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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, February 24, 2020
7:12 P.M.

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

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4 LEGISLATOR RICHARD J. NICOLELLO

5 Presiding Officer

6 9th Legislative District

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8 LEGISLATOR HOWARD KOPEL

9 Deputy Presiding Officer

10 7th Legislative District

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12 LEGISLATOR DENISE FORD

13 Alternate Presiding Officer

14 4th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

22

23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

25

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2 LEGISLATOR DEBRA MULE
3 5th Legislative District
4
5 LEGISLATOR C. WILLIAM GAYLOR III
6 6th Legislative District
7
8 LEGISLATOR VINCENT T. MUSCARELLA
9 8th Legislative District
10
11 LEGISLATOR ELLEN BIRNBAUM
12 10th Legislative District
13
14 LEGISLATOR DELIA DERIGGI-WHITTON
15 11th Legislative District
16
17 LEGISLATOR JAMES KENNEDY
18 12th Legislative District
19
20 LEGISLATOR THOMAS MCKEVITT
21 13th Legislative District
22
23 LEGISLATOR LAURA SCHAEFER
24 14th Legislative District
25

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2 LEGISLATOR JOHN FERRETTI, JR.

3 15th Legislative District

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5 LEGISLATOR ANDREW DRUCKER

6 16th Legislative District

7

8 LEGISLATOR ROSE WALKER

9 17th Legislative District

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11 LEGISLATOR JOSHUA LAFAZAN

12 18th Legislative District

13

14 LEGISLATOR STEVEN RHOADS

15 19th Legislative District

16

17 MICHAEL PULITZER

18 Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: Legislator

3 Gaylor would you lead us in the pledge.

4 (Whereupon Pledge of Allegiance was
5 recited.)

6 LEGISLATOR NICOLELLO: Thank you

7 Legislator Gaylor. Mike, could you call the

8 roll please.

9 MR. PULITZER: Thank you. Deputy
10 Presiding Officer Howard Kopel.

11 LEGISLATOR KOPEL: Here.

12 MR. PULITZER: Alternate Deputy
13 Presiding Officer Denise Ford.

14 LEGISLATOR FORD: Here.

15 MR. PULITZER: Legislator Siela
16 Bynoe.

17 LEGISLATOR BYNOE: Here.

18 MR. PULITZER: Legislator Carrie
19 Solages.

20 LEGISLATOR SOLAGES: Here.

21 MR. PULITZER: Legislator Debra
22 Mule.

23 LEGISLATOR MULE: Here.

24 MR. PULITZER: Legislator C.

25 William Gaylor the Third.

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2 LEGISLATOR GAYLOR: Present.

3 MR. PULITZER: Legislator Vincent

4 Muscarella.

5 LEGISLATOR MUSCARELLA: Here.

6 MR. PULITZER: Legislator Ellen

7 Birnbaum.

8 LEGISLATOR BIRNBAUM: Here.

9 MR. PULITZER: Legislator Delia

10 DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON:

12 Here.

13 MR. PULITZER: Legislator James

14 Kennedy.

15 LEGISLATOR KENNEDY: Here.

16 MR. PULITZER: Legislator Thomas

17 McKevitt.

18 LEGISLATOR MCKEVITT: Here.

19 MR. PULITZER: Legislator Laura

20 Schaefer.

21 LEGISLATOR SCHAEFER: Here.

22 MR. PULITZER: Legislator John

23 Ferretti, Jr.

24 LEGISLATOR FERRETTI: Here.

25 MR. PULITZER: Legislator Arnold

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2 Drucker.
3 LEGISLATOR DRUCKER: Here.
4 MR. PULITZER: Legislator Rose
5 Marie Walker.
6 LEGISLATOR WALKER: Here.
7 MR. PULITZER: Legislator Joshua
8 Lafazan.
9 LEGISLATOR LAFAZAN: Here.
10 MR. PULITZER: Legislator Steven
11 Rhoads.
12 LEGISLATOR RHOADS: Present.
13 MR. PULITZER: Minority Leader
14 Kevan Abrahams is not present?
15 LEGISLATOR ABRAHAMS: Here.
16 MR. PULITZER: Presiding Officer
17 Richard Nicolello.
18 LEGISLATOR NICOLELLO: Here.
19 MR. PULITZER: We have quorum
20 sir.
21 LEGISLATOR NICOLELLO: Thank you
22 very much. Welcome to our night meeting of
23 the Nassau County Legislature. Before we get
24 into the business portion of the calendar we
25 have several presentations. Including what we

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2 traditionally do at every meeting which is the
3 top cops. We will do the presentations, have
4 a period for public comment. If you do want
5 to speak please take a slip and present it to
6 the clerk's office at the table and we will
7 have an extended period for public comment and
8 then do the business of the legislature.

9 As was said, as is customary, we
10 recognize the top cops for the month of
11 February. To start things off, I call upon
12 PBA president first, James McDermott.

13 MR. MCDERMOTT: Good evening.
14 Once again I would like to thank the county
15 leg for having legislative top cops and this
16 one is for February 2020. It's for police
17 officers Richard Fosbeck, Kenneth Petterson
18 and police officer Zac Benigno of the First
19 Precinct.

20 On February 8, 2020 at
21 approximately 12:10 p.m. officers Fosback,
22 Petterson and Benigno were dispatch to 3447
23 Bayfront Drive in Baldwin for a well check on
24 an emotionally disturbed person. Upon
25 arrival, they observed a 29 year old female

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2 threatening to jump off a dock into the bay.

3 As officers approached the dock, the

4 emotionally disturbed woman jumped into the

5 frigid water. Officers threw the victim a

6 flotation device but the victim, who went into

7 shock, was unable to grab it. Officers

8 Petterson and Benigno then removed their

9 equipment and jumped into the water, but soon

10 realized the current was too strong as the

11 victim was being pulled further out into the

12 bay.

13 Officer Fosback then located a row

14 boat in a neighbor's yard. All three officers

15 then entered the row boat and rowed towards

16 the victim, who was now approximately 75 yards

17 from the shoreline. When the officers reached

18 the victim, they were able to grab hold of her

19 and bring her partially into the row boat.

20 Officers then began to row back towards the

21 shoreline when they were met by the Marine

22 Bureau, who were then able to pull the victim

23 from the frigid water and into their boat.

24 The victim was taken to South

25 Nassau Hospital for treatment of hypothermia.

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2 The victim has since made a full recovery.

3 Due to their vigilance, bravery and
4 quick thinking, officers Fosback, Petterson
5 and Benigno were able to save the life of a 29
6 year old female victim. The PBA is proud to
7 name them legislative top cops for February
8 2020. Thank you.

9 MR. PALMER: I think it
10 absolutely goes without saying that we are
11 immensely proud of our officers here today and
12 the fine work they do not only in the instance
13 that was actually demonstrated by the union
14 president here but what they do on a daily
15 basis. On behalf of Commissioner Ryder, who
16 could not be here today, I want to thank the
17 legislature for taking the time out to honor
18 them today and for the public for being here
19 and listening to our story. We're here
20 everyday and we want to be here to serve.
21 Thank you very much.

22 LEGISLATOR NICOLELLO: Legislator
23 Ford.

24 LEGISLATOR FORD: Did any of
25 officers want to say anything?

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2 MR. FOSBACK: I'd just like to
3 thank the county legislators, our PBA
4 president and the chiefs that showed up and
5 support us on a daily basis. Thank you.

6 LEGISLATOR FORD: Good evening
7 and thank all of the officers. And I have to
8 say, you work in a great department and you
9 really have excelled in what you did that
10 night. I'm always impressed by the courage
11 and dedication of our officers and to be able
12 to assess the situation within seconds and
13 minutes definitely underscores the training
14 that you get and underscores the people that
15 you are.

16 I guess we can never comprehend why
17 somebody wants to commit suicide. But by your
18 quick actions you have given this woman an
19 opportunity to perhaps seek help and hopefully
20 change her life and insure a better future.

21 So in a way, aside from being
22 officers you are also angels that you are
23 helping this woman and hopefully given her
24 family something to hang on to by having this
25 woman and, as I said, hopefully making a

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2 better future for herself.

3 Thank you once again. You really
4 have shown such courage, such bravery and
5 dedication. That's why you're the best.
6 Thanks.

7 LEGISLATOR NICOLELLO: Legislator
8 Mule.

9 LEGISLATOR MULE: Thank you
10 Presiding Officer. Legislator Ford said it so
11 beautifully and so well, but this took place
12 in my district and we are a water community.
13 I don't think most people realize how quickly
14 things can go wrong if someone jumps into
15 freezing cold water. James McDermott
16 mentioned about going into shock, and I think
17 that that really added another layer, another
18 element of the danger and how quickly all of
19 the people who were involved in the rescue and
20 the young woman herself, how quickly they
21 could have died.

22 So, your bravery certainly should
23 not go unrecognized, and I'm so pleased you
24 are here tonight to be recognized for that.
25 Thank you.

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2 LEGISLATOR NICOLELLO: We would
3 like to invite you up for a presentation.
4 Stay right there and we will do the DAI and
5 the other presentations.

6 MR. MALONEY: Good evening. My
7 name is detective Maloney of the Nassau County
8 Detectives Association. I'd like to thank
9 Presiding Officer Nicolello, Minority Leader
10 Abrahams and the full legislative body for
11 honoring our detectives assigned to the FBI
12 Task Force.

13 Two detectives from Nassau County
14 Narcotics Vice Bureau, who obviously cannot be
15 here due to their undercover status, are
16 assigned to the FBI Task Force and began an
17 investigation to identify and purchase
18 firearms that were being trafficked from
19 Virginia to New York.

20 During a nine-month period the
21 detectives purchased 19 firearms, including an
22 AR-15 multicaliber rifle. During these gun
23 buys, the undercover detective acted as an
24 associate and as a driver for a confidential
25 informant. The undercover detective observed

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2 the gun buys and after the purchase
3 transported the firearms arms to safety. It
4 was learned during the investigation the
5 weapons were purchased in Virginia, then
6 transported to New York to be sold.

7 The two defendants were arrested
8 and are being charged federally with gun
9 trafficking conspiracy. A search warrant was
10 conducted at one of the defendants' residences
11 and an additional five firearms were
12 recovered.

13 At the conclusion of the case, a
14 total of 24 firearms were taken off of the
15 street and a major gun trafficking operation
16 was dismantled.

17 The two Nassau County detectives
18 were the lead investigators of this case and
19 coordinated a multiagency task force which
20 included members of the FBI, ATF, New York
21 State Police, Hempstead PD and Nassau and
22 Suffolk County Sheriff's Department.

23 These arrests demonstrate the
24 commitment by our detectives to save lives by
25 stopping the flow of illegal firearms to

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2 Nassau County.

3 I again would like to thank the
4 full legislative body for their continued
5 support of the Nassau County Police Department
6 and the detective division. The detectives
7 who are not present are watching while the
8 legislative session is being streamed live.

9 LEGISLATOR NICOLELLO: Thank you
10 very much.

11 MR. PALMER: For those detectives
12 that are watching while it's being streamed
13 live, I have to let you know how proud we all
14 are of your efforts. We know you can't be
15 here to get the accolades in person, but know
16 that everyone is behind you and the work you
17 do is incredibly dangerous but incredibly
18 productive to the safety of this county.
19 Thank you to you all and once again thank you
20 to the legislature.

21 LEGISLATOR NICOLELLO: Legislator
22 Rhoads.

23 LEGISLATOR RHOADS: Thank you
24 Mr. Presiding Officer. To the detectives that
25 are watching at home you have our eternal

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2 gratitude. One of the reasons that as a
3 legislature, I think all of us, I can speak
4 for all 19 of us, look forward to the top cop
5 presentations each month is because it
6 provides us an opportunity to see some of the
7 amazing and outstanding work that our police
8 officers, our detectives, our medics do on an
9 ongoing basis day in and day out.

10 Because I know that every person
11 that stands up here as an honoree for amazing
12 accomplishments that they have achieved on
13 behalf of the people of Nassau County, there
14 are 2600 other officers and sworn members of
15 the department that are standing behind them
16 who accomplish amazing acts in and of
17 themselves that go unnoticed. These are the
18 kinds of things that you may not have the
19 opportunity to read about in the newspaper but
20 they're the kind of things that we hope the
21 residents of Nassau County recognize and have
22 the opportunity to see every day.

23 And by us having our top cop
24 presentations at the county legislature it
25 provides the chance for the information to get

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2 out there about how dedicated, how committed,
3 how professional our sworn officers are and
4 the amazing work they do on an ongoing basis.

5 To the detectives that will remain
6 unnamed for security concerns, we owe you a
7 tremendous debt of gratitude obviously that we
8 will never be able to repay. The particular
9 instance here, obviously those firearms were
10 being trafficked not for sale through a gun
11 store and not for legal sale or distribution.
12 Obviously they were guns that were being
13 transported from Virginia to New York for
14 illegal purposes, to be purchased illegally
15 and undoubtedly used in some sort of criminal
16 activity.

17 It's through their hard work and
18 through their dedication that we were able to
19 not only stop the sale of those 15 particular
20 firearms but also to be able to break up a
21 ring, which probably had in the past and could
22 have in the future also provided other
23 firearms into Nassau County.

24 It's also a beautiful example of
25 how the Nassau County Police Department works

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2 collaboratively with federal law enforcement,
3 with other law enforcement agencies to make
4 sure that the people of Nassau County are kept
5 safe.

6 And so to those detectives and to
7 the squad, thank you so much for what you do
8 and it's our honor to have your
9 representatives here today for us on behalf of
10 the people we represent to say thank you.

11 LEGISLATOR NICOLELLO: Detective
12 Maloney, I'm not sure if you want to come up
13 for the presentations due to the fact that the
14 detectives are not here, but we do have
15 citations for them. Whatever works better for
16 you.

17 MR. MALONEY: I will accept them
18 for them and they thank you for the comments.

19 LEGISLATOR NICOLELLO: Thank
20 you. The next presentation will be for the
21 CSEA Police Medic Unit. We have Kris Kalendar
22 here.

23 MR. KALENDAR: Good evening
24 everybody. Kris Kalendar with the police
25 medics.

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2 On Sunday January 26, a 16 year old
3 barricaded himself inside of his house in Old
4 Bethpage after a verbal disagreement with his
5 mother regarding the state of his mental well
6 being. He had a history of violence and
7 recently returned home after spending time
8 upstate at a rehab facility.

9 While he was inside his home, he
10 constructed a homemade explosive device that
11 he threatened to detonate if anyone from the
12 police department entered the home.
13 Additionally, he sprayed lighter fluid around
14 the home to further deter law enforcement.

15 Police medic Brandon Leonard, he
16 responded in ambulance 2378 along with patrol
17 units from the Eight Precinct to find his
18 mother outside of her home in a state of
19 emotional distress. She was talking on her
20 cell phone with a tone of panic desperation.
21 When Brandon inquired into who she was
22 speaking to she confirmed that she was
23 speaking to her son who was inside the home in
24 a dangerous mental state.

25 Police medic Leonard, who is also a

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2 member of the Nassau County Police
3 Department's hostage negotiation team since
4 2013, who also has a master's degree in
5 forensic psychology, ask to speak with her
6 son. Brandon led negotiations with the male
7 for over an hour on the phone in coordination
8 with patrol emergency services and the Bureau
9 of Special Operations.

10 Police medic Leonard successfully
11 de-escalated the situation to the point where
12 the 16 year old surrendered voluntarily and
13 walked out of the home.

14 Due to Brandon's professionalism,
15 skill and calm demeanor, our Nassau County
16 police officers, police medics and the Old
17 Bethpage community left the situation unharmed
18 and the patient was safely transported to a
19 local hospital for evaluation.

20 MR. PALMER: Once again, thank
21 you for this. Our medics are our unsung
22 heroes. They save lives every day just as a
23 course of doing business. Their dedication is
24 unparalleled and here is another example of
25 the day-to-day sacrifice that our members put

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2 forth. He's also part of the hostage
3 negotiation team and they're another unsung
4 hero in our department. You won't hear much
5 about them because it's part of their creed
6 not to be public. But they respond to so many
7 instances of crisis in this county. And day
8 in day out they perform an extraordinary
9 service for everyone here. Thank you to
10 everyone involved and thank you once again for
11 your time.

12 LEGISLATOR NICOLELLO: Do they
13 want to say a few words?

14 MR. LEONARD: Thank you. I would
15 like to thank you for your continued support
16 day in and day out and for the invitation this
17 evening. Thank you.

18 LEGISLATOR NICOLELLO: Legislator
19 Walker and Legislator Drucker would like to
20 say a few words.

21 LEGISLATOR WALKER: First of all,
22 I would like to thank you for what you do day
23 in and day out. On this particular Sunday you
24 had an extremely volatile situation that could
25 have really gone very, very, bad. To me a

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2 kid, 16 years old, a young person, who is in a
3 very, very bad state mentally and obviously
4 his mom in a panic outside. And somehow you
5 were able to bring that situation under
6 control with your training, with your
7 expertise and have a situation that really
8 could have been very, very ugly. Not just for
9 that young man, for his mother but for the
10 community. God forbid he lit that lighter
11 fluid and there was fire everywhere. Just a
12 very, very bad situation.

13 But with all your training you
14 managed to de-escalate that situation and
15 bring it under control and hopefully get that
16 young man, he was taken to the hospital, and
17 hopefully get him the additional help that he
18 needs. I cannot thank you enough for that.

19 As I said, every opportunity I get
20 to thank you is amazing. And certainly to our
21 Eighth Precinct officers that were there
22 also. But this was an extraordinary night
23 that you had a very, very bad situation to
24 deal with. Thank you very much for it.

25 LEGISLATOR NICOLELLO: Legislator

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2 Drucker.

3 LEGISLATOR DRUCKER: Thank you
4 Presiding Officer. Just to echo what
5 Legislator Walker said I agree 100 percent. I
6 happen to be personally familiar with the
7 circumstances surrounding this incident. I'm
8 very well acquainted with the people
9 involved. I was aware of what was going on
10 with this incident as it was unfolding that
11 Sunday afternoon. What you did was nothing
12 short of a miracle, police medic. You defused
13 a highly volatile, emotionally charged
14 situation.

15 Again, I'm familiar with this young
16 man and his mother and it was a very difficult
17 situation. When it first presented itself to
18 the squad, to the Eighth Precinct, they didn't
19 know what they were facing. It could have
20 gone terribly sideways. What you did was
21 amazing. To be able to get that young man to
22 walk out without any incident, without any
23 violence, without any damage, went a long way
24 to allowing this family to recover and move
25 forward. Which I have known now is proceeding

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2 in a very nice way thanks to your efforts.

3 On behalf of this body and everyone
4 else who for unsung heroes like yourself we
5 owe you a debt of gratitude. You saved a lot
6 of lives. You saved a lot of damage. You
7 saved a lot of heartache and misery that
8 afternoon. Thank you very much.

9 LEGISLATOR NICOLELLO: For the
10 people who are here for the first time and
11 people who may be watching the streaming
12 version of this, we do this every month. We
13 recognize the top cops. And just tonight
14 alone we've had officers who risked their own
15 lives by jumping into frigid waters to save an
16 individual. We had detectives through their
17 expertise and brilliance breaking up a gun
18 trafficking operation. And we have this
19 police medic before us who helped to
20 de-escalate what could have been a tragic
21 situation.

22 As I said, we do this every month
23 and we hear these stories every month and
24 these are extraordinary stories but they're
25 only a fraction of what our law enforcement

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2 personnel, our police medics, our DAI, our
3 correction officers do. We are truly
4 fortunate in this county to have such fine,
5 dedicated men and women and we want to thank
6 you very much for all that you do.

7 Jim, you want to come up for the
8 first presentation.

9 Let's keep moving. The next
10 portion of our meeting is dedicated to
11 recognizing Black History Month. I'm proud to
12 introduce today's program in recognition of
13 Black History Month in which we highlight
14 achievements of African-American members of
15 our Nassau County family.

16 Tonight's honorees are
17 representatives of the larger community. If
18 we really wanted to recognize all those in
19 African-American community who are making this
20 county a better place the Nassau Coliseum
21 would not be large enough to hold the event.

22 I'm very proud and privileged to
23 honor, with members of the Majority and the
24 Minority, our entire legislature, an American
25 icon, Tuskegee Airman Mr. William Joseph

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2 Johnson. Unfortunately Mr. Johnson could not
3 be with us tonight. He recently had eye
4 surgery and up until today he was hoping to be
5 able to make it. He is on the mend but he
6 simply could not make it here tonight.

7 He is the fourth of nine children.
8 Born in 1925 in North Carolina. He was four
9 years to escape the racism prevalent in the
10 south at that time his family moved to Glen
11 Cove. After graduating from high school in
12 1943 he joined the Army Air Corp. Growing up
13 on Long Island, the cradle of aviation, Mr.
14 Johnson knew he want to become a pilot. He
15 applied for the US Army Air Force flight
16 training program and began training at
17 Tuskegee airfield in Alabama in 1944.

18 The all black flight school at
19 Tuskegee, Alabama trained more than 1,000
20 cadets. During World War II Tuskegee airmen
21 flew more than 15,000 individual sorties in
22 Europe and North Africa and earned more than
23 150 distinguished flying crosses. The
24 Tuskegee Airmen risked their lives on behalf
25 of this nation to secure victory against

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2 America's enemies.

3 The most extraordinary part of
4 their heroism, their courage is that they did
5 it for a nation in which racial segregation
6 persisted in which their rights and dreams
7 were routinely denied.

8 After the war ended in Europe and
9 through the exemplary service of this elite
10 group of airmen, they paved the way for the
11 racial integration of the US military
12 resulting in President Harry Truman executive
13 order in 1948 mandating equality in
14 opportunity and treatment for all in the US
15 armed forces.

16 When asked about his service Mr.
17 Johnson said, we performed and we proved by
18 our performance what it was all about. It is
19 not the color of your skin but the content of
20 your character that matters. His words are
21 words to live by and he is truly an American
22 hero. Please join me in thanking William
23 Joseph Johnson for his incredible service.

24 Once Mr. Johnson has fully healed
25 we will invite him back collectively to meet

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2 with all of us. We would certainly be honored
3 to meet with him and be in his presence.

4 Our next honoree will be presented
5 by Legislator Debra Mule.

6 LEGISLATOR MULE: Thank you
7 Presiding Officer. I'm delighted and honored
8 to be making this presentation. Dr. Zavilia
9 Williams, affectionately known as Dr. Zo, is
10 the founder, executive director of 3D's
11 Aftercare Incorporated, 3D's Empowerment
12 Circle LLC and 3D's Community Empowerment
13 Center. She is currently serving her 20th
14 year as a New York City Department of
15 Education social worker. Additionally, she is
16 a Girl Scout co-leader for Troop 2305, a
17 nurturing parent program facilitator and she's
18 a member of Zeta Phi Beta Sorority
19 Incorporated.

20 In 2018, Dr. Zo celebrated the
21 opening of 3D's Empowerment Center located in
22 Baldwin. The center is designed to empower
23 children through programs that promote higher
24 self esteem, a greater sense of self-worth and
25 an understanding of responsibility. She is

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2 dedicated to encouraging children and giving
3 them tools to make their dreams come true.

4 Dr. Zo's commitment to
5 understanding, uplifting, equipping and
6 empowering others is evident through her
7 multiple social work and public service
8 roles. Dr. Zo has been recognized for her
9 humanitarian service and innovation by several
10 organizations. Most notably, she was named
11 the 2019 person of the year by the Baldwin
12 Herald, a community-based publication as well
13 as the Alan Jamison Black Women that Rocks
14 award and the SBC Woman of Distinction award.

15 Dr. Zo, it is an honor to recognize
16 you for your dedication and commitment to
17 serving our community, youth and leaders of
18 tomorrow.

19 I want to say I've worked certainly
20 in the community very closely with Dr. Zo and
21 her commitment is palpable to the children.
22 She wants them to have a safe environment to
23 go to after school. She wants them to
24 succeed. And she just took it on as her
25 mission in life after her full-time job she

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2 does this as another full-time job. She
3 funded it and got it going and it is a big
4 success. I wish you nothing but success and I
5 thank you. Congratulations. Dr. Zo please
6 say a few words.

7 MS. WILLIAMS: Thank you. I just
8 want to say that I'm honored and humbled to be
9 here, and I find it a privilege that I'm able
10 to be intentional about being a rainbow in the
11 clouds of the children in our community.
12 Thank you.

13 LEGISLATOR WALKER: Dr. Zo, I'd
14 just like to add my background is actually
15 early childhood education. What you do for
16 these little ones, I know you said you give
17 them rainbow in the clouds, but I can tell you
18 that I know just by the smile on your face
19 that they give that you rainbow also. The
20 little ones there they can make such a
21 difference. Their smile. Just the way they
22 you look at you can really make your day. I
23 know you make their day by your smile. Thank
24 you for all you do for them.

25 LEGISLATOR NICOLELLO: Legislator

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2 Vin Muscarella.

3 LEGISLATOR MUSCARELLA: I wanted
4 to state that I have a group of young men here
5 today from Pack 372 Franklin Square, the Boy
6 Scouts of America. We had Chris, Michael,
7 Rory and Joey, who are here to observe some of
8 the goings on of government in action. And if
9 they'd like to come up. Does anybody want to
10 come up and say a few words? Any guys?

11 UNIDENTIFIED SPEAKER: They're
12 going to politely decline thank you very
13 much for having us here tonight. Did you want
14 to say something?

15 UNIDENTIFIED SPEAKER: Thank you
16 for having us.

17 LEGISLATOR MUSCARELLA: You're
18 quite welcome. Guys, they had a suggestion
19 for a new bill to put in. They wanted to ban
20 homework. I told them that that was something
21 for the state legislature to take on.

22 UNIDENTIFIED SPEAKER: Thank you
23 very much for having us. These boys need to
24 be moving on to Boy Scouts pretty soon. Maybe
25 in a couple of years you'll have them back as

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2 eagle scouts. Thank you very much.

3 LEGISLATOR NICOLELLO: Next

4 presentation by Legislator Steve Rhoads.

5 LEGISLATOR RHOADS: Thank you

6 Mr. Presiding Officer. I think the one theme
7 that you've definitely heard today is the fact
8 that each of us, certainly the people that
9 have been recognized today, have used their
10 unique talents and skills to make their corner
11 of the world a little bit better for their
12 having been here. We've heard stories of the
13 heroism and skill of our police and fire
14 medics, of our detectives. The valor,
15 dedication and sacrifice of heroic Tuskegee
16 Airmen. And the outstanding African-American
17 leadership in our community making a
18 difference in our communities.

19 I also rise on a point of personal
20 privilege to recognize some outstanding high
21 school students that are also making a
22 difference in their communities and will be
23 making a difference in their communities for
24 years to come.

25 Now, we have in Nassau County two

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2 Regeneron science talent search finalists in
3 all of Nassau County. Now, Regeneron science
4 talent search is the nation's oldest and most
5 prestigious science competition for high
6 school seniors providing an important forum
7 for original researched that's recognized and
8 reviewed by a national jury of professional
9 scientists.

10 Alumni of Regeneron have made
11 extraordinary contributions to science and
12 have earned many of the world's most
13 distinguished science and math honors.
14 Including 13 noble prizes.

15 Annually over 1800 high school
16 students seniors from around the country
17 accept the challenge of conducting independent
18 science, math or engineering research and
19 completing an entry for the Regeneron Science
20 Talent Search.

21 The competition recognizes 300
22 student scholars and their schools each year
23 and invites only 40 student finalists to
24 Washington D.C. to participate in the final
25 judging, display their work to the public and

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2 meet with notable scientists and government
3 leaders. Each year Regeneron scholars and
4 finalists compete for \$3.1 million in awards.

5 As I said, in all of Nassau County
6 we had only two finalists. Both of which are
7 from my home district and both of which are
8 from Bellmore John F. Kennedy High School and
9 we have both of those finalists here tonight.

10 We'll call them both up at the same
11 time but I would like to recognize Andrew
12 Britton and Katherine Saint George from
13 Bellmore JFK High School. Both seniors.

14 Now, this tends to be one of the
15 more humbling experiences because it is clear
16 from your projects that both of you are vastly
17 smarter than me. Andrew's report was on marsh
18 restoration, ribbed muscles -- I'm not going
19 to try and pronounce the actual name -- as a
20 revival mechanism to rebuild the coastal salt
21 marshes of Long Island, New York. Tell us a
22 little bit about your project.

23 MR. BRITTON: First, I just want
24 to say a tremendous thank you for inviting us
25 here. My project was about marsh

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2 restoration. Try to block the damages from
3 hurricanes. And my project essentially was
4 around the idea that ribbed muscles, which are
5 similar to clams and oysters, could be a key
6 species in rebuilding marshes naturally when
7 compared to synthetic storm surge barriers.
8 One of which is proposed for the Jones Inlet
9 and it's \$300 million. My solution is
10 extremely cost effective and pretty much costs
11 nothing to do.

12 And another part of my research was
13 predicting the future and seeing how marshes
14 would evolve over time. And my project
15 suggested that by 2079 all the salt marshes on
16 Long Island could be lost completely. Which
17 kind of shows there's a need to act and my
18 project was the first step and the groundwork
19 for possible action to undertake against
20 hurricanes like Hurricane Sandy.

21 LEGISLATOR RHOADS: Unbelievable,
22 fantastic work. Where are you going to
23 college next year?

24 MR. BRITTON: I'm not sure yet
25 actually.

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2 LEGISLATOR RHOADS: Fair enough.
3 Incredibly important project. For all of us
4 who live on the south shore and had to deal
5 with Super Storm Sandy. Obviously your
6 research plays a key role in storm
7 resiliency. Incredibly important. But an
8 amazing job Andrew.

9 Katherine, her project is the
10 ketogeneric diet. Ameliorates the effects of
11 caffeine in seizures susceptible drosophila
12 melanogaster. Otherwise known as fruit
13 flies. Would have been much easier to say
14 fruit flies. Please tell us a little bit
15 about your project.

16 MS. SAINT GEORGE: Firstly, it's
17 just such an honor to be recognized her
18 tonight and we both really appreciate you
19 having us.

20 LEGISLATOR RHOADS: It's our
21 honor to have you.

22 MS. SAINT GEORGE: Thank you. For
23 my study I looked at the impact of the
24 different nutritional profiles, different
25 levels of caffeine exposure, different diets

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2 on seizure susceptibility in these fruit
3 flies. And I found that the Ketogenic diet,
4 or as it's more popularly known keto, which is
5 a low carbohydrate high fat diet, can
6 counteract the affects of caffeine in these
7 seizure susceptible fruit flies. Caffeine
8 increases seizure susceptibility. Whereas,
9 the Ketogenic diet decreases it. I kind of
10 established that kind of counteracting
11 relationship between the two factors and these
12 findings have implications for quality of life
13 and nutritional counseling of epilepsy
14 patients.

15 LEGISLATOR RHOADS: Absolutely
16 amazing. There is a correlation between
17 caffeine and fruit flies and potential
18 implications for humans?

19 MS. SAINT GEORGE: It's been
20 known that caffeine does increase seizures.
21 But the study also found that chronic exposure
22 to caffeine as opposed to acute exposure to
23 caffeine can actually have protective effects
24 against seizures.

25 LEGISLATOR RHOADS: Absolutely

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2 amazing. I just again want to congratulate
3 both of you. I had the chance to recognize
4 you at the Jam at the Gym over at Kennedy High
5 School. But your accomplishments are so
6 amazing that I wanted to make sure that you
7 were recognized on a much larger scale here at
8 the county legislature for the contributions
9 that you are making in science and for the
10 contributions that you are making to our
11 community as a whole.

12 I do also want to mention that we
13 had one semifinalist, also from Bellmore JFK
14 High School, Kennard Gelman, who could not be
15 with us tonight, but her accomplishments are
16 amazing as well. Her project was chondrocyte
17 etecine A2A receptor signaling leads to
18 cellular homeostasis through activation of
19 protein kinase, APKA. I can read the
20 description but I would only be pretending I
21 understood it. I hope to have the chance to
22 speak with the Kennard about her project as
23 well.

24 I want to thank you for your
25 passion, dedication. I want to wish you luck

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2 down in Washington DC because I know you are
3 leaving for the competition next Thursday and
4 hopefully you will be bringing home a
5 championship to Nassau. But best of luck to
6 both of you. Congratulations. I have
7 citations from the county legislature for you
8 both. Great job.

9 LEGISLATOR NICOLELLO: Thank you
10 very much. Congratulations.

11 This is the public comment portion
12 of our meeting which lasts an hour. That's
13 the time that's used. It's eight o'clock
14 now. If it goes beyond nine we will break and
15 go to the full legislature and come back
16 later.

17 First speaker is Richard Clolery.

18 MR. CLOLERY: To the members of
19 the legislature, as you're all aware starting
20 next month there will be no more plastic
21 shopping bags given out. This I feel is a
22 great first step but is not the only step that
23 we need to take to combat littering here on
24 the island. Especially stuff that gets into
25 our water.

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2 Another step is to place garbage
3 cans and maintaining them. Especially in
4 areas where there should be no dumping and yet
5 there is. I've seen of lot of it as I pass by
6 where I live. I go by one of those areas, you
7 know, where it says dump here you get a fine.
8 Anyway.

9 If people, for whatever reason,
10 fails to use them there should be ticketing
11 enforcement. And my suggestion for the
12 proceeds from those fines should be used to
13 increase funding for the buses so that the
14 lines that were cut can be restored. Just a
15 suggestion. Thank you. Have a good day.

16 LEGISLATOR NICOLELLO: Thank you
17 Richard. Steven Edmundson.

18 MR. CLOLERY: Any other comments
19 from you guys?

20 LEGISLATOR NICOLELLO: No. Thank
21 you for your comments Richard. Steven
22 Edmundson.

23 MR. EDMUNDSON: I say hello to
24 the people I know and people I don't know and
25 the people from Facebook. And Denise Ford who

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2 gave me a citation but spelled my name wrong.

3 We have a homeless problem and I
4 ought to know because I'm homeless and in a
5 shelter run by Daphne Haynes who drives a
6 Jaguar and we're lucky if we get milk, bread
7 and peanut butter in the house.

8 19 people, I invite you to come
9 down to DSS to find out what these people are
10 doing and not doing because it's not a text
11 book situation. My mother died. I had a four
12 bedroom house in Oceanside. I lived in the
13 Jones Beach Hotel in Wantagh. Steve Rhoads
14 knows because we talked about that place. And
15 now I'm in a homeless shelter tagging my
16 social security check and they want 560, \$570,
17 a month for rent. When we have criminals with
18 the bail reform they're not hanging around
19 East Meadow. They're coming to the shelters.

20 And the buses. You want to us get
21 a job you got to get these buses into order
22 because they're terrible. The only good thing
23 about the bus you don't have to worry about a
24 terrorist because you never know when the bus
25 is coming. Thank you.

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2 LEGISLATOR NICOLELLO: Thank you
3 Mr. Edmundson. Liz Boylan.

4 MS. BOYLAN: Good evening. Liz
5 Boylan, volunteer with the Rockville Centre
6 Coalition for Youth. I have in front of us a
7 placard that was put together based on a
8 conference my coordinator and I, Ruthanne
9 McCormack, attended in Washington D.C. with
10 3200 members of communities against -- I'm
11 sorry, it's Coalitions Against Antidrug
12 Initiatives. And what we did was we basically
13 were given the mission to come back and to
14 share and educate with you what we were
15 advised. Much of it was very, very sobering.

16 One of the big problems is that the
17 media does not report on the negative impacts
18 regarding the legalization of nonmedical
19 marijuana. I guess I should have stated
20 that's the reason why I'm up here.

21 The board I have in front of you is
22 broken up into three sections. It's basically
23 a marijuana advisory. We were given data on
24 marijuana 101. How it's used, the risks, the
25 low perception of risk on the major

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2 populations using it, which are teens and
3 pregnant women. It's eaten, which has a slow
4 onset but a long impact. It's also smoked,
5 which is a fast onset and short impact. The
6 concentrates that went from four percent
7 potency up to 80 percent today. So there was
8 a lot of data there that was given us that we
9 feel we would like you to take and consider
10 before any further initiatives are taken on
11 this. Our youth are the ones that are
12 suffering.

13 In terms of the consequences, as
14 you can see, many of the consequences have to
15 do with -- in Oregon for instance, their
16 cannabis office they had a failed audit in
17 January 2019 due to lack of staffing, lack of
18 inspections, lack of appropriate lab tests.
19 Emergency room visits due to -- many were
20 marijuana poisonings -- in 2015 there were
21 5494 visits to the ER. All cannabis related.
22 In 2016 it went up to 8,532.

23 I think when people talk about
24 marijuana, you know, nonmedical marijuana, and
25 they think it's just about smoking a few

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2 joints, it's really about the normalization.
3 If you look at the middle of it, the
4 commercialization and normalization includes
5 social clubs, pot cafes, deliveries. There
6 was actually an online sale where the trucks
7 advertised online but when they actually come
8 they respect your privacy so they're not
9 marked.

10 One of the other issues we had
11 was -- oh, there's also cannabis resorts.
12 This is kind of normalizing the use of this
13 very dangerous, powerful, potent drug, which
14 in our current legislation has no cap on
15 potency and no cap on dosage. The
16 consequences to that you've heard is impaired
17 drug driving. You know what the statistics
18 are there.

19 But there's something in particular
20 I wanted to draw your attention to because I
21 just I read in Newsday and the Long Island
22 Press. There were two mothers who were for
23 legalizing marijuana. But there is a website
24 and a group, I want all of to write this
25 website down, it's called Moms Strong and it's

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2 Moms Strong dot org. And their whole mission,
3 it's very compelling, we met some of these
4 mothers at the conference, they're telling
5 their stories unmasking the marijuana charade
6 to make the public aware of marijuana harms by
7 sharing the stories of how our youth are
8 experiencing devastating mental and physical
9 health effects from using marijuana. They're
10 a group of moms who have seen the damages to
11 their teenagers and young children. While pot
12 advocates promote their stories how safe it
13 is, they have experienced anxiety, panic
14 attacks and suicides.

15 They do have a qualifier. Not all
16 weed users have or will experience a horrific
17 consequence from using the potent strains of
18 today's marijuana. But their hope is their
19 website will find parents who have witnessed
20 these horrors and hopefully share their
21 stories and save somebody else.

22 We have alternatives.
23 Decriminalization. Make it work. Tweak the
24 law. And we have prevention. Prevention is
25 not prohibition. It's about providing

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2 information, education and facts to make
3 decisions. Our own surgeon general has come
4 out about the importance of protecting our
5 nation from the health risks of marijuana.
6 It's also about decreasing the misperceptions
7 of the safety of marijuana and danger to
8 protect our youth, who are not the leaders of
9 tomorrow they are our leaders of today.

10 So I ask, since we have limited
11 time, please come look at that placard and
12 please consider some of the information that
13 does not get out into the media on a daily
14 basis. Thank you.

15 LEGISLATOR KOPEL: Liz, I just
16 want to say that I'm privileged to have Liz
17 and Ruthanne, who I believe is going to speak
18 next, Ruthanne McCormack, you might as well
19 come up as well, in my district. It's been an
20 absolute revelation and a wonderful thing to
21 see the work that these ladies have put into
22 just good things. Just trying to make sure
23 that our children grow up safe, happy and
24 healthy.

25 I know that it takes away from

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2 anything else that they're doing. It takes
3 time away from their family. They travel.
4 They just came back from D.C. for how long?
5 Ten days. And it's all for this altruistic,
6 wonderful purpose, and I can't say thank you
7 enough for what you all do. What you, both of
8 you do and the volunteers that you bring with
9 you and work with you to accomplish these
10 wonderful tasks. We certainly, all of us
11 here, hope for your continued success. Thank
12 you.

13 MS. BOYLAN: I will leave the
14 placard over there. Just on your break glance
15 at it, take a look at it and it will provide
16 you with some interesting data.

17 LEGISLATOR NICOLELLO: Ruthanne.

18 MS. MCCORMACK: Thank you to
19 everyone for letting us speak. I'm going to
20 go over a little bit about what Liz talked
21 about and elaborate more on the fiscal. The
22 cost versus the revenue. All of you have a
23 packet that I put together that has all of the
24 information in it. I'm going to specifically
25 hit on the revenue. Should I start the

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2 timer?

3 Question remains what are New
4 York's projected costs to 62 counties, 932
5 towns, 62 cities, ten native American
6 reservations, over 3,400 local governments,
7 514 police departments, 950 school districts
8 with 4800 individual schools. Only five
9 percent of the money deposited in the New York
10 State Medical Cannabis Trust Funding shall be
11 transferred to the Office of Addiction
12 Services and Support. Which they will use
13 that revenue for additional drug abuse
14 prevention, counseling and treatment
15 services. Five percent to all those places
16 that need help with treatment and education to
17 prevent our youth from starting drugs and
18 alcohol and progressing into addicts. Which
19 many often do. They start with marijuana.
20 Not every heroin addict -- not every marijuana
21 user says I'm going become a heroin addict.
22 But mostly every heroin addict has started
23 with marijuana.

24 Only five percent of the money is
25 deposited in the New York State Medical

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2 Cannabis Trust Fund shall be transferred to
3 the Division of Criminal Justice Services,
4 which can be used for discretionary grants
5 towards personal cost of state and local law
6 enforcement agencies. Only five percent to
7 all of our law enforcement. Think about it.
8 They're already overburdened. How are they
9 going to handle this when this happens?

10 Governor Cuomo in 2017 he made a
11 statement, February 2017, three years ago,
12 it's a gateway drug and marijuana leads to
13 other drugs and there's a lot of proof that
14 that's true. Today he would ignored the
15 experiences of other states, medical science,
16 law enforcement and substance abuse
17 professionals to ram commercialized weed
18 through the legislature.

19 Think about it. Think about the
20 kids. We just heard about two young people
21 suffering. We have many, many more that you
22 don't know the stories about. Rockville
23 Centre suicide is an epidemic. Another youth
24 from Oceanside committed suicide a week ago
25 Sunday. A senior in high school with his

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2 whole life ahead of him. We've had two fatal
3 overdoses in Rockville Centre since the
4 beginning of the year. This marijuana
5 legalization is not going to help make
6 anything better. It's going to cause more
7 problems.

8 We're having a town hall on March
9 10th where we hope to educate more of the
10 community about the dangers of this
11 happening. We're having a speaker, Alex
12 Berenson, who wrote a book Parents Tell Your
13 Children the Truth about Marijuana, Mental
14 Illness and Violence. We had him scheduled in
15 Rockville Centre at the school district.
16 Parents revolted. They said he doesn't have
17 real facts. His data is not backed up by
18 science but it is. We found out they were
19 invested in marijuana industry and part of
20 these moms that want to regulate marijuana.
21 What message are they sending to their kids?

22 One of the moms quoted from Newsday
23 on the ninth, our kids are already vaping
24 marijuana. If it's legal it will be safer.
25 What they're vaping is not safe. At least it

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2 will be safer. That's not true. In states
3 that are legal the marijuana that's sold in
4 pot shops that are being vaped have caused
5 deaths.

6 The DEA, they said the cartels want
7 marijuana legalized in states. It will make
8 their businesses grow. Make it easier for
9 them to get in on this legalized trade. We
10 are going to be victimized by more
11 organizations. Our children are going to be
12 victimized by advertisements.

13 One youth that we met at the
14 conference from a state that's been legalized
15 a few years from Oregon she said, what am I
16 supposed to do when my friend's mom is
17 actually selling pot to high school kids? Who
18 do I tell about that? Is there going to have
19 to be adjustments in our social host law? We
20 already have it for alcohol. We'll have to
21 make adjustments for parents that provide
22 marijuana. What about the kids that bring it
23 to school and give it to their friends. Their
24 friends think it's a cookie. They overdose on
25 it.

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2 What about scromiting. Scromiting
3 is a syndrome that people are getting where
4 they're screaming and vomiting at the same
5 time due to heavy marijuana use. It's
6 happening mainly to our young people. Moms
7 have spoken about how their kids have lost 30
8 40 pounds. They'll stop using marijuana and
9 go back to it and it starts all over again.

10 Please, take a look at Liz's
11 poster. This actually looks like a Marlboro
12 box but it has all the facts on it. Big
13 tobacco is behind this. Thank you so much for
14 your time.

15 LEGISLATOR NICOLELLO: Thank you
16 Ruthanne. Legislator Gaylor.

17 LEGISLATOR GAYLOR: Liz and
18 Ruthanne thank you for all that you do. It's
19 a monumental task obviously to travel up and
20 down the roads to Albany. But you have to
21 keep doing it. It's that important what
22 you're doing. The legalization of marijuana
23 it's going to come to us again in the form
24 through the state in a budget bill. What I
25 firmly believe is that because of your efforts

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2 maybe the governor is not going to take out
3 that opt out provision so that Nassau County
4 can opt out of this.

5 I don't think this is the way that
6 our constituents in our legislative districts
7 want to see the future of our county and our
8 state go. You're doing a great job, no doubt
9 about it. Keep doing what you're doing and
10 keep being vocal.

11 MS. MCCORMACK: We're hoping
12 what happened last year they took it out and
13 they didn't come to an agreement at the last
14 minute. That's what we are hoping for again.

15 LEGISLATOR GAYLOR: So am I. As
16 long as we have a voice here in Nassau County
17 I'm standing with you. You're good.

18 MS. MCCORMACK: Thank you.

19 LEGISLATOR NICOLELLO: Dean
20 Bacigalupo.

21 MR. BACIGALUPO: My name is Dean
22 Bacigalupo. I am a trustee with the Island
23 Park Public Library. I wish to speak to you
24 this evening in regard to the tax dispute over
25 the Barrett power plant, which is located in

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2 the library service area.

3 The Island Park Public Library has
4 maintained a long and successful history of
5 providing quality programs and resources to
6 all members of the Island Park community.
7 From preschool age children to senior citizens
8 as well as individuals of all socioeconomic
9 backgrounds and cultures.

10 It's not uncommon for our
11 library -- this past year we reported to New
12 York State over 100,00 visits. That's after
13 subtracting our staff coming and going to the
14 library each day. The library has been
15 resilient and tenacious in its goal to serve
16 its residents well. We frequently meet with
17 them. That's why we are having so much
18 success. They let us know what they need and
19 we build those programs into our library
20 program.

21 As you know, the library suffered
22 significant damage as a result of Super Storm
23 Sandy. Including flooding of the entire first
24 floor. We had to close for many months while
25 the library was painstakingly restored. The

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2 day the doors reopened to the community is one
3 of great pride and celebration in Island
4 Park. I know Ms. Ford was there to celebrate
5 with us.

6 Now the library is facing a new
7 challenge in light of the Barrett power plant
8 tax dispute. Representatives of the library
9 attended the January 15th meeting held at the
10 Island Park School District at which a
11 proposed settlement agreement between Nassau
12 County and the Long Island Power Authority was
13 presented to the Island Park community.
14 Nassau County Executive Laura Curran was
15 there. She introduced the members on the
16 stage. She stated that she has been working
17 very closely over the past year at putting
18 this settlement together with the members of
19 the LIPA board. It was the first time the
20 Island Park Public Library learned about
21 that.

22 Prior to the meeting, in fact we
23 sent over 20,000 letters collectively from
24 members of our community to County Executive
25 Curran, to members of the LIPA board of

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2 trustees and to other key figures to inquire
3 about the impact of the dispute on the
4 library. However, the Island Park Library did
5 not receive a response. The library's
6 representatives were likewise disturbed when
7 at this January 15th meeting no mention was
8 made of the effect of the Barrett power plant
9 tax dispute on the library. A power point was
10 presented. It showed the impact on the school
11 district and other various government
12 entities. There was nothing on any of those
13 slides about the impact to the Island Park
14 Public Library.

15 Indeed, when I inquired about this
16 during the question and answer portion of the
17 meeting it was clearly evident that LIPA,
18 specifically Mr. Falcone, had no familiarity
19 with the library. Had no numbers to share
20 regarding the settlement's impact on the
21 library and really was unaware that the
22 library would be affected by this decision.

23 Moreover, while there were several
24 pieces of pending legislation that address the
25 Barrett power plant dispute and other LIPA's

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2 challenges, these proposals do not appear to
3 directly address the impact on our library or
4 any affected library on Long Island.

5 Since that meeting the library has
6 obtained information from Nassau County about
7 the projected PILOT payment it might receive
8 under the proposed settlement. Those numbers
9 are cause for alarm. The glide path, as it's
10 called, reduction in the PILOT will create a
11 structural deficit for the library that will
12 be difficult to fill and presents the library
13 with a Hobson's choice of significantly
14 increasing its tax burden on its
15 constituents. Many of whom survive on a fixed
16 income. Or being forced to cut critical
17 programs. Including those that serve seniors,
18 young children and our community at large.

19 In light of all this, we
20 respectfully request an opportunity for
21 representatives of the library to meet with
22 representatives of LIPA, to meet with
23 representatives of this county legislature or
24 members of the state legislature to ensure
25 that the potential effects of the Barrett

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2 power plant tax dispute on the library are
3 understood before any proposed settlements are
4 finalized through legislation from Nassau
5 County. The patrons of our public library
6 deserve the same advocacy and representation
7 given to the affected school district and
8 given to LIPA board of trustees.

9 I want to thank you for your time
10 and for your attention to this critical
11 matter.

12 LEGISLATOR FORD: Dean, thank you
13 very much. I know you're library very well
14 and I have to say that you do an excellent job
15 and the staff and everybody on the board
16 really has made that library such an integral
17 part of the Island Park community. Even those
18 of us at Logans come over to use your library
19 as well. At times I've even brought my
20 grandson there. We do enjoy especially your
21 reading day and of course last year when you
22 hatched the eggs. That was the highlight when
23 he got to see the ducks or something get
24 hatched.

25 Just to let you know that right now

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2 that settlement that was negotiated by the
3 county executive with LIPA basically is in
4 limbo at this point. The state legislature,
5 as you know, is looking at passing legislation
6 that will impact LIPA's ability to recoup the
7 back taxes. Although that was in the
8 settlement negotiated by the county executive
9 that they would give up the county guarantee.

10 And yes, I think we need to look
11 and I think that since you were not part of
12 the settlement, not part of the negotiations,
13 at all, the legislators who are in the
14 affected areas I think I can speak for those
15 of us here, that we will definitely look into
16 it.

17 At this point we don't know where
18 we are with this whole issue because we're
19 waiting. We can't do anything. The state is
20 looking at this. And we're just hoping at
21 this point that there is no determination made
22 by the judge in regard because we know that
23 judge is deliberating, especially on the
24 Huntington grievance filed by LIPA. So, right
25 now we don't know. We're not going to call it

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2 because --

3 LEGISLATOR NICOLELLO: No. It
4 will not be called. With the senate bill
5 apparently has passed the senate. We are not
6 going to move ahead on the settlement until we
7 have clarification on the state as to whether
8 that bill, the assembly bill whether it gets
9 passed -- signed by the governor, both houses
10 pass it, whether it gets withdrawn. We right
11 now are 100 percent relying on the state
12 action to determine what our next step is.

13 MR. BACIGALUPO: I appreciate
14 that but I think from the public library's
15 perspective we can't -- obviously if it's an
16 imperfect settlement we will have difficult
17 decisions to make with our community. But the
18 process itself should not be imperfect. And I
19 think the Island Park Public Library deserves
20 the opportunity to sit down with the Nassau
21 legislature before any vote is taken.

22 LEGISLATOR FORD: We will reach
23 out to the county executive. But at this
24 point with the settlement I think that will be
25 something that we will bring up to her

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2 considering when we look if the settlement
3 goes through. But there is a possibility that
4 during this time if the judge does determine
5 or make a decision on these cases brought LIPA
6 there may not be a glide path. I think that
7 people don't understand in regard to this is
8 that LIPA's grieved their assessed value on
9 the plants and it is common belief that they
10 had justification and that their assessed
11 value will be reduced.

12 I think what the county was trying
13 to do was instead of like if when people
14 grieve their assessment like everybody else in
15 the area would then have to make up the lost
16 revenue in taxes if they're not going to pay
17 anymore. I think what they were trying to do
18 is like to make it so it would gradually go up
19 rather than all of a sudden in October or
20 April --

21 MR. BACIGALUPO: And I think
22 that's where the library needs to be heard on
23 this because LIPA is guaranteeing about \$80
24 million as part of that settlement to affected
25 areas. But to the public library the \$300,000

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2 they have taken away will absolutely devastate
3 our program. We don't get state aid. We
4 don't get funding from New York State. That
5 \$300,000 means programs for seniors, children
6 and other people in the community will be
7 cut. In light of an \$80 million settlement I
8 don't think a few hundred thousand dollars is
9 something that shouldn't be discussed.

10 LEGISLATOR FORD: I agree with
11 you and thank you for bringing that to our
12 attention. We weren't involved in it, so
13 we're trying to get through all the innuendos
14 and everything level. I know we have some
15 people here from our budget review office that
16 I will ask them to take a look at what we have
17 learned so far with the settlement and we will
18 definitely advocate for you. We want to keep
19 you in business.

20 MR. BACIGALUPO: You have been an
21 asset to our community and we appreciate all
22 you do. Thank you.

23 LEGISLATOR NICOLELLO: Pete
24 Gaffney.

25 MR. GAFFNEY: Good evening. Pete

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2 Gaffney, Westbury-Carle Place School District.

3 At the last legislative full
4 session I brought two safety issues up. I'm
5 going to bring them up again today because
6 nothing has transpired.

7 Meadowbrook Parkway underpass at
8 Westbury Avenue it's a garbage dump. When I
9 brought it up and I showed pictures and things
10 like that, the very next day one shopping cart
11 with garbage that was in it and also a
12 bathroom I think a urinal was removed. The
13 rest of the stuff was still there. I was told
14 today that the state ended up cleaning it up.
15 They didn't. They lied. It's really a
16 dangerous area over there.

17 I've been working with various
18 departments. I call them up and ask them when
19 they're going to clean it. In the spring and
20 in the fall. Sometime it works sometimes it
21 doesn't. Last year there were hypodermic
22 needles that were found. The state police had
23 to get involved because it was on state
24 property. It's a real safety hazard that's
25 over there. People do walk by. Anybody can

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2 jump out. Especially when the vegetation is
3 overgrown. That's the first thing.

4 The second thing is the third track
5 project. These guys they know how to build a
6 railroad. But when it comes to traffic safety
7 they don't know what they're doing. I can
8 tell you that from the experience based on the
9 Cherry Lane fiasco that they've done over
10 there. I'm fighting with them right now
11 because they removed all the no parking signs
12 on Cherry Lane. They've put them back but you
13 can't read them.

14 So, same thing now is happening on
15 Glen Cove Road, which is a county road. I had
16 showed you pictures last time of two
17 handicapped signs over here no parking.
18 They're missing now totally.

19 I took these pictures today just to
20 show you the safety hazards. Somebody on the
21 north side heading towards where the bridge is
22 going to be built that area is blocked off so
23 at least somebody can cross safely. On the
24 south side, walking north, they have a little
25 sign that says detour. It's in the middle of

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2 Glen Cove Road. There's no traffic
3 congestion. There's no notification. Someone
4 who is going to try to cross the street is
5 going to get killed. Here's the pictures.
6 You need to do something.

7 I asked last time what was the
8 actual presentation that they gave to Nassau
9 DPW. And I asked them to give me a reason of
10 what's actually going to go on and how it's
11 going to affect my community and the safety of
12 all of the residents over there. I got a
13 mumbo jumbo gobbly gook answer over here and
14 they actually said nothing. This is something
15 you need to get involved. Somebody is going
16 to die over there.

17 I'm going to leave you with these
18 pictures and thank you for your time.

19 LEGISLATOR NICOLELLO: Thank
20 you. Melissa Robbins.

21 MS. ROBBINS: Good evening
22 everybody. My name is Melissa Robbins and I
23 thank you all for allowing this opportunity to
24 speak on issues that we care about.

25 I came here tonight to talk about

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2 the proposal to include legalized marijuana
3 into New York State's budget. As a mother, as
4 a public servant, as a former soldier in the
5 United States Army, I'm a bit floored that
6 here I am fighting against our government to
7 protect our citizens. I never thought that
8 day would come but here we are.

9 So, legalizing marijuana. Why the
10 urgency? Why the need to push it through
11 right now? Who stands to benefit the most and
12 who will be disproportionately impacted by
13 legalization of recreational marijuana? The
14 great green rush. The great money grab. The
15 amount of revenue that it takes to invest into
16 dispensaries, cultivating, distribution,
17 growing. Who has the infrastructure to invest
18 to get their return on the investment?

19 We hear time and time again this is
20 about social justice. This is about criminal
21 justice reform. Is it really? If we really
22 care about our black and brown community can
23 we not legalize marijuana. We've seen in
24 history what has happened when big tobacco and
25 big alcohol have gotten into the industry.

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2 Case in point, Philip Morris once lied and
3 deceived Americans for years and years. Many
4 of us in this room I'm sure have lost loved
5 ones to cigarette use. Tobacco in its rare
6 form will not kill you. After it's
7 commercialized into a cigarette we all know
8 what happens.

9 Alcohol, it's legal but who wants
10 to get in a car with someone who has been
11 drinking. How many people lose their lives
12 each and every year? You guys, I'm sure you
13 have nieces and nephews and children, you fear
14 for their lives when they're out there driving
15 because someone is being irresponsible with
16 alcohol.

17 There's no proven test on the
18 market right now that can determine the amount
19 of THC that someone has in their body while
20 they're operating their vehicle. That does
21 not exist. Our law officers if they pull
22 someone over and they smell it, how are they
23 going to properly conduct a test to figure out
24 how much this person has consumed?

25 Not only that, look at our black

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2 neighborhoods. All that we see is alcohol and
3 cigarette advertisements littered all over the
4 neighborhoods. Unhealthy food. Now when we
5 add marijuana to the fold, now all of a sudden
6 we have marijuana dispensaries in our
7 neighborhoods. It's our children, it's our
8 families that will be glazed and dazed and
9 confused and not out there being ambitious and
10 accessing any kind of opportunity for upward
11 mobility. Who is going to be the new drug
12 dealers of America. Is it going to be white
13 men in suits who say it's okay now. It wasn't
14 okay for you then. But it's okay for us now
15 because we say it. We are in suits and you
16 can trust us. This is egregious.

17 And for anyone in the New York
18 State Legislature to agree with this it's an
19 embarrassment to public servants. People vote
20 them in office to protect their community and
21 to make us look good. How dare they try to
22 deceive us into thinking that legalizing
23 marijuana will generate tax revenue and then
24 we'll take that tax revenue and we'll invest
25 it back into drug prevention. None of us are

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2 stupid here. We're all very smart and highly
3 intelligent people.

4 The bottom line is this. This
5 about money. When I'm on Capital Hill all
6 that I hear is the Safe Banking Act. So
7 people with millions and billions of dollars
8 can have their money safe and invest it into
9 the marijuana industry and get the return on
10 their investment. At whose expense? Your
11 community? Your teenager? My community? We
12 will all be harmed in this.

13 For anyone to say the legalization
14 of recreational marijuana is a good thing for
15 America they are not patriots. It's an
16 assault on our community. It's an assault on
17 our country. And I have no respect for any
18 legislator that tells me that it is okay to
19 legalize it. We haven't even seen enough
20 statistics and data from other states who have
21 legalized. What's the cost? Young black men
22 are still being arrested out in Colorado at
23 high incident rates for public usage. Look at
24 how much money they're saying it's going to
25 project. How much is it going to cost us?

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2 New York has an opportunity to be
3 here. When you guy sneeze the rest of the
4 country gets the flu. You have an opportunity
5 to lead. Do the right thing by your
6 constituents. Don't allow this to happen on
7 your watch. No one is the going to benefit
8 from this. Our kids are not going to go on to
9 be great thinkers and great leaders. They're
10 going to be high and they're going to be in
11 another state of mind. It will be years
12 before we as Americans realize the damage that
13 we've done. Do the right thing and get behind
14 people like Liz and Ruthanne. Thank you.

15 LEGISLATOR NICOLELLO:

16 Ms. Robbins, quick question. You're from New
17 York City, correct? That's the address you
18 put down.

19 MS. ROBBINS: No, sir. I live in
20 Philadelphia, Pennsylvania, ground zero of
21 heroin. In my city we see people walking
22 around sticking needles in daylight. So I
23 work here in the state of New York.

24 LEGISLATOR NICOLELLO: I was
25 going to suggest that you run for mayor.

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2 MS. ROBBINS: I care about our
3 country. I care about all of our people.

4 LEGISLATOR FORD: Thank you for
5 your service.

6 LEGISLATOR NICOLELLO: Meta
7 Mereday.

8 MS. MEREDAY: Good evening. I'm
9 sure it would have been quite interesting if I
10 didn't show up for a night meeting. I'm glad
11 to see that others are here, and I'm hoping
12 that the legislature continues to have others
13 just to make it convenient more residents to
14 be able to participate.

15 I'm so happy to be able to follow
16 behind the warrior and the soldier who stood
17 before you previously. And I too am here with
18 regard to again our veterans and our
19 underserved veterans in this county and in
20 this country.

21 I'm still questioning as it
22 pertains to the business development
23 component. And again, what I'm hoping to see
24 in our upcoming budget with regard to some
25 increases that are actually tangible as it

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2 pertains to creating business opportunity so
3 that we can create jobs for our veterans.

4 Since we have, collectively with Nassau and
5 Suffolk County combined, the largest veteran
6 population in the northeast corridor.

7 It saddened me to know that within
8 New York State when others talk about five
9 percent of -- I can wait because I may go over
10 the five minutes but I would appreciate having
11 this time since I still need clarification as
12 to the public comment changes that happened
13 here.

14 But with regard to the funding
15 processes from New York State, when we always
16 talk about getting funding from New York State
17 and the New York State budget for the Division
18 of Veteran Services was \$19.1 billion.
19 Million dollars. I didn't say billion.
20 Million dollars for their Division of Veteran
21 Services for a budget that was over \$100
22 billion. So you figure the math.

23 So if we're complaining about not
24 having at least five percent to address
25 services for those with substance abuse, how

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2 do you think our 200,000 veterans in New York
3 State with the majority of them coming from
4 Nassau and Suffolk Counties feel they're
5 getting less than one percent of the state
6 budget.

7 Again, I'm hoping that the Nassau
8 County budget does not reflect the dismal
9 numbers coming from New York State as we look
10 towards that process.

11 I would like to give a positive
12 shout out as they say to the parking issue
13 here. So, I commend the legislature for
14 taking heed to the fact that those of us who
15 do come here have the opportunity to park
16 close as opposed to possibly taking a bus
17 because the way you guys cut down on the
18 busing routes that would have been a problem
19 as well. Parking has become a little bit more
20 accessible. So I do want to acknowledge
21 public safety for doing that.

22 Let's talk about the roads. Let's
23 talk about the roads. We pay the second
24 highest taxes in the country. The roads are
25 atrocious. I would concur with my colleague,

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2 Pearl Jacobs from the Nostrand Garden Civic
3 Association in our neighboring community of
4 Uniondale, to take a tour bus for all 19 of
5 you and Mr. Arnold as it pertains to what the
6 condition of the utilities are doing on our
7 county as well as town roads.

8 It's nice that we see the press
9 releases and the photos ops. We talk about
10 shared services between the towns and the
11 counties but let's start with the roads.
12 Because the only other people that are making
13 money besides sometimes relatives of our
14 politicians, not all of you but some of you,
15 are the mechanics that have to repair our cars
16 because of the treacherous conditions that we
17 have to face to drive around in Nassau
18 County. Which used to be known for its
19 beautiful roads.

20 So, if I look at this tag line with
21 the current administration making it
22 affordable and livable and accessible it's a
23 disgrace. We need to do something about
24 that.

25 Lastly, I would again like to

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2 address the fact that veteran services in
3 Nassau County we have to improve upon the
4 services that our Nassau County Office of
5 Veteran Services for what they get is very
6 commendable for the work that they do. But
7 they need more. They need more of the time.
8 They need more of the resources. They need
9 the space. We have a public facility that has
10 been going through more changes than the
11 expression Carter has liver pills. We have an
12 opportunity to possibly address that and also
13 address what we've been lacking in our veteran
14 support.

15 We need to look outside of the
16 state and look at the federal government since
17 they did a 9.6 increase in the federal funding
18 within the VA budget. Let's start thinking
19 outside the box. We've got all these elected
20 officials. We've got the unions that are
21 looking to do this. We have our veterans that
22 need to do this. The Nassau County Medical
23 Center is more accessible than any other
24 facility in this county. Let's be proactive
25 and make this happen.

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2 Lastly, I do have cake because one
3 of the other things I do besides coming here,
4 I'm out here in the trenches dealing with the
5 veterans here. And all of you will get a copy
6 of this service that I coordinated yesterday
7 for a veteran who was formerly homeless. He
8 died about six weeks ago. Again, thanks to
9 the efforts of county representatives Ralph
10 Esposito, Paul Broderick in Social Services.
11 And unfortunately now I have taken on the
12 moniker of helping any of our veterans who are
13 lost and do not have resources for proper
14 burial. Because I refused to let this man be
15 rested in the morgue at South Nassau
16 Hospital.

17 So together with volunteers and
18 resources, including the Nostrand Garden Civic
19 Association, we were able to give this
20 gentleman a memorial service yesterday in
21 Elmont at American Legion Hall 1033, Murray
22 Reese, US Air Force. You will all get a copy
23 of the program. This is what I prefer to do
24 versus being here to fight for those who go
25 out to fight for us. I also have cake out

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2 back because I had a whole sheet cake courtesy
3 of Nostrand Garden. So I'm not trying to take
4 it home and I have plates.

5 LEGISLATOR NICOLELLO: Minority
6 Leader Abrahams.

7 LEGISLATOR ABRAHAMS: Thank you
8 Presiding Officer. Ken, if you could come to
9 the dais. This seems to be a recurring issue
10 with the utilities. I know it pertains to
11 Jerusalem Avenue as Ms. Mereday had
12 mentioned. I will wait for you come.

13 Hey Ken. I remember at the last
14 meeting you had said there's obviously some
15 public utility work that's occurring on some
16 of the streets in Uniondale. Primarily
17 Jerusalem Avenue. Now we are a month removed
18 from that last time. Do we have any
19 definitive understanding of when work will be
20 completed?

21 MR. ARNOLD: They can't do final
22 patching in the winter. So everything that
23 the utilities are doing right now part of the
24 problem is temporary patches. Good example is
25 just by my house on Milburn Avenue Nat Grid is

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2 running new pipes. So they have temporary
3 patches that are all throughout the
4 community. Once the spring comes and they're
5 finished they'll come back and do the final
6 restoration.

7 LEGISLATOR ABRAHAMS: The work is
8 done? The work that they were there to rip up
9 the road is completed?

10 MR. ARNOLD: I'd have to double
11 check with my guys. I believe most of it
12 done. I don't know for a fact that it's all
13 done. I'd have to speak with them.

14 LEGISLATOR ABRAHAMS: We should
15 anticipate in the spring that they will come
16 back and do final patching. If the patching
17 is not to the satisfaction of the county,
18 meaning the road is still rough --

19 MR. ARNOLD: They would have to
20 repair it.

21 LEGISLATOR ABRAHAMS: Your office
22 makes that determination and you can impose
23 that to the utilities?

24 MR. ARNOLD: Yes.

25 LEGISLATOR ABRAHAMS: Fair

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2 enough.

3 LEGISLATOR NICOLELLO: Thank
4 you. Pearl Jacobs.

5 MS. JACOBS: Good evening. My
6 issue is again, like you stated Legislator
7 Abrahams, it's been a month since I've been
8 here. I was promised some feedback and
9 responses which I did not receive from
10 anyone. Here I am back again. Status of
11 Jerusalem Avenue. And my question is, why has
12 the Uniondale community's call for county
13 review of this severely compromised and unsafe
14 roadway go unanswered? You know I asked for
15 the county to come out and assess the
16 situation. That has not happened.

17 And why doesn't the county hold
18 PSEG and Nat Grid accountable for leaving our
19 roadways in such deplorable conditions? Who
20 in Nassau County is responsible for oversight
21 and sign off regarding these projects a/k/a
22 quality control? I have not received any
23 answers whatsoever in the last month I have
24 been here. No feedback. Not even an email
25 that said hi, we're working on it. Nothing.

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2 Zilch. So I'm leaving these questions here.

3 Will I get feedback this time or just --?

4 LEGISLATOR ABRAHAMS: It sounds
5 like we have to confer with the Department of
6 Public Works. Other than what Mr. Arnold just
7 said, we can take a look at your questions and
8 we will review them.

9 MS. JACOBS: So why hasn't anyone
10 from the county come out to look at it like I
11 asked?

12 LEGISLATOR ABRAHAMS: I think
13 Mr. Arnold said he had some of his workers
14 that were there and he had just said that he
15 felt the work was completed and he agreed --

16 MS. JACOBS: It's not completed.
17 We have craters.

18 LEGISLATOR ABRAHAMS: Ms. Jacobs,
19 what I'm saying is the work has been completed
20 in regards to what PSEG was there to do. Not
21 talking about the road being repaved.

22 MS. JACOBS: It was a deplorable
23 job.

24 LEGISLATOR ABRAHAMS: His
25 response was they put down temporary patches.

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2 I don't know if you heard what he said.

3 MS. JACOBS: It's not a patch.

4 It's deplorable. I don't know what he's
5 looking at. Okay? Because where he's talking
6 about, where I'm referring to is deplorable.
7 And I'm going to state again, it is the
8 observation and opinion of residents that
9 these types of substandard road restorations
10 are primarily performed in areas where the
11 population is overwhelming majority minority.

12 So on to issue two. Legislator
13 Abrahams, what is the status regarding the
14 Uniondale community's request for cameras to
15 be placed on Uniondale Avenue? At last
16 November's joint meeting with your office, the
17 Nassau County Police Department, Nancy Skeet,
18 president of Uniondale Community Counsel and
19 myself, Nancy and I provided a myriad of
20 examples of nuisance crimes and quality of
21 life violations that substantiates our strong
22 requests for cameras to be installed on
23 Uniondale.

24 My takeaway from that meeting was
25 that the police were very supportive of this

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2 request and at the time so were you. Everyone
3 at the meeting agreed with documented facts
4 that where camera surveillance is utilized
5 crime rates decrease. You, Legislator
6 Abrahams, closed the meeting stating that you
7 would give the Nassau County Police Department
8 time to research what this project would
9 entail for Uniondale and a follow-up meeting
10 would reconvene sometime in January. We are
11 now heading into March. When will this
12 follow-up meeting be held?

13 LEGISLATOR ABRAHAMS: It will
14 take place as soon as possible.

15 MS. JACOBS: As soon as
16 possible? And will I get an email
17 regarding --

18 LEGISLATOR ABRAHAMS: You will be
19 notified like everyone that is a stakeholder
20 Ms. Jacobs. You will be notified. The bottom
21 line is, we are still in the process of
22 working with the commissioner to make sure
23 that we can put the proper funding as well as
24 the infrastructure in place. As you know from
25 that meeting it was a very complex ability to

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2 do that in terms of negotiations of where the
3 actual cameras would go and which pole they
4 would go on. Whether the county had
5 authorization to do so.

6 We will let you know when that
7 meeting takes place. Nothing, I agree, I will
8 reemphasize, nothing will take place without
9 the community stakeholders being at the
10 meeting. That includes yourself as well as
11 all of the stakeholders.

12 MS. JACOBS: That would be fine
13 but can I ask the question Legislator Abrahams
14 of why don't I receive any sort of feedback,
15 updates, anything from your office?

16 LEGISLATOR ABRAHAMS: There's no
17 feedback to give.

18 MS. JACOBS: You can say we are
19 still in the process of investigation. You
20 can say something to that effect.

21 LEGISLATOR ABRAHAMS: We can give
22 you those kinds of emails. That's not a
23 problem. But the bottom line is we'd rather
24 do something that's more concrete.

25 MS. JACOBS: I'd like the lines

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2 of communication to stay open.

3 Issue three. The membership of the
4 Nostrand Garden Civic Association will be
5 holding a joint representative forum at our
6 April 6th meeting so that residents can
7 present their concerns to their elected
8 officials in a politically unified form
9 without the frustration of being referred to
10 other elected officials. I'm inviting you to
11 that forum Legislator Abrahams April 6th seven
12 p.m. At the Uniondale library. I will send
13 you a reminder email and this is your
14 invitation. Thank you.

15 LEGISLATOR ABRAHAMS: Thank you
16 very much.

17 LEGISLATOR NICOLELLO: Our public
18 comment period is over. We are going to move
19 to the calendar.

20 First item I'm going to call is
21 item 16 Resolution 18 of 2020. It's a
22 resolution to confirm the county executive's
23 appointment of Donald Clavin to the Long
24 Island Regional Planning Counsel.

25 Moved by Legislator Ferretti.

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2 Seconded by Legislator McKevitt. The
3 appointment is before us. Supervisor Clavin
4 wants to come up to say a couple of words.

5 MR. CLAVIN: I just wanted to
6 come up and say thank you first and foremost
7 to the county executive for the nomination,
8 the appointment to both you Rich and to Kevan
9 and to all the members of the legislature. As
10 well as the regional planning counsel. It's a
11 very important position. I look forward to
12 working with all my colleagues on it, with my
13 friend John Cameron and everybody about the
14 future of Long Island and about working
15 together. And that's something I will cherish
16 that if everybody is willing to vote for this
17 it will be the only time I will probably get
18 all 19 of you to ever vote for me for anything
19 in my entire life and I will be proud of it.

20 But it's something that I think it
21 sends a great message. Like I said, I first
22 applaud the county executive for reaching out
23 and talking to me about the appointment and I
24 appreciate all of you for your hopeful
25 support. Because there's a lot to be done.

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2 And my motto is, by working together all of
3 you have demonstrated and all of us can
4 demonstrate we get a lot more done than by
5 fighting. I appreciate this and I appreciate
6 hopefully the support of everybody along the
7 way. But Carrie I do mean it. If everybody
8 votes for me I'm going to frame it and hang it
9 up in my office because it will be a cherished
10 moment in my life. Thank you all very, very
11 much.

12 LEGISLATOR NICOLELLO: Thank
13 you. We're looking forward to you serving
14 Supervisor Clavin on the Long Island Regional
15 Planning Counsel. The work they're doing is
16 indispensable and important for our county now
17 and for the future. We have leaders such as
18 John Cameron, Rich Guidino. They've done a
19 fantastic job. But I really think that your
20 input and participation is going to make the
21 counsel even stronger.

22 Anyone else have any comments?
23 Hearing none, all in favor signify by saying
24 aye. Those opposed? You got it. 19 nothing.

25 Now we are going to move to the

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2 consent calendar. These are items that went
3 through the committees a couple of weeks ago
4 and we agreed between the Majority and
5 Minority that these items do not require any
6 further debate or discussion and they will be
7 voted on in a block.

8 First item number four Ordinance

9 11. Number five, Ordinance 12. Six,
10 Ordinance 13. Number seven, Ordinance 14
11 number eight Ordinance 15. Number nine,
12 Ordinance 16. Number ten, Ordinance 17.
13 Number 11, Ordinance 18. Number 12, Ordinance
14 19. Number 14, Resolution 16. 17, Resolution
15 19. 18, Resolution 20. 19, Resolution 21.
16 20, Resolution 22. 21, Resolution 23. 22,
17 Resolution 24. 23, Resolution 25. That's
18 it.

19 Moved by Legislator Bynoe.

20 Seconded by Legislator Schaefer. Those items
21 are all before the legislature. Anyone want
22 to have any debate or discussion? Hearing
23 none, all in favor signify by saying aye.
24 Those opposed? The items carry unanimously.

25 Back to number one. A hearing on a

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2 proposed local law to amend the Nassau County
3 administrative code to require the Nassau
4 County Police Department to prepare a
5 quarterly crime report to the legislature and
6 county executive.

7 Moved by Legislator Gaylor.

8 Seconded by Legislator Ford.

9 This law, proposed law, would
10 require a quarterly report to the county
11 executive and legislature regarding certain
12 information in connection with the state's
13 criminal justice reform.

14 First off, it requires a report on
15 the number of defendants released without bail
16 in Nassau, the charges and description of the
17 alleged crime. This will ask as to who is
18 being released.

19 For these defendants released
20 without bail the report requires the number of
21 bench warrants issued for failure to attend
22 court. Including the description of the crime
23 allegedly committed by the person who is being
24 released. This requires a report on how many
25 are failing to show up after they have been

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2 released on bail. Show up in court.

3 Third category is number of crimes
4 committed by defendants while released without
5 bail, the charges and description of crimes
6 being committed. This relates to how many
7 crimes are being committed by those who are
8 out on bail. Those without bail.

9 The report does not require and
10 cannot contain information as to the
11 defendants, witnesses, victims. The reports
12 are not required to show where the crimes are
13 committed or the residences of those who are
14 committing them.

15 Why would we want this data?
16 Basically the case has been made and actually
17 the idea for this came from statements made by
18 some of the sponsors of the state legislation
19 who are arguing that the public and the state
20 the outcry is a rush to judgement. For
21 example, Senator Gianaris, one of the crime
22 sponsors, accused critics of fearmongering
23 with almost no data and just anecdotal
24 stories. And we've all seen in the newspapers
25 weekly, sometimes daily, the stories. So his

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2 point was we can't just rely on the stories,
3 the anecdotes, you need the data.

4 More recently the Speaker of the
5 House of the Assembly Heastie stated with
6 respect to whether or not the law should be
7 revised. He stated "You need real data, real
8 information, not cherry-picked stories and
9 sensationalize events to try to paint a
10 picture as to whether the law is working or
11 not. I think we should be cautious and wait
12 for data before we react to anything."

13 So, the entire purpose of this
14 legislation is to gather that data and to be
15 able to present, if I think what it's going to
16 show, present to our state legislators real
17 data, not just anecdotal stories. Which I
18 think will help us to convince our
19 representatives in Albany that there needs to
20 be a change.

21 There is an amendment and we can
22 get into that. Does anyone else have any
23 comments at this time? The amendment is an
24 amendment in the nature of a substitution
25 which requires the Nassau County Police

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2 Department to request information required to
3 complete this local law as reporting
4 requirements from appropriate local, state and
5 federal agencies.

6 Legislator Rhoads makes that
7 amendment.

8 Correct that. We cannot make the
9 amendment here during the course of the
10 hearing. We will do that when the item is
11 actually before us.

12 Does any legislator want to speak
13 on this? Do any members of the public want to
14 speak on this hearing? Hearing none, we will
15 need a motion to close the hearing which is
16 moved by Legislator Drucker. Seconded by
17 Legislator Birnbaum. All in favor of closing
18 the hearing signify by saying aye. Those
19 opposed? The hearing is closed.

20 Item two is a vote on the proposed
21 local law to amend the Nassau County
22 administrative code to require the Nassau
23 County Police Department to prepare a
24 quarterly crime report to the legislature and
25 the county executive.

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2 Moved by Legislator Muscarella.

3 Seconded by Legislator Walker. The item is
4 before the legislature. We need an amendment
5 which will require the Nassau County Police
6 Department to request information to complete
7 this local law as reporting requirements.

8 Moved by Legislator Kennedy.

9 Seconded by Legislator Schaefer. All in favor
10 of the amendment signify by saying aye. Those
11 opposed? The amendment carries unanimously.

12 Any further debate or discussion?
13 Hearing none, all in favor signify by saying
14 aye. Those opposed? Carries unanimously.

15 Item three is an ordinance making
16 certain determinations pursuant to SEQRA and
17 authorizing the county executive of the county
18 of Nassau to accept on behalf of the county an
19 offer of purchase from 3915 Austin Boulevard
20 Owners LLC of certain real property located in
21 Island Park.

22 Moved by Legislator Ford. Seconded
23 by Deputy Presiding Office Kopel. This item
24 is now before the legislature. You want to
25 say a few words.

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2 MR. GALLAGHER: Good evening.

3 I'm Patrick Gallagher. I represent the
4 Department of Real Estate Services in this
5 transaction which is for an ordinance to sell
6 property that was formerly known as the Long
7 Beach Motor Inn.

8 LEGISLATOR NICOLELLO: We had a
9 lengthy discussion in committees. We had
10 presentations at that time. We can have
11 another presentation or simply ask the
12 questions that need to be asked. Legislator
13 Bynoe.

14 LEGISLATOR BYNOE: Thank you
15 Presiding Officer. Good evening. I have a
16 question regarding the condemnation sales
17 price. I understand that when it was going
18 through that process the land at that time was
19 valued at \$3.5 million?

20 MR. GALLAGHER: Well, it wasn't
21 valued at that. That's what it was actually
22 sold for.

23 LEGISLATOR BYNOE: That's what we
24 purchased it for, \$3.5 million?

25 MR. GALLAGHER: Yes.

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2 Approximately \$3.6 million.

3 LEGISLATOR BYNOE: What year did
4 that take place.

5 MR. GALLAGHER: I believe that
6 the payment was from 2017. The settlement of
7 the actual case was in 2015 but I don't think
8 that we paid that money until 2017.

9 LEGISLATOR BYNOE: So 2015. We
10 believe that since 2015 the property has lost
11 value to the tune of \$2 million
12 approximately?

13 MR. GALLAGHER: No. The purchase
14 price that we paid in the condemnation
15 proceeding was a result of litigation. It's
16 my understanding that the property owner had
17 an appraisal that was around \$10 million. And
18 our appraisal was somewhere around 6,
19 \$700,000. So, in a way it was really
20 splitting the baby.

21 LEGISLATOR BYNOE: From 750K to
22 \$10 million, 3.5 was splitting the baby?

23 MR. GALLAGHER: It was around the
24 middle.

25 LEGISLATOR BYNOE: Not quite.

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2 Even if that were the case, right, and we feel
3 in some way we're splitting the baby, but we
4 believe that this current price is -- what
5 else could have been a part of reducing the
6 value of this land?

7 MR. GALLAGHER: I mean, it was
8 really dictated by the market. We had three
9 proposals and they all came out with the same
10 purchase price of \$1.15 million.

11 LEGISLATOR BYNOE: So this sales
12 price is being driven more so by what the
13 RFPs, the responses in the RFPs, correct?

14 MR. GALLAGHER: I would say that,
15 yes.

16 LEGISLATOR BYNOE: So we would be
17 willing to leave \$2 million on the table
18 because of low-end RFP responses?

19 MR. GALLAGHER: I don't agree
20 with that. We have an appraisal that pretty
21 much matches the dollar value that we are
22 going to sell the property for.

23 LEGISLATOR BYNOE: An appraisal
24 that we did after the RFPs?

25 MR. GALLAGHER: Yes.

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2 LEGISLATOR BYNOE: Wouldn't it
3 have made more sense to have -- all right, let
4 me not ask that question that way. Wouldn't
5 it have made sense -- Arnie is telling me to
6 ask the question. Wouldn't it have made sense
7 to actually had an appraisal done before we
8 had the RFPs issued on the street?

9 MR. WALSH: This is Kevin Walsh,
10 Office of Real Estate Services. Actually we
11 did have an RFP before --

12 LEGISLATOR BYNOE: An appraisal?

13 MR. WALSH: There were several
14 RFPs done. And there was an appraisal done
15 before the more recent appraisal which valued
16 the property at highest and best use. As I
17 guess you learn more about the condition of
18 the property after Sandy I think about 1.6
19 million. The most recent appraisal we didn't
20 know when it came in if it would come in
21 around that number. As Patrick mentioned, we
22 had done several RFPs. The most recent one
23 required a component of affordable housing.
24 Prior RFPs didn't require that. Obviously we
25 didn't get proposals anywhere near a million

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2 dollars. Probably because the condition and
3 the challenges to redevelop this property
4 because it's in a FEMA flood zone.

5 We had appraisal value -- proposals
6 of \$200,000. A lot of people thinking what
7 could we do with this property. When we did
8 the affordable housing we did some best and
9 final offer requirements. We had three
10 significant proposals that proposed housing.
11 And through highest and best the ranges seemed
12 to come in the \$1,150,000.

13 The most recent appraisal we had
14 done was for a property that would develop
15 between 18 to 22 units and it came in at a
16 value comparing other residential similar
17 developments in the county of about \$55,000 a
18 unit. Which is about 1.1 million. We are in
19 range of fair market value for the proposed
20 use we are selling for.

21 LEGISLATOR BYNOE: So, I have
22 real significant reservations for several
23 different reasons about this particular item.
24 Number one, I still can't wrap my head around
25 us spending \$3.5 million to acquire the

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2 property and now we're willing to unload it
3 for almost two million plus dollars less
4 than. We're losers here on this deal if we
5 really finalize this item.

6 Number two, I have a real problem
7 with the idea of a property that originally
8 came down, an item where we were going to
9 build somewhere around -- we were going to
10 settle a case that would yield somewhere
11 around 92 units of affordable units. And in
12 this particular case we're going to entertain
13 a bid and a proposal that would come in to
14 build 18 units of housing and only four of
15 them are affordable. Again, a big loser for
16 this county.

17 I understand that there's a legal
18 opinion that has been rendered that the
19 Planning Commission did not have to be a part
20 of the contract. I still don't necessarily
21 agree with that. But again it begs the
22 question, you know, what are we doing as a
23 county? What is our policy, our public policy
24 as it relates to affordable housing? We state
25 that we understand that we're losing young

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2 people and families and seniors in droves to
3 states south of us because people can't afford
4 to be here. That young people can't move out
5 of their parents basements because there's a
6 lack of affordable housing.

7 But we would take a piece of land
8 that we own, that we purchased in an amount of
9 \$3.5 million and now utilize that same land to
10 yield only four units of affordable housing.
11 Where is the county's -- I'm left to ask for
12 clarification. Where is the county's
13 commitment to building affordable housing?

14 I find that this leaves me unable
15 to support this item. I think that we all
16 should look at this item with significant
17 reservations. Because it leaves me to ask why
18 would a property that was going to be part of
19 a settlement be valued at \$3.5 million where
20 the land was going to be leased, not sold,
21 leased to the developer.

22 But on the other hand, where we are
23 actually going to sell the property, which
24 while it will have some covenant and
25 restrictions on the deed for those four

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2 affordable housing units, would be valued less
3 than. When you're going to lease the land it
4 was a 3.5. When you're going to sell the land
5 it's at 1.1. It doesn't make any sense to
6 me. This looks like a loser. To me, this
7 item should be DOA. To me, it should not even
8 be considered. I don't know why we are here
9 today considering it.

10 I think my colleagues should
11 really -- this is something we should table.
12 I think there are too many unanswered
13 questions here. That's my state on this and
14 if there's anything that you can add that
15 would kind of clarify some of my questions
16 here and my concerns please do. Other than
17 that, I will close by saying I vote no.

18 LEGISLATOR NICOLELLO: Legislator
19 Ford.

20 LEGISLATOR FORD: I understand
21 some of the concerns raised by Legislator
22 Bynoe when you look at the fact that what we
23 bought the property for and now what we are
24 selling it for there is a discrepancy of about
25 \$2 million. But looking at the history of

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2 this building and we know that some of the
3 constraints that we had even in regard to the
4 RFPs that were issued was the density as well
5 as the height of the buildings.

6 I know that Legislator Bynoe
7 referenced another developer who wanted to put
8 in but I think it was closer to 110 units.
9 The building itself, because it would be a
10 FEMA floor, would probably go to be at least
11 four more stories above the FEMA floor.
12 Because we had seen some depictions of what
13 the building would look like. That was taken
14 into consideration only because the school
15 district is rather small. They have one
16 elementary and one middle school. I don't
17 know whether or not they would have been able
18 to absorb the number of students that would
19 probably move into such a large development.

20 And also I think there were
21 concerns that since it's right in a
22 residential where there's just mostly homes,
23 it would have been something too big.
24 Wouldn't like really fit into the character of
25 the neighborhood. I think with this

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2 development it fits right in, 18 to 22.

3 And I am an advocate for housing.

4 We've heard Mr. Edmundson talk about living in
5 a shelter. We know too many people that need
6 to find places to live safe. Good, clean
7 places to live. And while this is just a
8 small offering, I think it's very significant
9 in the fact that this is something that will
10 maintain what the structure looks like right
11 now. There will be upgrades. The property
12 will be renovated. Be made beautiful.

13 The one interesting fact is that
14 for the benefits of the residents in Island
15 Park, this developer will not be asking for
16 any PILOT. That they will build it with their
17 own money and it will then take the property
18 that has not been on the tax roll to put it on
19 the tax roll. The residents in Island Park
20 they're not an affluent, rich community. As
21 we know, even with the LIPA settlement they're
22 fearing. We heard from Dean, who is on the
23 board of the Island Park Library, and the
24 impact of even losing \$300,000 can greatly
25 impact the library and cut a lot of the

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2 programs.

3 For me, I think that even though
4 when we look at it we just look at the dollars
5 and cents in everything that we do, every
6 transaction that we do, sometimes we lose the
7 message of being public servants and working
8 for our communities and sometimes we have to
9 look to see what would be the best fit for the
10 community that we represent. And I believe
11 that what you have achieved by bringing this
12 contract to us is probably a very good fit for
13 Island Park, and I think it will help
14 alleviate some of the housing concerns.

15 There are many, many abandoned
16 homes in Island Park. People probably have
17 walked away from the houses.

18 But I think that I commend you for
19 the hard work that both of you have done in
20 regard to this. It has been very, very
21 challenging knowing that the lack of responses
22 for some of the RFPs. I think you kept going
23 back to the drawing board until you were able
24 to find something that will definitely benefit
25 the residents in Island Park and the people in

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2 Nassau County and I will be voting yes.

3 LEGISLATOR NICOLELLO: Legislator
4 Bynoe.

5 LEGISLATOR BYNOE: Thank you. I
6 just want to go back to address a couple of
7 things. You stated that, and I heard my
8 colleague Legislator Ford mention, FEMA
9 conditions and post-Sandy conditions. But I
10 think it's important that we put on record
11 that you stated that the sale may have taken
12 place in 2015 but money may not have been
13 actually forwarded to complete the sale until
14 2017. And I would argue that all of that was
15 post-Sandy. So we understood the condition of
16 that land when we made the purchase for \$3.5
17 million. So, I'm not sure why it's only now
18 that we are articulating our concerns around
19 the conditions there.

20 The other thing is that we're
21 talking about the school district and the
22 like. I have to say this because I'm finding
23 that governments and chambers and businesses
24 across this county are not finding it
25 difficult to approve development in other

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2 areas where kids are being taught in
3 trailers. But we're finding it hard now to
4 build housing in what is considered to be a
5 high opportunity area where we believe the
6 school district would be burdened. I mean, I
7 don't know how we can even rationalize that as
8 a real position, okay. Because they're
9 looking to build in Hempstead. They're
10 building in New Castle. They're building in
11 areas where these kids are being taught in
12 trailers.

13 So, to tell me that a school
14 district is being burdened I can't accept
15 that. I can't accept that as a real decision
16 as to why we would reduce the number of units
17 being built in Island Park. This is a high
18 opportunity area, and I believe those units
19 would be a benefit to this region.

20 I have a real problem about this
21 county's commitment to affordable housing in
22 so much that we even settled the case where we
23 told the developer we will give you \$5 million
24 even if you build in Suffolk. Even if you
25 build in Suffolk? You want to use county

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2 dollars, Nassau County taxpayer dollars to
3 settle an affordable housing case, a
4 discrimination case, and tell them go build in
5 Suffolk.

6 We really have to take a long look
7 in the mirror and figure out what our public
8 policy is. We have to get in a room and have
9 these difficult conversations. Because this
10 is not how that case should have been settled
11 and this is not how this land should be
12 utilized. Thank you.

13 LEGISLATOR NICOLELLO: Is there
14 any other debate or discussion?

15 LEGISLATOR DERIGGI-WHITTON: I'm
16 trying to think back to 2015, and I remember
17 this building being described as like
18 deplorable conditions and how we were going
19 have to do a lot of cleanup. Do you know if
20 the county spent any money in the cleanup
21 process? Environmental cleanup?

22 MR. WALSH: I'm not sure. I know
23 the Department of Public Works is at the site
24 frequently to deal with -- unfortunately it's
25 vacant. So it's been vandalized. Cleaning up

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2 the property because of concerns of neighbors
3 and constituents. Things of that nature. But
4 I'm not aware of any work per se the county
5 has done.

6 LEGISLATOR DERIGGI-WHITTON:

7 Wouldn't you take that into consideration
8 before you would think of a price that we
9 would sell the property for, how much money we
10 spent on it?

11 MR. WALSH: It was an as-is
12 where-is sale. Somebody is taking obviously
13 the risk of what is unknown. Asbestos, mold,
14 all those things are factors in a
15 redevelopment.

16 LEGISLATOR DERIGGI-WHITTON:

17 Correct. But if we've cleaned it on top of
18 the three and a half million that we spent I
19 would think that money would increase the
20 value of the property.

21 MR. WALSH: As I mentioned, I
22 don't believe we spent any money in any kind
23 of cleanup.

24 LEGISLATOR DERIGGI-WHITTON: I

25 will also just say that when I hear -- I've

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2 heard a lot of different presentations for
3 different developments and it's interesting
4 how the school districts comes into play
5 depending on what type of development we're
6 going to have. That's concerning to me. I
7 hear sometimes oh, don't worry, this will all
8 be millenials or empty nesters when they want
9 to say that it won't affect the school
10 district. And other times it's a major
11 influence on the school district. Honestly,
12 the apartments are kind of hard to tell the
13 difference sometimes. So I don't like that
14 argument either.

15 I think what Legislator Bynoe said
16 is absolutely correct. We can't all say we
17 want our children to stay here. We want the
18 next millenials to have place. We want
19 seniors who can't afford their homes anymore
20 to have a place. This, to me, sounds like it
21 would be something that we could have used as
22 that example. It's disappointing. I don't
23 know. I'm coming from an area where there is
24 a tremendous amount of high-end apartments
25 being built. And I just got a report from a

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2 real estate broker, so I don't know how
3 legitimate, but some of the high-end RXR
4 condos at the Garvey's Museum, I hear there's
5 only 13 percent in contract now. These were
6 supposed to all be sold immediately. The need
7 for high end, not even high income, middle
8 income homes is not great. They're all over
9 the place.

10 I think we really need to have a
11 place for our kids, next generation. If the
12 schools are impacted and we have more kids
13 that's also -- we will be getting, with no
14 PILOT, we will be getting additional revenue
15 to support those schools. Maybe that would be
16 the jump start they need.

17 Look, I'm really standing with my
18 colleague, Siela Bynoe, and I think that we
19 really needed to -- this was a great
20 opportunity that was missed.

21 LEGISLATOR NICOLELLO: Minority
22 Leader Abrahams.

23 LEGISLATOR ABRAHAMS: Thank you
24 Presiding Officer. I support the earlier
25 questioning and statements from my two

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2 colleagues in regards to the affordable
3 housing component. I sitting here, I'm trying
4 to wrap my brain around a couple of different
5 things.

6 As Legislator Bynoe mentioned in
7 her questioning and answering, the county
8 purchased the property for three and a half
9 million dollars in 2015. That's a rhetorical
10 question. I'm not asking you for a response.
11 We purchased the property in 2015 for three
12 and a half million dollars. Why did the
13 county entertain or engage in purchasing that
14 property is my question to you?

15 MR. GALLAGHER: It was a blighted
16 property, and I believe that they thought it
17 would be in the public interest to do a
18 condemnation on it.

19 LEGISLATOR ABRAHAMS: We
20 determined in 2015 that it was a blight on the
21 community and we did an appraisal at that time
22 which gave us the feeling that three and a
23 half million dollars was warranted?

24 MR. GALLAGHER: No. I don't
25 think that we did an appraisal that matched up

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2 with three and a half million dollars. It was
3 my understanding from speaking with the
4 attorney who handled the condemnation
5 proceeding that our valuation of it was around
6 \$750,000.

7 LEGISLATOR ABRAHAMS: Our
8 valuation in 2015 of that property, the
9 previous administration's and county attorney
10 and stuff, was around \$650,000. Maybe I'm
11 just a layman. Maybe you have to explain it
12 to me like I'm a six year old. Why would we
13 purchase it for three and a half million if
14 our valuation is saying it's worth 650?

15 MR. GALLAGHER: To compromise on
16 a lawsuit. We had exposure of up to \$10
17 million.

18 LEGISLATOR ABRAHAMS: That's
19 MHANY?

20 MR. GALLAGHER: No. This is in
21 the condemnation proceeding.

22 LEGISLATOR ABRAHAMS: Could we
23 have withdrawn our condemnation as a proof of
24 the sale?

25 MR. GALLAGHER: I really wouldn't

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2 be able to comment on that area of law. It's
3 not my expertise.

4 LEGISLATOR ABRAHAMS: To the
5 average Nassau County taxpayer trying to
6 explain to them that the county purchased a
7 property because of these issues with the
8 condemnation for three and a half million
9 dollars may be all well and good. Then to
10 turn around obviously with the MHANY
11 settlement and everything else that occurred
12 that Legislator Bynoe asked about, now to turn
13 around in 2020, shortly, four, five years
14 later, and then now sell it for a little over
15 a million. Would you kind of understand their
16 frustration with the county potentially losing
17 two and a half million dollars on a property
18 they just purchased five years ago which they
19 didn't do an appraisal until after the RFP
20 told them what people were willing to pay for
21 it?

22 MR. GALLAGHER: We would have
23 loved to have sold it for three and a half
24 million but the highest offer was only
25 \$1,150,000.

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2 LEGISLATOR ABRAHAMS: I get
3 that. The county received how many RFPs?

4 MR. WALSH: How many RFPs did we
5 issue or how many proposals?

6 LEGISLATOR ABRAHAMS: How many
7 proposals did you receive?

8 MR. WALSH: We had on the last
9 RFP I believe three. Three or four.

10 LEGISLATOR ABRAHAMS: And you
11 RFP'd this property how many times?

12 MR. WALSH: At least two times.

13 LEGISLATOR ABRAHAMS: I guess one
14 on the MHANY one as well.

15 MR. WALSH: 2015 and August of
16 2016.

17 LEGISLATOR ABRAHAMS: It just
18 seems like it's a really concerning financial
19 deal with the county. Would it hurt to RFP it
20 for a third time?

21 MR. WALSH: I would argue --

22 LEGISLATOR ABRAHAMS: I guess
23 what I'm driving at from the real estate
24 standpoint what is the breaking point? If a
25 property, as best we can understand it, we

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2 paid X amount of dollars, this to me is a
3 tremendous loss. Not just for the reasons
4 that Legislator Bynoe and Legislator
5 DeRiggi-Whitton mentioned but it's a loss
6 financially. Is there some type of
7 methodology or process that we go into
8 thinking we're willing to take a 50 percent
9 haircut or 100 percent haircut or whatever the
10 percentage is we are willing to take a
11 haircut. I'm not too sure I understand. Why
12 are we considering this today unless we are
13 prepared to take haircuts going forward on
14 other properties that have higher values? Or
15 at least from the standpoint of what we paid.
16 Maybe it was never worth \$3.5 million bucks.

17 That brings us to a big question
18 why we paid that. I can easily get into
19 that. I'm just driving at what is the
20 methodology in terms of how we determine what
21 we are prepared to sell a property for on an
22 ongoing basis.

23 MR. GALLAGHER: It's done on an
24 appraisal basis. We've had appraisals done
25 and reviewed. Again, this property we

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2 required a component of affordable housing to
3 meet some of the needs the legislature raised
4 and it's market driven.

5 LEGISLATOR ABRAHAMS: But you do
6 see -- I'm getting ready to close -- but you
7 do see the issue with the fact if I were to
8 sell my home wouldn't it make good sense for
9 me, Joe homeowner, to find out what my comps
10 are and what the value of my property is
11 before I put it out on the market and start
12 taking bids?

13 I'm throwing out the question.
14 Wouldn't you want to know how much your home
15 is worth before you decided to put it on the
16 market for X amount of dollars? To me, it
17 seems like if we did the appraisal after the
18 fact then really the appraisal could kind of
19 fit the box of what the RFPs are kind of
20 saying. I'm not saying that's what you did.
21 But one could criticize the county for that
22 type of process in terms of how it went out.

23 MR. WALSH: We had done an
24 appraisal before as well. In addition to the
25 one we updated recently.

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2 LEGISLATOR ABRAHAMS: You did an
3 appraisal before the RFP?

4 MR. WALSH: Yes.

5 LEGISLATOR ABRAHAMS: What did
6 that appraisal say?

7 MR. WALSH: That appraisal in
8 2015 came in at about 1.6 million at that time
9 and that's from 2015.

10 LEGISLATOR ABRAHAMS: From 2015
11 the appraisal said 1.6 million. So we
12 overpaid by \$2 million bucks.

13 MR. GALLAGHER: I wouldn't
14 necessarily look at it that way. We
15 compromised on a lawsuit where we had \$10
16 million worth of exposure.

17 MR. WALSH: On a blighted
18 property.

19 LEGISLATOR ABRAHAMS: We
20 compromised on a lawsuit that we had \$10
21 million worth of exposure?

22 MR. GALLAGHER: Yes.

23 LEGISLATOR ABRAHAMS: Let me ask
24 you. Couldn't we have at that time ask for
25 the county attorney to -- counsel is referring

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2 me -- don't we need an opinion from the county
3 attorney that would indicate that we could
4 have discontinued that? Did I say that
5 right? Counsel is saying that we could have
6 discontinued that -- I don't know. Delia.

7 LEGISLATOR DERIGGI-WHITTON: Do
8 you think we could have asked the county
9 attorney a legal opinion as to whether or not
10 we could have discontinued the condemnation
11 act and then possibly have purchased it for
12 less? I think that the threat of the lawsuit
13 being \$10 million exposure had --

14 LEGISLATOR NICOLELLO: One at a
15 time.

16 LEGISLATOR DERIGGI-WHITTON: Did
17 the county bring the suit for condemnation?

18 MR. WALSH: Yes.

19 LEGISLATOR DERIGGI-WHITTON: The
20 county started the suit for \$10 million, which
21 okay. Could we have at some point asked the
22 county attorney to discontinue that suit
23 rather than pay the \$3.5 million?

24 LEGISLATOR ABRAHAMS: But either
25 way, whether or not you can answer that, I

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2 think what counsel is referring to is
3 shouldn't the county attorney answer these
4 questions before we move forward on this
5 item?

6 LEGISLATOR NICOLELLO: I'd say
7 no, that that's ancient history at this point
8 whether or not they could have withdrawn the
9 condemnation procedure or not it's
10 irrelevant. They didn't. They settled the
11 case. We are now left with the point we have
12 this property and the county is looking to
13 move it. Whether they could have or should
14 have or anything else with respect to the
15 condemnation that they didn't it's not
16 pertinent to whether we move forward with
17 this.

18 LEGISLATOR ABRAHAMS: It's
19 relevant from the standpoint, Presiding
20 Officer, if the county is truly taking a
21 really hard look at potentially a really bad
22 deal. If there's justification that indicates
23 based off of the 1.6 appraisal as well as the
24 3.6 purchase price then that would help ease
25 the minds of our side at least in regards to

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2 how we proceed. That's why we are asking the
3 question. I agree, it's water under the
4 bridge. It's done. We are facing what we are
5 facing today.

6 However, looking at this in a
7 vacuum this looks like a very bad deal
8 financially for the county. I'm not
9 discrediting what Legislator Ford has brought
10 up in regards to the blight on the community.
11 That's not what I'm addressing. I'm looking
12 at it potentially from the standpoint the
13 county purchased the property for X, which is
14 three and a half million dollars, and then now
15 is purchasing it for \$2 million less. We're
16 not talking about something that happened over
17 a 30 year period but something that happened
18 over a four year period. That's the only
19 reason we brought it up.

20 If there is no potential
21 entertainment for bringing down the county
22 attorney to clarify then we will move forward
23 accordingly. I just thought it would be best
24 to have that there to question the county
25 attorney.

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2 LEGISLATOR NICOLELLO: Is there
3 any other debate or discussion?

4 MR. WALSH: I just want to say
5 again I do stand by the appraisal that was
6 done for the proposal we did receive for the
7 20 units. That appraisal for that value does
8 match what market would hold for a project.
9 Which I want to point out again, even though
10 there's only four units affordable, this is
11 the first time in my experience from doing as
12 a county on a project where we're also
13 proposing a project that's going to be
14 compliant with the county's model zoning,
15 inclusionary zoning ordinance, to guarantee at
16 least 20 percent are affordable. And that
17 will be something that will be in the deed for
18 30 years required.

19 The property will be back on the
20 tax roll as Legislator Ford mentioned. This
21 will be again productive tax roll property.
22 And hopefully meeting a need. That was one of
23 the reasons the county condemned, to provide
24 some affordable, reasonable housing in the
25 area where there was significant storm

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2 damage. This property was literally under
3 water in Sandy. And it was struggling before
4 then and Sandy really knocked this property
5 out. I don't think even DPW had an idea the
6 amount of damage that was done within the
7 buildings.

8 And the reconstruction of the
9 property is very limited in the sense that the
10 ground level can only be parking and storage.
11 There can be no living on the first floor
12 because of the location.

13 And I think Legislator Drucker
14 mentioned in committees, correctly so when I
15 looked at it, it's a significant cost for a
16 developer to take the risk to put significant
17 money in this to meet the standards. So God
18 forbid there is another storm the property
19 will withstand it and it will still be a
20 viable project.

21 LEGISLATOR NICOLELLO: Legislator
22 Drucker.

23 LEGISLATOR DRUCKER: Thank you
24 Presiding Officer. I don't want to beat a
25 dead horse but you mentioned my comment but it

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2 was really out of context because it seems to
3 me that price really was irrelevant here
4 because when you appraised the property you
5 said in 2015 at 650 or \$700,000 that was
6 because it was in such deplorable condition
7 from Super Storm Sandy. It was under water.
8 And really isn't it fair to say that in 2020
9 the condition is no worst, no better, it's the
10 same?

11 So yet in 2015, when you felt that
12 the property was worth \$700,000, yet you chose
13 to settle or compromise, as Patrick said, at
14 three and a half million, you really had no
15 real concern about the price. It was more or
16 less trying to save us from some exposure in
17 the liability question. The price really
18 didn't come into play because anyone can see
19 that's a bad deal.

20 If you're appraising the property
21 \$700,000 and you sell for three half and
22 million it's really not a good deal. It's
23 disingenuous to tell us now three half was a
24 good price. It wasn't a good price. It was a
25 selling price that you enter into because you

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2 needed to settle that case without giving us
3 exposure to greater liability.

4 If that's the case, let's fast
5 forward to now. Price is really not important
6 anymore. The property is in deplorable
7 condition. It was a bad deal from the
8 outset. It's a bad deal now. Why not
9 entertain RFPs from developers who are more
10 interesting in putting in affordable housing?
11 More units. Maybe we'll knock off the price.
12 Instead of 1.15 knock it down to \$900,000 or
13 \$800,000. Doesn't matter anymore. We already
14 took a bath on this property but at least we
15 can do some good out of it. And find a
16 developer that's going to put more affordable
17 housing in there instead of four units. It's
18 ridiculous. That's embarrassing. I said that
19 the last time. Why not put out an RFP to get
20 a developer that's more interested in that.
21 I'd rather have the county lose another
22 \$300,000 but we're going to get more
23 affordable housing units in there. Thank you.

24 LEGISLATOR KOPEL: I just wanted
25 to hopefully put a point to or an end to one

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2 aspect of this. I'm not going to address the
3 affordable housing aspect and whether or not
4 there ought to be more units. No, no. In
5 terms of the price thing there may be a
6 misunderstanding of the way it works. And I'm
7 no expert on condemnation. The way I
8 understand it is that when the lawsuit for a
9 condemnation, when a condemnation is filed
10 that's game over. The condemnation is done.
11 Price comes later. Would that be fair?

12 MR. WALSH: That's correct.

13 LEGISLATOR KOPEL: It was
14 condemned. That's it. Game over. The county
15 owns it. The price litigation can go on for
16 many, many years sometimes. It can go on.
17 Another building can be built there. It can
18 be sold four times. Doesn't matter. That
19 litigation can still go on. The litigation
20 was settled because it made sense to settle
21 the litigation. Those are two separate
22 issues.

23 The price that they may have
24 arrived at to settle that litigation may have
25 been wise, may not have been wise. At that

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2 time that's what the price was and I believe
3 probably this legislature approved it at the
4 time. It was done. Again, that's water under
5 the bridge. I think everyone agrees. All of
6 that has absolutely no bearing on what the
7 price ought to be today. It's just not
8 relevant anymore. It's just totally
9 irrelevant. You can only talk about
10 affordable housing. I get that part. But we
11 spent a lot of time talking a lot about
12 prices. It's just not a sensible issue to
13 talk about.

14 LEGISLATOR ABRAHAMS: So, at the
15 present time and I want to thank both of you
16 for giving your presentation. We are going to
17 move to table, request to move to table. We
18 believe it's more prudent to have the county
19 attorney come down and state for the record
20 his opinion as it pertains to that
21 condemnation proceeding. And we believe it
22 would be more prudent to have a clearer
23 understanding of how the county proceeded with
24 the three and a half million dollar payment
25 rather than not understanding.

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2 No disrespect to my colleague
3 Howard Kopel, but by his own admission he is
4 not an expert. I think we should have someone
5 here from the county attorney's office to
6 speak to this. I don't think I claim to be an
7 expert either. That's why I'm seeking the
8 opinion to ensure that the county's processes
9 in regards to that condemnation proceeding
10 makes sense and still holds true to today.

11 As I said before, just put yourself
12 in the position of Joe homeowner and looking
13 at something that happened in a very short
14 period of time. I understand condemnation
15 means that it's game over. We get that. But
16 how they came to determination of a price
17 without having an understanding of whether or
18 not we could have withdrawn the condemnation
19 I'm not too sure how all that came to place.

20 Also, I would also ask just for the
21 record, I don't believe we have it available
22 today, I would like to see what
23 representations were made to the legislature
24 at that time in regards to the sale of that
25 property. If they were representations that

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2 indicated, as you said Kevin, that there was
3 an appraisal that was done that said that the
4 property was worth 1.6 then I'm flabbergasted
5 on how those representations were made to the
6 county and we decided to do \$2 million more.
7 That doesn't make any sense. If I understood
8 you correctly, the appraisal in 2015 indicated
9 that the value of the property was 1.65.
10 Where did the 1.65 come from?

11 MR. WALSH: That was an appraisal
12 I had done around the time of issuing the RFP
13 in late 2015.

14 LEGISLATOR ABRAHAMS: 2015. He
15 just said 1.65 was in late 2015.

16 MR. GALLAGHER: The valuations
17 that we used in the condemnation proceeding
18 was for \$750,000.

19 LEGISLATOR ABRAHAMS: \$750,000.
20 But not based on an appraisal?

21 MR. GALLAGHER: It was based on
22 an appraisal and the property owner had a \$10
23 million appraisal.

24 LEGISLATOR ABRAHAMS:
25 Unfortunately, that makes the situation

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2 worse. Because I still don't understand --
3 what representations, and I'm not saying
4 either one of you gentlemen made those
5 representations, but what representations were
6 made to give the county the comfort that it
7 was okay to spend three and a half million
8 dollars when there was an appraisal that was
9 for \$750,000? I understand the issue with the
10 condemnation. But how can that be?

11 MR. GALLAGHER: We weren't
12 involved in the condemnation litigation.

13 LEGISLATOR ABRAHAMS: Okay. Move
14 to table.

15 LEGISLATOR NICOLELLO: Motion to
16 table by Minority Leader. Seconded by
17 Legislator Solages. All in favor of tabling
18 signify by saying aye. Those opposed? The
19 motion to table fails by a vote of 11 to
20 eight.

21 Any further debate or discussion on
22 this item? Hearing none, all in favor of item
23 three, ordinance ten signify by saying aye.
24 Those opposed? The ordinance passes by a vote
25 of 11 to eight.

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2 There remains two items on the
3 calendar. Item 13, Resolution 15 and item 15
4 Resolution 17. A Resolution authorizing the
5 county executive to execute an agreement
6 between the County of Nassau acting on behalf
7 of the Department of Parks and the
8 Agricultural Society of Queens, Nassau and
9 Suffolk Counties.

10 Second one is Resolution 17. A
11 resolution authorizing the Agricultural
12 Society of Queens, Nassau and Suffolk Counties
13 to use the fairgrounds at Old Bethpage Village
14 Restoration as a fairgrounds for five years
15 from 2026 through 2030.

16 Moved by Legislator
17 DeRiggi-Whitton. Seconded by Legislator
18 Kennedy. Now you can go Eileen.

19 MS. KREEB: Good evening. Eileen
20 Kreeb, commissioner of Nassau County Parks.

21 Resolution 15-2020 is an agreement
22 between Nassau County and the Agricultural
23 Society to make the Society similar to one of
24 our not-for-profit friends groups, just like
25 we have partners presently in the parks

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2 department. Which would allow them
3 fund-raising opportunities, help us with
4 programing, promotional support. And also a
5 very strong part of these not-for-profit
6 groups is that they are able to apply for
7 grant funding as well as they have received
8 endowments from different families who have
9 left their estates to be used at OBVR. That
10 is what Resolution 15-2020.

11 And Resolution 17-2020 was the Ag
12 Society is sanctioned by New York State, which
13 allows them to be our partner for the Long
14 Island Fair for the past 50 years. During
15 this past three years they have applied for
16 different grants because of this recognition
17 by the state and they have been successful in
18 receiving \$384,612 in grants that we would be
19 allowed to use on the existing fairground
20 building at Old Bethpage Village.

21 LEGISLATOR KOPEL: Thank you.
22 Any debate or discussion? Hearing none, all
23 those in favor of these two items? Wait.
24 Hold on. Mr. Rhoads.

25 LEGISLATOR RHOADS: Commissioner

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2 Kreeb, how are you?

3 MS. KREEB: A little tired.

4 LEGISLATOR RHOADS: I

5 understand. I'm a little bit confused by the
6 terms of the agreement and who ultimately
7 would be responsible for the programing that's
8 going on at Old Bethpage Village Restoration.
9 During the committee sessions we had asked
10 some questions in that vein. Received some
11 information back from the parks department
12 indicating that we wouldn't be losing any of
13 the employees, county employees at Old
14 Bethpage Village Restoration. But I'm still
15 confused about who has ultimate control over
16 the programing and why there needed to be a 30
17 year term to the agreement.

18 MS. KREEB: The structure out at
19 Bethpage Village will not change at all. It
20 will still be run by Nassau County employees.
21 We have Bailey Arboretum, Cedarmere. We have
22 many friends groups that help support or
23 supplement the programing that we are able to
24 do as a county. So the Ag Society brings
25 their relationship with Cornell University in

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2 where we will be partnering with them on 4H
3 programs and bringing new education to the
4 facility.

5 As you know, we predominantly
6 attract the fourth grade class for 19th
7 Century history. We can't survive just on
8 those students coming on a daily basis. So we
9 are always trying to incorporate new ideas and
10 new opportunities, education for the students
11 to grab on to. And not just fourth graders.
12 Now we do Civil War, which is high school. So
13 we are always trying to expand our programs.

14 During this past February break I
15 partnered with Cornell and we had a
16 when-schools-are-closed-we're-open kind of
17 theme. We had close to two dozen children
18 join our programing, which we normally would
19 have had nothing. Same thing with spring
20 break. Our goal is always to keep expanding
21 that educational opportunity and to appeal to
22 as many students as we can.

23 LEGISLATOR RHOADS: Who
24 ultimately has final control over the
25 programing?

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2 MS. KREEB: I do. The
3 commissioner.

4 LEGISLATOR RHOADS: Even under
5 the agreement that final control still rests
6 with the parks department?

7 MS. KREEB: Yes. It has to
8 complement with what our mission is.

9 LEGISLATOR RHOADS: What happens
10 if the partnership doesn't work? One of the
11 concerns is we're going for a 30-year term
12 here and I understand there is a.

13 MS. KREEB: It's a revocable 30
14 days notice if it were not to work.

15 LEGISLATOR RHOADS: Is that
16 either way or is that solely at the option of
17 the county?

18 MS. KREEB: Either way.

19 LEGISLATOR RHOADS: Thank you.

20 LEGISLATOR DERIGGI-WHITTON: One
21 quick question. I know we had issues with I
22 believe the Cradle of Aviation where some
23 things were donated and then there was a
24 question of who owned the properties. Whether
25 it was the friends of.

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2 MS. KREEB: The county owns the
3 collection.

4 LEGISLATOR DERIGGI-WHITTON: At
5 this point the county owns the collection at
6 Old Bethpage. Going forward if new items are
7 donated at Old Bethpage who's going to own
8 those items?

9 MS. KREEB: Those items would be
10 gifted to Nassau County.

11 LEGISLATOR DERIGGI-WHITTON: Is
12 that clarified in something that we can go
13 back? Because I know there's an issue going
14 on with the Cradle.

15 MS. KREEB: The Cradle, their
16 entire collection was acquired through the
17 Long Island Heritage Group and those
18 collections belong to Nassau County. And the
19 same here. If any collections were purchased
20 to enhance the collection out there they would
21 become Nassau County ownership.

22 LEGISLATOR DERIGGI-WHITTON: And
23 that's stipulated in this agreement?

24 MS. KREEB: Yes.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Okay. Thank you.

3 LEGISLATOR KOPEL: Anyone else?

4 Then all those in favor of this item? Any

5 opposed? The item passes unanimously. 18

6 nothing.

7 That's the last item. Motion to

8 adjourn made by Mr. Muscarella. Seconded by

9 Ms. Walker. All those in favor of

10 adjournment? Any opposed?

11 (Meeting was adjourned at 9:50

12 p.m.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have
hereunto set my hand this 27th day of
February 2020.

FRANK GRAY