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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

RICHARD NICOLELLO,  
Presiding Officer

1550 Franklin Avenue  
Mineola, New York

Monday, February 22, 2021  
1:20 P.M.

1

2     A P P E A R A N C E S:3     RICHARD NICOLELLO,  
4         Presiding Officer5     HOWARD KOPEL,  
6         Alternate Deputy Presiding Officer7     DENISE FORD,  
8         Alt. Deputy Presiding Officer

9     STEVEN RHOADS

10    DEBRA MULE

11    C. WILLIAM GAYLOR III

12    VINCENT MUSCARELLA

13    ELLEN BIRNBAUM

14    LAURA SCHAEFER

15    THOMAS MCKEVITT

16    KEVAN ABRAHAMS,  
17         Minority Leader

18    ROSE MARIE WALKER

19    JOHN FERRETTI, JR.

20    JOSHUA LAFAZAN

21    ARNOLD DRUCKER

22    JAMES KENNEDY

23    DELIA DERIGGI-WHITTON

24    CARRIE SOLAGES

25    SIELA BYNOE

26    MICHAEL PULITZER,  
27         Clerk of the Legislature

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2 CHAIRMAN NICOLELLO: I would like  
3 to call the meeting to order and ask  
4 Legislator Drucker to lead us in the Pledge  
5 of Allegiance.

6 (Whereupon the Pledge of  
7 Allegiance was recited.)

8 CHAIRMAN NICOLELLO: Thank you.

9 Please remain standing for a  
10 moment of silence. This past weekend or  
11 late last week William Johnson of Glen Cove  
12 passed away, one of the Tuskegee airmen.  
13 He obviously served with a distinction and  
14 honor in World War II as well as his two  
15 brothers, came back to Long Island, was  
16 active in the NAACP, and many organizations  
17 in Glen Cove.

18 He received the congressional  
19 gold medal recognized by D.A. Singas a  
20 couple of years ago and last year he was one  
21 of our honorees for Black History Month and  
22 he could not make it, ailing at that time.  
23 Truly an American hero. Please keep him in  
24 your thoughts and his family in your  
25 thoughts and prayers. Thank you.

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2 (A moment of silence was  
3 observed.)

4 CHAIRMAN NICOLELLO: Mike, could  
5 you call the roll?

6 CLERK PULITZER: Yes. Deputy  
7 Presiding Officer Howard Kopel?

8 LEGISLATOR KOPEL: Here.

9 CLERK PULITZER: Alternate Deputy  
10 Presiding Officer Denise Ford?

11 LEGISLATOR FORD: Here.

12 CLERK PULITZER: Legislator Siela  
13 Bynoe?

14 LEGISLATOR BYNOE: Here.

15 CLERK PULITZER: Legislator  
16 Carrie Solages?

17 LEGISLATOR SOLAGES: Here.

18 CLERK PULITZER: Legislator Debra  
19 Mule?

20 LEGISLATOR MULE: Here.

21 CLERK PULITZER: Legislator C.  
22 William Gaylor III?

23 LEGISLATOR GAYLOR: Present.

24 CLERK PULITZER: Legislator  
25 Vincent Muscarella?

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2 LEGISLATOR MUSCARELLA: Here.

3 CLERK PULITZER: Legislator Ellen

4 Birnbaum?

5 LEGISLATOR BIRNBAUM: Here.

6 CLERK PULITZER: Legislator Delia

7 DeRiggi-Whitton?

8 LEGISLATOR DERIGGI-WHITTON: Here.

9 CLERK PULITZER: Legislator James

10 Kennedy?

11 LEGISLATOR KENNEDY: Here.

12 CLERK PULITZER: Legislator

13 Thomas McKeivitt?

14 LEGISLATOR MCKEVITT: Here.

15 CLERK PULITZER: Legislator Laura

16 Schaefer?

17 LEGISLATOR SCHAEFER: Here.

18 CLERK PULITZER: Legislator John

19 Ferretti, Jr.?

20 LEGISLATOR FERRETTI: Here.

21 CLERK PULITZER: Legislator

22 Arnold Drucker?

23 LEGISLATOR DRUCKER: Here.

24 CLERK PULITZER: Legislator Rose

25 Marie Walker?

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2 LEGISLATOR WALKER: Here.

3 CLERK PULITZER: Legislator

4 Joshua Lafazan?

5 LEGISLATOR LAFAZAN: Here.

6 CLERK PULITZER: Legislator Steven

7 Rhoads?

8 LEGISLATOR RHOADS: Present.

9 CLERK PULITZER: Minority Leader

10 Kevan Abrahams?

11 LEGISLATOR ABRAHAMS: Here.

12 CLERK PULITZER: Presiding

13 Officer Richard Nicolello?

14 CHAIRMAN NICOLELLO: Here.

15 CLERK PULITZER: We have a

16 quorum, sir.

17 CHAIRMAN NICOLELLO: Thank you

18 very much. We have a couple of items of

19 public comment which have been submitted to

20 the clerk's office both dealing with the

21 COVID vaccination program; one of which does

22 not have a name attached to it, but it's

23 still part of the record.

24 The second of which was submitted

25 by Tom McMann of the city of Glen Cove.

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2 Again, both will be submitted for the  
3 record. They have been distributed to the  
4 legislators. That's it for public comment  
5 at the moment.

6 There are a number of items on  
7 this calendar that are part of the consent  
8 calendar that the majority and minority have  
9 agreed that can be voted upon without any  
10 further debate or discussion.

11 These items went through  
12 committees a couple weeks ago and are ready  
13 to be voted on without further debate or  
14 discussion.

15 I'll start with Item 9, Ordinance  
16 12; Item 10, Ordinance 13; Item 11,  
17 Ordinance 14; Item 12, Ordinance 15; Item  
18 13, Ordinance 16; Item 14, Ordinance 17;  
19 Item 15, Resolution 15; 16, Resolution 16;  
20 17, Resolution 17; 18, Resolution 18; 19,  
21 Resolution 19; 20, Resolution 20; 21,  
22 Resolution 21; 22, Resolution 22; 23,  
23 Resolution 23; and 24, Resolution 24.

24 LEGISLATOR KOPEL: So moved.

25 LEGISLATOR DERIGGI-WHITTON:



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2 Second.

3 CHAIRMAN NICOLELLO: Moved by  
4 Deputy Presiding Officer Kopel, seconded by  
5 Legislator DeRiggi-Whitton.

6 Any debate or discussion?

7 (No verbal response.)

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

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 Those items carry unanimously.

14 Number one is a hearing on a  
15 proposed local law to amend the County  
16 Government Law of Nassau County in relation  
17 to the establishment of an independently  
18 elected assessor.

19 I need a motion to open the  
20 hearing.

21 LEGISLATOR FORD: So moved.

22 LEGISLATOR SCHAEFER: Second.

23 CHAIRMAN NICOLELLO: Moved by  
24 Legislator Ford, seconded by Legislator  
25 Schaefer. All those in favor of opening the

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2 hearing signify by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Carries unanimously.

7 I'm going to say a few words and  
8 there are several legislators that want to  
9 speak on this.

10 This would create a referendum  
11 which would be voted upon in June, go before  
12 the public of Nassau County to determine  
13 whether or not they would like to return to  
14 an elected assessor for the county.

15 If successful, the first election  
16 in which the elected assessor would run  
17 would be this November. There would be a  
18 term associated with that. But, thereafter,  
19 the assessor would run every four years.

20 We had proposed this two years  
21 ago. It had been approved by the  
22 Legislature. We were not successful in  
23 overriding the County Executive's veto.

24 The one reason the County  
25 Executive gave for not supporting this

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2 measure, it was because she believed an  
3 elected assessor was required to have, A,  
4 assessing background, assessing experience,  
5 and, B, the certifications required by law.

6 The County Executive has now  
7 proposed someone for that position that has  
8 neither of those things. So those are no  
9 longer a basis to turn this down.

10 This is a good government  
11 initiative. It gives the people the right  
12 to decide whether this will be an elected  
13 office or not.

14 An elected assessor would be more  
15 responsive to the people as has been in the  
16 past. An elected assessor is somebody who  
17 would, we believe, administer the department  
18 which would include people with all the  
19 correct certifications and the assessor  
20 himself or herself would ultimately be  
21 required to get those certifications. So we  
22 believe this is a good government initiative  
23 and we advocate for you to support the same.

24 Legislator Rhoads, do you have  
25 anything to add? And then Minority Leader

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2 Abrahams and Legislator Drucker.

3 LEGISLATOR RHOADS: Of course.

4 Thank you, Mr. Presiding Officer. As the  
5 Presiding Officer indicated, two years ago  
6 we brought up the elected assessor as a  
7 possibility.

8 We wanted to give the residents  
9 the opportunity to be able to choose for  
10 themselves the form of government that they  
11 would have specifically with respect to  
12 assessment.

13 Until I believe 2000, until the  
14 tail end of the Suozzi administration, when  
15 the referendum was first advanced to create  
16 or take away the position of elected  
17 assessor and make that position appointed,  
18 the argument was that you would take  
19 politics out of the position and that it  
20 would enable the assessor to do the work of  
21 assessing.

22 What we have seen certainly over  
23 the course of the time since we've gone to  
24 an appointed assessor, and particularly  
25 during the period of time where we had

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2 assessor David Moog is, what resulted was an  
3 assessment that was filled with errors.

4 More concerning than that,  
5 because mistakes sometimes happen, was a  
6 process that had a complete lack of  
7 transparency. There were 30 some odd  
8 meetings that were scheduled, community  
9 meetings that were scheduled, dates, times  
10 locations, that were established to explain  
11 to the public how the reassessment was going  
12 to be conducted. Explain to the public how  
13 they could protect themselves and what their  
14 role was in that process.

15 Not a single one of those  
16 community meetings which were scheduled as  
17 part of the County Executive's strategic  
18 communications plan, not a single one of  
19 those meetings actually transpired.

20 We had lawsuits brought by  
21 homeowners to force the County Assessor and  
22 the County Executive to disclose the formula  
23 by which the Department of Assessment  
24 calculated home values as part of the  
25 reassessment.

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2 We actually, Legislator Ferretti  
3 and myself, actually had to institute an  
4 Article 78 proceeding, a lawsuit, against  
5 the County Executive and the Department of  
6 Assessment, which is pending in the Supreme  
7 Court in Nassau County right now to force  
8 her, to force the assessment department to  
9 put information back on the website so that  
10 homeowners can see what the full affect of  
11 the five-year phase-in would be with respect  
12 to their taxes.

13 So whether it was errors in tax  
14 impact notices, whether it was errors in the  
15 actual assessment calculations with respect  
16 to evaluations with respect to individual  
17 homes or whether it was what we had a press  
18 conference on this morning which was people  
19 who won reductions in their assessment,  
20 those new assessment reductions not being  
21 reflected in the new roll for no earthly  
22 reason that I can understand.

23 We had seen in an appointed  
24 assessor someone who is completely out of  
25 touch and does not have to answer to the

1                   Full Legislature/2-22-21  
2     public because they answer only to the  
3     County Executive.

4                   So, this experiment that we've  
5     tried now for the better part of the last 20  
6     years is, in my view, an experiment that has  
7     failed.

8                   Giving our residents the  
9     opportunity to have an assessor that is  
10    chosen by them and works for them is an  
11    opportunity the public should have.

12                  Again, this hearing, and this  
13    particular piece of legislation does not  
14    mandate there being an elected assessor. It  
15    simply gives the voters the opportunity to  
16    choose for themselves what they would want  
17    to have.

18                  As the Presiding Officer  
19    indicated, the county executive's excuse  
20    when we raised this two years ago was, well,  
21    you wouldn't have an assessor that has the  
22    necessary qualifications to be an assessor  
23    potentially. In other words, I don't trust  
24    the voters to make a good choice.

25                  Well, as it turns out, we now

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2 have an assessor designate from the County  
3 Executive who also doesn't possess the  
4 qualifications to be an assessor. So that  
5 excuse no longer holds water.

6 It's the people of Nassau County  
7 who pay the salaries around here and it is  
8 the people of Nassau County that should have  
9 a voice in how they want their government  
10 run.

11 That is why I would strongly  
12 encourage each and every one of my fellow  
13 legislators to support giving the people of  
14 Nassau County the opportunity to have their  
15 voices heard through a referendum. Thank  
16 you.

17 CHAIRMAN NICOLELLO: Thank you.  
18 Minority Leader Abrahams.

19 LEGISLATOR ABRAHAMS: Thank you,  
20 Presiding Officer, for giving me an  
21 opportunity to speak.

22 I want to say from the outset I'm  
23 encouraging my colleagues in the minority to  
24 vote against this proposal.

25 Before I get into my reasoning



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2 why, I do share and hope for obviously a  
3 spirited debate today, which I'm sure this  
4 will bring about.

5 That being said, let's just go  
6 down memory lane. There are very few of us  
7 at the Legislature that have the time in the  
8 Legislature, the tenure in the Legislature  
9 to really know this.

10 When we had an elected assessor  
11 some time ago, many of the issues that  
12 continue to be constant problems for our  
13 county were tremendous.

14 We were spending hundreds of  
15 millions of dollars, probably over a billion  
16 dollars over a ten-year time frame in tax  
17 certiorari claims. We had to be ordered by  
18 the court to do a full scale reassessment.

19 The last thing we want to do is  
20 politicize an office that is tied so  
21 closely, tied to fairness in our system to  
22 make sure taxpayers are paying their fair  
23 share.

24 The last thing we want to do is  
25 set a process or system where taxpayers are

1                   Full Legislature/2-22-21  
2     taking it out on an elected official  
3     because, quite frankly, they could be  
4     justifiably having their assessment go up.  
5     The last thing you want to be able to do is  
6     have an elected official that makes  
7     decisions, God forbid us, based off of those  
8     political outcomes.

9                   The bottom line for us is very  
10    clear. We do not need to politicize this  
11    office. I understand this would be a  
12    referendum in giving the people the choice  
13    to be able to vote for whether or not they  
14    would want an elected assessor.

15                  I have to say to some degree the  
16    majority is being a bit disingenuous. The  
17    reason that I say that is because we had the  
18    opportunity to give the public an  
19    opportunity to vote for an independent  
20    inspector general. Instead of giving the  
21    public the opportunity every step of the way  
22    through the previous administration and  
23    through the majority, we were blocked.

24                  We went out and we secured, with  
25    many residents, thousands and thousands of

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2 signatures, and still it was blocked.

3 So, this argument that we're  
4 going to give people the opportunity to vote  
5 for what they want to see in their  
6 government is great. I just would have  
7 loved to have seen it be done then. I would  
8 have loved to have seen the opportunity for  
9 the public to get that opportunity to do it  
10 then.

11 Now it just seems like we are  
12 using it in an election year where we had  
13 eight years under the previous  
14 administration, eight years to fix the  
15 assessment system.

16 Unfortunately, the position of  
17 the previous administration as well as the  
18 position of the majority was to give people  
19 refunds unjustifiably. So if you filed a  
20 tax claim or you filed a grievance, you got  
21 a refund. Everyone got a refund, which  
22 continued to exacerbate the problem with our  
23 system.

24 There has never been anyone,  
25 whether it was the previous administration

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2 or elected assessor going back to Charley  
3 O'Shea, that ever wanted to go and fix the  
4 problem itself. That is the last thing we  
5 need.

6 The assessment system is going to  
7 continue to evolve, it's going to continue  
8 to need attention and guidance, and we do  
9 not need to politicize this office at this  
10 time.

11 I trust that the taxpayers of  
12 this county understand that and they have  
13 put their trust in the County Executive to  
14 be able to carry through this process.

15 But I'm encouraging my colleagues  
16 in the minority to vote against this  
17 proposal because it speaks to the politics  
18 unfortunately of the county and we would be  
19 politicizing this office tremendously and  
20 setting back this department even more.  
21 Thank you.

22 CHAIRMAN NICOLELLO: Legislator  
23 Drucker.

24 LEGISLATOR DRUCKER: Thank you  
25 very much, Presiding Officer.

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2 The majority has spent a  
3 tremendous amount of time critiquing and  
4 questioning the validity and accuracy of the  
5 models used by the Department of Assessment  
6 in arriving at the revals and reassessment  
7 of 400,000 properties here in Nassau County.

8 Some of the errors that occurred,  
9 all of which had to do with technical  
10 errors. It is completely in my opinion  
11 naive and simplistic to conclude that these  
12 errors would not have occurred if our  
13 assessor was elected rather than appointed,  
14 which David Moog was after being confirmed  
15 by this Legislative body after careful  
16 vetting and concluding that in a bipartisan  
17 manner that David Moog was eminently  
18 qualified.

19 To render the county assessor an  
20 elected position immediately transforms that  
21 position into a political one which that  
22 person will have to run for the office as a  
23 member of a political party, which he or she  
24 would then be beholden to, admittedly or  
25 not, if they are elected.

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2 The assessment process had some  
3 errors. There's no question about it, we're  
4 not disputing that. But you heard time and  
5 time again that the margin of error was well  
6 within the standards of a reassessment that  
7 occurred throughout this country and in fact  
8 been below.

9 We have also heard that the  
10 office of settlement from ARC, have  
11 predominantly been no offers, no offers of  
12 settlement at all, relatively keeping  
13 everything the same.

14 So, the theory about making the  
15 head of a particular department subject to  
16 election, it doesn't make sense. In my  
17 opinion, we had situations here where we had  
18 to approve settlements for police misconduct  
19 lawsuits and we had to approve these  
20 lawsuits.

21 Under that theory, if there was  
22 an abundance of settlements and that  
23 indicated that the police commissioner  
24 wasn't doing a great job, do we now make  
25 that department head an elected position?

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2 What about when we had DSS and  
3 we've had incidents of child abuse that were  
4 horrific. And so now what do you do?

5 If you are unhappy with the  
6 commissioner of social services handling of  
7 these cases, do we now make that position an  
8 elected position? Where does it end?

9 I think it defeats the whole  
10 purpose of county government. There has to  
11 be a way that elected positions are elected  
12 positions. Our County Executive is an  
13 elected position.

14 We can vote every election period  
15 for that. If you start politicizing,  
16 department heads it's a slippery slope we  
17 are going to go down. I think this is a  
18 knee-jerk reaction without really a  
19 defensible position. Thank you.

20 CHAIRMAN NICOLELLO: Legislator  
21 Ferretti.

22 LEGISLATOR FERRETTI: Thank you,  
23 Presiding Officer. My position on this has  
24 been pretty clear from the beginning. This  
25 is an assessor and an administration that

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2 has essentially hid, refused to hold public  
3 meetings, refused to be accountable, refused  
4 to answer their phones. That's why we need  
5 an elected assessor.

6 I'm not even going to focus on  
7 the fact that we need an elected assessor.  
8 What we need to do is give the residents a  
9 voice. Give them a chance to have a say as  
10 to whether we have an elected assessor or  
11 not.

12 The minority Leader a few minutes  
13 ago indicated that he trusts the residents  
14 of Nassau County. So do I. I trust them to  
15 decide whether or not they want to continue  
16 on with an appointed assessor or they want  
17 to change things and have somebody who is  
18 accountable to the residents.

19 I don't know why the minority and  
20 the County Executive don't trust the  
21 residents to make the choice. I don't know  
22 what you are all scared of here.

23 If everything that the County  
24 Executive and the assessor is true and this  
25 reassessment has been so fair, accurate and



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2 transparent, there should be no issue in the  
3 referendum.

4 I'm sure that since the minority  
5 leader and the minority and the County  
6 Executive trust the Nassau County residents  
7 to make the proper choice, they'll do so. I  
8 do.

9 If we have this referendum, and  
10 the residents vote for an appointed  
11 assessor, God bless, we will continue  
12 forward. Why are we not giving them that  
13 opportunity? What is the downside to  
14 letting the residents have a voice in this  
15 process?

16 I can tell you right now, the  
17 only voice they've had in the process so far  
18 is by town hall meetings held by  
19 legislators. That's a shame. None of us  
20 are assessors. None of us have the  
21 qualifications.

22 Residents deserve answers. The  
23 65 percent of the residents that are seeing  
24 a tax increase as a result of this  
25 reassessment, they deserve answers.

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2 The 35 percent that are seeing  
3 reductions, but not full reductions as to  
4 what they are actually entitled to they  
5 deserve answers. They sure as heck deserve  
6 the phone when they call to be picked up.  
7 But they haven't gotten that.

8 Then when we put forward a bill  
9 that would fix some of these atrocities, we  
10 got no support from the other side, the  
11 County Executive vetoed them. This has been  
12 an embarrassment.

13 Now we are going to hear once  
14 again that there's no support on the other  
15 side or the County Executive possibly for an  
16 elected assessor after the very reason they  
17 said that we can't have an elected assessor  
18 has been proven to be nonsense. It's a  
19 shame.

20 Legislator Drucker just talked  
21 about an elected official, if it's an  
22 elected official it would beholding into a  
23 political party. I reject that completely.  
24 I'm an elected official and I'm not  
25 beholding to my political party. I'm sure

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2 you would agree, Legislator Drucker, you're  
3 not either.

4 So why is there this presumption  
5 that just because the people are going to  
6 have an opportunity to put someone in power,  
7 someone in the Assessment Department who  
8 actually lives in Nassau County, who  
9 actually has a stake in this process, just  
10 because we want to give the opportunity for  
11 the residents to decide, if that's what they  
12 want, then that position is going to be  
13 beholdng hold to a party? That's not true  
14 at all.

15 I wouldn't say that to any of  
16 legislators on this dais that simply because  
17 they're elected by the people they're  
18 beholdng to a party. I think it's a shame  
19 that you feel that way.

20 In terms of Legislator Drucker,  
21 you indicated that you look at the amount of  
22 reduction offers from ARC, and there's been  
23 mostly zeros, is simply not true.

24 If you look at the '22-'23  
25 assessment roll and the reductions at ARC,

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2 we had Mr. May here a month ago, he  
3 indicated that over 200,000 offers of  
4 reductions had been made.

5 The year before there were  
6 240,000 total offers. So if we assume that  
7 there is about the same -- I'm sorry, there  
8 were over 240,000 grievances, and if we were  
9 to assume in '22-'23 that was about the  
10 same, which is probably not true because  
11 less people grieve, that's over 85 percent  
12 of people that grieved for '22-'23 were  
13 receiving a reduction from ARC.

14 So the idea that this assessor  
15 has gotten everything right, I think that's  
16 kind of laughable and simply not the facts.

17 The facts are that 85 percent of  
18 residents in Nassau County that grieved for  
19 22-'23 are receiving a settlement offer.

20 So look, I don't want to keep  
21 repeating myself here. I think it's pretty  
22 clear we have a difference of opinion. The  
23 actual ones that are facing these increases  
24 should have a say in this process.

25 I have no idea why the minority

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2 or County Executive if they're so confident  
3 in this reassessment would have any issue  
4 going forward with a referendum. I don't  
5 what you're scared of. I guess we will find  
6 out. Thank you.

7 CHAIRMAN NICOLELLO: Legislator  
8 Birnbaum has a comment or a question.

9 LEGISLATOR BIRNBAUM: Yes. I  
10 have to agree with my colleagues, Legislator  
11 Drucker and Legislator Abrahams, that this  
12 politicizing the assessor's office.

13 When I first came to the  
14 Legislature, we had an individual serving as  
15 the acting assessor for years who certainly  
16 did not have the qualifications, who was  
17 sitting with a frozen tax roll, nothing was  
18 changed for years, and then when I pointed  
19 this out, I attempted to initiate  
20 legislation that would not have anybody  
21 sitting as an acting commissioner for more  
22 than six months. That's exactly the terms  
23 that I used when I proposed such  
24 legislation.

25 This piece of legislation went

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2 nowhere until December of the last month of  
3 the former administration when it was asked  
4 by all.

5 So, in other words, when our new  
6 County Executive came to office, it would be  
7 clear that anybody she appointed as a  
8 commissioner would have to be approved by  
9 the Full Legislature within six months.

10 So she did that. She found an  
11 assessor. She went about it the way you are  
12 supposed to. You are required, you are  
13 supposed to look for a qualified person, and  
14 there weren't that many applicants if I  
15 recall that even came forward who were  
16 qualified. Certainly, many of them did not  
17 live in Nassau County. I'm not sure if any  
18 of them did, maybe one or two.

19 The point is, A, it isn't a  
20 political position. It's somebody who's  
21 doing the job for the county to get the  
22 assessment right, to make it accurate.

23 Since this administration came  
24 into office, they just continued the job  
25 that had been started previously to do a

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2 reassessment of all the properties. This  
3 was something in the works for years. We  
4 just continued it and finally it came to be,  
5 and, yes, there were mistakes, but I believe  
6 they were handled appropriately as soon as  
7 there was an error, whether it was a  
8 computer glitch or something pointed out,  
9 they were corrected.

10 So, this assessor, yes, has done  
11 his job and there have been problems but,  
12 more or less, we have achieved what we set  
13 out to do, make a current roll that reflects  
14 the market values for the properties in  
15 Nassau County in '20, '20-'21, we've come up  
16 with the concept we were supposed to.

17 So, of course it's been fraught  
18 with problems. People can politicize it.  
19 But at this point there's no reason to  
20 change the system.

21 CHAIRMAN NICOLELLO: Legislator  
22 DeRiggi-Whitton.

23 LEGISLATOR DERIGGI-WHITTON:  
24 Thank you. I think that the major problem  
25 still goes back to the fact that the roll

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2 was frozen for almost a decade and that it  
3 seems as though the grievance process was  
4 almost automatic when someone grieved they  
5 would get a reduction, and those that didn't  
6 weren't treated the same way.

7 Look, I had issues with the  
8 reassessment or reevaluation, whatever it's  
9 technically called, and I wasn't happy with  
10 some of the things that happened especially  
11 in the beginning.

12 But I will say that I do think  
13 that the assessment department has been  
14 working to correct the roll.

15 The bottom line is the roll has  
16 been has to be correct for it to work. Of  
17 course it's a daunting task to get full  
18 400,000 homes evaluated.

19 In the beginning I think there  
20 were a lot of things that had to be worked  
21 on and I know that since then a number of  
22 adjustments have been made. Is it a perfect  
23 system? Absolutely not.

24 But I think right now we're on  
25 the right path and I think we should allow



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2 it some time to get settled and to correct  
3 itself as I think it is, and hopefully at  
4 that point we will be in a better position.  
5 But, again, I really think the issue is it  
6 takes time to correct a roll that's been  
7 frozen for ten years.

8 CHAIRMAN NICOLELLO: I would want  
9 to make a couple of points in response to  
10 some of the arguments that have been made.

11 First I don't agree that making a  
12 position an elected official, making an  
13 office holding an elected official is  
14 politicizing the office, it's making someone  
15 directly accountable to the voters.

16 While we don't have an elected  
17 police commissioner in Nassau, the fact of  
18 the matter is, for example, in Suffolk they  
19 have an elected sheriff and it's something  
20 that we should look at doing at some point.

21 I would also distinguish the  
22 position of assessor from the Department of  
23 Social Services for example. We do have  
24 elected assessors throughout the state. We  
25 still have them as we have had them for

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2       years. I don't believe there's ever been a  
3       Department of Social Services that's been an  
4       elected position.

5                   In terms of the history, there  
6       wasn't an order back when we first did  
7       reassessments 20 years ago. There was a  
8       lawsuit and the administration and the  
9       elected assessor consented to proceed with  
10      the reassessment at the time. The elected  
11      assessor made that determination. Some of  
12      us on the Legislature disagreed at the time  
13      and voted against it but it was not  
14      something that we were ordered to do by the  
15      court, we consented to that.

16                  A number of legislators have  
17      pointed to the previous administration and  
18      the record of the previous administration,  
19      and I would point out that under the  
20      previous administration you had an official  
21      who was an appointed official.

22                  So the argument that while the  
23      record of the previous administration was  
24      poor, is actually an argument for an elected  
25      assessor who would be responsible -- be

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2 responsive to the public as opposed to one  
3 official, the County Executive.

4 I think the most important  
5 argument is in favor of this transparency  
6 and accountability. The transparency of  
7 this department has ben woeful. The  
8 mailings have been terrible. The meetings  
9 have been limited.

10 When you had an elected assessor,  
11 a democratic elected assessor, Harvey  
12 Levinson, and reassessment was underway, he  
13 went all over the county.

14 I would say that the vast  
15 majority, we're talking about 99.9 percent  
16 never saw Mr. Moog. He simply had no reason  
17 to go out to the public and answer the  
18 questions. He only had one person he had to  
19 worry about, and that was the County  
20 Executive.

21 In terms of accountability, you  
22 need someone who is going to have to answer  
23 to the public. I think in this office more  
24 than any other office which deals directly  
25 with how much taxes people are going to pay

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2 people should have a say.

3 The last point I would make is  
4 this: The appointed assessor came in as a  
5 result of a referendum about ten, 12 years  
6 ago which was initiated by the democratic  
7 control majority at the Legislature and  
8 approved by the Democrat County Executive.  
9 So, apparently, a dozen years ago the  
10 legislators and County Executive trusted the  
11 people. It went to a referendum. They gave  
12 it to the people to decide. We want to do  
13 the same thing.

14 It's unfortunate in my opinion  
15 that that trust apparently has eroded on the  
16 other side of the aisle.

17 I know that Minority Leader  
18 Abrahams has another comment to make.

19 LEGISLATOR ABRAHAMS: Yes, I do.  
20 Thank you Presiding Officer. I notice we're  
21 throwing out the word trust quite a bit and  
22 I ask the question again. When the minority  
23 proposed an independent inspector general to  
24 be able to go to a referendum so that we can  
25 have transparency in light of the corruption

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2 that was occurring with the previous  
3 administration as well as other elected  
4 officials throughout Nassau County, it was  
5 blocked.

6 For eight years, eight years, the  
7 majority and the previous administration did  
8 nothing in regards to an elected assessor  
9 when we knew that that system was subject to  
10 fail.

11 We were giving out unjustifiable  
12 refunds to people that didn't deserve them  
13 and we know that now. We had to fix that  
14 through the current assessment issue.

15 I just find it very astonishing  
16 that we are throwing out the words trust  
17 when we talk about the taxpayers of this  
18 county. I trust them with my conversations  
19 with the taxpayers and residents that I  
20 speak to, I trust that they see right  
21 through this.

22 At the tend of the day, this is  
23 nothing but a political stunt. We are  
24 politicizing this in an election year to try  
25 to hurt the County Executive. Not trying to

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2 fix the system. Not trying to make sure  
3 everybody is paying barely what they should  
4 be paying. We're are politicizing it.

5 If this was such a great idea, I  
6 would ask you the question, why didn't you  
7 bring it up in the eight years under the  
8 previous administration? Wreck havoc on the  
9 system by freezing the assessments which  
10 every single professional will tell you was  
11 the wrong way for the county to go. Not one  
12 municipality would tell you that this is the  
13 right decision to do.

14 We did nothing. The majority did  
15 nothing. The previous administration did  
16 nothing.

17 Now we want to say, well, what  
18 are you scared of? Don't you trust the  
19 taxpayers? I trust and know the taxpayers  
20 will see through this and that they will not  
21 have the wool pulled over their eyes and  
22 that they understand it's an election year  
23 and that the County Executive is up, the 19  
24 of us are up, and if you want to get  
25 reelected you have to run on your own merit.

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2 You can't run on some issue that you are  
3 going to try to politicize and tap into the  
4 hearts and minds of our taxpayers. They're  
5 too smart for that. They will see right  
6 through this.

7 I encourage the majority, though  
8 I know it won't happen, to pull this  
9 proposal back. There is enough politics  
10 that goes on in this county and quite  
11 frankly throughout, and we have to be able  
12 to roll up our sleeves and focus on what the  
13 taxpayers need which is telling them the  
14 truth as it pertains to a system that is  
15 going to be fair and equitable in how they  
16 pay taxes.

17 CHAIRMAN NICOLELLO: Legislator  
18 Schaefer.

19 LEGISLATOR SCHAEFER: If you're  
20 so sure they're going to see right through  
21 it then let the referendum go. Let it be  
22 put out there.

23 Let me remind you that the County  
24 Executive has now frozen the roll again. So  
25 here we are. I agree with my colleagues on

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2 the majority.

3 CHAIRMAN NICOLELLO: Legislator  
4 Ferretti.

5 LEGISLATOR FERRETTI: I feel like  
6 we are in denial or at least the other side  
7 of the aisle is. The reality is, we have a  
8 frozen roll right now. We have mass  
9 settlement right now. We have a proposed  
10 assessor with no qualifications right now.  
11 I wasn't here for the eight years you were  
12 referring to, Minority Leader.

13 If you are making the case that  
14 that there should have been a referendum  
15 then, what the heck is the difference now?

16 We've got all the things that  
17 were going on for those eight years right  
18 now. And, you know, it's time. It's time  
19 to give the residents a voice. It is time  
20 to trust the residents to make the right  
21 decision and I'm willing to acquiesce to  
22 whichever decision they make.

23 CHAIRMAN NICOLELLO: Legislator  
24 Rhoads.

25 LEGISLATOR RHOADS: You know what



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2 else we also have right now, an inspector  
3 general. If you're going to sit here and  
4 say that the majority made a mistake over  
5 the course of the eight years of the  
6 previous administration by not putting up a  
7 referendum for an inspector general, why  
8 would you make the same mistake now with  
9 respect to the assessor?

10 Give the people a voice. Give  
11 them the opportunity to choose for  
12 themselves. Ultimately that's what this is  
13 about. Give them a say in their own  
14 government. This referendum provides them  
15 the opportunity to do that.

16 If we are saying that we trust  
17 the public let's trust the public by giving  
18 them a voice and a vote.

19 CHAIRMAN NICOLELLO: Anyone else?  
20 Motion to close the hearing?

21 LEGISLATOR KOPEL: So moved.

22 LEGISLATOR FORD: Second.

23 CHAIRMAN NICOLELLO: Moved by  
24 Deputy Presiding Officer Kopel, seconded by  
25 Legislator Ford.

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2 All in favor of closing the  
3 hearing signify by saying aye.

4 (Aye.)

5 Those opposed?

6 (No verbal response.)

7 Hearing is closed.

8 We go to Item 4 which is a vote  
9 on a proposed local law to amend the County  
10 Government Law of Nassau County in relation  
11 to the establishment of an independent  
12 elected assessor.

13 LEGISLATOR RHOADS: So moved.

14 LEGISLATOR FERRETTI: Second.

15 CHAIRMAN NICOLELLO: Moved by  
16 Legislator Rhoads, seconded by Legislator  
17 Ferretti. I take it we have all had our say  
18 so there's no further need for debate or  
19 discussion at this time. I'm just going to  
20 call for a vote.

21 All in favor signify by saying  
22 aye.

23 (Aye.)

24 Those opposed?

25 (Nay.)

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2 That passes by a vote of 11 to 8.

3 The vote is adopted.

4 Moving on to the second hearing,  
5 Item Number 2, which is a local law to  
6 establish the dangerous dog registry and to  
7 require certain notice with respect thereto.

8 LEGISLATOR FERRETTI: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by  
11 Legislator Rhoads, seconded by Legislator  
12 Walker. All those in favor of opening the  
13 hearing signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The hearing is now open.

18 Legislator Ferretti.

19 LEGISLATOR FERRETTI: Thank you,  
20 Presiding Officer. This bill essentially  
21 provides notice to Nassau residents of a  
22 dangerous dog designation by a court.

23 When there is an attack and the  
24 police are called, there's a determination  
25 by a judge as to whether a dog should be

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2 returned to the community. Often when they  
3 are they're deemed judicially dangerous.  
4 Certain restrictions or requirements are put  
5 on that animal. For example, they must wear  
6 a muzzle when they're outside. They must be  
7 spay or neutered. There must be signage  
8 placed in the property where they're housed.  
9 Locks on the gate, et cetera. That's always  
10 put within the order issued by a judge  
11 deeming a dog dangerous.

12 A judicially dangerous dog is  
13 essentially a dog that's on probation.

14 There is a certain amount of time  
15 given to the dog to be deemed dangerous  
16 whether it's a year or two years, something  
17 different than that. And if there's another  
18 attack within that period then the dog is  
19 removed.

20 What this bill does is it sets up  
21 a registry, a database online, that the SPCA  
22 will be putting together, that would put all  
23 the dangerous dog orders and the information  
24 about that dangerous dog included in there;  
25 breed, gender, weight, details about the

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2 attack, et cetera on this database.

3 This will allow residents, all  
4 residents of Nassau County, to be aware when  
5 an attack like this happens to make  
6 adjustments to their walking routes or the  
7 way they walk their animals, where they walk  
8 their children, et cetera.

9 Additionally on top of the  
10 registry they'll be a mailing requirement.  
11 This requirement says that within ten days  
12 of the SPCA notifying the residents with the  
13 dangerous dog of this law, they must do a  
14 mailing to every property owner within a  
15 1000 foot radius of their house or apartment  
16 and that must give all that information I  
17 just discussed plus a copy of the judicial  
18 order mailed to each resident.

19 They must then fill out and sign  
20 an affidavit before a notary public and send  
21 that affidavit to the SPCA. The affidavit  
22 will be posted on the website, and that's a  
23 way of enforcement so people will know if  
24 this affidavit was never filled out, the  
25 mailing was never done.

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2 The penalty for failing to adhere  
3 to this law would be \$500 penalty if you do  
4 not do this mailing within ten days, and  
5 then \$100 for each day thereafter.

6 So that's a synopsis of the bill.  
7 As many of you may have heard, I know I  
8 spoke to Legislator Drucker about this, it's  
9 a bill very personal to me as I had an  
10 incident about a year and a half ago with my  
11 dog and my family, and I've said it before  
12 and I will say it again, as it was a very  
13 very traumatizing event, not just for me but  
14 for my children and my family, what was just  
15 as traumatizing was the days after, watching  
16 people from the community, the surrounding  
17 couple of blocks walking right past where  
18 the incident happened where this dog was  
19 returned to the house having absolutely no  
20 idea that there was an attack there, a dog  
21 deemed dangerous and that's what kind of  
22 brought this to light in my mind that people  
23 should know.

24 I know that I know and I  
25 certainly am aware and if this was to happen

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2 again, God forbid, I would be ready for it.  
3 So I would ask for support in this bill and  
4 thank you very much.

5 CHAIRMAN NICOLELLO: Legislator  
6 Walker and then Legislator Drucker.

7 LEGISLATOR WALKER: Thank you,  
8 Presiding Officer. Since Legislator  
9 Ferretti and I worked on this bill, I have  
10 had many many residents reach out and say  
11 this bill is so important because there was  
12 an attack by a dog in my neighborhood or my  
13 child was attacked by a dog.

14 Even sometimes when people try  
15 their very best to keep a dog in the house,  
16 dogs get out.

17 Unfortunately some dogs without  
18 even people's knowledge have been really  
19 trained to fight and the dog doesn't know  
20 any different but it puts other people and  
21 other animals at jeopardy.

22 I was with John, Legislator  
23 Ferretti, that night after the dog did  
24 attack his mom's little dog and just seeing  
25 how visibly upset he was and his family, how

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2 upset they were, and the thought of, God  
3 forbid, it was horrible that this dog  
4 attacked another dog, but, God forbid, it  
5 was one of his children or his parent or  
6 whatever.

7 So it's important and it's  
8 important that other people in the  
9 neighborhood know that there's a dog here  
10 that is dangerous and when they go by they  
11 should be aware of it and I know in John's  
12 neighborhood word of mouth did spread as  
13 quickly as possible. But if somebody new  
14 moves in the block and you don't think about  
15 it, or somebody just happens to take a  
16 different walkway.

17 This way the word is out that a  
18 dangerous dog does live there and that you  
19 know people can be able to be advised about  
20 it.

21 I was happy to work on this with  
22 Legislator Ferretti and I hope everybody is  
23 supportive of it. Thank you.

24 CHAIRMAN NICOLELLO: Legislator  
25 Drucker.



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2 LEGISLATOR DRUCKER: Thank you,  
3 Presiding Officer. You know what's great  
4 about a democracy is that we can  
5 respectfully disagree like we did five  
6 minutes ago and I can turn around and  
7 commend Legislator Ferretti on a great piece  
8 of legislation. I fully support this as a  
9 dog lover my entire life. Until recently  
10 when I moved I was in a community, walked my  
11 dogs a couple of times a day, and it would  
12 have benefitted me greatly to know which  
13 houses had dogs that had a propensity to be  
14 aggressive because I could have altered my  
15 path.

16 Thankfully, I was never involved  
17 in a situation like Legislator Ferretti,  
18 although I have been involved with -- I had  
19 to separate my dog from other dogs, somewhat  
20 vicious, not to the level of the incident  
21 that you had.

22 But giving the people the  
23 knowledge and wherewithal of protecting  
24 their animals is a great piece of  
25 legislation so I commend you for that.

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2 CHAIRMAN NICOLELLO: Thank you,  
3 Legislator Drucker. Anyone else want to  
4 speak on this?

5 Motion to close the hearing?

6 LEGISLATOR DRUCKER: So moved.

7 LEGISLATOR SCHAEFER: Second.

8 CHAIRMAN NICOLELLO: Moved by  
9 Legislator Drucker, seconded by Legislator  
10 Schaefer.

11 All in favor of closing the  
12 hearing signify by saying aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Carries unanimously.

17 We'll go to a vote which is Item  
18 5, a local law to establish the dangerous  
19 dog registry and to require certain notice  
20 with respect thereto.

21 LEGISLATOR FERRETTI: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRMAN NICOLELLO: Moved by  
24 Legislator Ferretti, seconded by Legislator  
25 Walker. Any debate or discussion?

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2 (No verbal response.)

3 All in favor signify by saying  
4 aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 Carries unanimously.

9 Before we move on to the next  
10 item, we wanted to recognize Chris Mistrion.  
11 He's retiring. This is his last day with  
12 us.

13 I know that we have all enjoyed  
14 working with you and we all appreciated the  
15 highly competent and intelligent and  
16 organized way you administered the programs  
17 under your jurisdiction.

18 We all appreciated your extra  
19 care and touch in terms of coming out to the  
20 public to make sure that some of the  
21 programs that you help run for the county  
22 were run properly.

23 On behalf of myself and all my  
24 colleagues, I'm sure some of them will chime  
25 in. I want to thank you for your service,

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2 your dedicated service and wish you all the  
3 best in your retirement.

4 LEGISLATOR FORD: I too want to  
5 echo what Presiding Officer Nicoletto has  
6 said. Chris, you have been very  
7 instrumental in helping us be reminded about  
8 the importance of safety, especially with  
9 traffic safety.

10 I know that you helped with the  
11 roll out of the red light camera program  
12 which some people may not agree with it it  
13 really has been a success. And having your  
14 hand in on it that ensured it.

15 Also, more importantly too, the  
16 fact that you have gone out into the public  
17 with us, you've helped install baby seats,  
18 which is very important.

19 You showed parents how to safely  
20 strap their children into their cars to  
21 minimize the risk of any injury, God forbid,  
22 during any type of car accident. I think  
23 that really means a lot. I think to myself  
24 how many baby and children you have saved  
25 over the span of your time working for the

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2 county.

3 This says a lot about you. You  
4 have always been someone we can count on,  
5 trust, and I have to say that you are going  
6 to be sorely missed. You have big shoes  
7 that somebody has to fill and good luck to  
8 them. Good luck in your retirement and  
9 thank you.

10 MR. MISTRON: I just wanted to  
11 jump in on that one in terms of the car  
12 seats. I think one of the most memorable  
13 events we had was when Legislator Utaro was  
14 here and we had done a car seat check up in  
15 Glen Cove.

16 About an hour into the car seat  
17 check, a police officer had come back and  
18 had ended up mentioning to us, said did you  
19 just do a car seat for a young lady, and  
20 gave us the name and, yes, he said, she was  
21 just in a serious crash up the road, the car  
22 had got hit, turned over, and we were  
23 stunned that the child was in the seat.  
24 Everything was fine. There was no injuries,  
25 thank God.

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2 But when we had heard that that  
3 was probably one the best things that we  
4 ever heard, aside from there was a crash,  
5 but just that we knew we had an immediate  
6 event, so I do thank you.

7 CHAIRMAN NICOLELLO: Legislator  
8 Walker.

9 LEGISLATOR WALKER: Chris, I,  
10 too, want to wish you the very best in your  
11 retirement. As I said at the last meeting I  
12 will never forget the Sunday I called you  
13 and met you in the parking lot of Our Lady  
14 of Mercy School where you were at your  
15 daughter's basketball game and you helped me  
16 put the car seat in for my grandchild.

17 I hope you're not going too far  
18 away because I just found out that my  
19 youngest daughter is expecting her first  
20 baby and I'm going to need you to install  
21 another car seat. So I better have your  
22 phone number handy and I can reach out to  
23 you. God bless and have a wonderful  
24 wonderful retirement.

25 MR. MISTRON: Thank you.

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2 CHAIRMAN NICOLELLO: Legislator  
3 Abrahams.

4 LEGISLATOR ABRAHAMS: Thank you,  
5 Presiding Officer. I just want to thank  
6 Chris for his tremendous amount of  
7 commitment to our county and our residents  
8 and I can tell you, I can speak from  
9 personal knowledge, my kids are 12 and 9  
10 now, but many moons ago when they did ride  
11 in a car seat, I could never get the car  
12 seat right. It would be wobbly, I couldn't  
13 get the belt to lock in properly.

14 I remember being in the parking  
15 lot of the Legislature and Chris looked at  
16 my car seat and was able to do it. My wife  
17 wouldn't let me drive the kids in my car  
18 because it was so wobbly, it was so bad.

19 Chris was able to fix the seat  
20 and get it installed properly and, I got to  
21 tell you, Chris to this day, not to this  
22 day, but to that moment when the kids were  
23 no longer in the car seat, I never touched  
24 that seat again. You got it so perfect and  
25 so right I told -- my wife needed to

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2 transfer the car seat, we just got to buy  
3 another seat and Chris has got to put that  
4 seat in too, which Chris did, because I  
5 never wanted to move that seat because it  
6 was locked perfectly and I knew my kids were  
7 safe throughout their travels whenever they  
8 were with me in the car.

9 I want to thank you obviously  
10 from a personal note but then also the  
11 amount of lives and children that we've been  
12 able to protect through your diligence I  
13 want to thank you on behalf of my district  
14 and all county residents, Chris, and I wish  
15 you the best in your retirement. It's well  
16 deserved.

17 I can't believe the first time I  
18 met you was many many years ago, more than I  
19 want to count. I just want to wish you the  
20 best in your future endeavors and I hope you  
21 enjoy your retirement. Thank you so much.

22 MR. MISTRON: It was nice the  
23 first time we meet in our teens, 30  
24 something years ago.

25 So, you know when we talk about



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2 the child safety seats, the program had  
3 started back in '98. In that time we had  
4 done in the fitting station here in Nassau  
5 County we've done over 30,000 child safety  
6 seats. Of those I did about 28,000 of them.

7 It's been a very good program.  
8 When you made reference to the red light  
9 camera, which I know is very popular, we  
10 went out to all the legislative districts  
11 and it was a pleasure to go out and do the  
12 education and discussion. We took the  
13 slings and arrow, but it was a good program.  
14 I still stand by it being a good program and  
15 the best part of it is we made it very  
16 transparent. I think that is the most  
17 important thing.

18 That's why actually Nassau County  
19 has had the most success in the red light  
20 camera program because of its transparency.  
21 We were allowed legislatively to put up to  
22 100 camera locations. We never hit that  
23 because we were very diligent in the way of  
24 installing the cameras, unless we couldn't  
25 prove that it was warranted and it could

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2 save lives, reduce crashes, we didn't put  
3 one.

4 Although we were always allowed  
5 to do 100 we never hit that number because  
6 we couldn't find the proper justification to  
7 do it.

8 I'm very proud of the program,  
9 people like Dave Rich over in TPVA had been  
10 outstanding in his administrative part of  
11 it. So it was a really good program.

12 CHAIRMAN NICOLELLO: Legislator  
13 Drucker and I see Legislator Bynoe and  
14 Legislator Birnbaum.

15 LEGISLATOR DRUCKER: Thank you,  
16 Presiding Officer, I will be quick. Chris,  
17 dedicated public servants like yourself for  
18 so many years are very hard to come by.

19 You have been a resource to this  
20 county and the residents of this county for  
21 so many years.

22 Personally speaking, we as  
23 legislators when we do events in our  
24 respective districts, we always sometimes  
25 when we have to rely upon county officials

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2 to come and help us with these events, most  
3 reassuring things was coming to the car  
4 safety event and seeing you there, and  
5 knowing that the residents and constituents  
6 in my district were going to be well served,  
7 that was very reassuring to me.

8 So, I, for one, want to commend  
9 you. You are someone who deserves your  
10 retirement and I hope you enjoy it in good  
11 health. But you will be sorely missed, your  
12 enthusiasm, the way you went about your job  
13 on a day to day basis was unparalleled in my  
14 opinion.

15 Good luck to you, Chris.

16 MR. MISTRON: Thank you.

17 LEGISLATOR BYNOE: Thank you,  
18 Presiding Officer. Chris, I want to wish  
19 you well in the next chapter of your life.  
20 Thank you. Thank you for not only providing  
21 the services that were traditionally  
22 accustomed to presenting to us as  
23 legislators.

24 I remember very early on in my  
25 tenure here because I contacted you because

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2 I was hosting a backpack event, a back to  
3 school event, and I talked about how we can  
4 improve safety in our community for our  
5 young cyclists. We sat down and you gave  
6 me some really good ideas where you were  
7 able to partner with us and give us a whole  
8 bunch of resources for those young people  
9 and you gave me the idea of contacting of  
10 local bike shop that might come out and do  
11 the adjustments on the kids bikes and make  
12 sure the bikes were safe and ready for  
13 school.

14 So, for that, it's a wonderful  
15 opportunity to actually partner with  
16 Cannondale, and they came every year and  
17 provided that service to us and it was in  
18 part to your partnership.

19 I wanted to say thank you very  
20 much for all you have done for the county  
21 residents and I wish you well and God speed.

22 MR. MISTRON: Thank you again. I  
23 think what you listed and what you just  
24 said, one of the most important things that  
25 we can do is to form partnerships.

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2 There is a lot of organizations  
3 an a lot of people that can provide services  
4 and resources to the county.

5 I was never shy with the idea of  
6 sharing with other people for the idea, I  
7 had no ego on this, if I can find you  
8 somebody that could do something, and even  
9 if I could find somebody that could do it  
10 better than me I would do that.

11 I think that through partnerships  
12 we have had a lot of success over the years.

13 CHAIRMAN NICOLELLO: Legislators  
14 Birnbaum, Kopel, Kennedy, DeRiggi-Whitton.

15 LEGISLATOR BIRNBAUM: Chris, I  
16 just want to point out to everybody that I  
17 think what is so special about you is your  
18 compassion and the kindness you have always  
19 shown towards people whenever we did car  
20 safety seat checks together, you took the  
21 time to speak to each individual as if they  
22 were the only person you were helping that  
23 day, even though you have done this over and  
24 over again. You can just tell the way you  
25 spoke about your family. I know when you

1                   Full Legislature/2-22-21  
2     were in Great Neck you would tell me stories  
3     about your son who went to the Merchant  
4     Marine Academy and you would speak so  
5     proudly about him, and your dad who you were  
6     so proud of who lived so independently into  
7     his 90s and even you with your health  
8     setbacks, you never let that stop you. You  
9     were just always there, willing to help.

10                  When I became a grandmother for  
11     the first time, I pulled my car up to my  
12     spot at the Legislature, and you gladly met  
13     me there and helped put the car seat in. I  
14     had no idea why it was wobbling around, as  
15     Kevan said, I had no way of doing it.

16                  You, one, two, three put pieces  
17     in, you cut up extra things to fix my car  
18     and it was just incredible the way you took  
19     the time to do that, not just for me but for  
20     everybody that you helped.

21                  You will be sorely missed but I  
22     really want to thank you all that you have  
23     done for all the residents in Nassau County.  
24     You've touched a lot of people's lives.  
25     Thank you.

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2 MR. MISTRON: I want to thank you  
3 but the other thing I wanted to add. I do  
4 have a little bit of bad news for you. I  
5 tried going to the Guinness book and see if  
6 both you and I were the youngest  
7 grandparents on record and we were told no.

8 But I do thank you and I did  
9 enjoy every moment and I looked forward to  
10 your many calls. We also did a number of  
11 community open houses or open sessions and I  
12 thought those also went very well.

13 LEGISLATOR KOPEL: Chris, hi  
14 there. You just talking about grandparents  
15 and the Guinness book of world records.

16 So I can take you back a little  
17 way, a couple of years back, where my  
18 daughter had twins followed two years later  
19 by triplets.

20 Five car seats, and you got them  
21 into that van when nobody else could. Good  
22 thing none of them are having any twins or  
23 triplets anymore.

24 But a real expert and the best  
25 part of it is, we'll never know but probably

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2 saved a few lives along the way, young lives  
3 promising lives, and thank you for  
4 everything.

5 MR. MISTRON: Thank you again,  
6 and I can tell you I'm looking forward to  
7 installing a car seat in another four months  
8 I'm going to become a grandfather for the  
9 second time.

10 I actually ended up getting a  
11 call from Tennessee, my son who is in the  
12 Navy. The way the Navy works it's a land  
13 lock state. The headquarters for the  
14 submarine service on the east is in Memphis,  
15 Tennessee. Figure that one out. That's  
16 where he is currently stationed.

17 I ended up getting a call from a  
18 fitting station in Tennessee where my  
19 daughter-in-law had to upgrade their seat  
20 and he was asking me who I was and how did I  
21 get that seat in so well. Along the way we  
22 were kind of laughing.

23 But I happen to have a  
24 certification number to do these seats that  
25 was in the first group that was given



1                   Full Legislature/2-22-21  
2   nationally, so I'm -- my number is 120.  
3   Currently they're issuing something like  
4   100,000 something, as the car seat techs.  
5   So I was in the first group that was taught  
6   how to do this in 1998. I thought it was a  
7   great program and that's why I brought it to  
8   the county.

9                   CHAIRMAN NICOLELLO:   Legislator  
10   Kennedy and Legislator DeRiggi-Whitton.

11                  LEGISLATOR KENNEDY:   Hi, Chris.  
12   I just want to say thank you for everything  
13   that you have done.

14                  I think all your work over the  
15   years as so many people today, so many  
16   legislators have said, I agree with  
17   everything.

18                  I was thinking back on when I  
19   first met you, I think it's a while, I was  
20   teaching still, and when you put that car  
21   seat in, I had no idea. I thought that  
22   everything would be fine it's wiggling  
23   around. But it should be okay. Never saw  
24   anything like it.

25                  Then you came back and helped so

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2 many times the car facing backward, then  
3 facing forwards. Then incredibly every  
4 single time I had one of those car seat  
5 safety checks in my district, so many people  
6 came out. Many many times some people who  
7 had not signed up showed up or called and  
8 said, would you mind if I could just come  
9 down. I'm really really desperate and in  
10 need of this, and you always said yes. You  
11 always helped out. You always stayed a  
12 little bit longer. I want to thank you for  
13 that as well. You were dedicated and have  
14 always been dedicated.

15 I want to say thank you. Enjoy  
16 your retirement. Enjoy your grand kids and  
17 just have fun. Thank you.

18 CHAIRMAN NICOLELLO: Legislator  
19 DeRiggi-Whitton. I think you will be the  
20 last one.

21 LEGISLATOR DERIGGI-WHITTON: I  
22 have a little known fact about Chris, not  
23 only does he give so much to the county, but  
24 he's also very much involved, and I'm going  
25 to botch the name, young scientists who

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2 travel around, I guess the honors program,  
3 because I'm a proud aunt of one of them,  
4 Lauren DeRiggi. She absolutely adores you.  
5 You showed your patience and love and caring  
6 to those kids as well. She's incredibly  
7 smart but she's very reserved to say the  
8 least and you really made her feel  
9 comfortable and brought her out. She went  
10 all over with you, up to Boston, I think it  
11 was, and a few other locations. Not only  
12 does he give so much to the county but the  
13 community as well.

14 Thank you on behalf of Lauren  
15 DeRiggi.

16 MR. MISTRON: Thank you. What is  
17 being referred to, my degree is actually in  
18 physics. Years ago, in my prior life I was  
19 a teacher. I used to adjunct at New York  
20 Tech and I taught physics in physics labs at  
21 New York Tech for 12 years.

22 Part of it was while I was  
23 working but one of the things is that over  
24 the past 11 years, I had been the science  
25 olympiad coach over at Kellenberg High

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2 School.

3 So many times I'll shoot over  
4 there. Shoot over there after I'm done here  
5 and get there around 5:00ish or so I will  
6 stay there for another hour or so and help  
7 them with their different projects and  
8 studies.

9 We did travel the northeast on a  
10 number of competitions with other high  
11 schools with other areas. Your niece is a  
12 wonderful young lady and the kids enjoy it.  
13 It's something that I enjoy doing and once  
14 this pandemic is over I'm hoping I can go  
15 back into the high school and assist with  
16 the science programs.

17 LEGISLATOR DERIGGI-WHITTON: So  
18 you see guys, that's why we had so many  
19 problems with car seats because we are not  
20 physics teachers so it does take a physicist's  
21 expert to get those darn things in.

22 Anyway, thank you so much. We  
23 will see you soon.

24 CHAIRMAN NICOLELLO: Thank you  
25 again, Chris.

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2 Next is Item Number 3, a hearing  
3 on a proposed local law postponing the date  
4 of the 2021 sale of tax liens pursuant to  
5 Article 2 of Title B, Chapter 5 of the  
6 Nassau County Administrative Code.

7 LEGISLATOR KOPEL: So moved.

8 LEGISLATOR GAYLOR: Second.

9 CHAIRMAN NICOLELLO: Moved by  
10 Deputy Presiding Officer Kopel, seconded by  
11 Legislator Bynoe.

12 All in favor of opening the  
13 hearing, signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The hearing is open.

18 This is an administrative  
19 initiative. Is there anyone here from the  
20 administration that wants to speak about it?

21 MS. HORST: I think Beaumont  
22 Jefferson is on the line.

23 CHAIRMAN NICOLELLO: Okay, he  
24 would be the guy.

25 MR. JEFFERSON: Hello. Can you

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2 hear me?

3 CHAIRMAN NICOLELLO: Yes, he  
4 would be the guy.

5 MR. JEFFERSON: 46- 21, this  
6 local law seeks to postpone our annual lien,  
7 tax lien sale. The tax lien sale is usually  
8 held at the Tuesday of February which would  
9 have been February 16th.

10 The postponement of this sale  
11 would allow the residents and Class 4  
12 property owners enough time to pay any  
13 delinquent taxes that set the postponement  
14 of the sale, of proposed date that would be  
15 date in early May, and this would just  
16 shorten everything who experienced that  
17 hardship the benefits from this additional  
18 time to pay any delinquent taxes.

19 CHAIRMAN NICOLELLO: Any  
20 questions for Beaumont?

21 (No verbal response.)

22 The only question I had is,  
23 there's a slight discrepancy from what I'm  
24 told, this law postpones the tax lien sale  
25 to May 3rd and my understanding is the state

1 Full Legislature/2-22-21  
2 has postponed tax lien sales until May 10th.  
3 Is that a conflict, or is that a problem?  
4 MR. JEFFERSON: No. We haven't  
5 set the date yet, Legislator Nicolello. The  
6 date would be the date --  
7 MS. HORST: Beaumont, it's Katie.  
8 The legislation says it will be sold on or  
9 about May 3rd.  
10 CHAIRMAN NICOLELLO: On or about  
11 meaning you have some leeway?  
12 MS. HORST: Yes.  
13 MR. JEFFERSON: Yes. We would  
14 not have the sale before the state date. So  
15 it would be after the date in the state of  
16 the governor's COVID Emergency Eviction Act.  
17 We would schedule it after that date.  
18 CHAIRMAN NICOLELLO: Thank you.  
19 Any legislators have any questions or  
20 discussion?  
21 (No verbal response.)  
22 Motion to close the hearing?  
23 LEGISLATOR KOPEL: So moved.  
24 LEGISLATOR BYNOE: Second.  
25 CHAIRMAN NICOLELLO: Moved by

1 Full Legislature/2-22-21

2 Legislator Kopel, seconded by Legislator  
3 Bynoe.

4 All those in favor of closing the  
5 hearing signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 Carries unanimously.

10 We will go to Number 6 which is  
11 the vote on the proposed local law. It is a  
12 local law postponing the date of the 2021  
13 sale of tax liens pursuant to Article 2 of  
14 Title B of Chapter 5 of the Nassau County  
15 Administrative Code.

16 LEGISLATOR BYNOE: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRMAN NICOLELLO: Moved by  
19 Legislator Bynoe, Deputy Presiding Officer  
20 Kopel. Any further debate or discussion?

21 (No verbal response.)

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

24 (Aye.)

25 Those opposed?



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2 (No verbal response.)

3 Carries unanimously.

4 We have two items left on the  
5 calendar. They are both ordinances, both  
6 ordinances relating to the Coliseum.

7 At our request, they were broke  
8 up into two separate items. But at this  
9 time we will call them together so we can  
10 discuss them together.

11 Item 7 is an ordinance  
12 authorizing the County Executive on behalf  
13 of the county of Nassau to execute a third  
14 amendment to the amended and restated  
15 Coliseum lease between the county, as  
16 landlord, and Nassau Events Center, L.L.C.,  
17 as tenant.

18 Number 8 is an ordinance  
19 authorizing the County Executive on behalf  
20 of the county to execute a fourth amendment  
21 to the amended restated Coliseum lease as  
22 County of Nassau, as landlord, and Nassau  
23 Events Center, L.L.C., as tenant.

24 LEGISLATOR SCHAEFER: So moved.

25 LEGISLATOR MCKEVITT: Second.

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2 CHAIRMAN NICOLELLO: Moved by  
3 Legislator Schaefer, seconded by legislator  
4 McKevitt. They are now before the  
5 Legislature.

6 MS. TSIMIS: Thank you, Presiding  
7 Officer. Good afternoon legislators,  
8 Minority Leader Kevan Abrahams. I'm Evlyn  
9 Tsimis, Deputy County Executive for Economic  
10 Development.

11 I hope you can hear me okay,  
12 combination of mask and some serious dental  
13 work. I will do the best I can here this  
14 afternoon.

15 We truly appreciate the  
16 opportunity to discuss these two important  
17 linked items that are intended to address  
18 the very real and ongoing impacts of the  
19 COVID-19 pandemic on the operations of the  
20 Coliseum and the hub project in terms of  
21 both lost time and lost revenue, while  
22 positioning the building and the hub  
23 redevelopment site for future success.

24 If you don't mind, we're just  
25 going to go through the history on the lease

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2 and the BPA and the brief summary but it  
3 will only take a few minutes.

4 Obviously this project is at the  
5 heart of the County Executive's economic  
6 development strategy, and the success of the  
7 effort which was undertaken collaboratively  
8 with the Legislature is important now more  
9 than ever.

10 As you know, in 2013, the county  
11 granted NEC a long term lease for the  
12 Coliseum. It included provisions for future  
13 development rights at the Nassau hub section  
14 54. Financing of policy and renovations and  
15 standard leasehold lender protections, which  
16 is found in schedule J of the lease.

17 In 2015, the Legislature approved  
18 a restated coliseum lease which allowed the  
19 tenant to secure financing for coliseum  
20 renovations through an EB-5 lender, program  
21 lender as opposed to a traditional bank.

22 That same year, NEC did in fact  
23 obtain such financing from an EB-5 program  
24 financier known as Nassau County Coliseum  
25 Funding 100.

1 Full Legislature/2-22-21

2 In 2019, we were all together for  
3 the passage and signing of the development  
4 plan agreement.

5 That agreement designated Nassau  
6 hub developer a partnership between NEC, our  
7 tenant, and developer, RXR, to pursue  
8 redevelopment of the hub site. That project  
9 set project milestones and some important  
10 first days including January 7th, 2021 that  
11 just passed, their conclusion of certain  
12 project documents.

13 The document also provided for  
14 legislative approval of specific project  
15 documents and agreements, everything to come  
16 back to you, community benefits advisory,  
17 committee documents, project labor  
18 agreements, and all the rest.

19 Leading up to the COVID-19  
20 pandemic, our hub developer, partnership  
21 with NEC and RXR, were really continuing to  
22 advance the project very well and they met  
23 several important milestones including  
24 helping the county secure \$85 million for  
25 parking garages and filing important

1                   Full Legislature/2-22-21  
2   documents with the Town of Hempstead  
3   including a conceptual master plan extending  
4   action as we speak.

5                   Then came 2020, the COVID-19  
6   pandemic, and the state's March shut down of  
7   all nonessential businesses including the  
8   Nassau Coliseum.

9                   In June, the Coliseum's tenant  
10   NEC issued a lights out announcement, which  
11   was obviously very discouraging that they  
12   would not longer not operate the Coliseum,  
13   they were not interested in participating in  
14   the hub redevelopment project any longer.

15                  They proceeded to default on  
16   their \$100 million loan to Nassau Coliseum  
17   funding and they also defaulted on their  
18   lease to the county to the tune of \$2.2  
19   million for rent and utility payments.

20                  After negotiations and a  
21   settlement in lieu of foreclosure between  
22   NEC and the lender, in August of 2020 the  
23   leasehold lender, Nassau Coliseum Funding  
24   100, cured NEC's rent default to the county,  
25   their designee, Nassau Live Center, L.L.C.,

1                   Full Legislature/2-22-21  
2       stepped into the shoes of NEC as Coliseum  
3       tenant by operation of lease provision I  
4       mentioned before, schedule J, and Nassau  
5       Live took on all aspects of the restated  
6       Coliseum lease as well as the  
7       borrower obligations under the EB-5 loan.

8                   The administration assured that  
9       as part of the settlement, Nassau Live took  
10      assignment of important contracts relating  
11      to the building operations and maintenance,  
12      including with arena operator, ASM, New York  
13      Islanders, and the Long Island Nets.

14                  These steps avoided foreclosure,  
15      protracted litigation, time and expense. In  
16      fact, it paved the way for the Islanders to  
17      return to the Coliseum last month in  
18      January.

19                  Nassau Live also agreed to  
20      develop a plan to sustain Coliseum  
21      operations and partner with RXR on the hub  
22      project site.

23                  We are extremely pleased that the  
24      state is now allowing arenas to reopen at 10  
25      percent occupancy to fans.

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2 Nassau Live is actively working  
3 with the Islanders to bring some fans back  
4 to the Coliseum. There is a limited number  
5 of fans, ten percent. We're looking at  
6 about 1,400 individuals to be allowed to  
7 come and watch the Islanders play.

8 We remain committed to more  
9 events and more audiences, but at this point  
10 we expect the process to be slow as we await  
11 for the guidance, testing, vaccine  
12 availability and increased public confidence  
13 about returning to live venues.

14 We also recognize that successful  
15 operation of the Coliseum is dependent upon  
16 restarted of live sports and entertainment  
17 more generally, not just here locally, but  
18 regionally and across the country. The  
19 timing for all of that remains uncertain  
20 unfortunately.

21 Finally, formulating a long term  
22 plan for successful operation at the  
23 Coliseum, will require a close look at the  
24 new UBS Belmont arena coming on line at the  
25 end of this year, another project we are

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2 very excited but it would be wise to  
3 consider that in our future plans for at  
4 Coliseum.

5 For all these reasons, the  
6 administration proposes interim adjustments  
7 to the lease and DPA to address the real and  
8 ongoing impacts of the COVID 19 pandemic.  
9 This goes to the main provision of each of  
10 the two documents.

11 In 51-21 is the third amendment  
12 to the amended and restated Coliseum lease.  
13 That document grants the tenant temporary  
14 rent relief during a COVID relief period  
15 during which time they will not pay the  
16 annual minimum rent of \$4 million per year.

17 Percentage rent for any revenues  
18 made within the building remain payable to  
19 the county.

20 The period extends until six  
21 months after New York pause restrictions are  
22 fully lifted on Coliseum operations, such as  
23 there could be 100 percent occupancy in the  
24 building, with an outside date of 12-31-22.  
25 During this period, Nassau Live must comply



1                   Full Legislature/2-22-21  
2     with all other lease obligations. This  
3     includes payment of utilities, keeping the  
4     Coliseum in good order, maintaining the  
5     contractual obligations we referenced before  
6     like having the Islanders play and the  
7     contract with ASM.

8                   Nassau Live must also work  
9     diligently on a longer term plan for the  
10    Coliseum and the hub.

11                  Any further adjustment with the  
12    financial or other terms of the lease will  
13    be brought back to the Legislature.

14                  Finally, that amendment also  
15    includes indemnification to the county by  
16    the EB-5 lender in connection with any  
17    potential claims by investors associated  
18    with EB-5 financing and the assignment and  
19    assumption of the lease by Nassau Live.

20                  The second item, 52-21 is a  
21    fourth amendment to the amended and restated  
22    Coliseum lease which introduces a first  
23    amendment to the development plan agreement.  
24    That's Exhibit-A to the document. That will  
25    extend the first outside date to the

1                   Full Legislature/2-22-21

2       completion of certain hub agreements until  
3       the later of July 7, 2021, or the end of the  
4       COVID-19 relief period I referenced earlier.

5                   It also replaces NEC as RXR's  
6       development partner with Nassau Live  
7       developer, and provides for a future  
8       substitution with an affiliate of the  
9       leasehold lender as may be approved by the  
10      Legislature.

11                  Together, the lease and DPA  
12      amendments give Nassau Live and RXR  
13      appropriate and necessary interim relief  
14      during this historic pandemic, a little  
15      breathing room, so they can continue to work  
16      collaboratively on longer term plans for the  
17      building as an integral part of the hub  
18      site.

19                  We understand you have been  
20      briefed on some active discussions regarding  
21      a longer term plan for the Coliseum  
22      including with third parties in the  
23      entertainment space for programming in and  
24      around the building.

25                  The idea is to create an

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2 exciting, new entertainment district at the  
3 hub with the Coliseum at center stage. This  
4 would combine with the plan with Northwell  
5 Health, housing and vibrant public amenities  
6 that truly transform the hub.

7 We expect the team will not need  
8 the time provided for in these agreements  
9 and it is in everyone's mutual interest that  
10 they move quicker.

11 Together we can insure that the  
12 hub actually becomes the economic driver  
13 we've always wanted it to be and a place  
14 where people can gather in a post COVID  
15 world as we always envisioned.

16 In closing, we ask for your  
17 support of the proposed amendments to  
18 preserve this important county asset and  
19 keep our plans for the future on track.

20 Thank you and we're happy to  
21 answer any questions.

22 CHAIRMAN NICOLELLO: Thank you,  
23 Evelyn. We appreciate that presentation  
24 including the history. That was a good  
25 refresher for us to have.

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2 With respect to the amendment  
3 that is extending their time, I guess an  
4 LC's time in which it won't have to pay rent  
5 through December 31st, 2022 if the  
6 restrictions are not lifted in the six month  
7 grace period, it seems like a long way out.  
8 Why was that date picked?

9 MS. TSIMIS: Technically the date  
10 of 12-31-22 is the outside date. The date  
11 is really tied to whenever we have 100  
12 percent occupancy in the Coliseum.

13 The reason we did that is, first  
14 of all, we expect them to act quicker,  
15 number one; it is absolutely in the new  
16 tenant and the hub developer's best interest  
17 to get this building operational and running  
18 and making money as soon as possible. We  
19 are all aligned in this.

20 So you were briefed and I think  
21 you know that there is active discussions  
22 going on and what that longer term plan  
23 looks like.

24 So when they bring forth that  
25 longer term plan for the building, and the

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2 operations in connections with the hub, we  
3 expect that we will receive also a request  
4 for something around that, some kind of an  
5 adjustment of some sort. We just felt it  
6 was extremely important to sort of keep the  
7 two things tied together, the plans for the  
8 building, in connection with the hub site  
9 and then tied to COVID. We don't think the  
10 time is excessive because we don't expect to  
11 need it, to be Frank.

12 CHAIRMAN NICOLELLO: When the  
13 thousand people are allowed back in the  
14 arena, that doesn't accrue some revenue,  
15 will the county share in that, in terms of  
16 the concessions, parking?

17 MS. TSIMIS: Yes.

18 CHAIRMAN NICOLELLO: It won't be  
19 a lot of money?

20 MS. TSIMIS: It really won't be  
21 because when you think about it, there will  
22 not be concessions in the traditional sense  
23 from what we understand of what the state is  
24 approving in terms of the operation of these  
25 buildings for these limited number of fans.

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2 It's like a grab and go. You take a snack  
3 an take it to your seat. So we're not  
4 talking about mass consumption of beverages  
5 and food, so for 1,400 people I don't think  
6 there will be much.

7 But, yes, the county would share  
8 eight percent of revenues and 12 percent on  
9 any parking as we do under the lease right  
10 now.

11 CHAIRMAN NICOLELLO: We  
12 understand that much has changed since the  
13 original agreements and even since some of  
14 the amendments. You have Belmont which  
15 obviously is a game changer in many ways.  
16 Obviously the major impact has been COVID.

17 We understand why there has been  
18 delays and there's going to be some sort of  
19 shift. There will be a shift in division to  
20 some extent.

21 My question is, when they come up  
22 with a more formal plan, will that come back  
23 to the legislative body for approval?

24 MS. TSIMIS: Yes, we always  
25 contemplated, right, that there was the plan

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2 and the conceptual master plan is pending  
3 before the Town of Hempstead right now.

4 The development team is  
5 contemplating some tweaks to that plan but  
6 no major revisions. We're still looking at  
7 500 units of housing, commercial space,  
8 Northwell innovation district, entertainment  
9 district. We always talked an entertainment  
10 district. Reasons to bring people to the  
11 site as a destination before and after  
12 what's happening in the Coliseum. Much more  
13 lively and much more focused.

14 But we always contemplated a  
15 development agreement that the documents on  
16 the financing of that deal, how many acres  
17 are they going to use for, let's say, an  
18 entertainment district; what the cost of  
19 that is, in terms of whether it's a lease or  
20 agreement. We always come back to the  
21 Legislature and we always contemplated that;  
22 as with the resulting benefits agreement,  
23 community benefits agreement, project labor  
24 agreements, and all of that was always  
25 intended to come back to you. Essentially

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2 we are moving the timeline.

3 I also want to point out that  
4 there was a force majeure provision in the  
5 development plan agreement that would have  
6 brought us to January -- I'm sorry, six  
7 months, would have brought us to June 7th of  
8 '20-'21.

9 So they missed the deadline of  
10 January 7th but we did build in that  
11 existing force majeure and then tie it to  
12 the same COVID relief period. We felt that  
13 keeping everyone aligned, building tenants,  
14 hub developer and the county on pushing this  
15 plan as much as we can, as quickly as we  
16 can, in the midst of a pandemic, is the way  
17 to go.

18 CHAIRMAN NICOLELLO: You  
19 mentioned some of the changes with respect  
20 to the development, but if there is a  
21 change, a major change with respect to how  
22 the Coliseum itself is operating, does that  
23 come back to us as well?

24 MS. TSIMIS: Yes.

25 CHAIRMAN NICOLELLO: It does,



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2 okay.

3 MS. TSIMIS: Yes. It would be  
4 part of their long term -- we called it a  
5 sustained plan for operations at the  
6 Coliseum and absolutely that would come to  
7 the Legislature. I would say, and correct  
8 me, that changes the terms of what they're  
9 expected to do inside that building, which  
10 is outlined in the lease itself.

11 CHAIRMAN NICOLELLO: With respect  
12 to NLC or the lender who is now stepping in  
13 there, we've come a long way since Bruce  
14 Ratner was the party with whom the county  
15 contracted with and he had vast experience  
16 in developing arenas.

17 So this lender -- and I spoke to  
18 Mastrianni, they won't be -- they aren't  
19 running the Coliseum, right, they bring in  
20 an entity that knows how to operate a  
21 facility of this kind, correct?

22 MS. TSIMIS: That's correct,  
23 Presiding Officer. Right now as I  
24 mentioned, they have a contract in place  
25 with ASM which is an experienced company

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2 that runs arenas which was in the building  
3 even before under Onexum, NEC. I think  
4 there are levels to this that people forget.

5 So ASM has been on the scene,  
6 continuing to be on the scene and they would  
7 likely be. I think the good news is that  
8 Mr. Mastrianni sees the investment  
9 opportunity and the possibilities of the hub  
10 site redevelopment.

11 We're discouraged that the  
12 former tenant chose to move in a different  
13 direction, but I think the fact that someone  
14 stepped in as quickly as they did, sees the  
15 potential here and is excited about it and  
16 is working collaboratively with our hub  
17 developer. This is all good news for the  
18 project.

19 CHAIRMAN NICOLELLO: I think we  
20 understand that the pandemic obviously is  
21 delayed the project to some extent and  
22 obviously the world has changed a lot in 12  
23 months.

24 I would tend to be supportive of  
25 this. I'm reassured that RXR remains fully

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2 committed to this project and they are. 20  
3 years ago they were a major Long Island  
4 regional developer. Now they are a major  
5 developer, period, in New York City, et  
6 cetera, et cetera.

7 So it's good to have a partner of  
8 that size and that much wherewithal be  
9 committed to the project.

10 They have expressed their  
11 willingness to continue to work with the  
12 town of Hempstead, work with the community,  
13 so I think that all enures to our benefit.

14 MS. TSIMIS: Thank you. I agree.

15 CHAIRMAN NICOLELLO: Anyone else  
16 have any questions, comments?

17 This is all part of one  
18 presentation. You guys better move back up.

19 LEGISLATOR DERIGGI-WHITTON:

20 Thank you. I wasn't sure how we were doing  
21 this. I thought we were just doing the  
22 Coliseum first and then the residential  
23 second.

24 I was also debriefed in a phone  
25 call with Mr. Rechler and that was helpful.

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2 I understand the numbers are a little bit  
3 vague at this point. We don't really know  
4 the exact amount of rent we will be getting  
5 going forward. We don't really know the  
6 exact amount of rent we will be getting  
7 going forward, and we don't know a number of  
8 the other impacts of these changes.

9 But one thing that I know my  
10 colleague Legislator Bynoe is going to touch  
11 on is the agreement we had with the  
12 communities surrounding the Coliseum. We  
13 had a pretty good formula which she'll go  
14 over with the square footage.

15 In the beginning I thought  
16 Mr. Rechler said, yes, we are keeping that  
17 and then at the end if I heard it correctly  
18 because I was having some technical  
19 difficulties at my home with the internet, I  
20 heard him say something like, we will  
21 discuss it later.

22 MS. TSIMIS: It's still in the  
23 agreement and there's been no change. That  
24 would be surprising to me.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Terrific. Again, I have to say the  
3 connection was terrible, which I always have  
4 on the north shore, so I don't know if I  
5 misheard him, but I wanted to get that on  
6 the record.

7 MS. TSIMIS: Yes. I will go on  
8 the record on two things; in terms of the  
9 rent for the building, we are waving the \$4  
10 million annual rent, but, again, we continue  
11 to keep revenues and a share of revenues  
12 from any building activities and parking  
13 coming into the county. We will absolutely  
14 be revisiting that when they make the plan  
15 for a longer term for non COVID periods for  
16 the Coliseum which we all hope will happen  
17 sooner rather than later.

18 LEGISLATOR DERIGGI-WHITTON: Do  
19 we have any reassurance that it will be  
20 somewhere in the \$4 million range?

21 MS. TSIMIS: I don't think that  
22 we can really say that. I don't think, to  
23 be honest here, but the revenues in the  
24 building were not all that far off from the  
25 \$4 million revenue for many years, at least

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2 a few years in the recent past. A minimum  
3 was set based on some calculation of revenue  
4 but we would have to look again at what  
5 exactly is being proposed for the building,  
6 what the expected revenues are, projected  
7 revenues, which would expect the tenant and  
8 our hub developers have prepared those  
9 materials for us and submit something and  
10 then we would negotiate what's reasonable  
11 based on what the intended use is.

12 LEGISLATOR DERIGGI-WHITTON: So,  
13 after we vote today, we are -- I kind of see  
14 this as a little backward just because I see  
15 it selling our house and then finding out  
16 what we are getting paid for it later.

17 MS. TSIMIS: We are keeping our  
18 house in good order, legislator. This is a  
19 very, very unprecedented time. We have a  
20 county asset that we need to maintain.  
21 There's \$2 million in costs just to run the  
22 utilities in the building. If they don't  
23 pay, the county has to pay.

24 We are trying not to make up the  
25 loss worse. We are trying to hold firm,

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2 take a pause, give some breathing room to  
3 the folks in there trying to do the right  
4 thing.

5 Our new tenant came on the scene  
6 and has done what he needs to do to get the  
7 Islanders to play, hit the ice, even fix the  
8 name on the ice when he didn't get it right  
9 the first time. They went back and opened  
10 up the parking lots a few different times  
11 when we asked them to for food distributions  
12 and they are open to other ideas that have  
13 come up about vaccination centers.

14 They have been sort of playing by  
15 the rules collaboratively with us and we  
16 feel that this is appropriate. I promise we  
17 will be back to you.

18 LEGISLATOR DERIGGI-WHITTON: I  
19 understand. I just wanted to have some idea  
20 financially what we were going to expect.  
21 There are two more quick questions. First  
22 of all I appreciate the fact that they let  
23 us have our Toys for Tots for collection.  
24 We collected 100,000 toys this year and I  
25 know I mentioned to Mr. Rechler also that

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2 that doesn't go unnoticed and I've been at  
3 the food distribution as many of my  
4 colleagues have. It's a perfect location  
5 for it.

6 Just two things. One, I also  
7 heard something about reducing the number of  
8 seating in the Coliseum.

9 MS. TSIMIS: So the development  
10 team and the current tenant are looking at  
11 all options for reactivating the Coliseum in  
12 a way that it's going to be successful.

13 We all know Belmont is coming  
14 online at the end of the year, 18,000 seat  
15 venue and we have a 14,000 seat venue here  
16 at the Coliseum.

17 So, what they're looking at is  
18 ways to insure that the two venues  
19 compliment each other rather than compete.

20 They're talking to third parties  
21 and others who may have ideas in that regard  
22 about what kinds of programming would be  
23 good in that building. There does seem to  
24 be a hole in the market in Nassau County on  
25 Long Island for a six to 8,000 seat venue.



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2 I think you're all very familiar with the  
3 venues and there really is a hole.

4 But that's not to say there is  
5 anything firm on that, they're just looking  
6 at it. We encourage them too. I think  
7 those types of thoughtful discussions about  
8 what would be the most successful is what we  
9 would want to hear.

10 Obviously if you're going to move  
11 seats out, you have to make up the revenue  
12 in some other way. So, more to come on  
13 that, Legislator, we are just not there yet.

14 LEGISLATOR DERIGGI-WHITTON: So,  
15 again, as the Presiding Officer mentioned,  
16 before any seats are removed you would have  
17 to come before us again?

18 MS. TSIMIS: Absolutely.  
19 Absolutely. Sustained operational plan has  
20 any adjustments, longer term in the rent,  
21 this is a pause that's tied to COVID.

22 LEGISLATOR DERIGGI-WHITTON:  
23 Okay. And just as a side note, I mentioned  
24 this to Mr. Rechler. We've had a lot of  
25 complaints with the prior facility operator,

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2 it was very difficult to get a receipt for  
3 the parking nor was there any clear way to  
4 see how they were keeping track of how many  
5 cars they had per event. I think it was  
6 something that we could have run into  
7 trouble with.

8 I just really hope going forward  
9 we really have a clear plan. This day and  
10 age, technology can count the number of  
11 cars there are.

12 MS. TSIMIS: My understanding is  
13 if it was a credit card purchase it was  
14 recorded, but sometimes it was cash and we  
15 raised the issue and we will keep an eye out  
16 with the new tenant as well.

17 LEGISLATOR DERIGGI-WHITTON: We  
18 appreciate it because we do get a percentage  
19 with that.

20 MS. TSIMIS: Absolutely. We  
21 appreciate you bringing it to our attention.

22 LEGISLATOR DERIGGI-WHITTON: The  
23 last thing that I did mention, just with the  
24 PPE payments, there is so much money that's  
25 available, we just want to keep an eye to

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2 see if this new tenant does receive that,  
3 because if that's the case then maybe the  
4 county should have a little bit more of a  
5 rent paid to them, to us, because that's  
6 really what those types of situations and  
7 payments are made for to pay the rent.

8 MS. TSIMIS: Understood. We  
9 asked them. They did not apply for any PPE  
10 in 2020 and don't have any current plans in  
11 2021.

12 They are looking at the new,  
13 there's a new system that was passed at the  
14 end of the year, a shuttered vendor  
15 operator's grant program that they are  
16 looking at. It seems not really for sports  
17 arenas. They have to make a case that they  
18 are under a certain threshold on sports, but  
19 we don't know whether they would be even  
20 eligible but we would expect any grant any  
21 revenue that comes in, we would look at that  
22 when we readjust rent at some point.

23 LEGISLATOR DERIGGI-WHITTON: Yes.  
24 I think that should definitely, we should  
25 just state that that has to be disclosed.

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2 MS. TSIMIS: Understood.

3 LEGISLATOR DERIGGI-WHITTON:

4 Thank you so much.

5 CHAIRMAN NICOLELLO: Any other  
6 legislators? Legislator Bynoe.

7 LEGISLATOR BYNOE: Thank you.  
8 Good afternoon, Ms. Tsimis. I'm not going  
9 to speak to the CBA because it's  
10 memorialized in the agreement and you said  
11 it on the record. There was some language  
12 that kind of made members of the caucus a  
13 little uncomfortable which you just  
14 reaffirmed on the record. So thank you.

15 The only thing I would like to  
16 state is the momentum because it was really  
17 inspiring a lot of excitement around the hub  
18 development through the committee for the  
19 CBA and some of the subcommittees.

20 I understand why some of that has  
21 to pause because we need to kind of regroup  
22 and kind of decide how the development will  
23 move forward, but both myself and Legislator  
24 McKevitt who are very active on that  
25 subcommittee, I think we should work

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2 together to figure out which subcommittee  
3 should continue some level of work.

4 MS. TSIMIS: That's a good idea.

5 LEGISLATOR BYNOE: In particular,  
6 I would say the workforce development  
7 committee. This is an excellent time for  
8 that committee to start its training  
9 exercises and making sure that we have boots  
10 on the ground ready to run and hit the  
11 ground running so they can start working as  
12 soon as the development is ready.

13 Some of those training programs I  
14 understand could be 18 months out and the  
15 like. I think it's a good idea to start  
16 looking at which subcommittees should start  
17 working again.

18 MS. TSIMIS: I think that's a  
19 great idea, legislator, and I'll talk to the  
20 development team about getting that going.  
21 It just pops in my head on workforce  
22 development, we are still very much looking  
23 forward to a Northwell innovation center  
24 there. The county has been supporting that,  
25 Nassau Community College, the scholarships

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2     in the health care area to help people get  
3     retrained to enter the field. So if they  
4     are involved in those committees, as both  
5     you and Legislator McKevitt, I completely  
6     agree and look forward to those discussions.

7                   LEGISLATOR BYNOE: Including Long  
8     Island Ascend, they were working with small  
9     businesses.

10                  MS. TSIMIS: Exactly. We  
11     shouldn't stop that work and I appreciate  
12     that.

13                  LEGISLATOR BYNOE: Okay, thank  
14     you.

15                  CHAIRMAN NICOLELLO: Any other  
16     legislators have any questions or comments?

17                         (No verbal response.)

18                         Thank you again, Evlyn.

19                         Now, I'm going to call for a vote  
20     on Items 7 and 8. All in favor signify by  
21     saying aye.

22                         (Aye.)

23                         Those opposed?

24                         (No verbal response.)

25                         We have a unanimous vote in

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2 favor.

3 That's the end of our business  
4 for today. We need a motion to adjourn.

5 LEGISLATOR RHOADS: So moved.

6 LEGISLATOR DRUCKER: Second.

7 CHAIRMAN NICOLELLO: Which is the  
8 specialty of Legislator Rhoads, seconded by  
9 Legislator Drucker.

10 All in favor of adjourning  
11 signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The vote is unanimous.

16 (Whereupon, the Full Legislative  
17 Committee adjourned at 3:00 p.m.)

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C E R T I F I C A T E

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

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 8th day of March, 2021.

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FRANK GRAY