high cancer
10 rate.

11 That is my hope and expectation
12 of this committee and I look forward to the
13 productivity of this committee. Thank you.

14 CHAIRMAN NICOLELLO: Thank you,
15 Legislator Solages. Anyone else?
16 Legislator Lafazan.

17 LEGISLATOR LAFAZAN: Thank you.
18 I hope this committee can interact with
19 school districts. I represent East Hills
20 and Roslyn and we have folks in the Roslyn
21 School District talking about sound proofing
22 their schools. This problem has gotten so
23 bad. I hope we can loop in schools because
24 kids can't read, self actualization in
25 schools if they can't pay attention and I

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2 want to make sure we loop in all
3 stakeholders and I think schools are
4 important.

5 CHAIRMAN NICOLELLO: Very good
6 point. Anyone else want to speak on this?

7 (No verbal response.)

8 Hearing none, all those in favor
9 of creating this committee signify by saying
10 aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Public comment?

15 MS. MEREDAY: My concern, and I'm
16 definitely in favor of it because, living on
17 the south shore I can almost share in the
18 announcements anywhere between midnight and
19 2 a.m. when the planes start to descend
20 because they're just that close.

21 My concern definitely ties into
22 what is the actual structure? Is there
23 going to be a budget for this committee?
24 When you mentioned hearings, how regular are
25 those hearings going to be? How will the

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2 public be notified and things of that
3 nature? And how timely will the reports be
4 submitted to the legislators as well as to
5 the public?

6 Because I'm looking at those
7 other committee that from my understanding
8 are supposed to be standing committees, and
9 there are rarely if ever any items, agenda
10 items, again, like Minority Affairs, again,
11 blank, veterans services, blank, and we're
12 talking about tax issues and things of that
13 nature. And you have nothing once again
14 from the Planning, Development and
15 Environmental Committee, which is blank, the
16 Economic and Community Development and Labor
17 Transportation Committee, blank, and Towns
18 Villages Committee, if we're talking about
19 buy in and collaboration and having resource
20 development, I just find it very
21 interesting.

22 So I'm just curious as to how
23 this is going to be different from all of
24 these other committees that usually don't
25 seem to have any reports or any action items

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2 for the public to kind of see what is
3 actually taking place. A number of you who
4 are named on these various committee I
5 gather at some point in time you might meet,
6 have a cup of coffee, send a text, tweet,
7 something. But I just don't see anything.
8 Again, it's consistently glaring that there
9 is nothing on Veteran Services.

10 So, again, my question as to this
11 being yet another committee, no more trees
12 being cut down, environmental impact of
13 that, would is going to be the result so
14 that people can see that there is some
15 actual action, and if there is a budget,
16 this is new, so where is the budget line for
17 this?

18 Are there appointments coming in?
19 Resumes being submitted? Again, just to say
20 let's do this committee because it's
21 important, all of these committees are
22 important too, and the public, again, those
23 taxpayers, out there working two and three
24 jobs so they don't lose their house, they
25 still need to know where those tax dollars

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2 are actually going to address the many
3 issues that we have, so if anyone can answer
4 that question, you may look up from your
5 private texting or the cartoons that you may
6 be watching on your phone, give me some type
7 of answer, I'd appreciate it.

8 CHAIRMAN NICOLELLO: That was
9 sarcasm.

10 MS. MEREDAY: It was sarcastic
11 for a reason. I did hear that when your
12 microphone came on.

13 CHAIRMAN NICOLELLO: It's always.

14 MS. MEREDAY: Not always but I do
15 have a right to say what I need to say and
16 you say what you need to say, so I have a
17 right to say what I need to say. I said it.

18 CHAIRMAN NICOLELLO: Thank you.

19 MS. MEREDAY: Can I get an
20 answer?

21 CHAIRMAN NICOLELLO: I was going
22 to answer you. But if you're going to stand
23 up there and be sarcastic, then I have a
24 right to say no. Anyone else have any
25 public comment?

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2 MS. MEREDAY: You made a comment
3 under your breath that you didn't realize
4 was on the microphone.

5 CHAIRMAN NICOLELLO: No, I knew
6 it was on the microphone.

7 MS. MEREDAY: So you knew you
8 were trying to be insulting to a taxpayer on
9 the record?

10 CHAIRMAN NICOLELLO: No, at times
11 we listen to you with respect all the time
12 but some times the corrosive negative
13 sarcasm wears on you after a while.

14 MS. MEREDAY: Corrosive and
15 negative, that we're paying second highest
16 taxes and not getting the resources that we
17 need.

18 CHAIRMAN NICOLELLO: There you go
19 again. It just doesn't end.

20 MS. MEREDAY: It's not going to
21 end until the residents get what they need,
22 until we address the issues that are
23 impacting residents that are leaving in
24 droves from the county. So if you want to
25 be positive and proactive let's see better

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2 results.

3 CHAIRMAN NICOLELLO: Thank you,
4 ma'am.

5 MS. MEREDAY: I'm not finished
6 yet.

7 CHAIRMAN NICOLELLO: It doesn't
8 matter. You had your three minutes.

9 MS. MEREDAY: So it doesn't
10 matter that I'm not finished?

11 CHAIRMAN NICOLELLO: You get
12 three minutes, ma'am. You had your three
13 minutes. Now we are going to move on.

14 MS. MEREDAY: You have given
15 other people time so it depends on who is
16 speaking in favor of what you need to say,
17 is that what it is?

18 CHAIRMAN NICOLELLO: Now you
19 regularly come to the meetings and see
20 multiple items and you speak for 20, 25
21 meetings so now you're complaining because
22 I'm not giving you extra on the three
23 minutes.

24 MS. MEREDAY: I'm not
25 complaining. Expecting an answer and you

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2 said you were not going to give me an
3 answer.

4 CHAIRMAN NICOLELLO: You're
5 right. I have a right to respond. Your
6 right is to speak. I have a right to
7 respond if I want to. I'm not responding at
8 this time. We are going to a vote.

9 Thank you very much for your
10 time. All in favor signify by saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Carries unanimously.

15 I hereby appoint the following
16 members of the committee. I will serve as
17 the chair, Legislator Gaylor will be the
18 vice-chair, Legislator Schaefer and Kopel
19 will be members. Ask the minority to
20 designate his members.

21 LEGISLATOR ABRAHAMS: Ranking
22 member will be Legislator Ellen Birnbaum and
23 the other two members will be Legislator
24 Lafazan and Legislator Solages.

25 CHAIRMAN NICOLELLO: I need a

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2 motion to adjourn.

3 LEGISLATOR MUSCARELLA: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRMAN NICOLELLO: Moved by

6 Legislator Muscarella, seconded by

7 Legislator Walker. All those in favor of

8 adjourning signify by saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Carries unanimously.

13 (Whereupon, the Full Legislative
14 Committee adjourned at 3:12 p.m.)

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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 _____ day of _____,
2019.

FRANK GRAY