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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

LEGISLATIVE SESSION

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

Monday, April 26, 2021  
1:20 P.M.

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2     A P P E A R A N C E S:

3

4     LEGISLATOR RICHARD J. NICOLELLO

5             Presiding Officer

6             9th Legislative District

7

8     LEGISLATOR HOWARD KOPEL

9             Deputy Presiding Officer

10            7th Legislative District

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12    LEGISLATOR DENISE FORD

13            Alternate Presiding Officer

14            4th Legislative District

15

16    LEGISLATOR KEVAN ABRAHAMS

17            Minority Leader

18            1st Legislative District

19

20    LEGISLATOR SIELA BYNOE

21            2nd Legislative District

22

23    LEGISLATOR CARRIE SOLAGES

24            3rd Legislative District

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2     LEGISLATOR DEBRA MULE

3             5th Legislative District

4

5     LEGISLATOR C. WILLIAM GAYLOR III

6             6th Legislative District

7

8     LEGISLATOR VINCENT T. MUSCARELLA

9             8th Legislative District

10

11    LEGISLATOR ELLEN BIRNBAUM

12            10th Legislative District

13

14    LEGISLATOR DELIA DERIGGI-WHITTON

15            11th Legislative District

16

17    LEGISLATOR JAMES KENNEDY

18            12th Legislative District

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20    LEGISLATOR THOMAS MCKEVITT

21            13th Legislative District

22

23    LEGISLATOR LAURA SCHAEFER

24            14th Legislative District

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2     LEGISLATOR JOHN FERRETTI, JR.

3             15th Legislative District

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5     LEGISLATOR ANDREW DRUCKER

6             16th Legislative District

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8     LEGISLATOR ROSE WALKER

9             17th Legislative District

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11     LEGISLATOR JOSHUA LAFAZAN

12             18th Legislative District

13

14     LEGISLATOR STEVEN RHOADS

15             19th Legislative District

16

17     MICHAEL PULITZER

18             Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: Welcome to  
3 the meeting of the Nassau County Legislature.  
4 We're going to get started. First thing we do  
5 is have the Pledge of Allegiance and I would  
6 like to ask Legislator Tom McKevitt who is  
7 having his 50th birthday this week to lead us  
8 in the Pledge of Allegiance.

9 Thank you Tom. Mike you want to  
10 call the roll?

11 MR. PULITZER: Yes. Thank you  
12 very much. Roll call. Deputy Presiding  
13 Officer Howard Kopel.

14 LEGISLATOR KOPEL: Here.

15 MR. PULITZER: Alternate Deputy  
16 Presiding Officer Denise Ford.

17 LEGISLATOR FORD: Here.

18 MR. PULITZER: Legislator Siela  
19 Bynoe.

20 LEGISLATOR BYNOE: Here.

21 MR. PULITZER: Legislator Carrie  
22 Solages.

23 LEGISLATOR SOLAGES: Here.

24 MR. PULITZER: Legislator Debra  
25 Mule.

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2 LEGISLATOR MULE: Here.

3 MR. PULITZER: Legislator C.

4 William Gaylor the Third.

5 LEGISLATOR GAYLOR: Present.

6 MR. PULITZER: Thank you.

7 Legislator Vincent Muscarella.

8 LEGISLATOR MUSCARELLA: Here.

9 MR. PULITZER: Legislator Ellen  
10 Birnbaum.

11 LEGISLATOR BIRNBAUM: Here.

12 MR. PULITZER: Legislator Delia  
13 DeRiggi-Whitton.

14 LEGISLATOR DERIGGI-WHITTON:  
15 Here.

16 MR. PULITZER: Legislator James  
17 Kennedy.

18 LEGISLATOR KENNEDY: Here.

19 MR. PULITZER: Legislator Thomas  
20 McKevitt.

21 LEGISLATOR MCKEVITT: Here.

22 MR. PULITZER: Legislator Laura  
23 Schaefer.

24 LEGISLATOR SCHAEFER: Here.

25 MR. PULITZER: Legislator John

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2 Ferretti.

3 LEGISLATOR FERRETTI: Here.

4 MR. PULITZER: Legislator Arnold

5 Drucker.

6 LEGISLATOR DRUCKER: Here.

7 MR. PULITZER: Legislator Rose

8 Marie Walker.

9 LEGISLATOR WALKER: Here.

10 MR. PULITZER: Legislator Joshua

11 Lafazan.

12 LEGISLATOR LAFAZAN: Here.

13 MR. PULITZER: Thank you.

14 Legislator Steven Rhoads.

15 LEGISLATOR RHOADS: Present.

16 MR. PULITZER: Minority Leader

17 Kevan Abrahams.

18 LEGISLATOR ABRAHAMS: Here.

19 MR. PULITZER: And Presiding

20 Officer Richard Nicolello.

21 LEGISLATOR NICOLELLO: Here.

22 MR. PULITZER: We have a quorum

23 sir.

24 LEGISLATOR NICOLELLO: Thank

25 you. First order of business today will be

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2 public comment and it's a pleasure actually to  
3 have in person public comment again because it  
4 has been a while since we have been able to do  
5 that. Just a couple of things before we start  
6 that.

7 I know there might be people here  
8 to speak on the contract with respect to the  
9 Nassau County Equestrian Center. That is not  
10 on the calendar for the full legislature.  
11 It's on the Rules Committee calendar, which  
12 will be after the legislature's business is  
13 concluded. So we will have a full meeting of  
14 the Rules Committee and you'll have a full and  
15 fair opportunity to speak at that time.

16 We have two speakers here to speak  
17 with respect to the two laws that are on the  
18 calendar with respect to the cannabis, I would  
19 suggest that you wait until we start the  
20 actual calendar call and speak on the item  
21 when it's called.

22 We do have some general public  
23 comments so I will call those right now.  
24 First off Heidi Sanft, Nostrand Garden Civic  
25 Association.



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2 MS. SANFT: Good afternoon. My  
3 name is Heidi Sanft. I'm the first vice  
4 president of the Nostrand Garden Civic  
5 Association in Uniondale. Glad to see  
6 everybody without your masks on. Better days  
7 are ahead.

8 I'm here to inform you about two  
9 pressing quality of life issues that created  
10 an untenable situation in the Uniondale  
11 community last year which must not happen  
12 again. The first was an explosive,  
13 never-ending barrage of fireworks that went on  
14 close to four months.

15 The second was the proliferation of  
16 cars with aftermarket violations to their  
17 mufflers and exhaust systems.

18 Last year, beginning in early  
19 spring and lasting until the fall, the  
20 communities of Uniondale, Roosevelt and the  
21 Village of Hempstead had a nonstop barrage of  
22 explosive fireworks going off every night.  
23 This went on every day for months. Residents  
24 would call our civic association complaining  
25 that they could not sleep at night and would

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2 go to work in the morning with just two or  
3 three hours of sleep. Several of these  
4 residents were nurses who were working 12 hour  
5 shifts seven days a week.

6 One resident informed us that she  
7 moved in with a friend in New Jersey for a few  
8 months just so that she could sleep at night.  
9 Another elderly resident, who is a veteran who  
10 suffers from PTSD, his daughter had to drive  
11 from Georgia to Long Island and back to  
12 Georgia in order to remove her dad from the  
13 mayhem that was occurring in his community,  
14 which was Uniondale.

15 We did contact Commissioner Ryder  
16 last year concerning this issue and as always  
17 the commissioner was extremely responsive. We  
18 understood that the Nassau County Police  
19 Department at that time was inundated working  
20 to control the endless protests. The  
21 commissioner did allocate resources to address  
22 the explosive firework tax on our communities  
23 and the situation eventually improved somewhat  
24 but this took many, many months.

25 Our second concern is the issue of

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2 cars that speed down our streets that do not  
3 have mufflers with exhaust systems that have  
4 been modified. The ear deafening sounds  
5 coming from these cars sound like gunshots.  
6 The cars race up and down our main streets and  
7 residential streets and this happened last  
8 spring, summer and fall. And now that the  
9 weather is warming up this unacceptable  
10 behavior is happening again. Noise pollution  
11 is a public health crisis and these issues are  
12 causing stress.

13 With spring now upon us, our civic  
14 association is taking a proactive approach so  
15 that residents that reside in Uniondale,  
16 Roosevelt and the Village of Hempstead can  
17 enjoy the warm weather. They should be able  
18 to sit in their backyards without the fear of  
19 explosive fireworks falling into their yards  
20 and on their roofs. Children should be able  
21 to play in front of their homes without fear  
22 of being hit by a racing car. Our animal  
23 companions should not be put in the position  
24 where they must hide in fear night after night  
25 from the relentless noise out in the street.

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2 People should not need to run away from their  
3 own homes to stay in other neighborhoods  
4 because of this criminal behavior.

5 Every resident of Nassau County is  
6 entitled to a decent quality of life. This  
7 behavior is unacceptable. We cannot allow it  
8 to be the new normal by doing nothing. If we  
9 do nothing it indicates that it's okay and  
10 it's definitely not okay. We researched the  
11 law and it appears that these two issues fall  
12 under the laws of New York State. I have two  
13 more minutes, right? Total five minutes,  
14 right? Can I continue?

15 LEGISLATOR NICOLELLO: You can  
16 continue. Just wrap up when you have a  
17 chance.

18 MS. SANFT: What I will do is sum  
19 up then. We did research and the current  
20 fines are far too light. Far too light. For  
21 these cars that are jacked up, they remove the  
22 mufflers and jack up the exhaust systems and  
23 it sounds like bullets going off, the maximum  
24 fine is \$150. That's not enough for  
25 terrorizing a community.

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2 We are requesting for your help in  
3 either strengthening the existing state laws  
4 or that you create new legislation for Nassau  
5 County so that the noise pollution stops.  
6 Unfortunately, the only way that some people  
7 take the law seriously is if they are hit in  
8 the pocket. The matter is urgent. We need  
9 you to take action now please. The well being  
10 of law abiding residents is depending on it.

11 LEGISLATOR NICOLELLO: Thank  
12 you. I can assure you that those two issues  
13 are not just affecting Uniondale. My own  
14 communities the exact same issues were  
15 plagued, especially last summer but year round  
16 with respect to the mufflers.

17 On the one hand it's enforcement.  
18 We will certainly be communicating to the  
19 Nassau County Police Department to do greater  
20 enforcement on both of these issues. The  
21 fireworks, the mufflers and sound systems from  
22 these cars is ridiculous. But we will also  
23 advocate with the state legislators. The  
24 fines that are set with respect to the  
25 mufflers I believe or the sound emanating from

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2 the vehicle is state law. So, we would not be  
3 able to supersede them. But to the extent we  
4 can work with them to beef up those fines we  
5 will definitely be happy to do so.

6 MS. SANFT: Just so you know, we  
7 have also written to Senator Kevin Thomas and  
8 Assemblywoman Taylor Darling spoke about  
9 this. We spoke with the mayor of the Village  
10 of Hempstead about this. It's very serious  
11 quite frankly. With what happened last  
12 spring, summer and fall in my neighborhood I  
13 don't feel like I live on Long Island anymore,  
14 and for me to make a statement like that  
15 publicly it's really sad. Thank you.

16 LEGISLATOR NICOLELLO: And you're  
17 right, the fireworks went on for months. Part  
18 of that is attributable to COVID. People were  
19 home and just more time on their hands to do  
20 things like that. So, hopefully that will  
21 ease up somewhat. But again, we can't allow  
22 that to disrupt the lives of our residents.

23 MS. SANFT: We understand you're  
24 home. We understand you have a lot of time on  
25 your hands. But then there is something

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2 that's called a criminal activity and that  
3 needs to be explored too. I cut my  
4 presentation down a lot. Because right now  
5 it's just considered a penalty the fireworks  
6 issue. It's not a penalty it's a crime.  
7 Thank you.

8 LEGISLATOR NICOLELLO: Thank  
9 you.

10 LEGISLATOR ABRAHAMS: Rich, if I  
11 can say something. First Heidi how are you  
12 and hope you and your family and everyone is  
13 doing well.

14 Second, I just want to reemphasize  
15 everything that Rich had said. I totally  
16 agree that obviously it's a law enforcement  
17 issue. The only thing I wanted to add is that  
18 I have spoken to counsel on our end and we're  
19 going to look into seeing, if possible, it  
20 sounds like you're right, Rich, that we  
21 probably will be superseded by the state but  
22 we're just going to look to see if we can  
23 supplement anything with the law. And if it  
24 comes to it where we need to speak to the  
25 state we gladly would.

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2 I agree with you Rich that the  
3 fireworks issue is not just germane to one  
4 community. I visited families all throughout  
5 Nassau County and up in your neck of the woods  
6 in Williston Park and everywhere and it seems  
7 to be an issue everywhere. Uniondale,  
8 Hempstead, Freeport. Obviously the areas that  
9 I represent. But I do recognize it as a  
10 countywide issue. As well as the mufflers and  
11 the sound systems I hear that just as well. I  
12 believe it's a decibel issue.

13 And this might be a good question  
14 for our police department in terms of how do  
15 they gauge the decibels of those loud mufflers  
16 or sound systems when patrol cars are out on  
17 the street.

18 But Heidi, we will remain vigilant  
19 in making sure that the police department is  
20 aware. Especially as the warmer months come  
21 up and we start to see these cars and  
22 fireworks start to creep out more and more we  
23 will remain vigilant and hopefully we will  
24 have a better late spring going into summer.  
25 But we will have a conversation with the First



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2 Precinct as it pertains to our particular  
3 area, the Uniondale-Baldwin area and Roosevelt  
4 area, Hempstead area, today.

5 MS. SANFT: Thank you Legislator  
6 Abrahams. If I can just say one more thing.  
7 Right now possessing fireworks is just  
8 considered a violation. That's the law. I  
9 checked it out. And in our opinion it should  
10 be elevated to a crime because that's what it  
11 is. Especially when it sounds like  
12 explosives. There were times last summer,  
13 spring and fall, I've never been in a war  
14 zone, but I felt like maybe that's what it  
15 sounds like.

16 Then with these cars where it  
17 sounded like bullets going off. The first  
18 time I heard that I was on my living room  
19 couch watching television and I thought what  
20 is that? Because, quite frankly, I've never  
21 heard bullets going off. Then I realized that  
22 these kids are thinking that this is cool.  
23 It's a need for attention that is terrorizing  
24 the community. And I understand people need  
25 attention but there are ways to get it where

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2 you're not terrorizing people, animals.

3 That's all I have to say. But  
4 thank you Legislator Abrahams. Thank you to  
5 everyone for listening.

6 LEGISLATOR NICOLELLO: Thank you  
7 Heidi.

8 LEGISLATOR ABRAHAMS: Thank you  
9 Heidi.

10 LEGISLATOR NICOLELLO: Pearl  
11 Jacobs, Nostrand Garden Civic Association.

12 MS. JACOBS: Pearl Jacobs,  
13 Nostrand Garden Civic Association. I have a  
14 100 year old grandmother that I see regularly  
15 and I adhere to very stringent guidelines.  
16 Thank you Heidi so much. That's my vice  
17 president Nostrand Garden Civic Association.  
18 She is absolutely correct, it's like living in  
19 a war zone. I did not feel like I was living  
20 on Long Island as well. You see what's going  
21 on in New York City. We do not want Nassau  
22 County to become like New York City. It's a  
23 shame.

24 I'm going to hold up this sign and  
25 my sign says Nassau County segregated

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2 roadways. It's a very strong statement, and I  
3 had to really think about bringing this sign  
4 here but my spirit told me to bring the sign  
5 here. Nassau County segregated roadways.

6 It is my strong opinion and it's my  
7 observation as I drive all through Nassau  
8 County that our roadways are being repaired  
9 and maintained in a segregated manner. I've  
10 been writing my legislator for two years. I  
11 have emails going back two years regarding  
12 Jerusalem Avenue in Uniondale. And now we  
13 have Uniondale Avenue that's deteriorated.  
14 It's been torn up by PSEG, Nat Grid, the sewer  
15 system that was going through our community.  
16 I have been writing for two years about our  
17 roadways in Uniondale.

18 But as I travel through Salisbury  
19 Park Drive it was in good condition before but  
20 now it was just restored to pristine  
21 condition. Stewart Avenue in Garden City, it  
22 was in good condition before. It's restored  
23 to pristine condition. Merrick Avenue, it was  
24 in good condition before. Now it's restored.  
25 Even the service road on Hempstead Turnpike in

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2 the vicinity of Levittown is being restored.

3 But we cannot get two roads in Uniondale  
4 restored.

5 I have emails going back two  
6 years. And you know what? I don't even get  
7 responses back. I don't receive responses  
8 back anymore. I did receive a response back  
9 about three weeks ago from Commissioner Arnold  
10 regarding the overpass on Jerusalem Avenue  
11 that was in terrible repair. I have emails  
12 going back two years regarding that. I sent  
13 an email. Then recently I received an email  
14 about two weeks ago saying oh yeah, the  
15 overpass on the Meadowbrook portion of  
16 Jerusalem Avenue is in extremely poor  
17 condition and in need of immediate repair.  
18 But I was telling them this two years ago. I  
19 told them this two years ago.

20 So my issue is why are roads in  
21 predominantly Republican or other zip codes  
22 being repaired, they were in good condition,  
23 and our roads in Uniondale, in Roosevelt, in  
24 minority areas are not being repaired, not  
25 being looked at, not being addressed? People

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2 calling my civic association all the time  
3 telling me that their tires are being blown  
4 out. Their front ends are being compromised  
5 because of the roadway conditions in our  
6 community.

7 So, I'm going to ask my legislator,  
8 Kevan Abrahams, why this continues? Our roads  
9 continue to languish in our community? We  
10 have no investment in our community. I just  
11 want to ask.

12 LEGISLATOR ABRAHAMS: First and  
13 foremost Heidi I don't know if I agree with  
14 your --

15 MS. JACOBS: This is Pearl.

16 LEGISLATOR ABRAHAMS: I'm sorry,  
17 Pearl. First and foremost Pearl there's no  
18 camera on you so I apologize. I don't know if  
19 I agree with the premise that there is some  
20 deviant way in terms of how roads are being  
21 done. That they are being done Republican  
22 versus Democrat or God forbid anything more  
23 than that. I would first disagree with your  
24 premise.

25 The second thing is, I mean, from

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2 our standpoint, yes, we can always do a better  
3 job with roads. And I do remember in all  
4 those cases where each and every one of those  
5 cases we brought the situation to DPW and DPW  
6 assessed the situation and at those times  
7 determined that the road did not need to be  
8 fixed or repaved or whatever the issue.

9 But to say what you're saying now  
10 on the heels of us just getting, just two  
11 years ago, Uniondale Avenue done, streetscape,  
12 I challenge to say that there's not too many  
13 districts in Nassau County that were able to  
14 get that level of streetscape done in their  
15 respective district. I see the CRPs and the  
16 community revitalization projects that come  
17 through and I haven't seen that level of  
18 project that has occurred in any community.  
19 Not just Uniondale or minority communities.

20 So, I do take some question with  
21 the premise, and I do agree with you, one  
22 thing I will say is I do agree with you that  
23 there are several roads, but primarily  
24 Jerusalem Avenue, that are in great need of  
25 disrepair. I have a strong issue with the

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2 fact that you are bringing it up based off of  
3 any level of Republican, Democrat or Black and  
4 White discrimination or segregation as you  
5 presented it.

6 MS. JACOBS: You know what  
7 Legislator Abrahams? I'm not bringing it up  
8 on a Republican or a Democrat. Because you  
9 know what? I am neither. My whole issue is  
10 and you bringing up the Uniondale  
11 streetscaping as I knew you would today, it  
12 took 12 years, 12 years of advocacy from the  
13 Nostrand Garden Civic Association, 12 years,  
14 to have one street in Uniondale redone.  
15 That's nothing to be really proud of. 12  
16 years. I can go back and show you the  
17 paperwork. I can show you 12 years they have  
18 one street, one main street in Uniondale  
19 done. I knew you were going to bring that up  
20 today so that's my answer to you.

21 LEGISLATOR ABRAHAMS: There's  
22 only three main streets, four main streets  
23 throughout Uniondale. There's Nassau Road --

24 MS. JACOBS: Why would it take 12  
25 years to get one street in Uniondale

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2 repaired? I'm sticking with my segregated  
3 roadways mantra until I see different in my  
4 community.

5 LEGISLATOR ABRAHAMS: We will  
6 just be safe to say we can agree to disagree.

7 MS. JACOBS: We can agree to  
8 disagree. We have no investment in our  
9 community. Our communities are languishing.  
10 Okay? Everywhere you turn around we have  
11 vacant lots. We have blight. Okay? I take  
12 the same issues I take to the town. It rings  
13 on deaf ears. Other than the Uniondale  
14 streetscaping we have received nothing in  
15 Uniondale. And that's a fact. We can agree  
16 to disagree.

17 LEGISLATOR ABRAHAMS: I hear what  
18 you're saying.

19 MS. JACOBS: In fact, I was on a  
20 conference call, a Zoom call with County  
21 Executive Curran last week and I brought up  
22 the same issue. It's going to be my tagline.  
23 Nassau County segregated roadways. Until our  
24 roadways get restored in Uniondale.

25 It took my civic association to



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2 work with Nat Grid and PSEG. We worked with  
3 Nat Grid to get Uniondale Avenue restored to  
4 some sort of drivability. We worked with PSEG  
5 to get a pole restoration project done in our  
6 community. Our poles were cracked. Our poles  
7 were leaning. We had junction boxes. I had  
8 to get Verizon to come out and fix the  
9 juncture boxes that were hanging in front of  
10 the schools. Nobody did that. We did that.  
11 We fight for our own community.

12 But I'm coming to you now to say  
13 publicly that we are a community that is not  
14 invested in. It's taxation without  
15 investment. Taxation without representation.  
16 And we can agree to disagree until I see  
17 something different. Thank you.

18 LEGISLATOR ABRAHAMS: Okay.  
19 Thank you.

20 LEGISLATOR NICOLELLO: Next  
21 speaker is Meta Mereday.

22 MS. MEREDAY: Unlike Pearl, I'm a  
23 caregiver and also back on the front lines  
24 addressing COVID. I'm in Queens with a  
25 critical care physician. As a matter of fact,

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2 you won't see my glorious presence after I  
3 finish this because I literally have to get  
4 back to that office.

5 I have signs here. I was out front  
6 earlier today with regard to a water action  
7 I'm hoping that many of you know about.  
8 Otherwise you've been silent in the support or  
9 lack of same for the 26 percent rate hike with  
10 New York American Water that's impacting many  
11 Nassau County residents. I'm among the ones  
12 who have not decided to flee in the middle of  
13 the night or who have unfortunately have died  
14 from COVID-19.

15 This one say New York Assembly,  
16 only you can stop the rate hike. And that's  
17 impactful -- and this might have been my the  
18 shortest speech but sorry it's not today.

19 It's impactful because this 26  
20 percent rate is going to further jeopardize  
21 and compromise the vulnerabilities of many of  
22 our residents. Our seniors, the veterans who  
23 my heart always goes out for. I'm sure as  
24 many of you do. But I know sadly for many of  
25 you you couldn't do the pancake breakfasts and

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2 parades that you could normally use for your  
3 campaigns in this past year. But many of us  
4 are still out there.

5 To echo what Heidi and Pearl from  
6 Nostrand Garden in Uniondale said, we do have  
7 an issue on the south shore with regard to  
8 residents who feel that they have no say so  
9 they feel why should they pay taxes since we  
10 pay the second highest taxes in the country  
11 and our roads, our water system, all of the  
12 resources and services that are due us for  
13 what we pay for have been compromised.  
14 Neglected, forgotten, just disinterested  
15 parties who seem to continue to make their  
16 side deals, private hustles and continue to  
17 bring in their friends, relatives and let's  
18 just say their higher paying associates and  
19 law firms for their benefit but to the  
20 detriment of residents.

21 Many of us have felt that our words  
22 here, our time coming here, that we're not  
23 getting paid for, but we have to pay the price  
24 in the taxes and increase we need to go to a  
25 higher authority. Yes, I'm a praying person

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2 and I pray every day. Pray for many of you  
3 because that's what the belief tells me to  
4 do. But one of the options that we've decided  
5 we needed to pursue is the Supreme Court of  
6 the United States because it becomes now an  
7 infringement on our individual rights.

8 I find it amazing that we have a  
9 whole amendment, the Eighth Amendment, that  
10 prohibits the excessive use of fines and bails  
11 for someone who has been noted as a criminal  
12 but it's okay for our government officials to  
13 tax, surcharge, fine and process fees us to  
14 death in this county. For services that we  
15 still can't still seem to get via phone, via  
16 fax or via email.

17 The 14th as well as the Fifth  
18 Amendment provides some satisfaction,  
19 allegedly, that no citizen should be deprived  
20 of life, liberty and the pursuit of  
21 happiness. You cannot pursue happiness when  
22 you have to worry about the mortgage company  
23 sending the sheriff to evict you. Which is  
24 happening to many of our residents who as we  
25 speak are working two and three jobs. We

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2 still have residents whose homes have been  
3 raised and they're already in foreclosure with  
4 the mortgage and paying rent on a facility and  
5 a space that they can no longer afford to live  
6 in. But we're still here and we still fight.

7 Our individual rights have been  
8 infringed upon. There's a due process issue  
9 in the 14th Amendment. I would believe that  
10 if the Supreme Court is even entertaining  
11 lawsuits and frivolous litigation from the  
12 former occupant of the White House, whose name  
13 I have never and will never say, if they're  
14 entertaining his lawsuits I would like to  
15 believe that the hard-working, overtaxed  
16 underrepresented citizens of this county  
17 should have a voice and we're going to pursue  
18 that with all of the justices on both sides of  
19 the aisle, on any side of an ideological  
20 theory because it has to do with the  
21 infringement of our constitutional rights,  
22 which has to stop somewhere.

23 And, unfortunately, we know that in  
24 Nassau County, as well as the Town of  
25 Hempstead, you can't seem to win a lawsuit. I

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2 just see in this document here that you had to  
3 settle another one as it had to with the tax  
4 assessment. And I've had conversations with  
5 the county executive who also refuses to  
6 respond to her constituents. I can literally  
7 walk to her house but we cannot get a response  
8 from her office.

9 I will say that I have been in  
10 touch with my legislator, Debra Mule, and I'm  
11 glad that she's here and her staff has had the  
12 courtesy to respond to me. I have reached out  
13 to the commissioner, Commissioner Ryder. He  
14 has also had the courtesy to respond to me and  
15 we're working on things on the ground level to  
16 address the pressing issues in our community.

17 If I can just wrap it up, because  
18 I'm not here to do any debates or whatever,  
19 because the facts will be as the facts will be  
20 in the highest court of this country and you  
21 will all be notified in some form or fashion.

22 But right now we have a critical  
23 situation in this county. The lack of  
24 infrastructure projects notwithstanding. The  
25 lack of diversity. The lack of inclusion.

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2 The lack of equity, let alone equality, is not  
3 something that people are going to continue to  
4 sit quietly idly by and you can watch the news  
5 and think things are going to happen outside  
6 of Nassau County. There's a bubble brewing in  
7 this county and if we don't do something about  
8 it real soon, please, please do not act  
9 shocked when you have a news camera in front  
10 of you saying how could you let this happen?  
11 Because all of you are responsible and silence  
12 breeds consent. And do not think that the  
13 residents have not decided to band together,  
14 just like we're banded together and stood out  
15 front to address this water rate hike, and I  
16 didn't see any of you coming out to say  
17 anything about it and it's impacting the  
18 majority of your residents as well.

19 Our roads are atrocious. Our  
20 veterans are suffering and there's no  
21 discovery with regard to addressing the lack  
22 of opportunities for our veterans and minority  
23 businesses in this county. And we're all  
24 going to suffer the consequences for your  
25 inaction. Thank you.

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2 LEGISLATOR NICOLELLO: Thank you  
3 Meta. Does anyone else have any public  
4 comment that doesn't pertain to an item? Why  
5 don't we go into the calendar. The first --

6 LEGISLATOR ABRAHAMS: Rich, real  
7 quick. I was just advised by Michelle Darcy,  
8 our finance counsel who took a look at the  
9 capital plan -- and I know Ms. Jacobs will  
10 probably take credit for this as well -- but  
11 we are scheduled to do the Jerusalem Avenue  
12 and the Nassau Road repaving and restriping of  
13 those roads as well. Just to let the body  
14 know.

15 MS. JACOBS: Since you said I  
16 take credit, can I ask you a question  
17 Legislator Abrahams? 2023, is this slated for  
18 2023?

19 LEGISLATOR ABRAHAMS: It's  
20 scheduled, as I said before, scheduled for  
21 this fall.

22 MS. JACOBS: I was told it was  
23 scheduled for 2023. So this fall will be a  
24 big improvement. As far as taking credit, I  
25 don't take credit. I work for my community.



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2 I wish I didn't have to. I wish I didn't have  
3 to use all my contacts that I made when I was  
4 an operations manager for Verizon to call and  
5 say take care of my community but I do it.

6 LEGISLATOR ABRAHAMS: I  
7 understand. Thank you.

8 LEGISLATOR NICOLELLO: Thank  
9 you. We're going to go to the consent  
10 calendar. These are items that went through  
11 committees a couple of weeks ago and it's been  
12 agreed by the Majority and Minority that no  
13 further debate or discussion is required on  
14 these items at this time. So they will all be  
15 called together.

16 Item 8, Ordinance 30. Item 9,  
17 Ordinance 31. 10, Ordinance 32. 11,  
18 Ordinance 33. 12, Ordinance 34. 13,  
19 Ordinance 35. 14, Ordinance 36. 15,  
20 Ordinance 37. 16, Ordinance 38. 17,  
21 Ordinance 39. 18, Ordinance 39. 19,  
22 Ordinance 41. 20, Ordinance. 42, 21  
23 Ordinance 43. 22, Ordinance 44. 23,  
24 Resolution 41. 24, sorry, skip that one. 25,  
25 Resolution 43. 26, Resolution 44. 27,

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2 Resolution 45. 28, Resolution 46. 29,  
3 Resolution 47. 30, Resolution 48. 31,  
4 Resolution 49. 32, Resolution 50. 33,  
5 Resolution 51. 34, Resolution 52. 35,  
6 Resolution 53. 36, Resolution 54. 37,  
7 Resolution 55. 38, Resolution 56. 39,  
8 Resolution 57. 40, Resolution 58. 41,  
9 Resolution 59. 42, Resolution 60. 43,  
10 Resolution 61. 44, Resolution 62. 45,  
11 Resolution 63. 47, Resolution 65. 48,  
12 Resolution 68. 49, Resolution 67. 50,  
13 Resolution 68. 51, Resolution 69. 52,  
14 Resolution 70. 53, Resolution 71. 54,  
15 Resolution 72.

16 Motion by Legislator Mule.  
17 Seconded by Legislator Ferretti. Any debate  
18 of discussion on those items? Any public  
19 comment? Hearing none, all in favor signify  
20 by saying aye. Those opposed? Carry  
21 unanimously.

22 Now we move on to number one which  
23 is a hearing on a proposed local law to amend  
24 the Nassau County administrative code in  
25 relation to prohibiting the sale of electronic

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2 aerosol delivery systems, components or parts  
3 within 1,000 linear feet of a school, public  
4 park or playground. Legislator Kennedy makes  
5 a motion to open the hearing. Seconded by  
6 Legislator Birnbaum. All of favor of opening  
7 the hearing signify by saying aye. Those  
8 opposed? The hearing is open.

9 This is a local law which prohibits  
10 business establishments from selling  
11 electronic aerosol delivery systems and  
12 components or parts thereof within 1,000  
13 linear feet from a school, public park or  
14 playground. Penalty for violation is \$500 to  
15 \$1,000 for the first violation. \$1,000 to  
16 \$2,000 for the second violation. This local  
17 law is virtually identical to a local law that  
18 has already been passed by the Town of  
19 Hempstead with respect to the same subject  
20 matter.

21 Just want to note for the record  
22 that we have received public comment from  
23 James Calvin, president New York State  
24 Association of Convenient Stores. Just give  
25 this to the clerk's office and make sure it's

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2 made part of the record for today's hearing.

3 Any discussion? Any public comment  
4 on this item? Hearing none, motion to close  
5 the hearing by Legislator Kennedy. Seconded  
6 by Legislator Birnbaum. All in favor of  
7 closing the hearing signify by saying aye.  
8 Those opposed? The hearing is closed.

9 We move on to item five which is a  
10 vote on this proposed local law to amend the  
11 Nassau County administrative code in relation  
12 to prohibiting the sale of electronic aerosol  
13 delivery systems or components or parts within  
14 1,000 linear feet of a school, public park or  
15 playground.

16 Moved by Legislator Kennedy.  
17 Seconded by Legislator Birnbaum. Any debate  
18 of discussion at this time? Hearing none, all  
19 in favor signify by saying aye. Those  
20 opposed? This carries unanimously now the  
21 next hearing is a hearing on a proposed local  
22 law to prohibit the smoking or vaping of  
23 cannabis in all county-owned properties.

24 That will be moved by Legislator  
25 Gaylor. Seconded by Legislator Kopel. That's

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2 a motion to open the hearing. We have a  
3 motion. All in favor of opening the hearing  
4 signify by saying aye. Those opposed? The  
5 hearing is open.

6 I do know we have speakers on this  
7 item. Before I call them up I'm also going to  
8 state for the record and make as part of the  
9 record public comment that has been submitted  
10 on this particular item by JLT Boylan, who I  
11 believe is Liz Boylan. And the other one is  
12 submitted by a number of members of the  
13 Rockville Centre Coalition for Youth.  
14 Ruthanne McCormack. As I said Liz Boylan.  
15 Susan Blauner who is here also. These are  
16 made part of the public record for this  
17 hearing and I'd like to call up at this time  
18 Liz Boylan.

19 MS. BOYLAN: Thank you Presiding  
20 Officer, Nassau County Legislature. On March  
21 31, 2021 Governor Cuomo signed into law the  
22 Marijuana Regulation and Taxation Act know as  
23 MRTA, legalizing the commercialization of  
24 adult use marijuana in New York State. Under  
25 this law individuals 21 and over are now

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2   legally allowed to possess up to three ounces  
3   of marijuana and 24 ounces of marijuana  
4   concentrate and can smoke and vape cannabis  
5   wherever smoking is allowed under the Clean  
6   Indoor Air Act, referred to as the Act. In  
7   addition up to 12 home grows and five pounds  
8   of pot are allowed per household.

9                   In response to this new law, we,  
10   the Rockville Centre Coalition for Youth and  
11   the Saving Lives Five Towns Drug and Alcohol  
12   Coalition, understand that the Nassau County  
13   Legislature has introduced a number of  
14   ordinances that will prohibit the sale of  
15   electronic aerosol delivery systems or  
16   components or parts within 1,000 linear feet  
17   of a school, public park or playground.

18                  Second, prohibit the smoking or  
19   vaping of cannabis in all county-owned  
20   properties.

21                  Third, prevent the consumption of  
22   cannabis by minors at private homes, the  
23   Social Host Law, and amend the county  
24   government law of Nassau County to expand  
25   disclosure requirements to permittees under

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2 use and occupancy permits for county  
3 property.

4 Our drug-fee coalition have, as its  
5 primary mission, the reduction of substance  
6 abuse with a primary focus on reducing youth  
7 substance abuse. Therefore, we, the Rockville  
8 Centre Coalition for Youth and the Saving  
9 Lives Town Drug and Alcohol Coalition support  
10 the Nassau County proposed laws to limit  
11 and/or prohibit the use of marijuana,  
12 especially by our youth. These laws are  
13 necessary to keep our air clean and protect  
14 our residents, children and guests from being  
15 exposed to this type of behavior.

16 In addition, we respectfully  
17 request that the Nassau County Legislature  
18 include places of worship and day care centers  
19 in their proposed laws above and include the  
20 same restrictions for advertising of marijuana  
21 near schools, public parks, playgrounds day  
22 care centers and places of worship.

23 In enacting MRTA, a cannabis was  
24 added to the Clean Indoor Act which  
25 establishes a baseline where cannabis can be

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2 smoked or vaped. It's the guide to New York  
3 State's Indoor Clean Air Act can be viewed  
4 online on the New York State Health Government  
5 website.

6 Under MRTA the define smoking  
7 meaning the burning of a lighted cigar,  
8 cigarette, pipe or any other matter or  
9 substance which contains cannabis including  
10 the use of an electronic smoking device that  
11 creates a an aerosol or vapor.

12 In 2017 New York State expanded  
13 Article 13E of the Public Health Law, also  
14 known as the Clean Indoor Air Act. The act  
15 prohibits smoking and vaping in almost all  
16 public and private indoor workplaces including  
17 restaurants and bars to protect workers and  
18 the public from exposure to harmful secondhand  
19 tobacco smoke and vaping aerosols.

20 Localities may continue to enforce  
21 local laws regarding smoking and vaping.  
22 However, these regulations must be at least as  
23 strict or more strict than the Act. And  
24 unless specified otherwise in the Act, all  
25 businesses, establishments and organizations



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2 must prohibit indoor smoking and vaping as set  
3 forth in the Act.

4 Of utmost importance is that no  
5 smoking or smoking signs and no vaping or  
6 vaping signs must be clearly and prominently  
7 posted in these areas.

8 With respect to the Nassau County's  
9 park system over 6,000 acres are managed  
10 providing for tremendous recreation and  
11 entertainment experiences for residents and  
12 visitors. I've attached a list of the comment  
13 there and it's really incredible what Nassau  
14 County has to its residents. It's our hope  
15 that these venues, especially with the summer  
16 coming, will continued to be enjoyed without  
17 being jeopardized by the undesirable impacts  
18 of commercialized marijuana that have plagued  
19 other states such as a California, Colorado,  
20 Massachusetts, Oregon and New Jersey.

21 This new law is very troubling.  
22 There is no cap on potency. There is no limit  
23 on the number of retail dispensaries and the  
24 locality. Young children are easily  
25 influenced. There is no accurate roadside

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2 test for marijuana impaired driving. And as  
3 marijuana legalization increases this becomes  
4 the next big killer on our roads.

5 We respectfully request that you do  
6 pass these laws. And I would like to just  
7 acknowledge thank you for your consideration.

8 Two years ago, under County  
9 Executive Curran, she commissioned a study  
10 which was led by Legislator Lafazan,  
11 Commissioner Ryder and the hearings were so  
12 compelling. And many of the Minority  
13 communities they came up and said if you put  
14 this in our neighborhoods you're going to put  
15 our kids in a hole they can't get out of.

16 And many of the proponents of this  
17 law they think about what they are going to do  
18 for disadvantaged communities, what they're  
19 going to do for them. They're not thinking of  
20 about what they're going to do to them.

21 I would like to acknowledge, I know  
22 a number of you have been involved in the Shed  
23 the Meds program. I think Legislator Abrahams  
24 he just commissioned this opioid study. Some  
25 of you have been doing Narcan training. I

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2 know that Legislator Lafazan is very much  
3 involved with opioid training. Legislator  
4 Kopel and Gaylor you listened to us two years  
5 ago.

6 And every week when I go to church  
7 and they announce the names of the dead I hold  
8 my breath. We have lost so many youths. Ten  
9 years ago, let me just say this, I went to a  
10 wake of a little girl who was in the school  
11 plays at my kids' elementary school. And  
12 there she was. She looked like she was  
13 sleeping and I touch her arm and she was  
14 cold. It was the most upsetting sight. And  
15 maybe it was selfish because I was thinking I  
16 don't want my child there.

17 And as I was leaving I had a dad  
18 come up to me and said Liz, my son tried to  
19 help her. My son was an addict trying to help  
20 her. I'm looking, dear God, is this the  
21 invasion of the body snatchers?

22 One last message before I came here  
23 I had a teacher say to me, oh Liz, the parents  
24 are smoking pot with their kids. To all of  
25 the parents out there, please do your work

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2 first. Do the research. Find out what this  
3 is doing to children's brains. This is not  
4 the marijuana of Woodstock. The THC is very,  
5 very powerful. Almost as much as 98 percent  
6 and it comes in many forms.

7 Children have dreams to become  
8 teachers and astronauts and scientists. Don't  
9 turn those dreams into nightmares. Do not do  
10 this to your children. And if you do decide,  
11 find out what the consequences are before you  
12 decide to engage in such an activity.

13 We have options. You're not alone  
14 if you feel the need to do this and we have  
15 options. And Nassau County, and I will give  
16 Rene Fichter is such a jewel and an asset who  
17 runs the Nassau County Heroin Prevention Task  
18 Force. Almost 100 people are involved with  
19 that task force. And to listen to them month  
20 after month about what's been going on. It's  
21 compelling. And I ask any of you please  
22 attend those meetings. Thank you for  
23 listening and thank you for continuing to save  
24 our youth, the leaders of today.

25 LEGISLATOR KOPEL: Liz, first of

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2 all, I'd like to thank you for your years of  
3 dedicated leadership and by extension all the  
4 members of the group. I've been lucky enough  
5 to be involved with you and the group. Most  
6 of you are volunteers. You've told me  
7 heartbreaking stories in addition to the one  
8 that you just mentioned now of young people  
9 who get caught up in drugs. And many of us  
10 have seen this in our own lives whether of  
11 children or parents or contemporaneous. I had  
12 a friend growing up who didn't make it past  
13 21. It was heartbreaking. And by the way,  
14 Susan, you are included in this as well.

15 The work is critical. No one is  
16 going to pretend that what we are going to do  
17 here in Nassau County with these bills is  
18 going to stop young people from getting  
19 marijuana. Unfortunately, the state has  
20 preempted us. There's not that much we can do  
21 in that regard.

22 But what we are doing is we're  
23 making a statement here for our children and  
24 that statement is we don't approve. We, as  
25 the leaders of the county and as adults, we're

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2 telling our children we're making a strong  
3 statement this is not right. It may be legal  
4 and you may see other people doing it but not  
5 in our house. These are our houses. This is  
6 our house sort of speak, county property,  
7 county parks, and we don't need children  
8 thinking that it's okay. It's not okay.

9 You've made a very powerful and  
10 compelling statement. Thank you.

11 MS. BOYLAN: If I just may share  
12 another story. I know I don't want to be  
13 taking up too much of your time. It does come  
14 down to education and prevention and it comes  
15 into the home. I've been to a number of wakes  
16 of young children. Children in my own  
17 neighborhood. It used to be remote. Now it's  
18 really hitting home.

19 I also had the experience of a  
20 young man who had this beautiful voice, he was  
21 a great kid but he was misguided. Chubby  
22 kid. Gets into high school, graduates and he  
23 discovers marijuana. Marijuana allowed him to  
24 lose weight. He started attracting girls. He  
25 felt good about himself. You know the story.

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2 He ends up becoming an addict. He lost his  
3 soul. He lost his humanity. He robbed. He  
4 went to prison. Then he went into recovery.  
5 Came out. Doing okay. What happens? Falls  
6 into using drugs again.

7 So, I visited the Nassau County  
8 detention center my very first time and that  
9 was quite an experience. And the visitors  
10 were treated just as much as suspect and I can  
11 understand that.

12 When I walked in it was a  
13 frightening experience. The young man came  
14 out looking very frightened and we sat down  
15 and I told him tell me your story. And I said  
16 how did you start? He says Mrs. Boylan, I  
17 started with marijuana. I wanted to be cool.  
18 I wanted a girlfriend. I am so sorry.

19 So we prayed and prayer is also an  
20 option. The churches, the synagogues, places  
21 of worship they always get the end result.  
22 But I'm not allowed to talk about it in the  
23 public. But let me be allowed to talk about  
24 it in public because prayer does help.

25 The boy, we prayed. I said to him

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2 I know you're not in with a bunch of choir  
3 boys, but if you ever decide to fall back,  
4 close your eyes and see your mother's tears  
5 and you're going to get through this.

6 Last I heard he was moved to a  
7 halfway house looking for a job and I'm  
8 praying I don't hear his name in church.

9 Thank you and please continue your  
10 work in your communities. We do need your  
11 help. It's not easy but it's not impossible.  
12 Thank you for all that you're doing. All of  
13 you, including County Executive Curran. Thank  
14 you.

15 LEGISLATOR NICOLELLO: Thank  
16 you. Before I call the next speaker up I just  
17 wanted to mention I know there's some of the  
18 individuals who are still on the Microsoft  
19 Teams event today who were appointees of the  
20 county, including Rizwan Qureshi to the Nassau  
21 County Board of Health, John Fabian and  
22 Michael McDermott to the Nassau County  
23 Vocational Education Extension Board, your  
24 appointments were part of the consent calendar  
25 today. So you have already been officially



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2 appointed and we congratulate you and look  
3 forward to working with you. In case you are  
4 still hanging on waiting for that appointment  
5 we already did that as part of the consent  
6 calendar today. You're good to go. Thank  
7 you.

8 Next speaker is Susan Blauner,  
9 Savings Lives from the Five Towns Coalition.

10 MS. BLAUNER: Good afternoon and  
11 thank you for allowing me this few minutes to  
12 speak. As you just said, I'm Susan Blauner.  
13 I'm the director of the Saving Lives Five  
14 Towns Drug and Alcohol Coalition under the  
15 auspices of the Marian and Aaron Gural JCC.

16 I am here today to support the  
17 legislature to ban all marijuana on all Nassau  
18 County beaches, parks, preserves and golf  
19 courses and to update the Social Host law to  
20 include cannabis.

21 I'm mainly here today to speak from  
22 the heart. As those who know me, I'm from  
23 California and I spent 40 years there also as  
24 the director of a large coalition in Los  
25 Angeles. We were honored many times by the

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2 Los Angeles City Counsel for the work that we  
3 did.

4 Unfortunately for California we saw  
5 what happened to the communities and to our  
6 children. And what happened in the  
7 communities there was, first it started out,  
8 yes, the medical marijuana. Then it went to  
9 having retail shops on every other corner.  
10 And you couldn't go anywhere without seeing  
11 the green cross sign. So much so that if you  
12 even went to a doctor, let's just say you had  
13 splinter in your finger, they were already  
14 offering you a cannabis card to go next door  
15 to buy marijuana.

16 Nassau County, and from what my  
17 representation of the youth and the families  
18 of the Five Towns, this is a wonderful  
19 community. I chose to move here to Nassau  
20 County. I love it here. I consider this my  
21 home now. I do not want to see happened here  
22 what happened in California. It is wonderful  
23 to see that the legislature has taken this up  
24 knowing that the state law supersedes on many  
25 accounts, but to know that you are doing

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2 everything in your power to protect our  
3 families and our children.

4 All I can say to you, just as Liz  
5 has just so eloquently said, our two  
6 coalitions work very, very closely together  
7 Rockville Centre for Youth and the Saving  
8 Lives Five Towns. How many families I've held  
9 hands with? How many children have been  
10 affected by cannabis use disorder? How many  
11 kids have gone to residential facilities and  
12 have become addicted. Not just to marijuana,  
13 that's only the gateway. They go on to other  
14 drugs. Some of them are able to go into rehab  
15 and come out. There are kids that have done  
16 that. And then there are the families that  
17 I've sat with who are crying and either have  
18 sat, in our case, have sat shiva for their  
19 children.

20 I have been with families who their  
21 kids have died and then a few weeks later the  
22 friends of those kids have died. So, knowing  
23 that we spent hours and hours and hours, we  
24 put in long days working for our coalition  
25 work. We do it with our heart. We do it with

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2 our soul. And we know that you as the  
3 legislature are doing the same to protect our  
4 kids and our families. So, thank you very  
5 much and please move ahead with this ban.  
6 Thank you.

7 LEGISLATOR NICOLELLO: Thank you  
8 Susan. You mentioned the state law and how it  
9 supersedes the county law and we have to be  
10 very careful in what we draft that it doesn't  
11 conflict in any way, shape or form with what  
12 the state has passed. Unfortunately, we've  
13 identified a conflict. The penalty section of  
14 this assesses a \$200 fine for a violation.  
15 State law limits the fine violation to \$25.

16 So, what we're doing today is we  
17 will not be calling the item for a vote. We  
18 will be amending it in time for the next  
19 meeting of the full legislature, as well as  
20 looking at potentially expanding its reach.  
21 As one of the suggestions that was made by  
22 your group and with Rockville Centre for Youth  
23 Coalition.

24 We're going to take another look at  
25 this. It will definitely be passed by the

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2 next meeting. But we want to make sure we've  
3 dotted our I's and crossed our Ts and that  
4 there's no conflict. As I said, we will  
5 change that penalty section and we will also  
6 be looking at ways to perhaps making this a  
7 little bit broader in reach.

8 MS. BLAUNER: Thank you very  
9 much. Thank you to all of you.

10 LEGISLATOR NICOLELLO: Anyone  
11 else on the legislature have any comments?  
12 We're going to have to close the hearing.  
13 Motion to close the hearing by Deputy  
14 Presiding Officer Kopel. Seconded by  
15 Legislator Ford. All in favor of closing the  
16 hearing signify by saying eye. Those  
17 opposed? The hearing is closed.

18 As I said, we're not going to call  
19 the item today. That will be on as amended at  
20 the next meeting of the legislature. But we  
21 are going to go ahead with the Social Host  
22 law. That is item three. It's a local law to  
23 amend Title 64 of the miscellaneous laws of  
24 Nassau County to prevent the consumption of  
25 cannabis by minors at private homes.

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2 Motion by Legislator Gaylor.

3 Seconded by Legislator Mule. That's a motion  
4 to open the hearing. All in favor of opening  
5 the hearing signify by saying aye. Those  
6 opposed? Passes unanimously. Actually, the  
7 hearing is open. Confusing my terms here.

8 This is a local law that prevents  
9 the consumption of cannabis by minors at  
10 private homes. Obviously the Social Host law  
11 has been in effect for a while, but with the  
12 changes to state law with respect to the  
13 marijuana act we needed to revise and change  
14 our own Social Host law to make sure in  
15 addition to the other drugs and alcohol that's  
16 not permitted in homes where parties are being  
17 hosted that cannabis has to be included in  
18 that category.

19 Anyone else want to add anything?  
20 Any public comment? Hearing none, we will  
21 move on to a motion to close the hearing.  
22 Moved by Legislator Ford. Seconded by  
23 Legislator Walker. All in favor of closing  
24 the hearing signify by saying aye. Those  
25 opposed? Carries unanimously. Hearing is

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2 closed.

3 We go to item number seven for a  
4 vote. A local law to amend Title 64 of the  
5 miscellaneous laws of Nassau County to prevent  
6 the consumption of cannabis by minors at  
7 private homes.

8 Motion by Legislator Schaefer.  
9 Seconded by Legislator Bynoe. Any further  
10 debate or discussion? All in favor signify by  
11 saying aye. Those opposed? That item carries  
12 unanimously.

13 Thank you two for coming out and  
14 for your tireless support in this area. We  
15 really appreciate it.

16 Item three is a hearing on a  
17 proposed local law to amend -- we covered that  
18 already. Item four is a vote on a proposed  
19 local law to amend the county government law  
20 of Nassau County to expand the disclosure  
21 requirements to permittees under use and  
22 occupancy permits for county properties.

23 Moved by Legislator Rhoads.  
24 Seconded by Legislator Ferretti.

25 This item has to be amended. These

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2 are the two amendments. One will limit the  
3 application of the law to individuals using  
4 county-owned property for residential purposes  
5 for a fee of over \$25,000.

6 Second amendment is that it will,  
7 the law will also not apply to residents at  
8 federally or state subsidized military or  
9 veterans housing. Specifically with respect  
10 to Mitchel Field Complex for veterans of  
11 military housing. Those are the proposed  
12 amendments.

13 We need a motion to amend. Moved  
14 by Legislator Rhoads. Seconded by Legislator  
15 Ferretti. Any debate or discussion on the  
16 amendments? Hearing none, all in favor of the  
17 amendments signify by saying aye. Amendments  
18 pass unanimously. Now, does anyone want to  
19 have any debate or discussion on the item as  
20 amended? Legislator Rhoads.

21 LEGISLATOR RHOADS: The purpose  
22 of the law is to close a loophole that exists  
23 in the extensive disclosure requirements that  
24 the county legislature has passed over the  
25 last several years, and this stems from a vote



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2 that we took on the Rules Committee back on  
3 January 11th of this year to allow a use and  
4 occupancy permit in the name of Smith DeGroat  
5 for the rental of the Mille Fleurs property in  
6 Sands Point Preserve to private individuals.  
7 Because the agreement was in the name of Smith  
8 and DeGroat the disclosure was not required of  
9 campaign contributions that were made by the  
10 individuals who would actually be residing in  
11 the home.

12 It came to the attention of the  
13 Rules Committee and the county legislature  
14 after the vote was taken that that particular  
15 property, the individuals who were renting it,  
16 the Hagedorns, actually had made nearly  
17 \$120,000 in contributions to County Executive  
18 Curran over the course of the -- Curran's  
19 campaign -- over the course of the last four  
20 years. Including \$45,000 in contributions  
21 that were made on the day that the Rules  
22 Committee was considering this particular  
23 contract.

24 We don't know and as a result of  
25 this particular loophole there's no way for us

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2 to find out probably what we would have done  
3 had we known about that information. We'd  
4 certainly inquire about the relationship  
5 because certainly at first impression it  
6 certainly doesn't look right. And I'm sure  
7 that taxpayers, in the interest of full  
8 disclosure, I'm sure that taxpayers want to  
9 know that there was no relationship between  
10 the granting of this particular contract or  
11 advocacy of this particular contract on the  
12 part of the administration in exchange for the  
13 contributions that were made over an extended  
14 period of time. In particularly the \$45,000  
15 in contributions that were made on the day or  
16 at least posted on the day of the  
17 legislature's vote.

18 While it's too late for us to get  
19 that information with respect to this  
20 particular contract, moving forward we wanted  
21 to make sure that that loophole was closed and  
22 that's what this legislation attempts to do.  
23 It applies to any county-owned properties that  
24 are being used for residential purposes. With  
25 the amendments it restricts the applicability

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2 of this to make sure that we're excluding use  
3 and occupancy permits for Little Leagues and  
4 for a variety of other purposes for which use  
5 and occupancy permits particularly for our  
6 parks are routinely engaged in. It applies to  
7 residential properties where the value of the  
8 contract is in excess of \$25,000. And  
9 obviously, based on the second amendment, will  
10 not apply to veterans housing at Mitchel Field  
11 or any other county property for that  
12 purpose.

13 But I think that this adds to an  
14 important layer of transparency which was  
15 exposed because of the Hagedorn contract, the  
16 Smith and DeGroat contract, and I think  
17 furthers our efforts to guarantee to  
18 homeowners that we're doing everything that we  
19 can, to taxpayers, that we're doing everything  
20 we can to be transparent and to ensure that  
21 county property and county money is being used  
22 for the correct purpose.

23 LEGISLATOR NICOLELLO: Anyone  
24 else want to be heard on this item? The only  
25 thing I would add is that just two or three

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2    years ago we had gone through a thorough  
3    review of our contracting process. We had  
4    greatly expanded the requirements that all  
5    sorts of vendors disclose all sorts of  
6    information to the county. This, as  
7    Legislator Rhoads indicated, closes a loophole  
8    with respect to this particular area of the  
9    county business as being done.

10                   The concept at the time and the  
11   concept still is to make sure that everything  
12   that the county is doing is completely above  
13   board and beyond reproach. Again, the facts  
14   of this one would raise questions and  
15   contribution being made on the day of the vote  
16   which is why we're here today.

17                   Anyway, anyone else? Any public  
18   comment? Hearing none, all in favor signify  
19   by saying aye. Those opposed? Carries  
20   unanimously.

21                   Item 24 Resolution 42 is a  
22   resolution authorizing the county executive to  
23   execute an agreement with the Capital District  
24   Youth Center Inc. in relation to the use of a  
25   regional secured detention facility.

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2 Moved by Legislator Walker.

3 Seconded by Legislator Drucker. That item is  
4 before us. I know that there are some  
5 questions.

6 MR. SCHIRILLO: George Schirillo,  
7 fiscal officer Department of Probation.

8 MS. REYER: Also appearing  
9 virtually Arianne Reyer, counsel for the  
10 department.

11 LEGISLATOR NICOLELLO: I just  
12 have a question. I think there are other  
13 questions from legislators. If we don't  
14 approve this today, if there's a delay on  
15 this, is there any danger in terms of us not  
16 being able to place someone who has to be  
17 placed?

18 MR. SCHIRILLO: Arianne, do we  
19 have anybody?

20 MS. REYER: Technically yes  
21 because we do have adolescents offenders who  
22 can be arraigned at any time. We don't know  
23 when an arrest is going to be made. But at  
24 our last request the Capital District was at  
25 capacity. Even if it did pass today I

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2 couldn't guarantee that they would offer us a  
3 spot for adolescent offenders regardless.

4 LEGISLATOR NICOLELLO: I think  
5 one of the concerns up here was that we have a  
6 hearing on this week to go over this issue and  
7 in terms of the timing approving it before the  
8 hearing I think there's a little concern that  
9 we wanted to have information and more of a  
10 hearing and more of a grasp for the full  
11 picture before we go ahead.

12 MS. REYER: I understand but  
13 every day that passes there is the chance that  
14 an adolescent offender will be arraigned and  
15 will be left in a position without a bed. Our  
16 adolescent offender that was arraigned on  
17 Friday was left without a secured specialized  
18 bed.

19 LEGISLATOR NICOLELLO: Where did  
20 that offender get placed?

21 MS. REYER: That offender was  
22 over the age of 18. So, that offender was  
23 able to be housed at the jail. But if  
24 somebody else who was 16 was arrested and  
25 arraigned we would be left in the same

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2 difficult position that we often are that we  
3 don't have any specialized secured detention  
4 facilities.

5 MR. SCHIRILLO: Another aspect of  
6 this facility is that this is the only one of  
7 the six in New York State including the Nassau  
8 County JDC that requires a contract with the  
9 county of resident of the person coming into  
10 the county. The other five do not. This is  
11 again somewhat of a location of last resort if  
12 we cannot get placed anyplace else. The  
13 complication with it again is that it's a  
14 consortium of five other -- a municipal  
15 agreement that requires any county seeking to  
16 place residents there to have a specific  
17 contract with them. Nassau County does not  
18 require that of any residents coming into our  
19 detention center. Nor do Westchester, Erie  
20 Onondaga or Monroe. So, if this is a facility  
21 that has space and it's closer than obviously  
22 Erie, Monroe or Onondaga we would still not be  
23 able to place a child there and have to place  
24 them even further away.

25 LEGISLATOR NICOLELLO: Legislator

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2 Walker.

3 LEGISLATOR WALKER: It just  
4 concerns me though that you -- I mean I  
5 understand and I understand why this is at  
6 least is closer. I really wish we had  
7 someplace here very close by so families could  
8 at least see their children. But you stated  
9 just a few minutes ago that right now this  
10 place is also full. So, you already -- like  
11 we're adding another place to the list that  
12 really doesn't have room for anybody.

13 MS. REYER: If someone were to be  
14 moved and released they would at least be able  
15 to consider our new admission. Without the  
16 contract in place they won't even consider  
17 anyone outside of the consortium. And as  
18 Mr. Schirillo said, that is unique to the  
19 Capital District.

20 LEGISLATOR WALKER: Okay.

21 LEGISLATOR NICOLELLO: Anyone  
22 else? Legislator Bynoe.

23 LEGISLATOR BYNOE: Thank you  
24 Presiding Officer. I share the concerns of  
25 many of the legislators up here, and I know



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2 we've talked about it in our caucus given the  
3 precarious situation that we find ourselves in  
4 at the moment. I feel like we have no other  
5 choice because we don't want to send them into  
6 counties that are even further than the one  
7 proposed to us today. But it's with great  
8 reservation that we do that. But we believe  
9 that it's probably the only thing we can do at  
10 this moment.

11 And I'm very happy that we will  
12 have a hearing this week and hopefully it will  
13 start the work that is so desperately needed  
14 to address this issue in trying to have a more  
15 regional approach to housing those young  
16 people. So, our hands are forced on this  
17 particular issue I believe at this time.  
18 That's my sentiment on behalf of this caucus.  
19 Thank you.

20 LEGISLATOR NICOLELLO: Legislator  
21 Ford.

22 LEGISLATOR FORD: I agree  
23 Legislator Bynoe. I mean, basically our backs  
24 are up against the wall with this.  
25 Considering the circumstances and even by

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2 passing this right now the Capital District  
3 Youth Center really has no beds available.  
4 So, this is just such a situation which has  
5 compelled us now to have this hearing, which  
6 will be on Thursday, and we anticipate to try  
7 to work out where the problem is and why there  
8 is a problem and how do with go from there?  
9 Because I think this is something we can't  
10 just leave to the hands of everyone else. I  
11 think we really have to take a much more  
12 active approach in dealing with this situation  
13 because I think all of us, Legislator Walker  
14 said it, some of these children are 15, 16, 17  
15 year old kids that are, like, they don't know  
16 where they're going to be staying. And to be  
17 separated from their families so far away does  
18 not sit well with me.

19 I know we look at the fact that  
20 maybe they have committed crimes. But in some  
21 cases, I don't know, right now the solution of  
22 how we handle this is just not sitting well  
23 with me at all. So, that's why we're looking  
24 forward to this hearing.

25 MR. SCHIRILLO: And we concur

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2 with that as well. As you know, this has been  
3 an ongoing problem that really came to a  
4 forefront with Raise the Age. But this is one  
5 of the solutions that we have at this point in  
6 time with the available facilities. It  
7 shouldn't be an end game that we stop with  
8 this. But where we do need a facility to  
9 place a child that's what we're up against.  
10 That's what we're dealing with. We do concur  
11 with everything that's been expressed as far  
12 as the frustration with it.

13 LEGISLATOR FORD: It is very  
14 frustrating. It's heartwrenching. I know,  
15 even for me, when we had some of the younger  
16 people even in jail before we raised the age  
17 parents calling up about their young ones  
18 trying to work out something to help them, I  
19 don't know, just to reach out to make sure  
20 they were taking their medication and  
21 whatever. It's heartbreaking. I'm looking  
22 forward to this hearing on Thursday. Okay.  
23 Thank you.

24 LEGISLATOR NICOLELLO: Any other  
25 legislators? Thank you. Hearing no further

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2   comment, all in favor of item 24 signify by  
3   saying aye. Those opposed? Passes  
4   unanimously.

5                   Last item before the full  
6   legislature is Item 46. A resolution to  
7   require the county to comply with the terms of  
8   the settlement agreement for Eric Berliner et  
9   al against the County of Nassau.

10                  Moved by Legislator Ferretti.  
11   Seconded by Legislator Rhoads. That item is  
12   now before us. Does anyone have any comments,  
13   discussion, debate? Legislator Rhoads.

14                  LEGISLATOR RHOADS: I know at the  
15   committee hearings there was a discussion  
16   about recent changes that were made on the  
17   county website and whether those changes were  
18   in conformance and compliance with the  
19   Berliner settlement. What essentially the  
20   administration has chosen to do is essentially  
21   remove the ladder reports from the county  
22   website and replace it with nothing. Which  
23   somehow in a way the administration has  
24   managed to find a way to be even less  
25   transparent with the public at a time when

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2 homeowners are preparing their SCAR petitions,  
3 at a time when homeowners are making the  
4 decision and preparing their grievances of  
5 their taxes.

6 The purpose of the Berliner  
7 settlement was to make the county more  
8 transparent and explain in a way that  
9 residents can understand how exactly the value  
10 of their home was being calculated. 180 some  
11 odd different neighborhood factors, variables  
12 that are used by the Department of Assessment  
13 in order to calculate their home value.  
14 Things which residents need to be able to  
15 understand in order to effectively challenge  
16 that value.

17 We've been making an argument ever  
18 since this reassessment process started back  
19 in 2018 that we wanted to be fair, open and  
20 transparent because homeowners not only have  
21 the right to challenge their value but also  
22 have the right to be able to challenge the  
23 process by which our Department of Assessment  
24 went through in order to calculate that  
25 value.

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2 It's bad enough that residents  
3 actually had to sue the Department of  
4 Assessment and the administration in order to  
5 force disclosure of that information. But  
6 when the county turns around and agrees as  
7 part of a court-ordered resolution to that  
8 litigation to do certain things to see now  
9 that the county has somehow found a way to  
10 make it even worse and comply with only  
11 portions of the agreement. The portion of the  
12 agreement that they have complied with is the  
13 one that actually takes more information away  
14 from taxpayers and has replaced it effectively  
15 with nothing at a time that's critical for  
16 taxpayers, as I said, they're preparing their  
17 SCAR petitions and preparing their grievances  
18 for the next tax year.

19 So, there was question as to  
20 whether this litigation was necessary. The  
21 answer to that question, now that we've had an  
22 opportunity to research it, is clearly yes,  
23 and we will continue to fight for transparency  
24 and we're hoping that by force of law, though  
25 this didn't seem to work quite so well when we

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2 passed the restoration of five year phase-in  
3 values back in December, it took four and a  
4 half months to get that back up and we're  
5 still not sure that that information is  
6 actually accurate.

7 But this at least will give the  
8 force of the law to the terms of the Berliner  
9 settlement in the hopes that the  
10 administration will do what they are legally  
11 bound to do. We'll see if that actually  
12 occurs. But these are the steps that we can  
13 take and I would urge my colleagues to take  
14 those steps to protect taxpayers.

15 LEGISLATOR NICOLELLO: Legislator  
16 Drucker.

17 LEGISLATOR DRUCKER: Thank you  
18 Presiding Officer. You know, rehashing the  
19 need for the lawsuit is totally unnecessary  
20 because, as Legislator Rhoads, you understand  
21 lawsuits very often both sides have compelling  
22 arguments and case settles. A settlement  
23 agreement is an agreement which both sides  
24 recognize they are getting what they want.  
25 This particular decree, the settlement decree,

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2 the settlement agreement, contemplated all of  
3 the issues that were raised, contemplated all  
4 of the issues you just expressed Legislator  
5 Rhoads and they were enumerated.

6 Yes, the county was, the  
7 administration was tasked with complying with  
8 that in each and every respect and this caucus  
9 has received a briefing from our legal counsel  
10 that the administration is in compliance with  
11 each and every item that they were tasked to  
12 do.

13 I believe we have Rob Miles. I'd  
14 like you to come up Mr. Miles on behalf of the  
15 administration to articulate and explain how  
16 the county has complied with each and every  
17 item on the consent settlement and this bill  
18 right now is just a political gesture to  
19 further, you know, bad mouth the  
20 administration. But if we're in compliance  
21 now at this point in time what's the point of  
22 the legislation?

23 Rob Miles, can you explain for this  
24 body how the administration has complied with  
25 each and every term of the settlement decree?



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2 MR. MILES: Yes Legislator. Rob  
3 Miles, deputy assessor. Going to Legislator  
4 Drucker's point, there's actually a web page,  
5 a tabulation on the Nassau County Department  
6 of Assessment site. It's specifically stated  
7 reassessment methodology. There's a  
8 description of the methodology, it's quite  
9 clear, giving a history of the reassessment  
10 and the process of reassessing within the  
11 paragraphs of the methodology.

12 We have the maps listed, the  
13 valuations maps, the neighborhood maps, the  
14 coefficients, the modeling, the 180 plus  
15 factors that are in there and everything  
16 that's requested that we comply with not just  
17 the ladder reports. We complied with  
18 everything I believe April 8th. So, the  
19 argument that the homeowners didn't have this  
20 information during the SCAR filing period is  
21 inaccurate.

22 LEGISLATOR DRUCKER: Thank you.

23 MR. MILES: If the legislators  
24 are having a difficult time finding the tab I  
25 can list the tab for you if you'd like to take

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2 a look.

3 LEGISLATOR RHOADS: I would love  
4 for you to actually do that Mr. Miles. And  
5 we've had our own individuals, our own counsel  
6 and certainly our own staff trying to follow  
7 this information on the department website and  
8 we've had difficulty finding it. What's the  
9 expectation that taxpayers are going to be  
10 able to find it when people who actually know  
11 and understand the process can't?

12 MR. MILES: I'm not sure why your  
13 staff is having a difficult time. You have a  
14 very intelligent staff that I work well with.  
15 So I'm not sure what the issue was.

16 LEGISLATOR FORD: That being  
17 said, can you just tell us on the assessment  
18 page what tab it is?

19 MR. MILES: If you scroll to the  
20 left of the assessment home page on the bottom  
21 is the reassessment methodology. Within it is  
22 the description that I've explained. And then  
23 at the bottom, if the homeowner doesn't feel  
24 like clicking through all the links and  
25 reading everything is everything that I listed

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2 before. The market areas, the neighborhoods,  
3 the coefficients, the models and the property  
4 factors.

5 LEGISLATOR FORD: So, I'm here  
6 on -- I'm looking at Long Beach. So, I see  
7 the map, the one of one. I hit on the map but  
8 it didn't allow me to bring up my neighborhood  
9 then I could see. It just showed me --

10 MR. MILES: You have neighborhood  
11 maps as well on there. There's a market area  
12 map and a neighborhood map along with the  
13 other items.

14 LEGISLATOR RHOADS: Mr. Miles, is  
15 this on the Department of Assessment home page  
16 or is this on My Nassau Properties?

17 MR. MILES: The Department of  
18 Assessment homepage.

19 LEGISLATOR RHOADS: So, it's not  
20 on My Nassau Properties where we direct every  
21 homeowner to go?

22 MR. MILES: The land record  
23 viewer? Are you describing the land record  
24 viewer?

25 LEGISLATOR RHOADS: Yes.

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2 MR. MILES: The site links the  
3 land record viewer. All information required  
4 by the homeowner regarding exemptions,  
5 applications, brochures, we direct everybody  
6 to the Nassau County Department of Assessment  
7 and there is a link to the land record  
8 viewer. This home page has been in use for a  
9 very, very long time.

10 LEGISLATOR FERRETTI: Mr. Miles,  
11 is there a link on the land record viewer to  
12 this information?

13 MR. MILES: There's a link from  
14 the land record viewer to the home page.

15 LEGISLATOR FERRETTI: Where on  
16 the land record viewer is that link?

17 MR. MILES: I can't see it while  
18 I'm looking at you all but I'm pretty sure at  
19 the top of the page there's a home page site.

20 LEGISLATOR RHOADS: Is there any  
21 instruction that's provided to homeowners what  
22 information they can access through that  
23 link?

24 MR. MILES: I'm sorry. Can you  
25 repeat that?

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2 LEGISLATOR RHOADS: You're  
3 indicating that there's a link on the top. Is  
4 there anything that explains to homeowners  
5 what information they can access if they click  
6 on that link to get to the county assessor's  
7 website?

8 MR. MILES: It's in the  
9 tabulation itself. It actually reads as a  
10 flow-through. From the history of the  
11 reassessment, the market areas, the  
12 neighborhoods, the coefficients, the  
13 contractors that were used to help do the  
14 reassessment.

15 LEGISLATOR FERRETTI: Mr. Miles,  
16 on the land record viewer page where you're  
17 saying there's a link to the Department of  
18 Assessment website on the land record viewer  
19 page is there a link to this specific tab?

20 MR. MILES: The research  
21 methodologies?

22 LEGISLATOR FERRETTI: Yes.

23 MR. MILES: Not that I'm aware  
24 of.

25 LEGISLATOR FERRETTI: Is there

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2 anything on the land record viewer that  
3 indicates that there is this methodology tab?  
4 That it exists?

5 MR. MILES: I don't believe it's  
6 on the link. It's on the Department of  
7 Assessment web page that we have been using  
8 for many, many years. That's where we guide  
9 our taxpayers to go look at exemption  
10 brochures, pull up applications. Everything  
11 that you would need one stop shop for the  
12 assessment department.

13 LEGISLATOR FERRETTI: If  
14 constituent X is looking to grieve their  
15 assessment -- now that's not through the  
16 Department of Assessment it's through the  
17 Assessment Review Commission, correct?

18 MR. MILES: Correct.

19 LEGISLATOR FERRETTI: So you go  
20 to the land record viewer and you're viewing  
21 your information. I think what you just said  
22 is there's nothing on the land record viewer  
23 that notifies a constituent that this tab  
24 exists, correct?

25 MR. MILES: On the land record

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2 viewer site?

3 LEGISLATOR FERRETTI: Correct.

4 MR. MILES: Not that I'm aware  
5 of. But the main page is the Department of  
6 Assessment page that links the land record  
7 viewer page.

8 LEGISLATOR FERRETTI: I  
9 understand what you're saying. Me personally  
10 I go to the land record viewer page multiple  
11 times a week for constituents. I never go to  
12 the Department of Assessment website for  
13 constituents.

14 MR. MILES: That's unfortunate  
15 because the Department of Assessment page has  
16 all the information for exemptions, has all  
17 the information regarding trending. And the  
18 trending information that was requested by  
19 this body is on the Department of Assessment  
20 web page which I did not hear complaints about  
21 before.

22 LEGISLATOR NICOLELLO: Do you  
23 have information about how many hits there are  
24 on the Department of Assessment page as  
25 opposed to the land record viewer?

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2 MR. MILES: I don't have that  
3 information.

4 LEGISLATOR NICOLELLO: The  
5 department should because I can tell you right  
6 now, and Legislator Ferretti was saying he  
7 does it on behalf of constituents, that 99.9  
8 percent of the residents out there who are  
9 looking for information, who are savvy enough  
10 to go to the website are going to their page.  
11 They're going to the land record viewer.  
12 They're not to the Department of Assessment  
13 page.

14 Let me ask you this. Is there a  
15 specific link on the land record viewer to  
16 someone's neighborhood so that they can see  
17 what the neighborhood factor was? Is there a  
18 specific link there?

19 MR. MILES: No. But it's listed  
20 in the Department of Assessment homepage.

21 LEGISLATOR NICOLELLO: That's the  
22 problem. The average resident, you're saying  
23 okay, you have to find this link in your land  
24 record viewer and then you go to the  
25 Department of Assessment website and then you



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2 have to navigate to find this information.

3 It's almost as if we're making it as difficult  
4 as possible.

5 MR. MILES: I'm sorry, Presiding  
6 Officer, I disagree wholeheartedly. The  
7 Department of Assessment home page is utilized  
8 by our seniors, by our veterans, by people who  
9 want to go and pull exemptions. They go to  
10 the Department of Assessment home page. When  
11 people were asking about the trends, we got  
12 calls about the trends, they looked at the  
13 Department of Assessment home page. That's  
14 where they access the information.

15 LEGISLATOR NICOLELLO: When they  
16 call about exemptions I can see doing that  
17 because they're not going to land record  
18 viewer because that's a different subject. I  
19 can see going to the Department of Assessment  
20 home page. For those specific residents  
21 asking about trending, yeah, I would see them  
22 going because the trending would not be in the  
23 land record viewer.

24 But again, my experience with your  
25 average constituent is they're going to look

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2 at their own property. Again, I think what  
3 you've done is you've tried to comply somewhat  
4 with the law, with the settlement but you did  
5 in such a way that's difficulty for residents  
6 to actually find it.

7 MR. MILES: I'm sorry, Presiding  
8 Officer, I disagree with you. I can't  
9 disagree with you more. When you talk about  
10 the trending you say oh, well, it's a  
11 different subject. No, it is not. The trends  
12 are by school district. The trends are by a  
13 different political subdivision. It is not a  
14 different subject. It is the same subject.  
15 That's why you want to put the same subject  
16 matter on that page.

17 LEGISLATOR NICOLELLO: Let me ask  
18 you this. When was the settlement with  
19 Berliner?

20 MR. MILES: I believe it was some  
21 time in October. But I see the electronic  
22 filing was December 23rd.

23 LEGISLATOR NICOLELLO: So I guess  
24 you're going to have us believe it's  
25 coincidental that this information came up on

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2 the Department of Assessment website a day  
3 after we filed this legislation? It took you  
4 six months.

5 MR. MILES: I think it took us  
6 four months.

7 LEGISLATOR NICOLELLO: Sort of  
8 proves the point, doesn't it?

9 MR. MILES: I don't believe it  
10 does. This should not be a rushed -- this  
11 should not be rushed. This is information  
12 that the taxpayers is receiving. This is not  
13 something to rush.

14 LEGISLATOR NICOLELLO: It should  
15 not be rushed is right.

16 MR. MILES: I don't recall seeing  
17 anything in the order that says it has to be  
18 complied by a certain date.

19 LEGISLATOR NICOLELLO: So it was  
20 a coincidence that this information was up the  
21 day of or the day after we filed?

22 MR. MILES: The department has  
23 been working on this for much longer than the  
24 legislation that this body produced.

25 LEGISLATOR NICOLELLO: So it's a

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2 coincidence?

3 MR. MILES: No, it is not. I  
4 mean it is a coincidence. We've been working  
5 on this for much longer than the legislation  
6 that was provided.

7 LEGISLATOR NICOLELLO: Legislator  
8 Rhoads.

9 LEGISLATOR RHOADS: Is there  
10 anything, Mr. Miles, that prevents you from  
11 actually putting an explanation and a link to  
12 the Department of Assessment website on the  
13 land record viewer?

14 MR. MILES: I'd have to go back  
15 to IT. I'm sure they can figure out --

16 LEGISLATOR RHOADS: We control  
17 both sides, right? They're both county  
18 sites?

19 MR. MILES: Right.

20 LEGISLATOR RHOADS: So there's no  
21 reason why the same way we can't link to the  
22 land record viewer from the Department of  
23 Assessment website we should be able to do the  
24 reverse, right?

25 MR. MILES: Not that I'm aware of

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2 but I would have to talk to the IT department.

3 LEGISLATOR RHOADS: Because  
4 that's something that we would want to do  
5 since most of the traffic goes to the land  
6 record viewer, correct?

7 MR. MILES: I'm not saying that.  
8 I don't what the hits are remember.

9 LEGISLATOR RHOADS: I think  
10 common sense would, at least from our own  
11 experience and our dealings with our own  
12 constituents, common sense would dictate that  
13 they go to the land record viewer because  
14 that's supposed to have the most relevant  
15 information.

16 MR. MILES: I'd hope you guide  
17 them also to the Department of Assessment web  
18 page that has the trending information and the  
19 exemption information.

20 LEGISLATOR RHOADS: I think you'd  
21 make it available in one place instead of  
22 having to send homeowners back and forth to  
23 different locations. But apparently that's  
24 not how this works. If you can look at that I  
25 would certainly appreciate it.

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2 And to be perfectly honest my other  
3 concern is the fact that, yes, if information  
4 happens to be on the Department of Assessment  
5 website, as we've seen from our own experience  
6 with respect to the phase-in values, that  
7 information can disappear overnight. So, then  
8 it's a fight to get that information  
9 restored.

10 I have absolutely no problem  
11 codifying the terms of the Berliner  
12 settlement. Again, I will review the  
13 information that's on the Department of  
14 Assessment website, but I do believe it should  
15 also -- a link to that information, an  
16 explanation should be placed on the land  
17 record viewer as well. And I want to ensure  
18 that this information continues to be  
19 maintained and this isn't a short term fix on  
20 the part of the Department of Assessment  
21 brought about by the existence of this  
22 legislation.

23 LEGISLATOR NICOLELLO: Legislator  
24 Ford, Legislator Mule, Legislator Ferretti.

25 LEGISLATOR FORD: Good

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2 afternoon. If a homeowner wants to grieve  
3 their assessment would they use the  
4 reassessment methodologies to be able to get  
5 the information that they need or is this  
6 just --

7 MR. MILES: They would go to the  
8 ARC web page. The arrow web page to do a  
9 grievance.

10 LEGISLATOR FORD: That's on your  
11 website?

12 MR. MILES: That's on the  
13 Assessment Review Commission's website.

14 LEGISLATOR FORD: Do you have a  
15 link on this page to let residents know?

16 MR. MILES: To the Assessment  
17 Review Commission website?

18 LEGISLATOR FORD: I understand  
19 that. I'm asking you, with the assessment  
20 department, because as you said, a lot of  
21 people utilize this. I agree with you that a  
22 lot of people do because we direct them to get  
23 the forms and get information. I'm asking if  
24 somebody -- if I wanted to grieve my  
25 assessment and I don't know where to go I

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2 would automatically go to the assessment page,  
3 correct? Department of Assessment? If you're  
4 going to grieve your assessment.

5 MR. MILES: You don't go to the  
6 Department of Assessment to go grieve the  
7 assessment. You go to the --

8 LEGISLATOR FORD: I know that. I  
9 understand that. What I'm asking you is, is  
10 there anything here that lets a resident know  
11 that if they themselves wanted to grieve their  
12 assessment that they don't use this page and  
13 if you want to then you would go to the  
14 assessment review?

15 MR. MILES: I believe there's  
16 something in the home page that states that  
17 there's a separate commission that you would  
18 go to file.

19 LEGISLATOR FORD: I am going to  
20 check because if we're looking at this because  
21 even when I looked at the reassessment  
22 methodologies that you have here that I found  
23 it is very cumbersome. There's a lot. I  
24 understand it. I think for the regular  
25 homeowner, I myself am not a lawyer, so pretty



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2 much a lot of people may have some difficulty  
3 truly understanding it.

4 MR. MILES: It's not in legalese  
5 or lawyer language. I think it's actually  
6 quite clear. There's information in there  
7 that's very helpful and very clear as to the  
8 history. It's a flow-through. It goes  
9 through the history of the reassessment. It  
10 goes through the processes of the  
11 reassessment.

12 LEGISLATOR FORD: I'm looking at  
13 that now.

14 MR. MILES: It's not in  
15 legalese. I think it's quite clear.

16 LEGISLATOR FORD: How does it  
17 really let a resident know specifically how  
18 you came to assess their home at the value  
19 that you did?

20 MR. MILES: I think it says what  
21 the methodology was within the paragraphs on  
22 the web page.

23 LEGISLATOR FORD: But what you do  
24 is -- but there's like, under the ladder  
25 report residents were able to go on and take a

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2 look. They could, say, like I could look on  
3 my block and I would see the value of my  
4 house. If I had like a swimming pool that  
5 there was a certain value added to that. If I  
6 had a larger driveway then whatever. Like in  
7 Long Beach they add a certain value to the  
8 homes that are raised because of that bottom  
9 level that can be used for parking. So there  
10 was a certain value in many cases. You add  
11 like 50 or \$60,000 to the value of a house  
12 because of that.

13 So, residents would be able to say  
14 this is how you came upon how my house was  
15 valued. But where is the chart or where is  
16 the information that makes it rather simple  
17 for people to be able to?

18 MR. MILES: Per the settlement  
19 the ladder report was to be removed and that's  
20 what we did.

21 LEGISLATOR FORD: So what did you  
22 put in place so that the residents can  
23 easily --

24 MR. MILES: I think we have  
25 everything that was required in the

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2 settlement, which was property factors, the  
3 coefficients, the neighborhood maps and the  
4 market area maps. We did everything that was  
5 required in the settlement agreement. And  
6 that's in place specifically of the ladder  
7 report.

8 LEGISLATOR FORD: You did  
9 everything for the settlement but really all  
10 in all what did you really do for the  
11 residents?

12 MR. MILES: A, I think we do a  
13 lot for the residents. But B, I don't think  
14 the conversation --

15 LEGISLATOR FORD: I'm asking  
16 about this. I know that you do. I'm just  
17 asking, where is the help for the regular  
18 residents looking at their assessments.

19 MR. MILES: I think the website  
20 is quite clear.

21 LEGISLATOR FORD: A lot of my  
22 residents are saying it isn't because they  
23 want to know how do we come up with these  
24 values? You're educated in this. It's easy  
25 for you to say well, it is quite clear because

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2 you live and breathe it. But for people who  
3 don't live and breath it I dare to say that  
4 you're falling short on this. This is why I'm  
5 going to support this legislation.

6 MR. MILES: But we're also here  
7 to discuss if we complied with the  
8 legislation. I believe that's what you're  
9 insinuating is we didn't comply with the  
10 settlement. I think that's what we are  
11 insinuating.

12 LEGISLATOR FORD: I don't know  
13 about that. I'm not 100 percent certain that  
14 you are but thank you.

15 LEGISLATOR NICOLELLO: Legislator  
16 Mule.

17 LEGISLATOR MULE: Thank you  
18 Presiding Officer. Mr. Miles, it's my  
19 understanding that the settlement said to  
20 revise the Department of Assessment website  
21 not to the land record site; is that correct?

22 MR. MILES: Correct.

23 LEGISLATOR MULE: So we can all  
24 be 100 percent clear. Have you followed all  
25 of the items that were in the settlement?

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2 MR. MILES: Absolutely.

3 LEGISLATOR MULE: Thank you.

4 Therefore, I will not be supporting this piece  
5 of legislation.

6 MR. MILES: Thank you Legislator.

7 LEGISLATOR NICOLELLO: Legislator  
8 Ferretti.

9 LEGISLATOR FERRETTI: Mr. Miles,  
10 who runs the land record website? What  
11 department?

12 MR. MILES: Department of  
13 Assessment and supported by the Department of  
14 Information Technology.

15 LEGISLATOR FERRETTI: The  
16 Department of Information and Technology  
17 supports every website in the county, right?

18 MR. MILES: Probably.

19 LEGISLATOR FERRETTI: Do you  
20 know?

21 MR. MILES: I don't work for the  
22 Department of Technology.

23 LEGISLATOR FERRETTI: I'm just  
24 asking if you know?

25 MR. MILES: I don't know.

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2 LEGISLATOR FERRETTI: When we  
3 talk about the Department of Assessment  
4 website the land record website is included in  
5 that, correct?

6 MR. MILES: It's a link from the  
7 Department of Assessment web page.

8 LEGISLATOR FERRETTI: So it's  
9 part of the Department of Assessment web page,  
10 right?

11 MR. MILES: Part of the main  
12 page.

13 LEGISLATOR FERRETTI: Why was  
14 there not a link on the land record viewer  
15 page to this sublink, this Department of  
16 Assessment website with the new information?  
17 Why not?

18 MR. MILES: Because we put it on  
19 the main page. As Legislator Mule said, the  
20 settlement says put it on the main page.  
21 Looks like we did that.

22 LEGISLATOR FERRETTI: Have you  
23 looked at this page?

24 MR. MILES: Have I looked at the  
25 home page?

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2 LEGISLATOR FERRETTI: No. Have  
3 you looked at the tab with the methodologies?

4 MR. MILES: I have looked at  
5 them.

6 LEGISLATOR FERRETTI: Have you  
7 clicked the links with the different  
8 coefficients.

9 MR. MILES: Absolutely.

10 LEGISLATOR FERRETTI: And you can  
11 read that?

12 MR. MILES: I can read -- the  
13 coefficients that was required of the -- are  
14 we discussing whether we can read the code or  
15 if we're complying with the settlement?

16 LEGISLATOR FERRETTI: I get to  
17 ask the questions. So my question to you is  
18 if you can read it. If you can understand  
19 what I'm looking at right now.

20 MR. MILES: I'm not answering  
21 that question. The reason why we're here is  
22 whether or not we complied with the settlement  
23 and we did.

24 LEGISLATOR FERRETTI: So you're  
25 not going to answer whether you can understand

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2 what's on your website; is that correct?

3 MR. MILES: I am not a coder.

4 LEGISLATOR FERRETTI: That's  
5 fine. So I guess you don't understand it.

6 MR. MILES: I do not do mass  
7 appraisal market analysis.

8 LEGISLATOR FERRETTI: Neither do  
9 most constituents. So when they click on this  
10 link you know what they see? Gobbledegook.  
11 Because that's what I see and that's what you  
12 see. Just like when I click on the map that  
13 you guys put up with the different  
14 neighborhood factors it's all gobbledegook.  
15 There's nothing there. What you did was you  
16 took down the ladder report on the land record  
17 viewer, which is actually somewhat useful and  
18 you replaced it with gobbledegook code,  
19 correct?

20 MR. MILES: Legislator, one, we  
21 described everything in the paragraphs. You  
22 can read through the paragraphs.

23 Second, the discussion is whether  
24 we complied with the reassessment not if I'm  
25 an expert at SPSS market analyses. That's not



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2 the question here. The question was, did we  
3 comply with the order and we have. And we  
4 describe the process of the reassessment  
5 methodologies and I'm saying this over and  
6 over again and it's on the website and it's on  
7 the right web page.

8 LEGISLATOR FERRETTI: I think my  
9 reading of that settlement the intent  
10 certainly was to bring more transparency and  
11 more information to residents and what the  
12 result is less transparency and less  
13 information to our residents. So, I don't  
14 think that we are in compliance with the  
15 spirit of that settlement agreement and I will  
16 be voting in favor of this.

17 And I think what we did -- not what  
18 we did because we didn't do it -- but what the  
19 administration did was they put something that  
20 they can claim on the face did comply with the  
21 settlement. They hid it in a small little tab  
22 on a site that nobody goes to and when you  
23 click on it you pull up gobbledegook. So I  
24 don't think that that's complying with the  
25 intent of that settlement and like I said, I

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2 will be supporting this and really --

3 MR. MILES: I'm sorry. You're  
4 saying the veterans and the seniors who almost  
5 exclusively use the assessment page nobody  
6 reads the home page?

7 LEGISLATOR FERRETTI: I didn't  
8 say nobody.

9 MR. MILES: Yes, you did.

10 LEGISLATOR FERRETTI: Did I say  
11 nobody? It's not zero but it's certainly far  
12 less in my experience than people that use the  
13 land record viewer. It's not a heavily  
14 trafficked website. Far less than the land  
15 record viewer from what I have seen. And you  
16 can't tell me how many hits for each one so  
17 you don't know. That's based on my  
18 experience.

19 MR. MILES: I'm sorry. It isn't  
20 nobody to me.

21 LEGISLATOR FERRETTI: Thank you  
22 for looking out for the residents of Nassau  
23 County. But I will be supporting this  
24 legislation and I hope that my colleagues do  
25 as well.

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2 LEGISLATOR NICOLELLO: Deputy  
3 Presiding Officer Kopel.

4 LEGISLATOR KOPEL: If I  
5 understand your position it's that there's  
6 already been compliance with this order,  
7 right?

8 MR. MILES: Yes.

9 LEGISLATOR KOPEL: It's not that  
10 you can't do what we're requesting it's that  
11 you won't do what we're requesting?

12 MR. MILES: I don't think I've  
13 ever said that I won't do.

14 LEGISLATOR KOPEL: Why not do it  
15 then and make this simple? It's not  
16 technically hard for you to do this. It's a  
17 fairly simple thing to do. I don't think that  
18 you can argue the point that it would enhance  
19 understanding by people. It certainly won't  
20 hurt. So why not go ahead and do it? Where's  
21 the opposition?

22 MR. MILES: I'm starting to lose  
23 the main line of the argument. I think the  
24 argument was whether or not we complied with  
25 the settlement and I think it is yes.

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2 LEGISLATOR KOPEL: I'm going  
3 beyond that. You say that you've complied in  
4 technical sense. Good. Let's just say for  
5 argument's sake we grant that position. Let's  
6 just say. Why not go further? Why not do  
7 exactly as we're suggesting here?

8 MR. MILES: I'm sorry. So, then  
9 if we all agree that.

10 LEGISLATOR KOPEL: I didn't say  
11 we agree. I said for argument's sake.

12 MR. MILES: I'm sorry,  
13 Legislator, you said if we agree that you did  
14 technically comply with the settlement then  
15 I'm trying to figure out how this legislation  
16 isn't moot.

17 LEGISLATOR KOPEL: Because, you  
18 know, you're being a little bit deliberately  
19 obtuse, I'm sorry.

20 MR. MILES: I don't think I am.

21 LEGISLATOR KOPEL: Okay. Very  
22 simple. It doesn't hurt to make a couple of  
23 enhancements to this and you can do it. Why  
24 not do it? Forgetting about the settlement.  
25 Why not go ahead and do what we're

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2 suggesting? Why don't you want to?

3 MR. MILES: There's nothing that  
4 I'm saying that we won't do. We will continue  
5 to improve the assessment website, the  
6 assessment systems. But the main question  
7 here, did the Department of Assessment comply  
8 with the settlement and it did.

9 LEGISLATOR KOPEL: All I'm  
10 getting from what you're saying is that you've  
11 complied in the strict legal sense. Whether  
12 or not we agree is beside the point, but  
13 you've complied in a strict legal sense and  
14 you won't do anything further.

15 MR. MILES: That's not what I'm  
16 saying.

17 LEGISLATOR NICOLELLO: Legislator  
18 Walker.

19 LEGISLATOR WALKER: I guess  
20 everyone of us up here and I think on both  
21 sides of the aisle we do everything to try to  
22 assist our residents and to help them  
23 understand especially in a process that's hard  
24 sometimes for us to understand.

25 You're saying that you did follow

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2 everything in the settlement and you put it on  
3 the website is wonderful. But if it's there  
4 in the way it's written no one can  
5 understand. I don't do code at all. I  
6 understand language that's understandable to  
7 most people. Most of our homeowners they are  
8 not going to understand that at all. You  
9 yourself, who work in assessment, said well, I  
10 don't understand code. So you complied with  
11 what you were told to do so you feel that's  
12 fine. But if it doesn't make sense to people  
13 and if they can't understand it what was --  
14 you complied in your own way. So, you did  
15 what you were told to do and you're fine with  
16 that. Doesn't help our residents but you're  
17 fine with that.

18 MR. MILES: We put a very  
19 descriptive description of how everything  
20 occurred was. It's on the web page. It's not  
21 in legalese. And this is by far the most  
22 transparent assessing jurisdiction in the  
23 state. There's no other assessing  
24 jurisdiction that produces the information  
25 that this assessing jurisdiction produces.

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2 Please look at the other assessing  
3 jurisdictions in the state. It does not come  
4 close. That is an absolute fact.

5 LEGISLATOR WALKER: I'm sure most  
6 of them don't have the same amount of problems  
7 that we have, that our residents have to deal  
8 with. 24-7 we are constantly still getting  
9 phone calls about problems, about issues that  
10 are still wrong, about checks that you stood  
11 here at a hearing and promised they would have  
12 and they still don't have for people who  
13 overpaid because of mistakes that were made  
14 there. We could say we have the most  
15 wonderful in the world but I don't think our  
16 residents see that and I don't see that  
17 either.

18 And yes, you said we didn't have to  
19 rush. I think our whole problem is the fact  
20 that we rushed to begin with to get this whole  
21 assessment system fixed that we're in more  
22 mess than we can imagine.

23 LEGISLATOR NICOLELLO: I do have  
24 a follow-up. As Legislator Ferretti pointed  
25 out, you click on some of these links and you

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2 get gobbledegook. It's a great descriptive  
3 term. I want to back up a little bit.

4 If I'm a residents going to my  
5 Nassau Property dot -- looking at the land,  
6 the viewer there, which is what most people  
7 do. Look, if you want to know what's going on  
8 with your assessment you're going to go to  
9 your property. You're going to see what  
10 information up. What's now there to help a  
11 resident determine how the Department of  
12 Assessment arrived at their own individual  
13 property's assessment? What's still remaining  
14 on the land track viewer?

15 MR. MILES: I think you can see  
16 the comparable market analyses that are still  
17 up. The department never removed the  
18 comparable market analyses, which is the main  
19 method that is utilized for filing a grievance  
20 and filing a SCAR. That was never removed.

21 LEGISLATOR NICOLELLO: All  
22 right. So now that everything else is gone --

23 MR. MILES: Everything else is  
24 only the ladder report Presiding Officer.

25 LEGISLATOR NICOLELLO: How do you



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2 compare your home to another home in the  
3 viewer?

4 MR. MILES: The comparable sales  
5 analysis that is still remaining up there as  
6 we speak.

7 LEGISLATOR NICOLELLO: Correct me  
8 if I'm wrong, wasn't the whole point that the  
9 Department of Assessment wasn't using  
10 comparable sales to determine assessments?  
11 Wasn't that what we told residents?

12 MR. MILES: But I thought we were  
13 talking about filing a petition and filing at  
14 ARC etcetera, etcetera.

15 LEGISLATOR NICOLELLO: I'm  
16 talking about a resident who wants to know why  
17 is my house -- what are they telling me my  
18 house is worth 650 and I know it's only worth  
19 500? That's what most residents want to  
20 know. What's there to tell them how you  
21 arrived at their assessment?

22 MR. MILES: The reassessment  
23 methodologies points it out. It points out  
24 the market areas, the neighborhoods, the  
25 coefficients, the property factors. That's

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2 what the residents would use to understand the  
3 reassessment methodology.

4 LEGISLATOR NICOLELLO: If they  
5 want to find out what the neighborhood factor  
6 is and they go to the Department of Assessment  
7 website and they get gobbledegook? Is that  
8 how it works?

9 MR. MILES: It's not  
10 gobbledegook.

11 LEGISLATOR NICOLELLO: It  
12 certainly is to 99 percent of the residents.  
13 I mean, again, look, I think the point that's  
14 being made over and over again is somehow the  
15 Department of Assessment, which settled a  
16 lawsuit which was intended to make the  
17 assessment process more transparent, has taken  
18 that settlement and now made itself less  
19 transparent.

20 I want to thank Legislator Drucker  
21 for inviting you up today because we would  
22 have had none of this back and forth without  
23 you being here. But it's frustrating for us,  
24 it's frustrating for residents to be honest  
25 with you. Again, look, you've come before us

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2 a number of times and you've stood there and  
3 you've answered the questions and had back and  
4 forth. So I'm not making this personal  
5 between us. We appreciate the fact that you  
6 do that. All right Robert?

7 MR. MILES: I hope it isn't.

8 LEGISLATOR NICOLELLO: It's not.  
9 Anyone else have any questions? Legislator  
10 Birnbaum. Then Legislator Rhoads.

11 LEGISLATOR BIRNBAUM: Thank you  
12 for being here Mr. Miles. I've listened to  
13 the discussion back and forth and it's odd  
14 that we're complaining that there's too much  
15 information now on the website. I went to the  
16 home page of the Department of Assessment and  
17 I read the description. It's summaries of how  
18 you did everything. There's many links that  
19 would bring the average person to what they're  
20 looking for. And there's a difference between  
21 your Department of Assessment and the  
22 Assessment Review Commission.

23 I think the whole lawsuit was  
24 against the Department of Assessment with the  
25 information, and I want to commend you for all

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2 the transparency and the information you have  
3 provided. I don't think the common person  
4 could understand coefficients and exactly how  
5 the math went into the reassessment. But yet  
6 it's there because you had to put out this  
7 information. Otherwise I don't even think you  
8 would bother with all these mathematical  
9 computations. But that's what was asked of  
10 them and they did and now we're complaining  
11 there's too much information.

12 So, there's difference between  
13 assessment and Assessment Review Commission.  
14 I think if the average homeowner wants to find  
15 out how the assessment was arrived at they do  
16 study maybe the Department of Assessment. But  
17 mostly they'd be on the Assessment Review  
18 Commission page to look at comps.

19 But I think for the sake of the  
20 argument of this piece of legislation, your  
21 department has completely complied with what  
22 you were supposed to do. And if we are  
23 requesting other information and modifications  
24 to the website I'm sure that Mr. Miles said  
25 he's willing to work with us. But for the

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2 legislation before us today it's moot. It's  
3 been done. There's more than enough  
4 information that's on that page.

5 I haven't looked at other counties  
6 or other areas in the state to say it but I'll  
7 take your word for it that we probably have a  
8 very complex website because everybody in this  
9 area at our legislature has been asking for  
10 more information and you've been giving it.  
11 So thank you.

12 Yes, it may be complicated and  
13 difficult for people to understand. Maybe  
14 that's why it wasn't there in the first  
15 place. But yet all the explanation is  
16 provided for how the reassessment took place.  
17 So, I want to thank you for that and all the  
18 work you've been doing to try to get this  
19 website as thorough as it is.

20 MR. MILES: Thank you Legislator.

21 LEGISLATOR NICOLELLO: Legislator  
22 Rhoads.

23 LEGISLATOR RHOADS: Thank you Mr.  
24 Presiding Officer. I respectfully disagree  
25 with Legislator Birnbaum in virtually every

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2 respect. The bottom line is that the county  
3 was responsible under the terms of the  
4 settlement to include a plain English  
5 narrative explaining the information that's  
6 contained on the website. And yes, the words  
7 that you put on the website are in plain  
8 English. However, they don't explain the  
9 information that's contained in the  
10 hyperlink. You click on a hyperlink for  
11 market coefficients and you receive a series  
12 of letters and numbers that are  
13 incomprehensible to the average person.

14 If the idea behind the lawsuit was  
15 that there was supposed to be transparency and  
16 the idea behind what we're stating is our  
17 objective, and which the county executive  
18 supposedly shares in, that we want residents  
19 to be able to understand how is the  
20 information that you put up on your website  
21 helpful and how is it in any way compliant  
22 with the terms of the settlement?

23 The bottom line is, Mr. Miles, I  
24 don't need you to be a coder. Right? I'm not  
25 a coder. The whole point of the lawsuit was

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2 that I should be able to go on the website,  
3 click on the link and get an explanation for  
4 exactly how it was that the Department of  
5 Assessment considered my home's market, the  
6 different coefficients that it used, the  
7 different markets, the model variables that it  
8 used. But when you a click on those links you  
9 receive -- there's information there but it's  
10 information that no one other than a coder can  
11 understand. So I'm going to ask you,  
12 Mr. Miles, I'm going to ask what I'm holding  
13 now is a -- and I apologize that my fellow  
14 legislators can't see it --

15 MR. MILES: Legislator Rhoads is  
16 testifying with me on behalf of DOA.

17 LEGISLATOR NICOLELLO: Now we'll  
18 get to the bottom of this.

19 LEGISLATOR RHOADS: We were  
20 trying to figure a way to get it up on the  
21 screen and we can't. So when you click on the  
22 list of Nassau County 2021 model variables,  
23 which is information that's now contained on  
24 the Department of Assessment website not the  
25 land record viewer but the Department of

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2 Assessment website, this is a printout of the  
3 information that's contained there. Is there  
4 any place on the Department of Assessment  
5 website that explains what each of these terms  
6 actually is?

7 MR. MILES: The 180 plus?

8 LEGISLATOR RHOADS: Yes. The  
9 plain English description of what it actually  
10 is.

11 MR. MILES: I don't think so  
12 Legislator. But it is -- 180 as specified in  
13 the lawsuit.

14 LEGISLATOR RHOADS: It says a  
15 plain English description.

16 MR. MILES: Of the reassessment  
17 methodologies and everything that occurred in  
18 it.

19 LEGISLATOR RHOADS: This is the  
20 part of the methodology?

21 MR. MILES: It is and it's been  
22 explained in the -- sorry, this is an odd  
23 exchange.

24 LEGISLATOR RHOADS: It's like  
25 being in a deposition.



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2 So, when you click on the  
3 information for model variables you'll concede  
4 though that for each of these, econ unit ID,  
5 do you have any idea what econ unit ID is?

6 MR. MILES: Yes.

7 LEGISLATOR RHOADS: You know,  
8 right, because you work in the Department of  
9 Assessment?

10 MR. MILES: But I think many of  
11 these are quite plain and easy to read.  
12 Neighborhood label. The neighborhood, the  
13 address's legal code class. Acres. I don't  
14 think that's something that you need to spoon  
15 feed to -- if a homeowner doesn't know what an  
16 acre is that's a problem.

17 LEGISLATOR RHOADS: What's an  
18 NBHD label?

19 MR. MILES: Neighborhood.

20 LEGISLATOR RHOADS: What's an  
21 NBHD old?

22 MR. MILES: That's specific to  
23 the code.

24 LEGISLATOR RHOADS: If you're not  
25 from the Department of Assessment you may be

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2 able to interpret some of the 180 variables  
3 but the idea was that you wanted to provide an  
4 explanation so that the average person can  
5 actually understand what those variables are  
6 and --

7 MR. MILES: But the explanation  
8 is in the -- I don't know how this goes.

9 LEGISLATOR RHOADS: But you would  
10 concede though that there is not an  
11 explanation for each of the items that's in  
12 the 2021 model variables?

13 MR. MILES: No, it's not for  
14 each.

15 LEGISLATOR RHOADS: So now, when  
16 you click on the valuation for individual --

17 MR. MILES: Right. This is the  
18 modeling. This is the coefficients. I mean,  
19 you can utilize this to create an SPSS model.

20 LEGISLATOR RHOADS: How?

21 MR. MILES: Do you know how to  
22 use SPSS?

23 LEGISLATOR RHOADS: No. Is there  
24 any explanation though for the information  
25 that's --

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2 LEGISLATOR NICOLELLO: All  
3 right. I don't know how fruitful this is for  
4 the rest of us.

5 LEGISLATOR RHOADS: Not a  
6 problem. What I'm going to do is, so you can  
7 see, we only have one copy but I just wanted  
8 to ask my question first before I publicized  
9 it.

10 You would concede that anywhere on  
11 the Department of Assessment website, Mr.  
12 Miles, that there is no explanation for what  
13 this information actually means, right?

14 LEGISLATOR NICOLELLO: All  
15 right. Again, gentlemen, this is not getting  
16 taken down on the transcript because of the  
17 way you're doing it.

18 MR. MILES: It was interesting.  
19 Thank you for coming up here.

20 LEGISLATOR NICOLELLO: Are there  
21 any other questions? Anyone at home or  
22 remote? Thank you Mr. Miles.

23 MR. MILES: This is one of the  
24 most interesting -- I mean I enjoyed seeing  
25 Legislator Rhoads up here.

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2 LEGISLATOR NICOLELLO: We can  
3 send him to your office too if you want if you  
4 enjoyed it that much.

5 I think the debate is over ladies  
6 and gentlemen. Let's go to a vote on this.  
7 All those in favor signify by saying aye.  
8 Those opposed? Passes by a vote of 11 to  
9 eight.

10 Motion to adjourn by Legislator  
11 McKevitt. Seconded by Legislator  
12 DeRiggi-Whitton.

13 LEGISLATOR RHOADS: If it's okay,  
14 Mr. Presiding Officer, I'd just like to give  
15 these in to the clerk.

16 LEGISLATOR NICOLELLO: That's  
17 fine. All those in favor of adjourning  
18 signify by saying aye. Those opposed? We are  
19 adjourned. We're going to go right into the  
20 Rules Committee.

21 (Legislature was adjourned at 3:21  
22 p.m.)

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CERTIFICATION

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

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

IN WITNESS WHEREOF, I have  
hereunto set my hand this third day of  
May 2021.

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FRANK GRAY