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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

RECONVENED LEGISLATIVE SESSION
of June 27, 2022

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

Monday, July 18, 2022
1:40 P.M.

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2 LEGISLATOR NICOLELLO: I'm going
3 to call this meeting of the county legislature
4 to order and ask Legislator Tom McKeivitt to
5 lead us in the pledge.

6 We will be reconvening the June
7 27th meeting of the Nassau County Legislature,
8 and Mike could you call the emergency please?

9 MR. PULITZER: An emergency
10 resolution declaring an emergency for
11 immediate action upon a resolution confirming
12 the appointment by the county executive of
13 Marie F. McCormack as a judge of the district
14 court of the county of Nassau for the Second
15 Judicial District pursuant to Section 21-D of
16 Article 6 of the constitution of the state of
17 New York. Clerk item 206-22.

18 LEGISLATOR NICOLELLO: Thank
19 you. We need a motion to establish the
20 emergency. Moved by Legislator Rhoads.
21 Seconded by Deputy Presiding Officer Kopel.
22 Any debate or discussion on the emergency?
23 Hearing none, all in favor of establishing the
24 emergency signify by saying aye. Those
25 opposed? Carries unanimously.

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2 Now I'm going to call the actual
3 items which are items 106, 107, 208 -- items
4 206, 207, 208 and 212. These are resolutions
5 confirming the appointments by the county
6 executive of Marie F. McCormack, Michael A.
7 Montesano, Jaclene Agazarian and Joseph
8 Nocella as judges of the district court of the
9 county of Nassau for the Second Judicial
10 District pursuant to Section 21-D of Article 6
11 of the constitution of the state of New York.

12 We need a motion on those items.
13 Moved by Legislator Ferretti. Seconded by
14 Legislator McKevitt. They are now before us.

15 I'd ask the respective judges if
16 you want to come up and say a few words.
17 Mike, just say hello. Just introduce
18 yourself. All four of you actually.

19 MR. MONTESANO: My name is
20 Michael Montesano. Formerly assemblyman 15th
21 Assembly District. Glad to be here today.
22 Thank you for your consideration for this
23 appointment.

24 MS. MCCORMACK: My name is Marie
25 McCormack. I'd like to thank the Honorable

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2 Bruce Blakeman, our county executive, as well
3 as the members of this legislature here for
4 considering my appointment. And I also wanted
5 to thank you for the work you do for the
6 people of the county of Nassau.

7 MS. AGAZARIAN: Good afternoon.
8 My name is Jaclene Agazarian. Like my
9 colleagues, I'd like to thank the county
10 executive for the nomination and I would like
11 to thank you all for your consideration and
12 it's really an honor and a privilege. So
13 thank you.

14 MR. NOCELLA: Good afternoon.
15 Joseph Nocella. I want to follow in my three
16 predecessors in the hopes that in following
17 them all four of us will prove to be good
18 judges and fair and impartial judges on the
19 district court. I thank them. I thank you
20 for considering this nomination, this
21 appointment, and I'd like to thank County
22 Executive Blakeman for making the
23 appointments.

24 LEGISLATOR NICOLELLO: Thank you
25 very much to all four of you.

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2 Any debate or discussion? Hearing
3 none, we're going to vote on 206, 207, 208
4 first. That's the appointments of Marie
5 McCormack, Michael Montesano, Jaclene
6 Agazarian. All in favor of those appointments
7 signify by saying aye. Those opposed? They
8 pass unanimously.

9 As to 212, the appointment of Joe
10 Nocella, any debate or discussion? All in
11 favor of that item signify by saying aye.
12 Those opposed? We have 17 in favor and one
13 abstention. Congratulations to the four of
14 you.

15 We are going to put the full
16 legislature into recess and then jump into the
17 committees. We may be returning later to do
18 the capital items but there has to be some
19 discussions in terms of some of the specifics
20 of those items before we move forward with
21 respect to that. So, I'm going to put the
22 legislature in recess, and I am going to call
23 the Rules Committee.

24 (Meeting was recessed at 1:55 p.m.)

25 (Meeting was reconvened at 5:15

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2 p.m.)

3 LEGISLATOR NICOLELLO: Now I'm
4 going to call the full leg back in order. We
5 have several items, three items on the
6 calendar. Calendar number three Resolution
7 96. A resolution declaring a capital budget
8 emergency pursuant to Section 310(D) of the
9 county government law of Nassau County.

10 Motion by Legislator Walker.
11 Seconded by Legislator Gaylor. That puts the
12 item before us. We need to have an amendment
13 in the nature of a substitution. This amends
14 the capital budget emergency resolution to
15 reflect the project 41887 Museum Row
16 renovation and expansion and project 51001
17 district attorney information technology
18 infrastructure are new projects in the 2021
19 capital budget amendment.

20 We need a motion to amend.
21 Legislator Walker makes that motion.
22 Legislator Gaylor seconds that motion. Any
23 debate or discussion on the amendment? All in
24 favor of the amendment signify by saying aye.
25 Those opposed? The amendment passes

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2 unanimously.

3 Now we have the item as amended.

4 All in favor of the item as amended signify by
5 saying aye. Those opposed? Carries
6 unanimously.

7 The next item is calendar number
8 four, Ordinance 35 of 2022. An ordinance to
9 amend Ordinance 126 of 2020 adopting the
10 capital budget for the county of Nassau for
11 the first year of the four-year capital plan
12 to commence on January 1, 2021 pursuant to the
13 provisions of Section 310 of the county
14 government law of Nassau County.

15 Motion by Legislator Kennedy.
16 Seconded by Legislator McKevitt. That puts it
17 before the legislature. Now we need an
18 amendment in the nature of a substitution to
19 amend the 2021 capital budget amendment to
20 reflect corrected authorization amounts for
21 certain projects.

22 Motion by Legislator Kennedy to
23 amend. Seconded by Legislator McKevitt. So
24 the amendment is before us. Any debate or
25 discussion on the amendment?

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2 LEGISLATOR ABRAHAMS: So, as the
3 previous vote as it pertains to the emergency
4 to the capital plan, obviously we supported it
5 and we plan to support the capital plan.
6 Unfortunately, as it pertains to the bond
7 ordinance, from our perspective we at first
8 heard from the administration earlier today.
9 We haven't heard anything over the last
10 several months that we deem to be in good
11 faith in order to be able to move forward.

12 We had brought to the attention of
13 the administration several projects that were
14 identified by a study that have -- road
15 projects -- that have been deemed to be
16 unsafe. Newsday had written a story regarding
17 some of these roads on June 11th. Some of the
18 roads were identified were Nassau Road,
19 Babylon Turnpike, Peninsula Boulevard,
20 Franklin Avenue to name a few. There have
21 been also several roads such as Elmont Road as
22 well as Old Country Road where they have been
23 deemed to be and seem to be unsafe.

24 But I really truly believe more
25 importantly than anything else the county has

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2 been put on notice. I mean, these roads have
3 been deemed to be unsafe. The county now
4 knows. There's been a story about them. We
5 were just trying to advocate to get these
6 projects included into the capital plan. And
7 it seemed like, based on our discussion, based
8 on what we heard, that it's been rebuffed.
9 That's unfortunate because I think based off
10 of what we're asking for these projects are
11 truly in the best interests of the residents
12 in making sure pedestrian walkways are safe.

13 So, I think it's an unfortunate
14 turn that we're actually going through this
15 exercise of voting for the capital plan even
16 though we know the bonding is not going to be
17 there.

18 That being said, we understand that
19 there are public safety, there are district
20 attorney, Nassau County Police Department
21 items in here. We would be more than happy to
22 vote for that stuff right now. We will bond
23 it. Get it done. I believe there's 16, \$17
24 million in PD slash DA. Maybe even some
25 correction projects -- fire commission,

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2 sorry -- that are in here. We'll be prepared
3 to do those today.

4 But it seems to be by the
5 administration it's an all or nothing
6 approach, which I truly think is unfortunate.
7 I guess this will get hammered out over the
8 next three weeks. But from our standpoint we
9 truly believe that we can do this today.

10 The projects that we're asking for
11 in the legislative minority are all projects
12 that the county has been on notice for a
13 while. Quite frankly, if the administration
14 had reached out to us in those time frames we
15 would have gladly shared that with them. That
16 these projects are a priority.

17 Granted, some of these projects
18 actually predate this administration. For
19 some reason when they showed up in previous
20 capital plans with the other administration
21 today they're not here. Which is
22 unfortunate.

23 From that standpoint we're going to
24 support the plan because we believe that all
25 those projects should go forward. Whether

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2 they're resurfacing projects. Whether they're
3 park projects, improvement projects. We think
4 all these projects should go forward. We
5 believe in getting not just the work done but
6 getting many of our labor folks to work.

7 But at the same time we cannot
8 support the bond authorization at this time.
9 But we are willing to do the PD and the fire
10 commission as well as the district attorney
11 public safety money today. We don't want to
12 see that get caught up in anything else.

13 But we have a hard time when we
14 believe that the county has been put on notice
15 as it pertains to some of these pedestrian
16 upgrades throughout many districts. We have a
17 hard time supporting a plan that doesn't
18 include and ensure that all roadways are going
19 to be safe. Thank you.

20 LEGISLATOR NICOLELLO: The only
21 point that I would make would be that this,
22 what we are considering today, is an amendment
23 to a 2021 capital budget and bonding
24 etcetera. That additional projects that the
25 minority wants to include was really more

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2 appropriate being negotiated into the upcoming
3 2023 capital budget. Because we have projects
4 as well that we want negotiated into that.
5 So, I don't believe that it's worth while to
6 stop this at this time to exert your leverage
7 to prevent this from going forward when
8 there's upcoming negotiations on the 2023
9 capital budget.

10 Mr. Arnold, I see you standing.

11 LEGISLATOR ABRAHAMS: Just as
12 Mr. Arnold approaches, Presiding Officer, the
13 one thing I just want to reference that a good
14 chunk of our projects they were in previous
15 plans. They were there. They're just not
16 being bonded today. One of the cases in point
17 I'll bring up is Franklin Avenue. A project
18 that Legislator Bynoe and I have know about.
19 We put the previous administration -- Mr.
20 Arnold knows this -- we put the previous
21 administration on notice. And for whatever
22 reason, the authorization in -- the 2021
23 project authorization is not even being
24 considered.

25 Now, granted, there may be some

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2 issues. I'm sure Mr. Arnold will try to
3 explain them. But you have two legislators
4 that have been put on notice about an area, a
5 roadway that is deemed unsafe.

6 And schools. I mean, there's no
7 politics here. This is straight advocacy for
8 our constituents.

9 So, from our standpoint, I have a
10 hard time voting yes to something that I've
11 been made fully aware of that I've brought to
12 the parties that can impact the change to
13 change it. It's just that simple. Sorry for
14 doing that. Go ahead Mr. Arnold.

15 MR. ARNOLD: Thank you. Before
16 you today is a capital budget amendment and
17 associated bond ordinance to continue the work
18 of the department and the other agencies
19 throughout the county as a result of the 2022
20 plan not being acted on. All the projects
21 that are listed are ongoing existing projects
22 or equipment purchases or funding for capital
23 projects that are used to address unforeseen
24 conditions.

25 Specifically to the traffic items,

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2 there is a significant amount of money in
3 traffic studies added to this capital
4 amendment that would be utilized to do the
5 studies that have been mentioned to us in
6 these new locations.

7 On the older locations like
8 Franklin and Nassau, the department has
9 proposals ready to go out to our on call
10 consultants. It's just a matter of clearing
11 other work and these would go out next. They
12 could go out probably before the end of the
13 month if necessary.

14 The department also has many other
15 projects that look at the various traffic
16 issues that are brought to our attention
17 whether it's by a legislator, a constituent or
18 internally by my people. We are initiating a
19 traffic accident mapping program to look at
20 locations throughout the whole county. This
21 body voted on the Greenman Pederson contract
22 not too long ago. That project finally
23 started.

24 In addition, we have various
25 studies going on for many locations. I cannot

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2 even speak to some of these Newsday areas
3 already being in our queue because of other
4 complaints that we have received.

5 But the bottom line is that 62500,
6 which will have a nexus of \$4 million, can be
7 more than utilized for any study of any area
8 of your concern immediately once the bond
9 ordinance is approved. And if warranted, a
10 larger design and construction project then
11 would be appropriate to ask for a specific
12 capital project for those locations.

13 LEGISLATOR ABRAHAMS: If I may
14 Mr. Arnold. We just approved five projects to
15 be added to the plan, didn't we? By
16 emergency?

17 MR. ARNOLD: You approved --

18 LEGISLATOR ABRAHAMS: We just did
19 the museum. We just did a couple of other
20 projects. We just approved five projects to
21 be added to the capital plan.

22 MR. ARNOLD: The museum was
23 necessary because this body approved an
24 agreement with the armor museum and this is
25 the funding that was never allocated for that.

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2 LEGISLATOR ABRAHAMS: I'm not
3 going to get into the merits of what's
4 important versus not important. Obviously I
5 voted for them. We did. We think they're all
6 important. But what we're saying is that the
7 projects in these neighborhoods are just as
8 important. We can't make the argument that
9 it's funded through other sources. Why didn't
10 we say that about these other projects? Why
11 couldn't we just fund them through other
12 sources? The bottom line is those projects
13 have line items in the capital plan. That's
14 what we're asking for here, line items.

15 MR. ARNOLD: We were not looking
16 to add line items for specific projects until
17 we do the 2023 capital plan. At this point
18 this is just a continuation of ongoing --

19 LEGISLATOR ABRAHAMS: But we're
20 doing line items for these five other projects
21 though.

22 MR. ARNOLD: Each one has a
23 specific purpose. The parking lot by family
24 court needed to be addressed in a timely
25 matter to coincide with the family court

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2 project. That's why it was added as a
3 specific project.

4 LEGISLATOR ABRAHAMS: I'm all for
5 everybody getting everything they need for
6 their constituents. That's not issue. No one
7 has to sell me on this stuff. I just voted
8 for it. I'm for it. I'm going to vote for
9 the capital plan. I'm just not going to
10 support the bond ordinance unless you're going
11 to break out the PD and the public safety
12 stuff because that stuff I'm ready to do
13 today.

14 But from our standpoint, what we're
15 asking for is not to have these projects to be
16 commingled into traffic safety with everything
17 else that's being requested throughout the
18 county. These are projects that the county
19 has been put on notice.

20 MR. ARNOLD: Yes, we have been
21 put on notice by Newsday but until we do the
22 study do we know what the merits of the notice
23 are? And that's what 62500's whole purpose
24 is, is not to end up with, you know, dozens of
25 capital projects for traffic until the initial

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2 work is done and the scopes are identified and
3 then we put together a specific project.

4 LEGISLATOR ABRAHAMS: But some of
5 these projects, Ken, have been known about for
6 years. I don't know about you but I've known
7 about Franklin Avenue. I think we've brought
8 that up before. Babylon same thing. Elmont
9 Road in Legislator Solages' district I know
10 it's been known about for quite some time.

11 MR. ARNOLD: Elmont Road we've
12 completed, between Elmont Road and Dutch
13 Broadway, about \$1.5 million of construction
14 improvements.

15 LEGISLATOR ABRAHAMS: But the one
16 thing we did talk about today that there is an
17 intersection where the mosque is located where
18 he's brought to this attention going back to
19 2019 Legislator Solages?

20 MR. ARNOLD: And we addressed
21 that at the time saying that the county does
22 not want to put up uncontrolled crosswalks and
23 that the residents need to use the closest
24 intersection to cross. If that needs to be
25 revisited I'm open to do that. There are

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2 other projects that we're working on to try to
3 control unprotected crosswalks. We can go
4 back and look at that. But at that time that
5 was our response.

6 LEGISLATOR SOLAGES: But the way
7 the Sheridan area project that was proposed in
8 '22 and has not been adopted.

9 LEGISLATOR ABRAHAMS: It seems
10 like to me this is really more of an issue --
11 I can't explain what the issue is really
12 because it sounds like to me if I'm hearing
13 you and I trust you because I've known you for
14 many, many years. Going back to the time when
15 I was in the finance office with Judy Jacobs.
16 It's not an issue of that.

17 But it sounds like to me that the
18 administration is prepared to fund them
19 because they're going to pay for a lot of the
20 studies through multiple different ways for a
21 lot of these projects. I don't know if it's
22 going to include everything that Legislator
23 Drucker would like to see on Old Country
24 Road. Or Stillwell Park that Legislator
25 Lafazan would like to see to get done. But

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2 some of these road projects you are saying
3 today that you would cover them through the
4 traffic study 62500?

5 MR. ARNOLD: Yes.

6 LEGISLATOR ABRAHAMS: So, what
7 we're asking for is for the projects to be
8 broken out very similar to what we just did, I
9 want to say ten minutes ago, for the five
10 projects that were broken out before we did
11 the emergency to include in the capital plan.
12 Why are those projects being deemed so
13 differently than the ones we're asking for?
14 That's the part I don't understand.

15 MR. ARNOLD: This amendment in
16 front of you is at least six weeks in the
17 making. That's what we're looking to proceed
18 with. We have many projects that have
19 momentum that I need to keep on moving
20 forward. We can keep saying what's the impact
21 of a two-week delay, a three-week delay, but
22 it does commingle everything else that this
23 department needs to put out on street. And to
24 keep pace we felt it was important when we
25 develop this amendment probably two or three

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2 months ago to keep forward progress on
3 completing or moving forward the existing
4 scheduled work.

5 LEGISLATOR ABRAHAMS: So, you're
6 saying it's extremely important that we do the
7 bond today. We're prepared to do the public
8 safety today. Why couldn't the public safety
9 be broken out of the rest of the bond
10 package? We've done that in the past, right?

11 MR. ARNOLD: We've done it many
12 different iterations. For a couple of years
13 we did every single bond ordinances on items
14 for the same purpose. So, of course, we can
15 always separate. It's just a matter of
16 another thing to take care of.

17 LEGISLATOR ABRAHAMS: It just
18 seems like it's -- and I'm not saying you
19 particularly Ken -- but it's just seems it's
20 the administration thing it's our way or the
21 highway. That's what it appears like. Which
22 is fine. Because it will get resolved over I
23 guess hopefully the next couple of weeks.

24 MR. ARNOLD: My bottom point is
25 the work that you're asking for these road

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2 segments we can utilize money that is in the
3 amendment that you're looking at today. We
4 don't need to wait and do another line.

5 LEGISLATOR ABRAHAMS: That's why
6 I don't think it's a money issue. That's why
7 it boggled my mind when we had heard that the
8 administration said nope, vote for the capital
9 plan the way it is. It doesn't make any
10 sense.

11 Because now we're saying that okay,
12 we'll include it in the 2022-23 bond
13 authorization but what we're asking for a lot
14 of this stuff doesn't require more money. It
15 just requires it to be in its own line so that
16 we can point and tell our constituents, look,
17 it's going to be funded here and here's the
18 dollar amount for it. Rather than have it be
19 commingled. If someone else gets hurts on one
20 of these roads we're not going to be able to
21 say hey, it's commingled in the traffic study
22 money. We were going to take care of it.

23 We want to be able to say it's
24 taken care of and here's the line item for
25 Peninsula Boulevard or Old Country Road or

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2 Babylon Turnpike or Grand Avenue. We wouldn't
3 be able to say that and point to that.

4 The only thing that's holding this
5 up is that we have to do a SEQRA to be able to
6 develop a capital line in the budget. But we
7 can do that on August 8th. Why couldn't we do
8 that on August 8th?

9 So, it's not a money issue. It
10 really isn't. I got to tell you, honestly, it
11 sounds like it's our way or the highway type
12 of thing. Which it's unfortunate because
13 we're talking about people's lives. These are
14 not pork projects. These are real projects.
15 And I hate the way that it's being described
16 because one of the projects, I believe it was
17 Nassau Road, is being described as a
18 streetscape.

19 MR. ARNOLD: That's how it was
20 submitted initially but we've taken that in
21 the department and expanded ourselves to
22 include resurfacing and traffic improvements.

23 LEGISLATOR ABRAHAMS: If anybody
24 tried to walk across Nassau Road it's the
25 furthest thing from a streetscape that needs

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2 to happen there. I look forward to the study
3 but I don't need a study to tell me that
4 that's a very unsafe road. I'm probably going
5 to put myself on the record and get myself in
6 trouble with this but it's not the safest road
7 to cross. And to me, I don't need a study to
8 prove that.

9 But to me it just seems like today
10 the administration has taken this approach
11 where safety upgrades and pedestrian walkways
12 in these neighborhoods don't need a line item
13 but museum row and these other items that we
14 just did ten minutes ago we broke those out,
15 we did those by emergency, we added them to
16 the capital plan, they got their own line,
17 these projects were good we can do those but
18 we can't do these.

19 MR. ARNOLD: But to be clear, the
20 administration is not saying that we're not
21 doing the projects. We're saying the funding
22 exists in this amendment to do what you want
23 to do. Then the line item could be added
24 whence the study is completed or near
25 completion so we understand the scope and the

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2 magnitude of course at that time. So I don't
3 think we're disagreeing.

4 LEGISLATOR ABRAHAMS: I got it.
5 We're not disagreeing with the funding but
6 what we are disagreeing with is that we just,
7 five minutes ago, we just added five projects
8 to the capital plan by emergency that are
9 going to be a part of the bond ordinance. We
10 just did that.

11 But now it seems like the projects
12 that we're proposing, that we would like to
13 see, that are not pork projects, that are good
14 projects that go towards addressing pedestrian
15 walkway safety, are not going to be added in
16 the same way.

17 MR. ARNOLD: Again, this
18 amendment has been in the process of being
19 presented to you, it's been back and forth for
20 a number of weeks.

21 LEGISLATOR ABRAHAMS: And we've
22 presented some of these projects as you know,
23 Ken. Franklin--

24 MR. ARNOLD: I'm not disagreeing
25 with Franklin or the ones that are in the

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2 plan. But the other projects are new. I
3 don't disagree with you with Franklin.
4 Legislator Bynoe has a bunch. You had a
5 couple. I'm not disagreeing. They have line
6 items. But the other items that you want to
7 add my position is that we have the funding in
8 the amendment for 62500 to kick those off.

9 LEGISLATOR NICOLELLO: I think
10 you have both set forth your positions
11 adequately at this point.

12 Legislator Bynoe.

13 LEGISLATOR BYNOE: Mr. Arnold,
14 so, Commissioner Arnold, thank you for
15 acknowledging Franklin Avenue and that it's an
16 existing project. It really should have taken
17 place and should have started a long time
18 ago. I know COVID happen and other things
19 occurred but you and I both have met several
20 times. We've talked in depth about the
21 academy school and the problems that one
22 encounters in that area. Especially during
23 the admission in the morning and when they
24 dismiss at night.

25 And so, not only did we know about

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2 those issues, because I'm getting complaints
3 on a regular basis in my office, it's now
4 memorialized and it's in the Newsday article.
5 I don't see why this particular line item
6 still did not get -- it's not up for bond. It
7 should be out for the bond with everything
8 else that's going out. I don't understand why
9 we would be holding that back.

10 Even if you wanted to argue that
11 Peninsula, because we're trying to address
12 Peninsula, Peninsula is a new project. I
13 don't understand why this administration will
14 not fund the issues to be corrected on
15 Franklin Avenue. Answer that for me please.

16 MR. ARNOLD: Working with OMB we
17 don't bond for construction until we have a
18 project ready to go to bid in that calendar
19 year. Since we have not started the study of
20 design, we're not ready to allocate or
21 identify how much construction funding, which
22 is why we did not put in a bond ordinance for
23 those projects for construction.

24 LEGISLATOR BYNOE: Did you put in
25 the bond ordinance for the design component?

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2 MR. ARNOLD: It's already there,
3 yes.

4 LEGISLATOR BYNOE: How long is a
5 design likely to take?

6 MR. ARNOLD: Once the consultant
7 starts you're probably talking six to eight
8 months, study and design.

9 LEGISLATOR BYNOE: Six to eight
10 months. And then we're going to wait what?
11 Until that's done? I'm just trying to get an
12 idea of what we're talking about here. When
13 will pedestrians be safe in that area?
14 Because this is a project from like 2019 or --
15 2019.

16 MR. ARNOLD: 2019 or 2020.

17 LEGISLATOR BYNOE: I thought it
18 was 2019.

19 MR. ARNOLD: One of those two
20 years.

21 LEGISLATOR BYNOE: It might have
22 been the 2020 plan that was put in in 2019.

23 MR. ARNOLD: Couple of plans
24 ended up later.

25 The design six or seven months.

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2 Then you have procurement and then we go to
3 construction. That the three phases of how
4 work happens. Like I'm working Legislator
5 DeRiggi-Whitton right now on Shore and
6 Prospect and we just had a community meeting
7 and we had the same conversations. Just a
8 matter of getting consensus and then getting
9 into final plans and specs and then getting
10 the job out to bid.

11 I will say that on the Franklin job
12 I think we need to go back and look at our
13 notes. I don't believe the limits included
14 the school.

15 LEGISLATOR BYNOE: Oh, it did.

16 MR. ARNOLD: I don't know.

17 LEGISLATOR BYNOE: I remember you
18 and I both were remarking about how terrible
19 it was. But that's my focus is that academy
20 school.

21 MR. ARNOLD: We may have to
22 change it. I think when we initially talked
23 about this months ago I don't think the limits
24 included that. It may have changed since
25 then.

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2 LEGISLATOR BYNOE: They
3 definitely do include it. They definitely
4 include it. And the money is there. It
5 definitely includes it.

6 MR. ARNOLD: Top of my head, I
7 think there's a disconnect there that can be
8 straightened out. I'm not worry about that.

9 LEGISLATOR BYNOE: That's the
10 whole purpose of me doing this whole endeavor
11 is to make that area safe.

12 Then so Peninsula, which has also
13 been identified as an issue, are we saying
14 that -- what's the timeline for pedestrians to
15 be safe in that area? Because I actually
16 asked for a hearing for public works because
17 while these areas were identified in this
18 study that was done by a third party there are
19 other legislators who have safety issues in
20 their communities too.

21 MR. ARNOLD: The big picture on
22 traffic is we get complaints every day from
23 everywhere. Which is why we presented a
24 project to look at accident data spatially on
25 our mapping system so we can start looking at

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2 clusters and not just go by reactions of
3 peoples' opinion. But get the data mapped to
4 put together a plan forward.

5 Because the department gets
6 overwhelmed when there's 4,000 complaints each
7 wanting to be acted on. That's why we put
8 together a capital project a couple of years
9 ago. Just hired consultants just was brought
10 on board to work with the I think it's the
11 Department of Transportation's accident data.
12 I'm not sure our police accident data. I
13 think we're using DOT's accident data. To map
14 it including the cause throughout the whole
15 county to get a snapshot on where our problems
16 are so we can start focusing efforts in that
17 direction as compared to being reactive to
18 people's concerns in one place.

19 LEGISLATOR BYNOE: I understand
20 that. But we do know that in some areas there
21 are just accidents waiting to happen, right?
22 I think there may have been one young person
23 that was hit traversing Franklin Avenue to go
24 to school, you and I both know because we
25 talked about it, how horrific that scene is

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2 over there at Franklin Avenue. It's not a
3 problem that we made. It's a problem that the
4 village made by allowing that school to go on
5 that school without having proper setbacks and
6 for parking. But at the end of the day we're
7 charged with fixing it.

8 MR. ARNOLD: But also, everybody
9 in this room will recognize that enforcement
10 is a big part of traffic safety. We can put
11 all the safety measures in the world but if
12 nothing's enforced or enforcing is lacking
13 that also gets us into trouble.

14 Traffic is we call it the three
15 E's, education, enforcement and engineering.
16 All three pieces have to work properly
17 together. I can't solve a problem if somebody
18 crosses mid block or a drunk driver, all those
19 issues I can't fix those accidents.

20 LEGISLATOR BYNOE: Some of those
21 I see you can. Because I'm seeing on
22 Hempstead Turnpike where people used to cross
23 in the middle by the hospital where they
24 shouldn't you put up those railings that
25 actually -- maybe the state did it. She's

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2 saying the state did it. The point is
3 engineering can be used to encourage people to
4 only use certain walkways.

5 MR. ARNOLD: And we just did that
6 by Legislator Solages' district by Saint
7 Boniface Church. We did the same thing. It's
8 not up yet but part of the solution is to
9 direct pedestrians to the corner.

10 LEGISLATOR BYNOE: What can we do
11 to make sure -- I mean, today we need bonding
12 in certain instances, and I do agree with
13 Minority Leader Abrahams, we need to be able
14 to illustrate to our residents that we're
15 taking these matters of safety very
16 seriously. We're not saying let's throw good
17 money out to bad. We're not engineers. We
18 have a lot of attorneys here but I don't think
19 anyone here is an engineer. So, we are
20 relying on you.

21 What I'm concerned about is
22 whether -- there's two things. Is the
23 administration willing to be partners in this
24 to make sure that the bonding is done timely.

25 And then the other part is, do you

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2 have everything you need to be able -- that's
3 why I wanted to have a hearing. Because
4 sometimes I feel like these projects sometimes
5 they take longer than I would even expect and
6 I've worked in government over two decades.
7 So, to the general public it seems like we're
8 not moving fast enough to be able to remedy
9 these issues.

10 I really think that today this is
11 the issue of bonding but I think there are
12 bigger issues that we need to peel back the
13 onion on and really be able to address these
14 issues.

15 So, I know it's in the 11th hour
16 that some of these projects may have bubbled
17 up through various different ways, but I don't
18 think that this should be a situation where we
19 dig in our heels and say we're just not going
20 to do what's right to illustrate to our
21 residents that we heard them and that we're
22 earmarking money specifically into their
23 community to ensure their safety as they're
24 trying to go to work, go to school, go to
25 church and just be safe as they walk or drive

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2 in their communities.

3 I think breaking out those items to
4 earmark them for the particular areas of
5 concern, we're spending more time talking
6 about it. It would have taken less time just
7 to just break out those items. I don't even
8 know why we continually do these things. But
9 it's a loss for everyone if we just don't
10 break it out. You say you're going to do it.
11 Just break it out.

12 Moreover, the ones that have the
13 bonding, that have legitimate projects, bond
14 them. Bond for them specifically. That's the
15 ask of this side of the aisle. That's our
16 ask.

17 LEGISLATOR NICOLELLO: Legislator
18 Ferretti.

19 LEGISLATOR FERRETTI: Hello,
20 Ken. Can you, just shifting over to the
21 public safety portion of the plan, can you
22 specifically list the items that would be used
23 for the funding in the public safety portion?

24 MR. ARNOLD: I believe it's
25 ambulances, ambulance equipment, sheriff

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2 vehicles, fire marshal vehicles, snow plows,
3 mosquito control equipment and I believe
4 there's PD fleet in there. I may be off on
5 that one. To name a few. You have tasers.
6 You have firearms. All those items.

7 LEGISLATOR FERRETTI: Bullet
8 proof vests?

9 MR. ARNOLD: They're in there
10 also, yes.

11 LEGISLATOR FERRETTI: So if this
12 does not go forward today then that funding
13 will not be approved, correct?

14 MR. ARNOLD: Right. It will be
15 delayed until the next time.

16 LEGISLATOR FERRETTI: Okay. Now
17 I want to make sure I understand because I'm
18 sure many of us on this side of the aisle have
19 projects that we're looking to have completed
20 as well in our districts. Myself included.
21 We've talked about Polaris. You explained to
22 me, just over the weekend, that that's an item
23 that will not start until next year. And so
24 this amendment today is just for projects that
25 are actually about to start in this year,

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2 correct?

3 MR. ARNOLD: Correct.

4 LEGISLATOR FERRETTI: So,
5 projects that we have that are going to start
6 next year that we will address in the upcoming
7 capital plan for '23, correct?

8 MR. ARNOLD: Right. Which starts
9 next month that conversation.

10 LEGISLATOR FERRETTI: Right. So,
11 it's not like you're, for example, I'm just
12 taking my own project that we're talking
13 about, it's not like you're saying we're not
14 doing it, it's that the process is that
15 because the work is starting next year it will
16 be approved for next year's capital plan,
17 correct?

18 MR. ARNOLD: Correct.

19 LEGISLATOR FERRETTI: So, if I,
20 for example, was to say I'm not voting for
21 this amendment because my project I want it in
22 this amendment today, essentially I would just
23 be foregoing all of the projects that are in
24 this amendment such as the public safety
25 projects, the ambulances, the police vehicles,

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2 the bullet proof vests, the tasers, the
3 firearms, all the things our police and public
4 safety need to protect us, and if we want to
5 talk about danger, not approving this is
6 certainly going to present a danger. All when
7 I'm going to get this bonding any way, right?

8 MR. ARNOLD: Yes.

9 LEGISLATOR FERRETTI: Thank you.

10 LEGISLATOR NICOLELLO: Legislator
11 Drucker.

12 LEGISLATOR DRUCKER: Thank you
13 Presiding Officer. Just real quick John.
14 I've been told that there is a bonding project
15 that's on today for your district. The
16 Wantagh Avenue concrete panel restoration for
17 \$12 million that is on today. That's for your
18 district.

19 MR. ARNOLD: And also Legislator
20 Rhoads also. It's also Rhoads' district and
21 McKevitt. I think they all touch it.

22 LEGISLATOR DRUCKER: Right. But
23 I'm saying there are certain projects that --

24 MR. ARNOLD: Right. But that
25 project is going out to bid next month, along

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2 with Long Beach Road. That's why they were
3 added so we would have the bond ordinance to
4 award the contract.

5 LEGISLATOR DRUCKER: So,
6 commissioner, I guess the way my take on all
7 of this is, what you're asking the minority
8 leader when he was talking, when he was making
9 his remarks, is you're saying have faith in
10 us. We have money in our budget. We have
11 money in the bonding that you're going to
12 approve and we'll be able to get to your
13 projects in the '23 capital plan.

14 MR. ARNOLD: I said in this
15 amendment we have bonding to start the studies
16 that's he's asking for, individual projects,
17 in the '23 plan.

18 LEGISLATOR DRUCKER: Right. But
19 you're asking us have faith that we'll get to
20 it in '23. Meanwhile, I personally have had
21 discussions with you and have asked for
22 projects in Old Bethpage that were really
23 traffic safety problems. Really design
24 problems. And this was going back to like
25 2019. There have been fatalities. Yet I

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2 don't see it anywhere ever since. There's
3 never in any budget line item for it.

4 The one on Haypath Road. There's a
5 trail and there's a crosswalk. There are
6 people who have almost gotten killed over
7 there. There are tons of people now walking
8 and jogging, riding bikes across the trail up
9 and down this county.

10 The Round Swamp Road and Old
11 Country it's a design defect. There have been
12 numerous accidents and fatalities there. I've
13 pointed this out to you for years already and
14 I see nothing.

15 It's countywide money and it's not
16 available. We're not seeing anything for it.
17 I asked for a separate budget line item for it
18 and they said oh, we're going to do a traffic
19 study. I hear nothing. Years later I hear
20 nothing about this. Whatever happened with
21 the traffic study?

22 I think that we, on this side of
23 the aisle, need a commitment and the
24 commitment should be being able to break out
25 these items now. That's the commitment. We

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2 don't want to rely upon assurances from the
3 administration. Don't worry, trust us, it's
4 going to happen. It's not good enough.

5 LEGISLATOR NICOLELLO: Just
6 getting back to the beginning. What we're
7 doing today is there was an existing 2021
8 capital budget, correct?

9 MR. ARNOLD: Yes.

10 LEGISLATOR NICOLELLO: So, most
11 of those projects that are in that budget were
12 already approved back in 2021 under the prior
13 county executive. So, all you're doing today
14 is you're adding five additional projects that
15 for whatever reason timewise need to go
16 forward as soon as possible?

17 MR. ARNOLD: Right.

18 LEGISLATOR NICOLELLO: With
19 respect to the projects that the minority's
20 bringing up by and large there is money within
21 the capital plan to at least start the studies
22 for those projects?

23 MR. ARNOLD: Correct.

24 LEGISLATOR NICOLELLO: Even if we
25 had put all of the projects they want into

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2 this amendment at this time they still
3 wouldn't go forward. They still have to do
4 the studies first, right?

5 MR. ARNOLD: Correct.

6 LEGISLATOR NICOLELLO: I
7 understand the points you're making but
8 basically, again, we're a month away from
9 starting a discussion of the 2023 capital
10 budget. I really don't think the amendment is
11 the time to force this issue, and I don't
12 think you'd accomplish anything by doing it.

13 Again, I have had the experience
14 over the years, you can put whatever you want
15 into the capital budget. If the Department of
16 Public Works is not ready to go forward
17 because of the processing that project is not
18 going to go forward, period.

19 You can make those changes in the
20 form of an amendment now I don't think any of
21 your projects would get done any faster than
22 they would if we just put them in the 2023
23 budget. Anyway, that's why I urge my
24 colleagues to vote for this.

25 Anyone else?

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2 LEGISLATOR DERIGGI-WHITTON: I
3 just think when something is brought to the
4 public's attention like it was in this article
5 with this study that it really kind of helps
6 us to show a good intent by listing those
7 areas. I think it protects the whole county.
8 It shows that we're working on it. Sort of
9 like being put on notice and taking action.

10 And that's why in my mind I thought
11 it really would have been good to have these
12 roads named. If they had done a Newsday story
13 about a place in Glen Cove that really said
14 watch out, we're going to have a problem
15 there, I would be arguing the same points.

16 Again, it's not just that we want
17 to have these projects done, we've been kind
18 of put on notice as a county that these roads
19 are dangerous.

20 So, to not even have them listed if
21 God forbid someone does get hurt and they go
22 back and say well, do you have them planned to
23 be repaired? We can say well, they should be
24 included in the study. It's not as good as
25 saying yes, specifically here in our capital

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2 budget is Franklin, whatever, Peninsula.

3 So, again, I think not only is this
4 pragmatic for a planning stage but it just
5 shows that we're taking it serious and as a
6 county we're protecting our residents from or
7 our county from future lawsuits.

8 Again, it's not just we pulled
9 these out of the air. These have been
10 publicly stated as being dangerous and this
11 would just show in good faith that we're
12 acting upon these recommendations to try to
13 protect everyone.

14 LEGISLATOR NICOLELLO: Okay.
15 We've done this to --

16 LEGISLATOR ABRAHAMS: I don't
17 have a question for Mr. Arnold. I just want
18 to make sure I'm clarifying because I think
19 our positioned got kind of muddled up a little
20 bit. We are prepared to vote for the public
21 safety items that Mr. Arnold had mentioned.
22 The bullet proof vests, the vehicles for fire
23 commission, the vehicles for PD. So on and so
24 forth.

25 Is it the majority's position or

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2 the administration's position that they're not
3 going to break this out and basically saying
4 no to public safety right now? Because we're
5 ready to vote yes for that. I want to make it
6 very clear on the record that we are ready to
7 break it out. Which we have done in past.
8 We've broken out public safety plenty of times
9 over multiple administrations. Whether it had
10 been the Mangano administration or the Curran
11 administration we have broken out public
12 safety before. So, if I'm understanding this
13 correctly, the majority and the administration
14 is telling us no to breaking out public safety
15 today so we can get what our public safety
16 folks need today done?

17 LEGISLATOR NICOLELLO: If you
18 want to vote for public safety items in a
19 couple of moments you will have an
20 opportunity.

21 LEGISLATOR ABRAHAMS: So, we're
22 not prioritizing public safety?

23 LEGISLATOR NICOLELLO: We
24 understand that you have -- we need a vote to
25 pass bonding but doesn't mean you dictate how

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2 that vote goes.

3 LEGISLATOR ABRAHAMS: So, we're
4 not going to prioritize public safety today?

5 LEGISLATOR NICOLELLO: We are
6 prioritizing public safety by voting yes. You
7 are not. That's what it comes down to.

8 LEGISLATOR ABRAHAMS: You are
9 tying it to stuff that does not include
10 pedestrian walkways and everything else.
11 We're ready to roll up our sleeves. We are
12 prepared to vote for our police officers, our
13 fire commissioners, our ambulances. We're
14 ready to do it right now. Right now. We are
15 putting public safety up here. You are
16 telling us today it's got to be all this \$160
17 million and not the \$17 million that's for
18 public safety. That's what you're saying to
19 us.

20 MR. ARNOLD: If I can add one
21 thing. Most of these projects, whether
22 they're police or our public works, all drill
23 back down to public safety. I'm doing Wantagh
24 Avenue because of public safety. I'm doing
25 Long Beach Road because of public safety. I'm

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2 entering into an IMA with the Village of
3 Matinetock for public safety. A drainage
4 issue.

5 LEGISLATOR ABRAHAMS: Mr. Arnold,
6 no disrespect. I understand what you're
7 saying they are public safety. But there's a
8 big difference between a police officer having
9 a bullet proof vest and a street being fixed.
10 There just is.

11 So, from that standpoint we are
12 prepared to make sure our officers have
13 vehicles, that our officers have bullet proof
14 vests. We're ready to vote on it right now.

15 I see Mr. Walsh sitting there. I
16 want to make sure. Is this the
17 administration's position that we are saying
18 no to public safety today when we have -- I'm
19 counting -- it looks at least 18 votes that
20 are going vote for it today. Is that what
21 we're saying? I want to make sure that I'm
22 clear because I want to make sure the record
23 is clear on our side. We're ready to vote
24 yes. Our police officers are going to get
25 what they need if it's broken out today.

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2 There is no reason not to do it. Unless
3 there's some other political agenda that I'm
4 not aware of.

5 LEGISLATOR NICOLELLO: Here's the
6 difference. Your vote is conditional, our's
7 is not. We are voting for these amendments.
8 You're saying give us what we want and we'll
9 vote for public safety. Give us what we want
10 and we'll vote.

11 So, we don't want a conditional
12 vote. We don't want your conditional
13 support. You have an opportunity in a couple
14 of minutes to vote for these items. You'll
15 get an opportunity to say yes. We hope you do
16 so.

17 LEGISLATOR ABRAHAMS: Obviously
18 you're misinterpreting. Your vote is
19 conditional because you're saying that you
20 won't include these projects. I've been
21 around the block like you Rich for many
22 years. I understand that this stuff goes back
23 and forth in negotiations. I get it. Why get
24 public safety caught up in that stuff that has
25 to go back and forth. Now walkways and

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2 pedestrian walkways, making sure our roads are
3 safe really shouldn't be negotiated. We
4 should just do it because it's the right thing
5 to do.

6 But I understand we're going to
7 have to hammer that out over the next couple
8 of weeks. But why hold up police officers
9 getting bulletproof vests? Why hold up police
10 officer from getting vehicles? We can do that
11 now. I know you guys are all for helping our
12 police. We can do it now. So, we can put the
13 stuff that matters the most, which we all
14 agree, making sure officers have bullet proof
15 vests with every thing that's going on in this
16 world. Every time I turn around there's some
17 type of a shooting that's happening.
18 Everything that's going on in this world let's
19 make sure our officers get what we need. We
20 can do it right now. We can do the right
21 thing right now. And then over the next three
22 weeks, I promise you, my side, Mr. Walsh, Ken
23 Arnold, your side we'll figure out the rest.
24 We can figure it out. But we can't turn our
25 backs today on police officers and our fire

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2 commission workers and our ambulance
3 equipment.

4 LEGISLATOR NICOLELLO: You'll
5 have an opportunity to vote yes in a few
6 moments.

7 LEGISLATOR ABRAHAMS: So, you are
8 turning your backs.

9 LEGISLATOR FERRETTI: You have an
10 opportunity to not turn your back by voting
11 yes in a few minutes.

12 Legislator Ferretti.

13 LEGISLATOR FERRETTI: I'm just,
14 for the sake of curiosity, which specific line
15 items does the minority object to in this
16 capital plan? You don't object to any of
17 them. So, you're simply saying remove items
18 you don't object to. So, you'll vote on some
19 that you don't object to?

20 LEGISLATOR ABRAHAMS: We're
21 saying add items.

22 LEGISLATOR FERRETTI: Add items
23 or sever the parts of the capital plan that
24 you object to.

25 LEGISLATOR ABRAHAMS: No.

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2 LEGISLATOR FERRETTI: Then why
3 not vote in favor of it?

4 LEGISLATOR ABRAHAMS: What we
5 heard was that public safety is the priority.
6 We're prepared to vote for the public safety
7 today.

8 LEGISLATOR FERRETTI: What about
9 the other parts?

10 LEGISLATOR ABRAHAMS: The other
11 parts need to include these pedestrian
12 walkways which we have been put on notice.

13 LEGISLATOR FERRETTI: So, what
14 you're saying is that you're not going to vote
15 in favor of items that you support?

16 LEGISLATOR ABRAHAMS: You said
17 that in a way that I'm trying to figure out.

18 LEGISLATOR FERRETTI: You're
19 claiming that the items that you want severed
20 you support, correct?

21 LEGISLATOR ABRAHAMS: No. I
22 think you're mixing.

23 LEGISLATOR FERRETTI: I don't
24 think I am. The items that you want taken out
25 of this vote you support, correct?

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2 LEGISLATOR ABRAHAMS: Absolutely.

3 LEGISLATOR FERRETTI: You're

4 asking to have things removed from the plan --

5 LEGISLATOR ABRAHAMS: No.

6 LEGISLATOR FERRETTI: Yes. Not

7 removed from the plan. Not voted on today.

8 LEGISLATOR ABRAHAMS: We are

9 asking to vote on the PD and the public safety
10 stuff now.

11 LEGISLATOR FERRETTI: And not on
12 the other things that you support?

13 LEGISLATOR ABRAHAMS: The other
14 things that we support, which we support, I
15 said that before, I said that in my opening
16 statement we support them, but they do not
17 include every single pedestrian walkway
18 project.

19 LEGISLATOR FERRETTI: I
20 understand that. But what you're asking for
21 is to not vote today on things that you
22 support?

23 LEGISLATOR ABRAHAMS: In order
24 that everybody that --

25 LEGISLATOR FERRETTI: So, because

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2 you're not getting your cake you're taking
3 away --

4 LEGISLATOR ABRAHAMS: No.

5 LEGISLATOR FERRETTI: Yes. It
6 is.

7 LEGISLATOR ABRAHAMS: John, what
8 we're saying is that the people of Nassau
9 County in its entirety are not represented in
10 this capital plan because we just identified
11 ten projects that come down to, as Mr. Arnold
12 described them, public safety projects that
13 are not included. Why shouldn't they be
14 included?

15 LEGISLATOR FERRETTI: I don't
16 want to keep going on. We all have things
17 that are not included, itemized in this plan.
18 But I don't want to say sever the things in
19 your district, let's not vote on them today
20 because my thing's not in the plan.

21 LEGISLATOR ABRAHAMS: But you
22 have things in the plan.

23 LEGISLATOR FERRETTI: I'm sure so
24 do you.

25 LEGISLATOR ABRAHAMS: But you got

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2 like \$13 million in the plan, so you're pretty
3 good.

4 LEGISLATOR FERRETTI: First of
5 all --

6 LEGISLATOR ABRAHAMS: You don't
7 have \$13 million in the plan?

8 LEGISLATOR FERRETTI: First of
9 all, that is a road that goes through the
10 entire -- almost all of Nassau County and
11 services many districts, number one.

12 Number two, that was multiple years
13 ago that that was first started.

14 But number three, I don't think
15 it's right to stomp your feet and say we don't
16 want to vote on these things, even though we
17 support them, we support the Wantagh Avenue
18 \$13 million, we don't want to vote on it
19 today. And what the result is going to be is
20 that we're not going to get the police, the
21 ambulance and all of these resources they
22 need. And to try to turn it around, Minority
23 Leader, like you just did is completely
24 disingenuous. The bottom line is there's
25 going to be 12 votes in favor or 11 --

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2 LEGISLATOR ABRAHAMS: John you
3 know --

4 LEGISLATOR FERRETTI: It's
5 completely disingenuous. Because you don't
6 want to vote today for things you support --

7 LEGISLATOR ABRAHAMS: You know
8 why it's not disingenuous? Because you called
9 for it, you guys called for breaking out the
10 police before. You called for it and we did
11 it. It's been done before. I'm not coming up
12 with an idea that's never been done before.
13 Steve, you've been here. You know this.
14 Rich, you know. I'm pointing to the guys who
15 have been around here for awhile. When we
16 were with Mangano we did that. When we were
17 with Curran you did that. We always did
18 that. That's not a new issue. We've always
19 broken out public safety.

20 So, I don't understand like it's
21 some type of new idea that I'm coming up
22 with. It's been done over previous
23 administrations and it's been done before.

24 LEGISLATOR NICOLELLO: Here's
25 what's new. This is a budget amendment and

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2 with five items added to a two-year old
3 capital budget. And we are one month before
4 starting conversations on the 2023 capital
5 budget. And you've had your commissioner of
6 public works whose been here through
7 Republicans and Democrats and Republicans
8 again, telling you that he has the money in
9 his budget to start the studies for the
10 projects you're talking about.

11 So, I don't understand what you're
12 doing, but to turn it around and say oh,
13 you're voting against public safety I mean no
14 one is going to believe that. It's silly.

15 LEGISLATOR ABRAHAMS: We can call
16 it for what it is. Whatever you want to call
17 it. But the bottom line is, I think
18 Legislator Drucker said it best, he's had
19 projects that have been lumped into that
20 county line before and they have gone
21 nowhere. So, from that standpoint that is why
22 the project -- I've heard many times some of
23 your members on your side ask for stuff to be
24 broken out by line item because you want to
25 insure not just that the money is going to be

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2 spent on that project, but you want to insure
3 that the public identifies it and that we
4 illustrate it, as Legislator Bynoe says, that
5 commitment to that project.

6 This is not a money issue. I said
7 that to Ken before. Because it sounds like, I
8 take him at his word that the money is there
9 and he's using part of the 4.8 in the traffic
10 study money and he can easily send it over to
11 these projects. This is not a money issue
12 maybe. This seems like to me -- maybe
13 Mr. Walsh can testify to it -- it seems like
14 more like it's our way or the highway.

15 LEGISLATOR FERRETTI: The
16 difference, respectfully, it would make sense
17 to me if you were saying there's 40 things
18 here. We don't like number seven, eight, nine
19 and ten. Sever that and we'll vote for the
20 public safety stuff. That would at least make
21 logical sense to me. That's not what you're
22 saying.

23 You're saying we like seven, eight,
24 nine and ten but take it out and we'll vote
25 for the public safety stuff. That's

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2 counterproductive. It is. Because it's
3 saying you'll support all the things in the
4 capital project. That means they are for
5 public safety, they are for the betterment of
6 the residents, you just don't want to vote on
7 them right now for some reason.

8 LEGISLATOR ABRAHAMS: The reason
9 is that the capital plan does not represent
10 all segments of the county in regards to
11 public safety of pedestrian walkways. It just
12 doesn't.

13 LEGISLATOR FERRETTI: That's
14 true. We agree.

15 LEGISLATOR ABRAHAMS: We agree on
16 that.

17 LEGISLATOR FERRETTI: It doesn't
18 represent the things I want too. But that
19 doesn't mean I'm going to say no to the good
20 things in the capital plan because I'm not
21 getting my cake right now.

22 LEGISLATOR ABRAHAMS: It's not
23 about getting my cake. It's about being able
24 to illustrate to our residents, to all of our
25 residents. I mean, frankly, I don't know who

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2 drives home and is not going to go down
3 Franklin Avenue. We all drive down Franklin
4 Avenue. I should want to think that we want
5 to make sure we don't hit somebody on the way
6 there.

7 So, the bottom line is these
8 roadways impact everyone. It's the right
9 thing to do. The story was out on June 11th.
10 We were put on notice. If something else
11 happens and we don't have it identified in the
12 capital plan guess what? We're going to be
13 settling another suit.

14 But we can do it today. It sounds
15 like based on what Mr. Arnold said, the money
16 is there for a lot of stuff. I would say
17 we're like 90 percent there.

18 If someone made a decision, and I
19 would like to know who it is, but, you know
20 what? maybe it's irrelevant, someone made a
21 decision that you know what? even though the
22 money's there we're not going to line item it
23 today. We're not going to give the
24 legislative minority what they want because
25 they're asking for it or whatever may be the

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2 case. Someone made that decision.

3 LEGISLATOR NICOLELLO: I can tell
4 who. County Executive Curran. This is her
5 capital plan. If your items weren't in that's
6 the previous county executive made that
7 decision. I'm being facetious.

8 Legislator Rhoads.

9 LEGISLATOR RHOADS: I know that
10 everybody is saying that these road projects
11 aren't public safety projects. Essentially is
12 the argument that you're making. But some of
13 these things are important. We're talking
14 about the Wantagh Avenue project, for example,
15 which goes as, Legislator Ferretti mentioned,
16 through multiple districts. There are areas,
17 and it's part of this project, there are areas
18 of Wantagh Avenue that don't have sidewalks.
19 I mean, I've got kids walking to school in the
20 wintertime that nobody shovels the grass next
21 to their house. So, I've got kids that are
22 forced to walk on Wantagh Avenue in order to
23 be able to get to school.

24 If one of those kids gets hit by a
25 car what am I supposed to tell him? It wasn't

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2 a public safety issue and the minority didn't
3 vote for it.

4 The decision that you're making,
5 which is to take a project that's ready to go,
6 it's supposed to go out to bid now to get
7 started next year, and now that's going to go
8 on the back burner someplace and it's never
9 going to get done. It's supposed to start
10 now. What are we supposed to do with that?

11 You're treating these projects as
12 though they don't impact public safety and
13 you're calling out the projects for police
14 officers. We're going to deal with, a month
15 from now, we're going to deal with next year's
16 capital plan. There's an opportunity to talk
17 about additional projects. There's stuff that
18 I wanted in these budget amendments that I'm
19 not getting either.

20 But to hold up worthwhile projects
21 that do have a direct impact on public safety
22 to me is just being spiteful and I don't
23 understand it. I understand using leverage as
24 a negotiating tactic to try to get what you
25 want.

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2 LEGISLATOR ABRAHAMS: It's not
3 that.

4 LEGISLATOR RHOADS: But that's
5 essentially what's happening. And we're
6 holding up, by not approving the bonding
7 today, we're holding up worthwhile projects
8 that do directly impact on public safety.
9 We're perfectly happy to have a discussion a
10 month from now about additional projects for
11 next year's capital plan.

12 LEGISLATOR ABRAHAMS: Steve,
13 forget the politics. I wish I could just turn
14 the mics off because honestly, do you remember
15 us breaking out public safety and PD projects
16 in the past under County Executive Mangano and
17 County Executive Curran?

18 LEGISLATOR RHOADS: But breaking
19 out public safety projects, right, breaking
20 out vests for police officers is not going to
21 address the public safety problem that we have
22 on Wantagh Avenue.

23 LEGISLATOR ABRAHAMS: But Steve,
24 that's not my question though. My question
25 is, we ended up passing capital -- I'm having

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2 a one-on-one discussion with you. Forget the
3 politics. We've had this stuff happen before
4 where the politics comes up and we go back and
5 forth. But I remember, and that's what I'm
6 asking you for, I remember while all that
7 stuff needed to be worked out, I remember us
8 multiple time over multiple administrations
9 breaking out PD because this is stuff that
10 matters. And when the Mangano administration
11 came to me and ask me to do that we did it.
12 And I believe when the Curran administration
13 came to you guys you did it. So, from that
14 standpoint, why is it any different now?

15 LEGISLATOR RHOADS: All these
16 projects matter.

17 LEGISLATOR ABRAHAMS: But what
18 I'm trying to say is they matter and I'm
19 confident they're going to get done. But we
20 have a chance today to do the same thing that
21 we've done in the past. I'm only saying this
22 to highlight you because I know you were there
23 with me over those multiple years. Like Rich
24 was and I can't remember everybody. Maybe
25 Laura. Maybe Rose. I can't remember

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2 everybody that was actually here going back to
3 the beginnings of the Mangano administration.

4 But from that standpoint -- Howard he knows
5 I'm right. But that being said --

6 LEGISLATOR KOPEL: Actually, my
7 opinion is that you guys are beating this
8 thing to death. The horse is dead. Leave it
9 alone. Have mercy. You're just going back
10 and forth. And there's no audience and
11 there's no reporters. What for?

12 LEGISLATOR ABRAHAMS: I got it
13 Howard. I got it. I'll just say like I said
14 before, we don't see breaking out the public
15 safety any different than the times it has
16 been broken out before. We can come up with
17 these examples of why it shouldn't be done
18 now. But to me, there's no difference in when
19 we did it over a Republican administration or
20 a Democratic administration. We should be
21 able to do it now.

22 LEGISLATOR NICOLELLO: This is
23 item, calendar item four Ordinance 35-2022 as
24 amended. Go ahead.

25 MR. WALSH: Arthur Walsh, Chief

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2 Deputy County Executive.

3 It's great hearing all the
4 arguments and different arguments about what's
5 together what's not. What is a the fact is
6 that we received an email from your finance
7 director at 3:34 today adding six items.
8 Including the two from you Mr. Drucker. If
9 this was such an important issue then why did
10 we receive it while we were here?

11 So, this adding of items might have
12 been good when Ken started doing the plan
13 several weeks ago. But to throw six of them
14 at us at 3:33 while we're down here is
15 disingenuous, is spiteful and our position is
16 to go forward with the bill as it is and not
17 throw in the 11th hour, really the 12th and a
18 half hour, six items.

19 LEGISLATOR ABRAHAMS: Mr. Walsh,
20 I'm not too sure if you're aware but your
21 administration told us no to new projects.

22 MR. WALSH: You told us no at
23 3:34 when I got an email.

24 LEGISLATOR ABRAHAMS: That email
25 was in response that we had received from

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2 Mr. Otsuni that the capital plan was going to
3 go forward. So we wanted to make sure our
4 projects --

5 MR. WALSH: So you just decided
6 to throw six more items in. Ken didn't know
7 about those six items. One o'clock he found
8 out. Do you think that's fair negotiating
9 when we were deliberating -- I'm speaking.

10 LEGISLATOR ABRAHAMS: I was
11 speaking first actually though but go ahead.
12 The floor is yours.

13 MR. WALSH: When Mr. Arnold's
14 been getting emails back and forth about this
15 capital. We have an interest in public
16 safety. We have an interest in safe roads.
17 To throw stuff at us at 3:30 today or 1
18 o'clock, I got it at 3:30, is not playing fair
19 ball. So, it is what it is and we wish to go
20 ahead with the vote.

21 LEGISLATOR ABRAHAMS: Obviously
22 there's a bit of miscommunication because it
23 wasn't thrown at you at 3:30.

24 MR. WALSH: We have the email.
25 You want to see? You got a copy of it.

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2 LEGISLATOR ABRAHAMS: Mr. Walsh,
3 you just asked me not to cut you off and then
4 you just come back and cut me right back after
5 I just got to speak. What do you want me to
6 do?

7 Bottom line is, we had mentioned to
8 Mr. Arnold, we had a discussion this morning
9 in our caucus room I would say it was around 1
10 o'clock, 12:30 Ken. However, in that
11 discussion many of these projects they're not
12 new. These are projects that if the capital
13 plan was sent to us in it's correct format
14 several weeks ago we would have brought them
15 up then. But we couldn't bring them up then
16 because the projects -- the capital plan was
17 flawed. Which we made the changes and I
18 appreciate you guys making the changes and we
19 made the changes.

20 So then we basically just got your
21 revised capital plan last week. Not with any
22 discussion, not any outreach. I think, Mr.
23 Walsh, this is like the first time I'm
24 actually seeing you here talking.

25 So, from that standpoint we didn't

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2 get any outreach from you guys. We never saw
3 it. Never heard about it.

4 MR. WALSH: The plan didn't
5 change in substance. It was a changing of the
6 numbers. So, the identified projects were the
7 same identified projects from several weeks
8 ago. If there were any change that we made
9 there was some administrative spreadsheet with
10 the numbers.

11 LEGISLATOR ABRAHAMS: The
12 identified projects that are in the email,
13 some of these projects go back to previous
14 administrations.

15 MR. WALSH: They're all new
16 projects. New project Peninsula Boulevard,
17 Hempstead Turnpike. New project, Elmont Road,
18 Elmont. New project Sheridan Boulevard
19 Inwood. New project Grand Avenue, Baldwin.
20 New project Old Country Road, Round Swamp
21 Road. New project Haypath Road.

22 LEGISLATOR ABRAHAMS: Okay. And
23 then let's go through the other projects. Not
24 a new project Franklin Avenue. Not a new
25 project Nassau Road. Not a new project

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2 Babylon Turnpike. Not a new project Old
3 Country. Not a new project Stillwell Park. I
4 can go tit for tat Mr. Walsh. I don't know
5 what you're trying to prove.

6 The bottom line is, what are we
7 talking about? We're talking about projects
8 that are going to protect pedestrian walkways
9 and make it safer. And somehow Mr. Arnold
10 already said that we can pay for it in traffic
11 study money but somehow we don't want to shift
12 it to line items. Why?

13 MR. WALSH: I was listening. He
14 said there's a process that we have to go
15 through.

16 LEGISLATOR ABRAHAMS: Yes there's
17 a SEQRA that's required. We can do the SEQRA
18 over the next three weeks and we can do the
19 capital plan in three weeks and this is
20 resolved, correct?

21 MR. WALSH: It probably should
22 have been addressed earlier. I guess that's
23 your side's fault.

24 LEGISLATOR ABRAHAMS: It can
25 probably be addressed -- we get it. We'll

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2 take all the blame. I don't really care. I
3 just want to get the projects done. So the
4 bottom line is, we can do this capital plan in
5 its entirety in three weeks.

6 MR. WALSH: That's your choice.
7 At the peril of public safety that's your
8 choice.

9 LEGISLATOR ABRAHAMS: No, no.
10 What I'm trying to make sure I understand, Mr.
11 Walsh, is that we're prepared to vote for PD
12 and public safety today. It's your
13 understanding or it's your position that
14 you're not going to break it out today.

15 MR. WALSH: We're not breaking it
16 out.

17 LEGISLATOR ABRAHAMS: So, how can
18 you say that it's our vote against PD when
19 we're prepared to vote for PD today?

20 MR. WALSH: When I hear the no
21 vote it will be.

22 LEGISLATOR ABRAHAMS: It really
23 isn't because if we're prepared to vote for
24 the PD today you got a yes vote for the public
25 safety.

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2 MR. WALSH: You can't vote for
3 half a thing.

4 LEGISLATOR ABRAHAMS: Yeah, you
5 can. Because you know why? Because it's been
6 done during previous administrations but
7 you're not aware of that.

8 MR. WALSH: It's not happening
9 today. You want to add 11th hour stuff.

10 LEGISLATOR ABRAHAMS: I want to
11 make sure I'm clear. You're making the
12 decision, unilateral decision to not do and
13 break out the PD money because you want the
14 whole thing today and not just the PD to get
15 voted on for bullet proof vests and for
16 vehicles?

17 MR. WALSH: You're making the
18 unilateral decision to add six items at 3:30
19 today and claim that is the basis not to vote
20 for the whole thing. If you want to live with
21 that go ahead. But I don't think it's
22 intelligible to throw six things in at the
23 11th hour while we're still down here. We
24 didn't look at them. We don't know anything
25 about the projects. Ken's been here. And

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2 that's going to be basis not to vote for it?

3 LEGISLATOR NICOLELLO: All

4 right. All right.

5 LEGISLATOR ABRAHAMS: Mr. Walsh,
6 you're confusing the projects because some of
7 these projects, as Mr. Drucker had mentioned,
8 DPW has known about since 2019.

9 LEGISLATOR NICOLELLO: We are
10 moving ahead. We have an amendment on the
11 floor with respect to Ordinance number 35 of
12 2022. As I said, the ordinance amends 2021
13 capital budget to reflect corrected
14 authorization amounts for certain projects.

15 All in favor of the amendment
16 signify by saying aye. 179. All in favor
17 signify by saying aye. The item is amended.

18 We need to vote on the item as
19 amended. All in favor of the item as amended
20 signify by saying aye. Those opposed? It
21 carries unanimously.

22 Now we are going to the bond
23 ordinance. It's calendar number five
24 Ordinance 36-2022. A bond ordinance providing
25 for a capital expenditure to finance the

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2 capital projects identified herein within the
3 county of Nassau and authorizing \$156,949,668
4 of bonds of the county of Nassau to finance
5 said expenditures pursuant to the local
6 finance law of New York and the county
7 government law of Nassau County.

8 Motion by Deputy Presiding Officer
9 Kopel. Second by Legislator Rhoads. The
10 bonding ordinance is before us. All in favor
11 signify by saying aye.

12 LEGISLATOR ABRAHAMS: If I may
13 before that vote takes place. We're going to
14 vote to abstain. Mr. Walsh, I welcome you, if
15 you want to hammer this out. We believe it
16 can be hammered out in three weeks but we're
17 willing to hammer it out now.

18 So, from our standpoint we're going
19 to vote to abstain on the entire capital
20 plan. It's unfortunate that PD stuff and the
21 police stuff is not been prioritized to be
22 broken out but that's okay. Not okay by us
23 but we know it's going to get done at some
24 point.

25 So, we're more than willing to work

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2 with you Mr. Walsh. Ken, you want to stay
3 we'll hammer it out because we feel that these
4 projects are of the utmost priority and we
5 should move forward with an entire capital
6 plan in the next three weeks make sure we're
7 ready for that. My recommendation to my side
8 of the aisle is to abstain.

9 LEGISLATOR NICOLELLO: All of the
10 public safety items that we have been
11 discussing were already in the 2021 capital
12 budget except for one which is respect to
13 ambulances which adds \$3 million. So that was
14 the only new additional one. All of them were
15 already voted by all of us in past.

16 And number two, we just all voted
17 for it. So, by withholding your vote you're
18 simply just insuring that it can't go forward.

19 I already called the item. All in
20 favor signify by saying aye. Those opposed?
21 Those abstaining? It fails by a vote of 11
22 votes for and seven abstentions. 11, six
23 abstentions.

24 Motion to adjourn? Moved by
25 Legislator Walker. Seconded by Legislator

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2 Gaylor. All in favor of adjourning signify by
3 saying aye. Those opposed? Carries
4 unanimously.

5 (Meeting was adjourned at 6:20
6 p.m.)

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CERTIFICATION

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I, FRANK GRAY, a Notary

9

Public in and for the State of New

10

York, do hereby certify:

11

THAT the foregoing is a true and

12

accurate transcript of my stenographic

13

notes.

14

IN WITNESS WHEREOF, I have

15

hereunto set my hand this 27th day of

16

August 2022

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FRANK GRAY

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