

NASSAU COUNTY LEGISLATURE

COMMITTEES MEETING

RICHARD NICOLELLO

PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENISE FORD

CHAIRWOMAN

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

Monday, December 4, 2023

2:18 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

A P P E A R A N C E S

LEGISLATOR DENISE FORD	CHAIR
LEGISLATOR THOMAS MCKEVITT	VICE CHAIR
	(RECUSED 404)
LEGISLATOR MAZI MELESA PILIP	
LEGISLATOR JOHN FERRETTI	
LEGISLATOR DELIA DERIGGI-WHITTON	RANKING MEMBER
LEGISLATOR SIELA BYNOE	
LEGISLATOR DEBRA MULE	

MICHAEL PULITZER
Clerk of the Legislature

A L S O A P P E A R E D

WILLIAM FIELD, POLICE DEPARTMENT

DOUGLAS LANDSMAN, PROBATION

ADA MCDERMOTT, DISTRICT ATTORNEY'S OFFICE

COMMISSIONER CAPECE, CONSUMER AFFAIRS

MARY HARKINS, CA CONSUMER AFFAIRS

HON. PAUL MELI, EXECUTIVE DIRECTOR TPVA

CHAIRWOMAN FORD: Good afternoon,
everybody. At this time, I will call the
Public Safety Committee to order and I
will ask the Clerk to call the roll.

CLERK PULITZER: Thank you, Madam
Chair.

Public Safety Committee roll call.

Legislator Debra Mule?

LEGISLATOR MULE: Here.

CLERK PULITZER: Legislator Siela
Bynoe?

CLERK PULITZER: Here.

Ranking Member Delia
DeRiggi-Whitton?

LEGISLATOR DERIGGI-WHITTON: Here.

CLERK PULITZER: Legislator John
Ferretti?

LEGISLATOR FERRETTI: Here.

CLERK PULITZER: Legislator Mazi
Pilip?

LEGISLATOR PILIP: Here.

CLERK PULITZER: Vice Chairman
Thomas McKevitt?

LEGISLATOR MCKEVITT: Here.

CLERK PULITZER: Chairwoman Denise Ford?

CHAIRWOMAN FORD: Here.

CLERK PULITZER: We have a quorum.

CHAIRWOMAN FORD: Thank you. There are two items on the agenda today, Clerk Items 397-23 and 401-23.

Clerk Item 397-23 is an ordinance supplemental to the annual appropriation ordinance in connection with the Probation Department.

Moved by Legislator Bynoe and seconded by Legislator Mule. The items are before us. Is anybody from the Administration to discuss this?

MR. LANDSMAN: Good afternoon. Doug Landsman, Nassau Probation Accountant. Good afternoon, Chairwoman, Vice Chairman, members.

Item before you, 397-23, is our annual New York State Governors Traffic Safety Committee Grant, the GTC. This coordinates traffic safety services in

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2 the state, and has useful and timely
3 information for providing expertise and
4 financial resources to assist local
5 counties to keep their highways safer.

6 With that in mind, this grant
7 focuses on the Ignition Interlock device,
8 IID, it's a costly device, not the most
9 convenient to use, and it's equipped to
10 record the number of times an automobile
11 was started or attempted to be started.
12 And the operator's BAC at the time, blood
13 alcohol content, is measured and the
14 duration vehicle is driven during the
15 monitoring period.

16 New York State has approved three
17 different monitoring companies that the
18 offender can choose, and they would have
19 to pay for to have equipment installed,
20 along with monthly monitoring. The
21 monthly monitoring fee is approximately
22 \$100 a month, so it's about \$1,200 a year
23 annualized. Plus, there's a cost of the
24 install and also to remove roughly about
25 \$200. So it's a it's a costly item.

1
2 This grant has three vendors that
3 are allowed to be used by New York State:
4 Smart Start, Intoxalock, Life Saver. This
5 grant is covering to defray the cost of
6 over time in monitoring these services.
7 It's a one year grant, October '22 -
8 September '23 for \$98,000, approximately.

9 CHAIRWOMAN FORD: So with the
10 interlock devices, it's actually the
11 person who was arrested for DWI. They pay
12 for the installation and the removal of
13 the interlock?

14 MR. LANDSMAN: Correct. No cost to
15 the County.

16 CHAIRWOMAN FORD: With the interlock
17 devices, with the change in cars, like, I
18 guess it doesn't matter if a car is
19 hybrid or gas operated or EV, right?

20 MR. LANDSMAN: No. That person, the
21 licensed driver, gets behind the wheel.
22 It will snap a picture of that person, so
23 we know it's the real person driving that
24 that car. And they'll blow into the
25 breathalyzer. It will then take a sample

1
2 of what their BAC is at that point and
3 report it real time.

4 CHAIRWOMAN FORD: Okay. But the
5 interlock devices work with any type of
6 vehicle.

7 MR. LANDSMAN: Yes, as far as I
8 know.

9 CHAIRWOMAN FORD: Okay. All right.
10 Thank you.

11 Any other: Legislator Mule?

12 LEGISLATGOR MULE: So the you
13 mentioned at the very beginning of your
14 remarks that they're complicated, I guess
15 that was the word that you used. These
16 are the only devices that are available;
17 is that correct?

18 MR. LANDSMAN: Yes. These are these
19 are sanctioned by New York state. These
20 three vendors.

21 LEGISLATGOR MULE: Okay. Thank you.

22 MR. LANDSMAN: Thank you.

23 CHAIRWOMAN FORD: Thank you very
24 much, sir.

25 Any public comment?

(Whereupon, no verbal
response.)

CHAIRWOMAN FORD: All those in favor
of passing this item, please signify by
saying, "Aye".

(Whereupon, all members of
the Public Safety Committee
respond in favor with, "Aye".)

CHAIRWOMAN FORD: Opposed?

(Whereupon, no verbal
response.)

CHAIRWOMAN FORD: The item passes
unanimously.

MR. LANDSMAN: Thank you very much.
Have a good holiday.

CHAIRWOMAN FORD: You too.

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2 CHAIRWOMAN FORD: Clerk Item 401-23
3 is an ordinance supplemental to the
4 annual appropriation ordinance in
5 connection with the Police Department.

6 Moved by Legislator Pilip and
7 seconded by Legislator McKevitt.

8 Good afternoon, sir.

9 INSPECTOR FIELD: Good afternoon.
10 William Field, inspector with the Police
11 Department.

12 The first two items in 401-23,
13 supplemental appropriations from the
14 United States Department of Treasury in
15 the United States Department of Justice.
16 Both are for \$400,000 to enhance law
17 enforcement efforts and initiatives.

18 The third supplemental appropriation
19 is for New York State's Department of
20 Homeland Security for Red team exercises.
21 It's a grant program. This will allow the
22 members of the Department to participate
23 in New York State Homeland Security
24 sponsored exercises.

25 The fourth item is a supplemental

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2 appropriation from the State Law
3 Enforcement Terrorism Prevention Program.
4 The Department has received revenues
5 totaling \$559,447. This is from the
6 Office of Homeland Security as well.
7 Funding will be used to prevent terrorism
8 attacks and strengthen law enforcement
9 capabilities and responses.

10 CHAIRWOMAN FORD: Thank you very
11 much. We definitely need all this
12 training in this day and age.

13 Legislator Mule?

14 LEGISLATGOR MULE: Sorry. We have
15 two different numbers. You did say the
16 559,000 and then. But on the bold it says
17 599,000. Which is the correct number?

18 CHAIRWOMAN FORD: No, there's two at
19 \$400,000. But the last one was, did you
20 say 599 or 559?

21 LEGISLATGOR MULE: He said 559 for
22 sure. I heard the same.

23 CHAIRWOMAN FORD: And that's what I
24 show on my notes, 559.

25 LEGISLATGOR MULE: Okay. I just want

1
2 to make sure.

3 (Whereupon, off record
4 discussion.)

5 LEGISLATGOR MULE: We think that's a
6 typo.

7 CHAIRWOMAN FORD: Okay. Okay,
8 perfect. Thanks for pointing that out.

9 Anyone else?

10 (Whereupon, no verbal
11 response.)

12 CHAIRWOMAN FORD: All those in favor
13 of passing this item, please signify by
14 saying, "Aye".

15 (Whereupon, all members of
16 the Public Safety Committee
17 respond in favor with, "Aye".)

18 CHAIRWOMAN FORD: Opposed?

19 (Whereupon, no verbal
20 response.)

21 CHAIRWOMAN FORD: The item passes
22 unanimously.

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2 CHAIRWOMAN FORD: There is an
3 Addendum.

4 May I have a motion to suspend the
5 Rules?

6 Moved by Legislator Pilip, seconded
7 by Legislator McKevitt.

8 All those in favor of suspending,
9 please say, "Aye".

10 (Whereupon, all members of
11 the Public Safety Committee
12 respond in favor with, "Aye".)

13 CHAIRWOMAN FORD: The Rules are
14 suspended.

15 There are four items on the
16 Addendum, Clerk Items 404-23; 410-23;
17 411-23; 412-23.

18 Clerk Item 404-23 is a resolution
19 authorizing the County Executive to
20 execute a grant agreement between the
21 County of Nassau acting on behalf of the
22 Nassau County District Attorney and
23 Interfaith Nutrition Network, Inc..
24 Legislator McKevitt, of course, is
25 recusing himself on this item and will

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2 not take part in its discussion or cast a
3 vote on the resolution.

4 (Whereupon, Legislator
5 McKevitt exits chambers during
6 this item.)

7 CHAIRWOMAN FORD: May I have a
8 motion? Moved by Legislator DeRiggi-
9 Whitton, seconded by Legislator Mule.

10 The item is before us.

11 ADA MCDERMOTT: Good afternoon,
12 Chairwoman, Legislators. Dennis
13 McDermott, Assistant District Attorney.

14 Item 404 is a grant agreement with
15 the Interfaith Nutrition Network, or the
16 INN, in order to help support their
17 programs respecting the center for
18 Transformative Change and the Mary
19 Brennan INN. As we know, poverty,
20 homelessness, hunger, drug and health
21 problems all contribute to an increase in
22 crime and the services provided by the
23 INN help to alleviate that. This is a one
24 year term with an option for two one more
25 years, and it is for \$50,000 a year.

CHAIRWOMAN FORD: Thank you very much. Any legislators?

(Whereupon, no verbal response.)

CHAIRWOMAN FORD: All those in favor of passing this item, please signify by saying, "Aye".

(Whereupon, all members of the Public Safety Committee respond in favor with, "Aye".)

CHAIRWOMAN FORD: Opposed?

(Whereupon, no verbal response.)

CHAIRWOMAN FORD: The item passes unanimously.

Legislator McKevitt, you're welcome back in the room.

(Whereupon, Legislator McKevitt returns to Chambers.)

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3 CHAIRWOMAN FORD: Clerk Item 410-23
4 is a resolution authorizing the County
5 Executive to accept and execute a grant
6 agreement between the County of Nassau
7 acting on behalf of the Nassau County
8 Police Department and the US Department
9 of Homeland Security.

10 May I have motion? Moved by
11 Legislator Pilip, seconded by Legislator
12 Ferretti.

13 The item is before us.

14 INSPECTOR FIELD: Good afternoon.

15 William Field, Inspector with the
16 Police Department.

17 Item 410-23. This is a resolution
18 for the 2023 Port Security Grant program.
19 The award was established to provide
20 resources to the Nassau County Police
21 Department in support of projects to
22 increase security measures within the New
23 York New Jersey Port Area against acts of
24 terrorism and natural disasters. We were
25 awarded three different projects under

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2 this grant.

3 CHAIRWOMAN FORD: Thank you very
4 much. Any legislators?

5 (Whereupon, no verbal
6 response.)

7 CHAIRWOMAN FORD: All those in favor
8 of passing this item, please signify by
9 saying, "Aye".

10 (Whereupon, all members of
11 the Public Safety Committee
12 respond in favor with, "Aye".)

13 CHAIRWOMAN FORD: Opposed?

14 (Whereupon, no verbal
15 response.)

16 CHAIRWOMAN FORD: The item passes
17 unanimously.

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3 CHAIRWOMAN FORD: Clerk Item 411-23
4 which is a local law to amend Title D of
5 chapter 21 of the Nassau County
6 Administrative Code, as amended by Local
7 Law 3-1987, in relation to Home
8 Improvement License applications.

9 May I have a motion? Moved by
10 Legislator Pilip and seconded by
11 Legislator Bynoe. The item is before us.

12 MS. HARKINS: Good afternoon. My
13 name is Mary Harkins. I'm a deputy county
14 attorney, and I'm assigned as Counsel to
15 Consumer Affairs. I have Commissioner
16 John Capece here.

17 We're seeking to amend an
18 administrative code section which is
19 21-11.4, paragraph two. And we're looking
20 to amend subparagraph B and C. And the
21 reason we want to have these code
22 provisions amended is because the
23 language has become antiquated. So with
24 regard to subparagraph B, there is a
25 requirement that all home improvement

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2 contractors are fingerprinted. The
3 purpose of that requirement is so that we
4 could review criminal histories and
5 receive arrest notifications. However,
6 due to the current language, the
7 Department of Consumer Affairs is not
8 able to receive arrest notifications or
9 search criminal histories. So we are
10 seeking to amend the code so that the
11 language is acceptable to the Department
12 of Criminal Justice Services. We have
13 this acceptable language in our other
14 licenses, such as the locksmith license
15 and the second hand gem dealers license.
16 So we want the language for
17 fingerprinting to be the same in the home
18 improvement license, so that we're able
19 to review those criminal histories and
20 receive arrest notifications.

21 Subparagraph C pertains to
22 insurance. At the time this code was
23 amended in 1987, the requirement was for
24 general liability insurance to be
25 100/300/50 for property damage. We're

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2 seeking an increase to 250/500/100.
3 That's for general liability general
4 liability insurance requirements for the
5 contractors. Does anyone have any
6 questions?

7 CHAIRWOMAN FORD: I do.

8 So when you change this law for the
9 fingerprinting so that you can access any
10 type of records, are there restrictions
11 on who can access it within Consumer
12 Affairs, or is that something that would
13 be anybody who's working on a case file
14 would be able to access?

15 MS. HARKINS: Usually that would be
16 the licensing supervisor and myself as
17 counsel. And then we'll and also the
18 commissioner, of course.

19 CHAIRWOMAN FORD: So it's not just
20 any employee can take a look.

21 MS. HARKINS: No. There's
22 safeguards you know even with shredding
23 and we follow those safeguards. And of
24 course the language that we're seeking
25 towards it restricts us and what we can

1
2 and cannot do with regard to that
3 criminal history like if it's stale or if
4 it's an old conviction. There's a
5 fairness element and we're subject to
6 that.

7 CHAIRWOMAN FORD: And the
8 fingerprinting, is that still done by the
9 Police Department or --

10 MS. HARKINS: No, that's the problem
11 for us, is that they're not permitted to
12 share their results with us due to the
13 DCJS. So we use an outside contractor,
14 which is Morphotrust. And that's who
15 fingerprints our locksmiths and our gem
16 dealers.

17 CHAIRWOMAN FORD: Okay. That's
18 interesting.

19 And in regard to the insurance, when
20 you said the increase is that hundreds of
21 thousands of dollars? What is the amount
22 of money that you were talking about, the
23 increase?

24 MS. HARKINS: So we wanted to go
25 from 100/300 to 250/500.

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2 CHAIRWOMAN FORD: Is that the fee
3 that they pay?

4 MS. HARKINS: Oh, no. I'm sorry.
5 That's the limit. That's the policy
6 limits.

7 CHAIRWOMAN FORD: Okay.

8 MS. HARKINS: I was looking back in
9 1987, the requirement for motor vehicle
10 liability insurance was 10/20. Right. And
11 this was written with 100/300. So we're
12 seeking to increase it.

13 CHAIRWOMAN FORD: So they could
14 cover more if they damage or something
15 like that, correct?

16 MS. HARKINS: Most of the bigger
17 contractors have much more insurance than
18 that.

19 CHAIRWOMAN FORD: All right. Any
20 other legislators?

21 Legislator DeRiggi-Whitton.

22 LEGISLATOR DERIGGI-WHITTON: Do you
23 have any idea of what the cost impact
24 roughly would be for them to increase
25 their insurance to the numbers that

1
2 you're requiring now?

3 MS. HARKINS: No, I really don't
4 know.

5 LEGISLATOR DERIGGI-WHITTON: I'm
6 just wondering if it's going to be
7 arduous.

8 COMMISSIONER CAPECE: We have to
9 consider the safety of the consumer.
10 That's my goal, is the safety of the
11 consumer. Most of our contractors have \$1
12 million insurance policy, so it doesn't
13 really pertain to them. But we do get
14 some people that try to do the bare
15 minimum, and maybe they're going to do
16 the bare minimum work. We want to make
17 sure that if they're someone, one of
18 their employees, someone's hurt, doesn't
19 go back to the homeowner. So I really
20 don't know the money it would cost.

21 LEGISLATOR DERIGGI-WHITTON: I
22 understand what you're saying, and I
23 appreciate you protecting the homeowner.
24 We were very concerned. Obviously, you
25 want to see permits and everything go as

1
2 quick as possible. Legislator Ford and I
3 were here during Sandy, and we had a lot
4 of issues at that time, but I just would
5 feel more comfortable. I don't know if
6 there's any way to maybe do a quick
7 search to see the economic impact. We
8 always try to keep an eye on that. Again,
9 I support this, but maybe it's just good
10 even for you to know you're going to get
11 calls. You know how that is. You're going
12 to get calls and it's just good to have
13 the information.

14 MS. HARKINS: I guess I use the
15 benchmark, because I remember being a
16 personal injury attorney and back in
17 1987, and it was the 10/20 is what people
18 were allowed to drive with. So we were
19 looking to upgrade it and that bring it
20 into 2023.

21 LEGISLATOR DERIGGI-WHITTON: I think
22 I was a claim representative at State
23 Farm when you were there. I remember
24 those days.

25 All right.

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2 COMMISSIONER CAPECE: Most have the
3 higher rates. We're just doing this to
4 bring it up into modern times so we don't
5 get someone to say, gee, I could get the
6 cheapest insurance out there. That's what
7 we're trying to afford. I don't even know
8 if there's still 100/300,000.

9 LEGISLATOR DERIGGI-WHITTON: Thank
10 you.

11 CHAIRWOMAN FORD: Legislator Bynoe.

12 LEGISLATOR BYNOE: Thank you, Madam
13 Chairwoman.

14 Hi. Good afternoon. And forgive me
15 if in some way or another you conveyed
16 this, but what kind of criminal activity
17 are you able to either restrict or revoke
18 somebody's license for?

19 COMMISSIONER CAPECE: Basically,
20 even now, some of our applicants have a
21 criminal history background that they
22 admit. The only way we really deny a
23 license: Someone is a registered sex
24 offender, level two or level three; If
25 someone has a tax lien; someone, it

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2 failed in child support. What we want to
3 know with the criminal record if it was a
4 criminal charge, I believe according to
5 the Charter, I have the power to deny it.
6 But we want to see if they have a scheme
7 to defraud things of that nature.

8 Homicide, a murder charge, something like
9 that. People are going into their homes.
10 So we want to make sure we know the
11 criminal background. Just checking that
12 background doesn't mean if they have a
13 criminal history, that we're going to
14 prevent it.

15 LEGISLATOR BYNOE: That's why I'm
16 asking what type of criminal charges
17 would one have to have in order for their
18 to be, you stated denial and I stated
19 revoked.

20 COMMISSIONER CAPECE: I will let my
21 attorney answer.

22 LEGISLATOR BYNOE: Let's talk about
23 denial first.

24 MS. HARKINS: I would say something
25 that would shock the conscience. I

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2 wouldn't want to contract a going into my
3 grandmother's home with a license and
4 having that type of background.

5 LEGISLATOR BYNOE: So this is where
6 I wanted to go because I think we have to
7 have some level of a policy in place so
8 there's an evenhand approach to what
9 you're denying, because what is shocking
10 to your conscience might be not shocking
11 to mine. We're leaving it to be
12 subjective. So I think there has to be
13 some real serious parameters against
14 around, because we're opening ourselves
15 up to lawsuits that if someone feels that
16 they have been denied unjustly so, and
17 that they can in some way or another
18 provide evidence that someone with a very
19 similar charge or the same exact charge
20 is still operating with a license from
21 Nassau County, so I don't think we can
22 play loose with that.

23 MS. HARKINS: No. And I think that
24 we're subject to the law. I think it's
25 Article 23, like it's all set out there.

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2 It's in the New York State Penal Law.

3 LEGISLATOR BYNOE: I'm asking for it
4 because I don't know what it would be. I
5 don't dwell in your in your vocation. I
6 need you to tell me.

7 So back in the day at the Housing
8 Authority, when I worked there, we had
9 very strict policies as to what type of
10 criminal activity would deny someone from
11 being housed, or we would move for an
12 eviction on. And we had to be very
13 evenhanded in how we would utilize that
14 policy because we could not open
15 ourselves up to litigation.

16 MS. HARKINS: Understood.

17 LEGISLATOR BYNOE: So I'm just
18 asking. I'm asking for you to be able to
19 tell me what it is. And so if your folks
20 know, that's great. But I think we should
21 know as well. And it should be able to be
22 articulated and that it should be
23 codified in some type of policy.

24 MS. HARKINS: I just refer to the
25 state law. I mean, that's the guidelines.

1
2 I can't find it right now. It's Article
3 23, it's written, it's codified. And we
4 use that as our guideline.

5 LEGISLATOR BYNOE: Then that would
6 have been the best answer when I asked.
7 Not with shocking, right? Because
8 shocking to someone's - is just
9 subjective.

10 MS. HARKINS: There is discretion
11 though. You have that as a guideline to
12 follow the, Article 23.

13 LEGISLATOR BYNOE: So this is going
14 to move to Full Legislature. I think that
15 prior to the Full Legislature, just so
16 that we all have some level of comfort
17 that we're not opening this county up to
18 any type of litigation or risk, that you
19 be able to illustrate to us by way of
20 your policies.

21 COMMISSIONER CAPECE: Should we make
22 another legislative change?

23 LEGISLATOR BYNOE: I'm suggesting
24 that if it's satisfactory, then we leave
25 it. I don't want to --

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2 MS. HARKINS: The County has always
3 required fingerprinting.

4 LEGISLATOR BYNOE: Right. And so
5 you're coming before this Body today and
6 you're making a suggestion for making
7 amendments that I agree with. The
8 amendments sound correct. I'm now asking
9 a question how is it applied. And I'd
10 like to know how it's applied.

11 MS. HARKINS: How the results are
12 used and what's done in response to the
13 arrest --

14 LEGISLATOR BYNOE: Because now
15 you're getting the information pushed out
16 to you, how are you going to respond? And
17 I want to make sure that there are
18 procedures in place so that now that
19 we're actively going to be receiving this
20 information, that we know what to do with
21 it, because our failure to then move
22 through a process to ensure the safety.
23 Right. That's the ultimate goal, is to
24 ensure the safety of our residents. If we
25 if we fall short of that, we're opening

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2 ourselves up for liability if we're not
3 evenhanded in how we're going to enforce
4 that. And then we could be opening
5 ourselves up to litigation for the mere
6 fact that we are receiving information
7 and possibly not following a procedure.
8 And now a family or a resident has been
9 compromised or subjected to some type of
10 risk and they find themselves in some way
11 harmed.

12 So I just want to know that we have
13 we have policies, procedures on how we're
14 going to enforce this new change.

15 MS. HARKINS: It's not a new change.

16 LEGISLATOR BYNOE: It is new because
17 it's being pushed out to you. Right? Your
18 point is that you could not get the
19 information before. Isn't that what you
20 told me?

21 MS. HARKINS: With Home Improvement
22 contractors, we were receiving
23 information from locksmith about
24 locksmiths and the gem dealer and I think
25 scrap.

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2 LEGISLATOR BYNOE: But this is new
3 for this particular vocation. It's new
4 for the home improvement folks. Bottom
5 line, I asked the question. You could not
6 answer it in a way that made me
7 comfortable. So if you're doing it for
8 the locksmiths and the same policies and
9 procedures apply to the home improvement
10 folks from the locksmith, then someone
11 should have been able to answer that for
12 me to say it's in our policy, it's
13 codified. And what it is is that it's
14 rapists, it's child molesters --

15 MS. HARKINS: It doesn't work that
16 way. And it's the state law. There is
17 discretion in there. I'm not going to --

18 LEGISLATOR BYNOE: I'm not talking
19 about discretion. I understand it would
20 be discretion. I feel like I'm going in
21 circles here. I feel like this might be
22 fruitless in this venue for us to
23 continue on. I think that perhaps our
24 attorney, because I hope that she's
25 understanding what I'm asking, she is,

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2 will confer with you so that we can get
3 to so that we can get the right
4 information back so that there's a
5 comfort level here, that we're not
6 implementing something for home
7 improvement folks without any policies or
8 procedures that would ensure its intended
9 goal is reached and, moreover, that we're
10 mitigating any risk to this, to this
11 county by way of either not fulfilling
12 our obligations when receiving this
13 information. Okay.

14 MS. HARKINS: Okay.

15 COMMISSIONER CAPECE: And I'll write
16 down the policy for you.

17 LEGISLATOR BYNOE: And I also have a
18 question as to whether we are simply
19 denying or we have the ability to revoke.
20 So I'll back up and ask the question this
21 way, is it that we only get the
22 information when the person is up for
23 renewal or submitting? Or is it any time
24 that they may commit a crime?

25 COMMISSIONER CAPECE: During

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2 submission. Everyone will be
3 grandfathered. Once this resolution is
4 passed, will make it effective for all
5 new applicants at that time.

6 LEGISLATOR BYNOE: So this is only
7 for new applicants, and it's only during
8 the time of original application. It's
9 not done during renewal?

10 MS. HARKINS: We receive arrest
11 notifications.

12 LEGISLATOR BYNOE: So this would be
13 for everybody in the system.

14 COMMISSIONER CAPECE: Yes.

15 LEGISLATOR BYNOE: All right. So I
16 think it's important for us to know
17 whether if, if we can revoke, deny and if
18 this policies and procedures, Michele
19 Darcy from this caucus will reach out to
20 you.

21 COMMISSIONER CAPECE: Sure.

22 LEGISLATOR BYNOE: Thank you.

23 CHAIRWOMAN FORD: I would ask also
24 on the record that whatever discussion
25 and information that you share with the

1
2 Minority Council, that you also include
3 our counsel, Meredith Hughes.

4 But I think also I just want to make
5 sure that with this, with the Article 23,
6 which is a guideline in regard with the
7 fingerprinting, what you would deny,
8 allow or whatever, that I guess it would
9 be, you try to adhere to it like a
10 uniform compliance, so that whatever it
11 is, whatever the crime is that the person
12 had committed, it's pretty much the same.
13 If three different candidates committed
14 the same crime, usually the way that you
15 handle it would be almost uniformly,
16 correct?

17 COMMISSIONER CAPECE: Correct. We
18 have a thing called the Commissioner's
19 hearings. We will bring people in that
20 have some sort of issue. And the way I
21 read my powers, it's really
22 discretionary. But I agree with
23 Legislator Bynoe. It's very easy to put
24 it down. I've had someone admitted to an
25 assault, explained the situation. It had

1
2 no bearing on anything to do with home
3 improvement. I'm more interested in a
4 predicate felony, predicate felony, being
5 a rapist, a murderer, something like
6 that, or someone who does scheme to
7 defraud something of that nature. We
8 don't really look at other misdemeanor or
9 light felony crimes. It's really not
10 germane to what we're looking at for
11 someone going into the home.

12 CHAIRWOMAN FORD: Perfect. Thank
13 you very much.

14 Any public comment?

15 (Whereupon, no verbal
16 response.)

17 CHAIRWOMAN FORD: I see none.

18 All those in favor of passing this
19 item, please signify by saying, "Aye".

20 (Whereupon, all members of
21 the Public Safety Committee
22 respond in favor with, "Aye".)

23 CHAIRWOMAN FORD: Opposed?

24 (Whereupon, no verbal
25 response.)

1
2 CHAIRWOMAN FORD: But on the record,
3 we are anticipating before the full edge,
4 the vote of the full edge, that they will
5 have met with our counsels to discuss the
6 issues that were raised by this
7 Legislature. Thank you.

8 The item passes unanimously.

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2 CHAIRWOMAN FORD: Clerk Item 412-23,
3 which is a resolution authorizing the
4 County Executive to execute an Inter
5 Municipal Agreement with the City of Glen
6 Cove in relation to services relative to
7 the adjudication of City of Glen Cove's
8 School Bus Stop Arm Safety Program.

9 May I have a motion? Move by
10 Legislator McKeivitt, seconded by
11 Legislator Ferretti.

12 The item is before us. Good
13 afternoon, sir.

14 EXECUTIVE DIRECTOR MELI: Good
15 afternoon legislators. My name is Paul
16 Meli. I'm the Executive Director of the
17 Traffic and Parking Violations Agency,
18 and we're here today on an IMA with the
19 city of Glen Cove, relative to our
20 agencies prosecution and adjudication of
21 notices of liability under the school bus
22 stop arm safety program.

23 You may recall that we were here, I
24 believe in the spring, relative to an IMA
25 with the Town of Hempstead for the same

1
2 services. This IMA is substantively and
3 substantially the same as the one with
4 the Town of Hempstead.

5 CHAIRWOMAN FORD: I have a question
6 in regard to this. You hear the cases of
7 people that are contesting the ticket,
8 not necessarily those that received
9 ticket and they just paid it.

10 EXECUTIVE DIRECTOR MELI: Correct.

11 CHAIRWOMAN FORD: How many cases are
12 you hearing so far from the Town of
13 Hempstead?

14 EXECUTIVE DIRECTOR MELI: We started
15 in late April, like the last week of
16 April. And we've calendared about 1000
17 cases so far, and we're doing an average
18 of 50 per week for the Town of Hempstead
19 right now.

20 CHAIRWOMAN FORD: And what's the
21 backlog?

22 EXECUTIVE DIRECTOR MELI: That I
23 couldn't tell you. It's only once they
24 get on our calendars that we deal with
25 them.

1
2 CHAIRWOMAN FORD: Because I know
3 when it was first rolled out, because it
4 was a time lapse in between when the
5 tickets were being issued, when we
6 finally set up to hear the cases that
7 there probably might have been a couple
8 of hundred tickets that were issued that
9 people were going to contest, some
10 curious where we are with all of this.

11 EXECUTIVE DIRECTOR MELI: You would
12 have to get or I could get for you, I'm
13 sure, from the Town of Hempstead what the
14 backlog is.

15 CHAIRWOMAN FORD: All right. The
16 hearing officers, are they specific to
17 these type of cases or any hearing
18 officer?

19 EXECUTIVE DIRECTOR MELI: They
20 rotate. I mean, some of them have a
21 preference as to what types of cases
22 they'd like to hear. But other than that,
23 the judges are scheduled according to
24 their ability. And we hear these cases on
25 Tuesdays, Wednesdays and Thursdays as

1
2 well as Wednesday evenings.

3 CHAIRWOMAN FORD: Okay. So you'll
4 be adding the City of Glen Cove?

5 EXECUTIVE DIRECTOR MELI: Yes. And I
6 believe that the Town of North Hempstead
7 has passed a local law as well. We've had
8 some initial discussions with them about
9 an IMA. I don't believe they've gone live
10 yet. As far as issuing evening warnings,
11 the City of Glen Cove has, I believe the
12 Town of Oyster Bay has also passed the
13 local law, but we sent them, I believe, a
14 copy of a proposed IMA, but have not
15 heard back from them yet.

16 CHAIRWOMAN FORD: Have you heard
17 from the City of Long Beach? I know the
18 school is -- basically -- some of them do
19 fall within the Town of Hempstead. The
20 City of Glen Cove, all their schools are
21 just within their district, but the City
22 of Long Beach, a couple of their schools
23 and a lot of the bus stops fall within
24 the City of Long Beach, where people can
25 pass the school buses.

1
2 EXECUTIVE DIRECTOR MELI: I
3 understand anecdotally that the City of
4 Long Beach City Court is actually hearing
5 these cases.

6 CHAIRWOMAN FORD: They are? Okay.
7 Thank you.

8 Legislator Mule?

9 LEGISLATGOR MULE: Hi. I just want
10 to reiterate what Legislator Ford was
11 saying, that my office had been hearing a
12 number of complaints about the Town of
13 Hempstead handling of these tickets, so.
14 But I'm not hearing them now, so I'm
15 hoping that that means that things have
16 gotten better.

17 EXECUTIVE DIRECTOR MELI: Well, if
18 you heard complaints, that was on the
19 Town of Hempstead. If you're not hearing
20 them, then apparently the Town has
21 improved in their handling of the cases.

22 LEGISLATGOR MULE: Yeah. And I
23 agree with you. That's where the problem
24 was.

25 I would be interested though in

1
2 finding out what if there is a backlog at
3 all.

4 EXECUTIVE DIRECTOR MELI: I'm sure
5 there is. I just can't tell you what it
6 is.

7 LEGISLATGOR MULE: Can you get back
8 to us with that information?

9 EXECUTIVE DIRECTOR MELI: It's not
10 my information. It would have to come
11 from the Town. So I can't vouch for any
12 information I might have or they might
13 give me.

14 LEGISLATGOR MULE: Okay. So there's
15 no backlog at TPVA, is what you're
16 saying?

17 EXECUTIVE DIRECTOR MELI: No.

18 LEGISLATGOR MULE: Okay.

19 EXECUTIVE DIRECTOR MELI: We tell
20 them what our availability is, and they
21 fill our calendar according to that
22 availability.

23 LEGISLATGOR MULE: All right. Thank
24 you.

25 CHAIRWOMAN FORD: Legislator

1
2 Ferretti?

3 LEGISLATOR FERRETTI: Thank you. How
4 are you doing, Judge?

5 EXECUTIVE DIRECTOR MELI: Good
6 afternoon.

7 LEGISLATOR FERRETTI: The process
8 with a regular ticket, when you get a
9 ticket for speeding, you can go and you
10 speak to an attorney before you get to a
11 judge, and you can try to plea it out,
12 right? Is that the process with the
13 camera ticket?

14 EXECUTIVE DIRECTOR MELI: Yes and
15 no. This is a civil matter. The law was
16 passed, the civil liability is imposed
17 upon the owner of a vehicle that meets or
18 passes a school bus with its lights
19 flashing. So, what we do is preview each
20 matter when someone comes in to TVPA on
21 one of these hearings, first person they
22 see is one of our clerks who sits down
23 with them and shows them the video and
24 the still images that were provided as
25 part of the evidence package, and

1
2 discusses with them what the law is, and
3 discusses with them whether or not they
4 passed that bus in violation of law. It's
5 as simple, usually, as asking the person
6 who was charged with the violation to
7 tell us when it was that you stopped.
8 More often than not, when they show us
9 that relative to where the bus was, they
10 agree to pay and then they make payment
11 to the Town of Hempstead. We don't
12 collect payment on these matters. All
13 payments are made directly to the Town.

14 LEGISLATOR FERRETTI: Okay. So more
15 often than not, I would understand that.
16 But what about the I mean, I've seen
17 videos on social media and whatever
18 people posting where, for example,
19 they're literally adjacent to the bus
20 moving as the arm goes out and they get
21 hit with a ticket. So I know that's not
22 us, that's whatever.

23 EXECUTIVE DIRECTOR MELI: But it
24 could be us. Our judges decide those
25 cases all the time.

1
2 LEGISLATOR FERRETTI: Well, that was
3 my question.

4 EXECUTIVE DIRECTOR MELI: If they do
5 decide that it's too close to call,
6 there's no violation.

7 LEGISLATOR FERRETTI: Okay. So
8 there are instances. Because you hear
9 stories that if you get a red light
10 camera ticket, there's no negotiating,
11 you're getting hit with it. Is that the
12 same thing with these bus cameras?

13 EXECUTIVE DIRECTOR MELI: My opinion
14 is these are not as clear cut as red
15 light camera.

16 LEGISLATOR FERRETTI: Right. I would
17 agree, but I just want to make sure it's
18 not the same thinking out there that.
19 Essentially, there is discretion here to
20 dismiss the ticket.

21 EXECUTIVE DIRECTOR MELI: Oh,
22 absolutely.

23 LEGISLATOR FERRETTI: Okay. Because
24 isn't it being reviewed by a private
25 company before the ticket is even issued?

1
2 EXECUTIVE DIRECTOR MELI: They
3 review the events. If they think there
4 was a violation, they send it on to the
5 Town of Hempstead. Town of Hempstead
6 employees review the same evidence that
7 the company vendor did. This is Bus
8 Patrol, I believe. And if they believe
9 there was a violation, they'll issue it.
10 It then goes out. Notice of the violation
11 goes to the vendor, goes to the motorist.
12 They have the opportunity to go online
13 and view the video. And they can also see
14 the still images. They decide then
15 whether they're going to pay or are they
16 going to contest liability. If they
17 contest liability, eventually they get a
18 notice to come to us on a certain date.
19 When they get there, we'll review the
20 evidence package with them again. If we
21 don't reach a disposition with them, and
22 they proceed with their hearing and the
23 judge makes the call as to whether or not
24 there's liability.

25 LEGISLATOR FERRETTI: Are you seeing

1
2 more hearings for the bus camera tickets
3 than you are red light camera tickets?

4 EXECUTIVE DIRECTOR MELI: I honestly
5 can't say. I would assume yes, it's a
6 \$250 ticket, so. And it's new. So I can't
7 say percentage wise whether we are or
8 not. The two different animals and I
9 haven't really looked at that.

10 LEGISLATOR FERRETTI: Okay. My own
11 anecdotal evidence is seeing a lot of --
12 not a lot -- but there have been videos
13 I've seen where it didn't look like they
14 should get a ticket for passing a bus,
15 and they did. That's why I'm asking.
16 There is a mechanism in place where there
17 are people challenging that.

18 EXECUTIVE DIRECTOR MELI: That's the
19 purpose. The law, the Statute 1174 A of
20 the Vehicle Traffic Law Says there has to
21 be a process, by which is a hearing
22 before a judicial hearing officer, and
23 that's for the purpose of contesting
24 liability and determining whether or not
25 there there is liability under the

1
2 statute.

3 LEGISLATOR FERRETTI: All right.
4 Thank you.

5 EXECUTIVE DIRECTOR MELI: Going back
6 to your initial question, though, it's
7 also unlike someone who comes in on a
8 traffic ticket because there's not a
9 compromise on these. It's either you're
10 either liable or you're not. So we either
11 sometimes make a pre hearing
12 recommendation to a judge or the
13 prosecutor to make a pre hearing
14 determination that it's not a case that
15 we should proceed with. If we proceed
16 with it, it goes to the judge. It's not
17 where you can pay \$150 versus \$250 and
18 walk out of there.

19 LEGISLATOR FERRETTI: Yeah, I agree
20 with you. It seems a lot more clear cut
21 with the red light camera tickets. You
22 see, the video. Either you went through
23 the red light or you didn't. Whereas,
24 this there's other variables, you know.
25 Did the bus driver waive you on things

1
2 like that.

3 EXECUTIVE DIRECTOR MELI: Correct.

4 LEGISLATOR FERRETTI: All right.

5 Thank you.

6 EXECUTIVE DIRECTOR MELI: You're
7 welcome.

8 LEGISLATOR DERIGGI-WHITTON: Thank
9 you. Hi, Paul.

10 One thing in Glen Cove, who is going
11 to be reviewing the tickets before it
12 goes? What department, do you know?

13 EXECUTIVE DIRECTOR MELI: Whatever
14 officer they designate, it's the City. I
15 think by law has to be an employee of the
16 City.

17 LEGISLATOR DERIGGI-WHITTON: So not
18 like a police officer, just a regular --

19 EXECUTIVE DIRECTOR MELI: It could
20 be, but not necessarily I don't know.

21 LEGISLATOR DERIGGI-WHITTON: Okay.

22 And I'm sure we're going to get
23 calls. So if someone has a question.
24 That's one of the things I heard with
25 other towns that it's difficult to get in

1
2 touch with someone to speak with them
3 when they receive the ticket. Is there a
4 number or?

5 EXECUTIVE DIRECTOR MELI: It'll be
6 on the notice of liability and that
7 that's a that's a call that goes to the
8 towns or the city's vendor.

9 LEGISLATOR DERIGGI-WHITTON: Goes to
10 the City's vendor, because we've been
11 hearing that that number has not been
12 easy to access.

13 EXECUTIVE DIRECTOR MELI: Well,
14 we've heard that too.

15 LEGISLATOR DERIGGI-WHITTON: So when
16 they call us and say that they can't get
17 an answer from that number, what do you
18 advise that we say?

19 EXECUTIVE DIRECTOR MELI: Try again.
20 I'm no better to get that answer than you
21 are, because all we do, we're providing a
22 service. We don't administer the program.
23 Red light cameras, we administer the
24 program. And our people take those calls
25 and respond to them. In this case, we

1
2 adjudicate. So if there's a problem with
3 the program or the ticket, by all means,
4 you should advise everybody to request a
5 hearing, first and foremost, preserve
6 their right to contest that that
7 liability.

8 LEGISLATOR DERIGGI-WHITTON: And
9 then once they request a hearing, they
10 would come before TPVA.

11 EXECUTIVE DIRECTOR MELI: Yes.

12 LEGISLATOR DERIGGI-WHITTON: Okay.
13 So that's what they might have to do if
14 they really feel so.

15 We don't have any statistics yet,
16 like the rate of error or how many are
17 dismissed compared. Nothing.

18 EXECUTIVE DIRECTOR MELI: None that
19 I keep track of, to be honest with you. I
20 know it's hard. We just adjudicate. Just
21 like anything else. I don't keep track of
22 guilty pleas or guilty findings after
23 trials or hearings.

24 LEGISLATOR DERIGGI-WHITTON: So we
25 don't know. With all the different towns,

1
2 I'm sure it's also hard to get a feel.

3 EXECUTIVE DIRECTOR MELI: Well, Glen
4 Cove, I mean, the only thing we have to
5 go by right now is Hempstead.

6 LEGISLATOR DERIGGI-WHITTON: Where
7 would we get that? Where will we get that
8 information? From the providers or from
9 the Comptroller's Office?

10 EXECUTIVE DIRECTOR MELI: Well, I
11 think you have to start with the Town of
12 Hempstead.

13 LEGISLATOR DERIGGI-WHITTON: And see
14 how their process has been. All right. So
15 the first call I get is your cell phone
16 (laughter) All right. So the first call I
17 get is that it's basically a process that
18 the vendor handles. It's reviewed by the
19 police or it's reviewed by someone with
20 the City, and if you have any other
21 questions to ask for a hearing.

22 EXECUTIVE DIRECTOR MELI: I mean,
23 we've relayed to them what we hear,
24 because we do get calls from your office
25 and from other legislators' office about

1
2 these tickets, and we let them know what
3 we're hearing and, and ask them to
4 respond.

5 CHAIRWOMAN FORD: Is there any way,
6 I would like to know, I think it would be
7 prudent to find out how many tickets are
8 basically issued as a result of people
9 passing, motorists passing stopped school
10 buses.

11 EXECUTIVE DIRECTOR MELI: I can give
12 you the number of tickets issued and the
13 number of tickets on which hearings have
14 been requested, because that's the basis
15 upon which the County is paid. So I
16 could get those numbers to you.

17 CHAIRWOMAN FORD: So the County does
18 not have any interaction with their
19 provider of this service?

20 EXECUTIVE DIRECTOR MELI: Only to
21 the extent that they schedule the
22 hearings on our calendar.

23 CHAIRWOMAN FORD: So it's not the
24 Town that's schedules it.

25 EXECUTIVE DIRECTOR MELI: The vendor

1
2 does.

3 CHAIRWOMAN FORD: Their vendor, and
4 the vendor is the one who operates the
5 bus system --

6 EXECUTIVE DIRECTOR MELI: Well,
7 they're the ones that operate the
8 cameras.

9 CHAIRWOMAN FORD: The cameras. I'm
10 sorry I said that wrong.

11 So is it possible, then, that
12 whoever contacts you, there must be
13 somebody within this company, the vendor,
14 that they have, a government liaison
15 person that would deal even with like a
16 town councilman? If you're a Town of
17 Hempstead councilman, I'm sure that they
18 get calls also, and they should have the
19 ability to be able to reach out to a
20 contact. It seems like we have contacts
21 in various jurisdictions, whether or not
22 it's the electric company, gas or
23 whatever, that I'm curious then the
24 individual that would contact you to
25 schedule these hearings is that person

1
2 also somebody that we can contact? If we
3 have a question about if we have a
4 resident who has a question about the
5 ticket that they received. I mean, it's
6 worth looking into.

7 EXECUTIVE DIRECTOR MELI: I don't
8 know. It's worth looking into.

9 We can reach out to the Town or the
10 Town Attorney's Office and find out if,
11 in fact, there's a liaison within the
12 Town.

13 CHAIRWOMAN FORD: There has to be.
14 It's a new system. And I know that we're
15 not directly involved in it, but we do
16 share these constituents. It's people
17 that may have questions or they're
18 concerned about something or, you know,
19 like they're losing their mind over the
20 fact that they might have gotten more
21 than one ticket and they're \$250.

22 So I'm also curious, when somebody
23 goes to a hearing and they go before one
24 of your attorneys and that hearing
25 officer then shows them the video and

1
2 they look at it and they realize that it
3 is something that they really don't know
4 whether or not that person actually
5 passed the camera or like they illegally
6 passed it. So in essence, then you would
7 say that you really can't say that there
8 was a violation. So you then --

9 EXECUTIVE DIRECTOR MELI: Judge
10 determines them to be not liable.

11 CHAIRWOMAN FORD: So that person
12 doesn't pay \$250 at all. They don't pay
13 anything.

14 EXECUTIVE DIRECTOR MELI: Correct.

15 CHAIRWOMAN FORD: Okay. So have you
16 gotten any pushback from the Town of
17 Hempstead on any of these decisions? Like
18 if, you know, like if the judge said like
19 there were 10 or 100 people that they
20 dismiss those violations, you don't get
21 any pushback from the Town?

22 EXECUTIVE DIRECTOR MELI: No.

23 CHAIRWOMAN FORD: That's good to
24 hear. Okay.

25 Have they decided with the divided

1
2 highways? I know that has always been a
3 big issue in regard to our roads. Some
4 roads are full two lanes eastbound,
5 whatever, two lanes, two lanes. And maybe
6 it's not that wide, but then you may have
7 another road that would be basically the
8 same lanes, but it might have a wider
9 median. So is there any consideration
10 given to the distance of the medians and
11 the side for people going past on the
12 opposite side?

13 EXECUTIVE DIRECTOR MELI: It's my
14 understanding that if a police officer
15 were to to make this observation and
16 issue a ticket, the existence of the
17 median is of no consequence. The towns
18 could, in their discretion, decide that
19 they're not going to issue tickets under
20 those circumstances. I don't know if they
21 have or not. Again, that's up to them.
22 Our judges are going to be guided by 1174
23 subdivision A of the Vehicle and traffic
24 Law, which sets forth the standards to
25 which a motorist must comply.

1
2 CHAIRWOMAN FORD: I'll have to look
3 into this.

4 Any other legislator?

5 (Whereupon, no verbal
6 response.)

7 CHAIRWOMAN FORD: Thank you very
8 much, Judge.

9 Thank you very much for your
10 testimony. I really appreciate this, Your
11 Honor.

12 EXECUTIVE DIRECTOR MELI: Thank you.
13 Okay.

14 CHAIRWOMAN FORD: The Administration
15 has requested that we make a motion to
16 table this item for the time being. Do I
17 have a motion to table?

18 (Whereupon, brief off the
19 record discussion.)

20 CHAIRWOMAN FORD: Moved by
21 Legislator Ferretti, seconded by
22 Legislator McKevitt.

23 All those in favor of tabling this
24 item, please signify by saying, "Aye".

25 (Whereupon, all members of

1
2 the Public Safety Committee
3 respond in favor with, "Aye".)

4 CHAIRWOMAN FORD: Opposed?

5 (Whereupon, no verbal
6 response.)

7 CHAIRWOMAN FORD: The item is
8 tabled.

9 LEGISLATOR DERIGGI-WHITTON: Could
10 we just keep on the record, though, that
11 we would like an explanation as to what's
12 going on with it.

13 CHAIRWOMAN FORD: Maybe Chris can
14 give us an insight.

15 MR. LEIMONE: Chris Leimone, for the
16 Administration.

17 Yes. We will get you some
18 information. I don't have anything to
19 report right now, but I will get you
20 something.

21 CHAIRWOMAN FORD: Thank you.

22 As there is no other business in
23 front of this Committee, may I have a
24 motion to adjourn?

25 Moved by Legislator Ferretti,

seconded by Legislator McKevitt.

All in favor?

(Whereupon, all members of
the Public Safety Committee
respond in favor with, "Aye".)

CHAIRWOMAN FORD: Thank you, all.
This is my last Public Safety Committee
and I thank you all for being on this
Committee with me.

(Whereupon, applause.)

CHAIRWOMAN FORD: I chaired the best
Committee with the best people in Nassau
County. Thank you.

Health is next.

(Whereupon, the Public
Safety Committee is adjourned,
3:07 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK)

: SS.:

COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public
for and within the State of New York, do
hereby certify:

That the above is a correct
transcription of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto
set my hand this 4th day of December, 2023.

Karen Lorenzo

Karen Lorenzo

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