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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, April 24, 2017
1:10 P.M.

1

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

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE (1:20 p.m.)

20 ARNOLD DRUCKER

21 JAMES KENNEDY

22 DELIA DERIGGI-WHITTON

23 CARRIE SOLAGES

24 SIELA BYNOE

25 MICHAEL PULITZER,
 Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: At this
3 time please take your seats. Legislator
4 Gaylor, please lead us in the Pledge of
5 Allegiance.

6 (The Pledge of Allegiance was
7 recited.)

8 CHAIRWOMAN GONSALVES: I'm going
9 to ask Deputy Presiding Officer Howard Kopel
10 to ask for a moment of silence in which he
11 will warrant I believe our standing.

12 LEGISLATOR KOPEL: Thank you,
13 Madam Presiding Officer.

14 My ancestors were in this
15 wonderful country more than 100 about years
16 ago. That's why I'm here talking to you
17 today.

18 Millions of people weren't so
19 lucky. My father-in-law for just one
20 example was the youngest of 11 children.
21 When the war started, he was about 22 or so,
22 which meant that his extended family, many
23 of his siblings had children and
24 grandchildren, so you can probably imagine
25 with big families back then you were

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2 probably talking about over 100 people.

3 When the war was over, he survived a brother
4 whose family was wiped out a niece and
5 everyone else was gone.

6 I have by marriage some aunts and
7 uncles who experienced going through
8 concentration camps and lost everyone. They
9 were young men and women and they were
10 deemed suitable for work in horrendous
11 conditions.

12 The 20th century and now into the
13 21st, we are witnessing some horrific
14 slaughtering of people.

15 I think that it behooves all of
16 us to be grateful that we live here in this
17 magnificent country and behooves us to
18 support the efforts of this country and
19 insist on efforts of this country to make
20 sure that this type of activity doesn't
21 happen anymore anywhere in the world.

22 So, in support of that and in
23 memory of all these people who were killed
24 in the Holocaust, called the Shala, I would
25 ask you for a moment of silence. And please

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2 stand for this.

3 CHAIRWOMAN GONSALVES: For
4 another moment of silence, I call on
5 Legislator Rose Walker.

6 LEGISLATOR WALKER: I would just
7 like to take a moment to remember FDNY Fire
8 Fighter William Tolley who is also a former
9 resident of Hicksville and currently was a
10 resident of Bethpage who unfortunately
11 tragically lost his life last Friday while
12 fighting a fire in New York City. He leaves
13 behind his wife and a little eight year old
14 daughter. His services will be this week in
15 Bethpage.

16 But it just takes a minute to
17 remind all of us how fragile life is and how
18 each day, certainly our fire fighters, and
19 we have our law enforcement in the back of
20 the room, and any of those who are put in a
21 position for their work that they head off
22 in the morning, yet, they face very
23 dangerous situations and sometimes they just
24 don't come home.

25 So, just please keep his family

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2 in your memory. Pray for them that somehow
3 they can pull their life together and
4 continue on without a husband and without a
5 dad.

6 So I would ask all of you to have
7 a moment of silence for him. Please rise
8 and thank you.

9 (A moment of silence was
10 observed.)

11 CHAIRWOMAN GONSALVES: Now in
12 keeping with what has become tradition, we
13 have two top cops today that are being
14 recognized, and one is Officer Tobias, and
15 the other is Officer Dunbar.

16 I'm going to ask the PBA
17 president as well as the Acting Commissioner
18 to come before us and tell us a little bit
19 about what both officers did and how really
20 important and significant their actions have
21 been. Go ahead, Mr. McDermott.

22 MR. MCDERMOTT: First of all,
23 thank you, Rose, for remembering Firefighter
24 Tolley.

25 We're honoring two officers

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2 today, two BSO officers, Ira Tobias and
3 Tommy Dunbar.

4 On October 4 of 2016, Police
5 Officer Tobias and Dunbar were conducting
6 tactical patrol at the Roosevelt Field Mall.
7 They observed a suspicious male in one of
8 the parking lots. They approached the
9 male's car. They smelled a strong pungent
10 odor of marijuana. They did an
11 investigation. They got a consent to search
12 the vehicle and, as a result of their
13 search, they recovered five pounds of
14 marijuana, a large amount of US currency.

15 The subject was then transported
16 to narcotics bureau where they did an
17 interview.

18 As a result of the interview, the
19 detectives arrested six additional subjects
20 and also they confiscated over 50 pounds of
21 marijuana, 10,000 pills believed to be
22 Xanax, 500 pills believed to be Percocet and
23 over \$100,000 in US currency from all drug
24 sales.

25 Officers Tobias and Dunbar

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2 demonstrated a high level of street
3 awareness and professionalism. Their
4 actions clearly make the streets a safer
5 place for the residents in Nassau County.

6 As a result of their excellent
7 police work they are honored as top cops for
8 April 2017. Thank you guys.

9 ACTING COMMISSIONER KRUMPTER:
10 Again, let me start by thanking Legislator
11 Gonsalves, Legislator Abrahams, and all the
12 legislators for recognizing all the great
13 police work done day in and day out by the
14 Nassau County Police Department and all
15 civilian and sworn members.

16 This is just a great example of
17 cops out there doing their job.

18 In this case they were out there
19 doing a Homeland Security patrol at the
20 mall. That's what we talk about when we
21 increase the number of patrols. Those are
22 the places we focus on, the malls and
23 railroad stations and other areas of large
24 gatherings.

25 In this case, it goes without

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2 saying, there was a heads up police work.
3 When they approached the car, they smelled
4 marijuana and they could smell it. Five
5 pounds of marijuana, over 40 pounds of
6 marijuana in total, over 10,000 pills, over
7 \$200,000 of street value drugs were
8 recovered as a result of this great
9 investigation.

10 So to Officers Tobias and Dunbar,
11 thank you for your hard work and thank you
12 for the great job, it is appreciated.

13 This does have an impact on the
14 residents of Nassau County. You're talking
15 about 10,000 pills. These are opioids.
16 This is what we're talking about. This is
17 the same as heroin. The impact is the same.
18 People are overdosing from these pills in
19 much the same way as they're overdosing from
20 heroin.

21 With over 190 overdoses last
22 year, this did have an impact on the safety.
23 They did make people's lives better in
24 Nassau County.

25 So thank you for the recognition

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2 and great job and keep up the great work

3 CHAIRWOMAN GONSALVES: Now,
4 Officers Dunbar and Tobias would you like to
5 say a few words?

6 OFFICER TOBIAS: I just wanted to
7 thank the Legislature, the Commissioner and
8 the PBA for the acknowledgment. Thank you.

9 OFFICER DUNBAR: I just want to
10 say that it's a pleasure to serve the public
11 of Nassau County and I'm just glad we got
12 all these drugs off the streets.

13 CHAIRWOMAN GONSALVES: It's
14 picture taking time. On behalf of the
15 entire Legislature we have citations for
16 Officer Tobias and Officer Dunbar.

17 (Citations presented.)

18 CHAIRWOMAN GONSALVES: Thank you.
19 Everyone back in their seats. Again,
20 congratulations and many many thanks to
21 Officer Tobias and Officer Dunbar, and most
22 of all return home safe.

23 Now we have another privilege
24 today. And this always does all of us,
25 whether the individuals are in our

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2 individual districts or in a particular
3 district.

4 Right now we have Legislator
5 Walker and Legislator Kennedy who has a
6 point of personal privilege. Okay. Are you
7 ready?

8 LEGISLATOR KENNEDY: Yes. Hi
9 everyone. I'm Legislator James Kennedy and
10 along with Rose Walker have a point of
11 personal privilege for Emma Brussa. Emma
12 lives in the Farmingdale area.

13 So Emma is eight years old and
14 what she wanted for Christmas was a diabetic
15 alert dog to help her with her Type I
16 diabetes. Santa unfortunately couldn't
17 afford the \$15,000 to pay for the dog so
18 Emma took matters into her own hands. She
19 began to paint her own pictures and sell her
20 artwork along the way.

21 She said, decided, hey, I'm good
22 at art. Why don't I sell my paintings?
23 Emma says, I think of a painting, then I
24 paint it. This is a young lady who is eight
25 years old.

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2 After selling just a couple of
3 pieces of work an anonymous donor donated
4 the rest of the money she needed to get the
5 dog. Her mother Kelly was shocked and told
6 ABC she couldn't believe it and I had a
7 difficult time believing it as well. It's
8 such a great thing to see something like
9 that. I couldn't believe that someone was
10 just wanting to help my daughter like that,
11 she said. The mysterious money donation,
12 Emma still has some paintings up for sale,
13 and any money raised going forward will go
14 towards the dog's veterinary care.

15 Emma also wanted to help other
16 children who have Type I diabetes and may
17 need a dog and try to raise money to help
18 someone else get a dog.

19 It is really -- I have a lot of
20 admiration and respect for a young lady like
21 this who is only eight years old. And I
22 have special feelings for Emmas because my
23 daughter, who is not yet two, is also named
24 Emma.

25 Seeing what you're doing, it

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2 makes me really happy to know that there's
3 someone like you for my daughter to look up
4 to. It really gives me a good feeling. I
5 wanted to say congratulations and great work
6 and thank you so much for everything that
7 you're doing.

8 LEGISLATOR WALKER: I, too, would
9 like to congratulate Emma. I think it was
10 amazing you had two anonymous people that
11 wanted to donate to your cause.

12 I think it's amazing a little
13 girl who is eight years old realized that
14 something that is really important and
15 something that I would really like to have
16 that, although Santa might not be able to do
17 this for me, how can I help and how can I
18 help myself to get this?

19 You started a project and you saw
20 it through. That's amazing for anyone to
21 do, but let alone an eight year old little
22 girl.

23 I'm sure a lot of other people
24 then realized boy, this little girl Emma,
25 she is pretty amazing, and how can I help

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2 her? That is why two very special people
3 and then some other people helped to make
4 donations so that you can get that dog and
5 then raise some extra money for care for the
6 dog and start raising funds for those who
7 might need a dog just like you.

8 We really think you are one very
9 special little girl and I know how very
10 proud we are of you, and I know how proud
11 your family is of you. Maybe you would like
12 to say a little something?

13 CHAIRWOMAN GONSALVES: Come up to
14 the mike, Emma.

15 LEGISLATOR WALKER: And your mom,
16 and sister, and step dad could go up to the
17 microphone too if they would like to, and
18 you're going to press that red button.

19 EMMA: All I want to say is I'm
20 really thankful for what you all are doing
21 for me.

22 LEGISLATOR WALKER: Well, we are
23 really thankful for what you did. We have
24 something special for you, Emma. So James
25 and I are going to come down to you. Okay?

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2 EMMA: Thank you.

3 CHAIRWOMAN GONSALVES: Mom, do
4 you have anything you would like to share
5 with us?

6 MRS. BRUSSA: I just want to say
7 thank you and it's amazing how our community
8 comes together. It always impresses me and
9 it continues to impress me and just the fact
10 that every one continues to just stand
11 behind her because she wants to start a
12 nonprofit at eight years old, I'm learning a
13 lot from my daughter.

14 CHAIRWOMAN GONSALVES: That's a
15 good thing.

16 LEGISLATOR WALKER: Thank you,
17 Emma. We would like to show you some of
18 Emma's artwork.

19 CHAIRWOMAN GONSALVES: Oh, my
20 goodness. You did this by yourself? I
21 would have bought one. Did you get the dog?

22 EMMA: He's being trained.

23 CHAIRWOMAN GONSALVES: Do you
24 have a name for the dog?

25 EMMA: Journey.

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2 CHAIRWOMAN GONSALVES: Very
3 appropriate.

4 I will now ask the clerk to
5 please call the roll.

6 CLERK PULITZER: Thank you,
7 Presiding Officer. Deputy Presiding Officer
8 Richard Nicoletto?

9 LEGISLATOR NICOLELLO: Here.

10 CLERK PULITZER: Alternate Deputy
11 Presiding Officer Howard Kopel?

12 LEGISLATOR KOPEL: Here.

13 CLERK PULITZER: Legislator Siela
14 Bynoe?

15 LEGISLATOR BYNOE: Here.

16 CLERK PULITZER: Legislator
17 Carrie Solages?

18 LEGISLATOR SOLAGES: Here.

19 CLERK PULITZER: Legislator
20 Denise Ford?

21 LEGISLATOR FORD: Here.

22 CLERK PULITZER: Legislator Laura
23 Curran?

24 LEGISLATOR CURRAN: Here.

25 CLERK PULITZER: Legislator C.

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2 William Gaylor III?
3 LEGISLATOR GAYLOR: Here.
4 CLERK PULITZER: Legislator
5 Vincent Muscarella?
6 LEGISLATOR MUSCARELLA: Here.
7 CLERK PULITZER: Legislator Ellen
8 Birnbaum?
9 LEGISLATOR BIRNBAUM: Here.
10 CLERK PULITZER: Legislator Delia
11 DeRiggi-Whitton?
12 LEGISLATOR DERIGGI-WHITTON:
13 Here.
14 CLERK PULITZER: Legislator James
15 Kennedy?
16 LEGISLATOR KENNEDY: Here.
17 CLERK PULITZER: Legislator Laura
18 Schaefer?
19 LEGISLATOR SCHAEFER: Here.
20 CLERK PULITZER: Legislator
21 Dennis Dunne, Sr.?
22 (No verbal response.)
23 CLERK PULITZER: Legislator
24 Arnold Drucker?
25 LEGISLATOR DRUCKER: Here.

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2 CLERK PULITZER: Legislator

3 Rosemarie Walker?

4 LEGISLATOR WALKER: Here.

5 CLERK PULITZER: Legislator

6 Donald MacKenzie?

7 LEGISLATOR MACKENZIE: Here.

8 CLERK PULITZER: Legislator

9 Steven Rhoads?

10 LEGISLATOR RHOADS: Present.

11 CLERK PULITZER: Minority Leader

12 Kevan Abrahams?

13 LEGISLATOR ABRAHAMS: Here.

14 CLERK PULITZER: Presiding Officer

15 Norma Gonsalves?

16 CHAIRWOMAN GONSALVES: Present.

17 CLERK PULITZER: We have a

18 quorum, ma'am.

19 CHAIRWOMAN GONSALVES: Thank you

20 very much.

21 CHAIRWOMAN GONSALVES: Now, as is

22 customary with every Full Legislature

23 meeting, we have 30 minutes of public

24 comment and I do have a number of slips in

25 front of me and I will call each and ask

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2 each to be vigilant of the fact that there
3 is a three minute limit and when we abide by
4 that limit more individuals are able to
5 address the Legislature.

6 Without any further ado, it's now
7 2:41 and I will begin the public comment.

8 The first person is Shetal Shah,
9 MD.

10 DR. SHAH: Thank you members of
11 the Nassau County Legislature. My name is
12 Dr. Shetal Shah. I'm a Nassau County
13 resident. I live in Syosset and I'm a
14 clinical professor of pediatrics and
15 neo-natal medicine at New York Medical
16 College and a practicing neonatologist.

17 I'm speaking to you and the
18 Legislature in support of a recently
19 introduced proposal to increase the age to
20 purchase tobacco products in our county to
21 21 years of age.

22 As secretary of the Long Island
23 Chapter of the American Academy of
24 Pediatrics which represents 1400
25 pediatricians, and as the Chapter's

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2 Legislative Chairman, our county's
3 pediatricians have been working on this
4 issue for almost ten years. Working closely
5 with both Judy Bosworth and our wonderful
6 partner, the late Judy Jacobs.

7 The medical evidence for this
8 measure is unequivocal. Raising the age to
9 purchase tobacco products to 21 is a proven
10 public health strategy to reduce youth
11 smoking which is the onset to life long
12 tobacco addiction.

13 According to the Center for
14 Disease control, over 90 percent of lifetime
15 smokers begin before the age of 18 and for
16 over 15 years, epidemiologic evidence has
17 demonstrated that the middle and high school
18 children who begin smoking obtain cigarettes
19 from peers.

20 Adolescents also experience
21 nicotine addiction differently and the
22 teenage years is a time when the developing
23 brain is more susceptible to have the
24 formation.

25 True to new experience nicotine,

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2 during this period of rapid brain growth,
3 experience the rush and pleasure of nicotine
4 differently than those who begin smoking at
5 later ages which facilitates nicotine
6 dependence.

7 Access to tobacco products at
8 this young age helps recruit children to
9 life long tobacco addiction causing
10 increased rates of cancer, heart disease,
11 and chronic obstructive pulmonary diseases.

12 The American Academy of Pediatric
13 section on tobacco control clearly stated in
14 its 2015 technical report that "increasing
15 the minimum age of purchase from 18 to 21
16 years, and enforcing this regulation will
17 protect a larger proportion of the
18 population from becoming tobacco dependent."

19 The same year the Institute of
20 Medicine stated in its report on raising the
21 minimum legal age, that raising the minimum
22 legal age will reduce tobacco use
23 initiation, particularly among adolescents
24 15 to 17 years of age, and how many lives
25 can be saved with this measure?

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2 Well, the CDC estimates at least
3 5.6 million children can potentially not
4 become addicted to tobacco if this measure
5 were passed.

6 The proposal is particularly
7 timely given the 2016 release of the Surgeon
8 General's report on electronic cigarettes
9 which shows that between the ages of 2011
10 and 2014, between those years, rates of
11 electronic cigarette use in middle school
12 and high school children increased 650
13 percent and 890 percent.

14 Working on this issue with
15 Legislator Jacobs over the years, I remember
16 her saying that her passion for this issue
17 came from the fact that her own husband
18 began smoking in his teens and he ultimately
19 died of a tobacco related illness.

20 What a better way to honor her
21 work than to establish this
22 scientifically-based policy protecting our
23 children over their lifespan. Thank you.

24 CHAIRWOMAN GONSALVES: Thank you
25 very much. Carol Meschkow.

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2 MS. MESCHKOW: Good afternoon,
3 Legislator Gonsalves and other esteemed
4 legislators. I'm Carol Meschkow, National
5 Manager for the Tobacco Action Coalition of
6 Long Island which is one of 25 grants funded
7 by the New York State Department of Health
8 Tobacco Control Program, Advancing Tobacco
9 Free Communities.

10 I'm just going to speak my
11 remarks to a few compelling facts besides so
12 many other experts here today.

13 Tragically, our impressionable
14 youth are often referred to by the tobacco
15 lobby as replacement smokers.

16 Approximately 96 percent of all
17 smokers began before the age of 21.
18 Adolescent brains as the doctor said are
19 uniquely vulnerable to the effects of
20 nicotine and the younger the age of onset
21 the greater the risk of nicotine addiction.

22 Further compounding the matter,
23 the brain doesn't fully develop until the
24 age of 25, affecting areas that are critical
25 such as decision making, compelling and

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2 controlling impulses and addiction.

3 Yet, alarmingly, each day, over
4 3,000 children under the age of 18 in the US
5 become daily smokers and almost one third
6 will die prematurely from smoking.

7 Just as troubling as the
8 exponential rise in the use of electronic
9 cigarettes by our youth, according to the
10 CDC, their use has risen between 2011 and
11 2015, nearly ten times of high schoolers.

12 The use of these cigarettes is
13 not without harm and may encourage the use
14 of conventional tobacco products.

15 The electronic devices are now
16 the most commonly used nicotine products by
17 high schoolers and middle schoolers.

18 According to the CDC, 2.3 million
19 high schools and 620,000 middle schoolers
20 are currently using electronic cigarettes.

21 In closing, the Surgeon General
22 called smoke a pediatric epidemic and,
23 sadly, as the doctor said, the outlook of
24 current trends continue is sobering as it is
25 predicted that 5.6 million of today's

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2 precious youth will die prematurely from a
3 smoking related illness.

4 We thank you again for bringing
5 these statistics to the forefront. On
6 behalf of our grant holder, the Lung
7 Association, my colleague, who could not be
8 here, Michael Sloback is a VP for the
9 American Lung Association of public policy
10 and communication. Michael would like to
11 convey that the American Lung Association
12 strongly supports increasing the minimum age
13 for the sale of all tobacco products to 21
14 years old.

15 Increasing the sale's age for
16 tobacco use to 21 will help counter the
17 tobacco's efforts to attract young people at
18 a critical time when many move from
19 experimenting with tobacco to regular
20 smoking.

21 Look at e-cigarettes' numbers,
22 they are increased by four times higher than
23 tobacco products which are not traditionally
24 used.

25 Basically, right now, we have two

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2 states and 57 percent of the states'
3 population is covered by policy. So the
4 American Lung Association does support this.
5 He apologizes for not being here.

6 From Carol Meschkow, on a
7 personal level, I bring it away from
8 statistics to little Emma and her next
9 generation. It's not about numbers, it's
10 about the youth. Thank you so much.

11 CHAIRWOMAN GONSALVES: Thank you
12 very much, Carol. Patricia Bishop Kelly.

13 MS. KELLY: Good afternoon. My
14 name is Pat Bishop Kelly. I'm the advocacy
15 chair for the American Cancer Society Board
16 of Advisors. It's an honor and pleasure to
17 be back in Nassau County among some friends.

18 The American Cancer Society fully
19 supports and encourages Nassau County to
20 pass legislation which raises the minimum
21 age to 21 for legal sale of all tobacco
22 products which includes traditional
23 cigarettes and tobacco products and all
24 electronic devices and associated nicotine
25 products.

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2 Initiatives like this will help
3 prevent early addiction of our youth to the
4 ravages of nicotine and tobacco cause
5 diseases, will save Nassau County serious
6 dollars in taxpayer funded health care
7 costs, and most importantly will save lives
8 of future generations of our kids.

9 By raising the legal age to
10 purchase tobacco products, Nassau County
11 will help prevent those between the ages of
12 18 and 20 the opportunity to experiment with
13 a substance so addictive and dangerous that
14 when used as directed will eventually result
15 in serious illness and their death.

16 Simply stated, tobacco use is the
17 number one preventable cause of death and
18 disease.

19 Nassau County like their
20 neighbors, Suffolk County and New York City,
21 have program already in place and receive
22 substantial funding to help assure that
23 these laws are enforced and followed.

24 We applaud Nassau County for this
25 opportunity to join with its neighboring

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2 county, Suffolk County and New York, to help
3 keep our kids safe and safe from the allure
4 and risks of nicotine addiction.

5 In the past, arguments have been
6 heard that if some one is old enough to join
7 the military and die for their country, they
8 are old enough to smoke.

9 This concept is now broadly
10 dismissed by our Department of Defense and
11 our decorated military leaders.

12 Tobacco use is bad for military
13 preparedness. The military has initiated a
14 series of actions to curb tobacco use in the
15 military.

16 The Department of Defense and
17 each branch of the military have set goals
18 to become tobacco free and are working to
19 prevent the initiation of tobacco use within
20 the military force and provide programs to
21 help members quit.

22 In so doing, this improves the
23 readiness of our military and saves
24 treatment cost dollars to treat tobacco
25 caused diseases.

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2 In 2016, the Institute of
3 Medicine, one of the most prestigious
4 scientific authorities in the United States,
5 reported that based on predictive modeling,
6 raising the age from 18 to 21, will impact
7 the number of youth who transition from
8 experimental smokers to regular daily
9 smokers.

10 These are the critical years for
11 addiction and associated behaviors to become
12 normalized. These are the critical years
13 for us to take a stand and help prevent an
14 entire next generation of Nassau County's
15 kids addicted to tobacco and nicotine
16 products.

17 The American Cancer Society fully
18 supports raising the minimum legal age of
19 purchasing tobacco to 21. It will result in
20 fewer cancer deaths, a healthier next
21 generation, and a serious reduction of
22 health care spending in Nassau County.
23 Thank you.

24 CHAIRWOMAN GONSALVES: Thank you,
25 Ms. Kelly.

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2 MS. KELLY: I just wanted to add
3 something, that Sullivan County has now also
4 introduced their legislation to raise the
5 age to 21 as well.

6 CHAIRWOMAN GONSALVES: Thank you
7 very much. Karen Blumenthal.

8 MS. BLUMENTHAL: Yes, thank you
9 so much to the Nassau County Legislature for
10 providing this opportunity to speak to you
11 today on tobacco 21, and we want to applaud
12 Legislator Drucker for his leadership to
13 help young people never start smoking.

14 Smoking is the number one cause
15 of preventable death and disease in this
16 state, our nation, and in the world.

17 Whatever all of us can do to lend
18 a hand to reduce access of this deadly
19 product when used as intended, hurts people,
20 it is important.

21 I'm sure each and every one of
22 has been touched by some family member or
23 friend that has become ill from smoking or
24 second or third hand smoke and untimely
25 passing of their death.

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2 250,000 lives are estimated to be
3 saved, meaning they will not die prematurely
4 from smoking if the age were raised to 21
5 nationally. That is a federal figure from
6 NIH.

7 We think it is very important
8 that you understand because, as global
9 advisor for smoke free policy, we are
10 providing technical assistance and
11 educational resources to communities not
12 only in the United States, but abroad as
13 well. We track this, along with our
14 colleagues Dr. Robert Crain, Tobacco 21, and
15 Campaign for Tobacco Free Kids.

16 New York City has done this. We
17 were engaged with New York City years ago.
18 We hope that you will see the value in this.
19 Alcohol is age 21.

20 I don't recall any liquor stores
21 closing up when age 21 happened. Maybe
22 someone in this room does. I didn't visit
23 that many liquor stores, but I knew where
24 they were in eye town and where they were in
25 my state. We didn't see any data with

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2 regard to the industry showing that the
3 liquor stores closed because the age was
4 raised to 21.

5 Clearly, on the flip side, the
6 benefit is there because each and every life
7 that's saved is important.

8 I want to share with you one
9 particular study out of Massachusetts which
10 did tobacco 21 almost 15 years ago.

11 What they found out, over time,
12 that even though every community around them
13 which is unlike here, other counties have
14 done tobacco 21, but none of have done it
15 around them, and yet over the course of at
16 least ten years, they found out a 50 percent
17 reduction in tobacco use by young people.

18 So raising the age to 21
19 restricts access of these products. We've
20 already heard from colleagues about the
21 uptick in young people using e-cigarettes.
22 Of course this bill would address that as
23 well.

24 So as you go on this journey,
25 since that's a popular word today, I want to

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2 invite you to contact us or through
3 Legislator Drucker to provide you with
4 resources that can help you. Thank you so
5 much for your time. Greatly appreciated.

6 CHAIRWOMAN GONSALVES: Thank you
7 very much, Karen.

8 LEGISLATOR DRUCKER: May I make a
9 quick comment?

10 CHAIRWOMAN GONSALVES: I would
11 like to move on. It opens the door,
12 Legislator Drucker.

13 The next speaker is Shirvahna
14 Gobin.

15 MS. GOBIN: Hi. My name is
16 Shirvahna Gobin. I'm a resident of Nassau
17 County, the town of Hempstead, and I'm here
18 to bring a matter of critical importance to
19 your attention.

20 The unregulated use of drones
21 within our community has resulted in a
22 serious situation to which I am seeking your
23 immediate consideration and assistance.

24 The recent increases in drone
25 activity within our community and resulting

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2 privacy concerns prompted multiple residents
3 to contact the police.

4 It is at which time it came to
5 our attention that due to the current state
6 of the law, such activity, personal drone
7 operation over residential neighborhoods is
8 not deemed illegal.

9 In fact, the law does not address
10 the issue at all. Leaving vulnerable
11 population, children, the elderly, with no
12 recourse. We are seriously concerned that
13 an unmanned aircraft system, a drone,
14 equipped with surveillance equipment, has
15 been routinely collecting video footage and
16 pictures of all of us in the privacy of our
17 homes without our consent.

18 Aside from the serious violations
19 relating to the invasion of privacy, this
20 particular issue raises a myriad of concerns
21 regarding the intention of the operator and
22 his or her use of such equipment.

23 In a community composed of
24 families with children, our first priority
25 is always protecting their welfare.

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2 Drone usage in the air space
3 above private property without consent
4 should be viewed no differently than an
5 individual walking on one's property with a
6 video camera in hand. And learning that
7 there is no regulation on drones within
8 residential areas, we became concerned with
9 broader issues including the possibility
10 that an individual can use the equipment to
11 victimize our children.

12 According to the US Department of
13 Justice, National Sex Offender public
14 website, there are at least 11 registered
15 sex offenders in the immediate vicinity of a
16 family oriented residential neighborhood.

17 The potential operation of the
18 surveillance equipment or potential access
19 to footage concealing and containing
20 compromising images causes serious anxiety.
21 Notwithstanding the above expressed unease,
22 even when the drone operator's intention is
23 denied appropriate oversight and legislation
24 remains essential.

25 It is also worth noting that

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2 there are a number of public safety concerns
3 surrounding drone operation in our community
4 given the nearby airport.

5 Finally, the sheer noise
6 generated by such devices stands in
7 violation of Hempstead Ordinance Chapter 114
8 Article 1.

9 Regulation is not a new concept.
10 As early as 2015, counties have enacted
11 regulatory reform in regard to drone usage.

12 In fact, numerous municipalities
13 have recognized the importance of enacting
14 legislation, the City of New York, ban drone
15 usage in all residential areas and
16 commercial areas as well as those
17 surrounding government offices. The Town of
18 Hempstead has already banned drone usage in
19 public spaces. Suffolk County banned drone
20 usage with cameras over parks and county
21 buildings.

22 Huntington, New York banned drone
23 uses for flying over private property,
24 Laurelton Hollow, New York banned drone
25 usage of all unmanned aircraft.

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2 The question at hand is, why
3 would the limitation of drone usage apply
4 only to public spaces and government
5 property?

6 CLERK PULITZER: Ma'am, your time
7 has expired.

8 MS. GOBIN: One more question.
9 Why does the expectation of privacy,
10 security, and safety in public and
11 government spaces not extend to the homes of
12 the citizens you are seeking to protect?

13 I urge you to enact legislation
14 to immediately ban drone usage especially
15 with recording devices in residential areas
16 in the town of Hempstead and establish
17 penalties for those who violate the law.

18 I prepared a fact sheet for you
19 to consider. Thank you very much.

20 CHAIRWOMAN GONSALVES: Thank you.
21 Robert Schoenfeld.

22 MR. SCHOENFELD: My name is
23 Robert Schoenfeld. Good afternoon. I am a
24 member of the Transportation Accessibility
25 Advisory Community for NICE bus.

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2 And I've come to thank a couple
3 of the legislators that did ride the bus and
4 see how people use them. The Nassau bus is
5 very important to a lot of people,
6 particularly the people with disability who
7 don't have cars and we have to continue to
8 support it.

9 Secondly, I have come up here to
10 speak about curb cuts. I just started using
11 this walker but I notice for years, and I
12 have been, through other organizations I
13 have been involved with, have already sued
14 New York City for improper curb cuts.

15 Just from the walk from Mineola
16 Station, where the bus left me off down to
17 here, a total of one block, I found about
18 six violations of defective curb cuts
19 including one where they had a sign at the
20 parking garage right over the curb cut and
21 it couldn't be used.

22 I also found some other curb cuts
23 which were defective. There's a steel plate
24 on the part where the bumps are for people
25 who use canes so they know the curb cut

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2 there is missing. Somebody could trip on
3 that, not only someone disabled, but
4 anybody.

5 The lip on the curb between the
6 curb and the street are too high in some
7 cases. I would like to see these items
8 corrected over the entire county. Thank
9 you.

10 CHAIRWOMAN GONSALVES: Thank you,
11 Mr. Schoenfeld. Gina Barbara?

12 MS. BARBARA: Good afternoon to
13 all the Legislature. I just came to thank
14 everyone for their continued support on the
15 NICE bus system. Legislator Drucker,
16 Legislator Bynoe, Legislator Curran, without
17 the use of the bus system, it is imperative
18 that caretakers are allowed to access
19 patients' homes and people with disabilities
20 are allowed to go out into the community.

21 Without such services it's
22 virtually impossible to live a normal life
23 and, overall, I ask -- every year we get up
24 to the budget area of where NICE bus drops
25 the ball and the county has to step in and

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2 the state has to step in, when is that going
3 to stop?

4 When are we going to be able to
5 take a look at the bus system and ensure the
6 privatization that Ed Mangano has put forth
7 in this county? It's privatized to help us
8 not hinder us. It's about time we take a
9 stand to make sure we have the funding next
10 year at this time so we don't have to go
11 back to the drawing board and constantly
12 have to address this issue that's been going
13 on way too long.

14 CHAIRWOMAN GONSALVES: Thank you
15 very much. Desiree Fusco. Desiree, are you
16 going to speak on an item that's on the
17 calendar, would you like to wait until we
18 call that item?

19 MS. FUSCO: Yes, ma'am.

20 CHAIRWOMAN GONSALVES: Okay. I
21 will hold it aside. James Vilardi same
22 thing. You will wait until we call it. Of
23 course, Peter Sobol same thing. All right.
24 That ends public comment.

25 LEGISLATOR ABRAHAMS: I'm sorry

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2 to interrupt you, before you end public
3 comment, I believe Legislator Drucker did
4 want to at least thank the folks who came
5 down and also to remind the Legislative body
6 that he has clocked in Legislation towards
7 Tobacco 21 which we would love have to have
8 called here in the Legislature, but I think
9 he at least deserves the opportunity to
10 thank those who have come down from the
11 public.

12 LEGISLATOR DRUCKER: That's all I
13 wanted to do. I just wanted to thank Karen
14 and the others who came and spoke today so
15 eloquently and presented what is obvious,
16 that Nassau County is lagging behind
17 everybody.

18 We are an island among itself,
19 even within our own county there are towns
20 that are passing this legislation. It's
21 high time we did the same thing. It's not a
22 political thing, it's not a Republican or
23 Democratic thing.

24 My predecessor, Judy Jacobs tried
25 to get this done many many times. It

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2 couldn't even get to the floor. I'm
3 imploring this Legislative body in its
4 entirety, Presiding Officer Gonsalves to get
5 this legislation onto the calendar, and if
6 it has to be debated, let's get it debated.
7 It's high time this gets passed.

8 It's being passed all over the
9 country and within our own county, it makes
10 no sense that you can go across different
11 parts of this county and buy cigarettes, and
12 then other parts you can't.

13 CHAIRWOMAN GONSALVES: I was
14 going to say thank you to each and every one
15 who came here to address the Legislature,
16 and, in particular, Dr. Shah, Carol Meschko
17 who I know for a long long time, and
18 Patricia Bishop Kelly, Karen Blumenfeld, Ms.
19 Gobin. Everyone's comment is extremely
20 important to us and I believe Mr. Schoenfeld
21 has left, and Ms. Barbara has also left.

22 So I thank every one that comes
23 down and takes the time.

24 We will now move on to the
25 calendar of the day and, by the way, we will

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2 have a Rules Committee after the Full Leg
3 meeting.

4 So those who would like to stay
5 until the end of today's business, please
6 feel free to do so.

7 Without any further ado, we will
8 begin with the Full Leg. The Legislature
9 calendar today consists of items that are
10 part of the consent calendar which are items
11 that have been passed through committee
12 unanimously, and so they will be called at
13 once, and then we will move to those items
14 that are non-consent and we will take them
15 one by one.

16 I'm going to begin with the
17 consent calendar which is Item 3, Resolution
18 82; Item 4, Ordinance 40; Item 8, Ordinance
19 44; Item 9, Ordinance 45; Item 10, Ordinance
20 46; Item 11, Ordinance 47; Item 12,
21 Ordinance 48; Item 13, Ordinance 49; Item
22 14, Ordinance 50; Item 25, Resolution 85;
23 Item 26, Resolution 86; Item 27, Resolution
24 87; Item 28, Resolution 88; Item 29,
25 Resolution 89; Item 31, Resolution 91; Item

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2 32, Resolution 92; and that's the end of the
3 consent calendar.

4 Motion, please.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Kopel, seconded by Legislator
9 Dunne. All those in favor of the items that
10 were just called, signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 Those items are now passed
15 unanimously.

16 Now we're going to what we call
17 the non-consent calendar we begin with the
18 first one, Item 1, a hearing on local law to
19 amend the County Administrative Code in
20 relation to the indemnification of county
21 board members.

22 Motion to open the hearing,
23 please.

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR NICOLELLO: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator
4 Nicolello. All those in favor of opening
5 the hearing signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The hearing is now open. Who is
10 here to speak on this item?

11 LEGISLATOR ABRAHAMS: Madam
12 Presiding Officer, before you begin, I just
13 want to note for the record I believe
14 Legislators Bynoe and Curran are recusing
15 themselves for this matter.

16 CHAIRWOMAN GONSALVES: Understood.
17 Who is here to speak on this?

18 MR. RAGANETTI: Good afternoon,
19 legislators. My name is David Raganetti and
20 I'm a Deputy County Attorney. I'm also the
21 interim executive director of the land bank.

22 This item is a change to the
23 indemnification law which removes the boards
24 and directors of the medical center and ads
25 the board, the directors and employees of

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2 the land bank to the indemnification process
3 in the administration code.

4 CHAIRWOMAN GONSALVES: Are there
5 any other comments or questions from the
6 legislators?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of closing the hearing signify by
12 saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The hearing is now closed.

17 Now for the item pertaining to
18 the hearing which is Item 2, a local law to
19 amend the County Administrative Code in
20 relation to the indemnification of county
21 board members.

22 Motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR FORD: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Ford.

4 LEGISLATOR ABRAHAMS: Just to
5 note, again, for the record that Legislators
6 Bynoe and Curran are recusing themselves
7 from the actual vote.

8 CHAIRWOMAN GONSALVES: Okay. I
9 need to write that down. Any questions from
10 the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in
15 favor of Item 2, the proposed local law,
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes 17 to zero.

21 The next item is Item 5. Item 5
22 is Ordinance 41, a bond ordinance providing
23 for capital expenditure to finance the
24 capital projects identified herein within
25 the County of Nassau and authorizing

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2 \$2,100,000 of bonds of Nassau County to
3 finance such expenditure pursuant to the
4 Local Finance Law of New York and County
5 Governmental Law of Nassau County.

6 Motion, please.

7 LEGISLATOR KENNEDY: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Kennedy, seconded by Legislator
11 MacKenzie. Who is here to speak on this
12 item?

13 MR. ARNOLD: Ken Arnold, Public
14 Works. I'm here with Kevin Walsh from real
15 estate.

16 This bond ordinance is for the
17 capital funds required to demolition of the
18 175 Rogers property.

19 I sent both parties the answers
20 to the various questions that were raised at
21 the last meeting. We are here to answer any
22 further questions.

23 CHAIRWOMAN GONSALVES: Legislator
24 Kopel.

25 LEGISLATOR KOPEL: I for one am

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2 delighted that we're finally doing something
3 about this property. It's an eyesore, it's
4 a hazard. Just awful for the community and
5 it's about time.

6 The question that I have is \$2.1
7 million to demolish it. Can you explain why
8 it's so much? I'm no expert in this, but it
9 does seem like an awful lot of money for
10 that.

11 MR. ARNOLD: The information I
12 sent over to you, we had Cameron Engineering
13 looking at this property back in 2012 and
14 provide an estimate.

15 Basically the estimate is very
16 high because the condition of the building
17 does not let us take the building apart in
18 pieces. It has to be disposed of as one
19 pile of debris which means we have to make
20 certain assumptions. Thus, that there's
21 asbestos products in demolition debris, lead
22 paint and so forth, which is why the number
23 is higher.

24 LEGISLATOR KOPEL: Will this lend
25 itself to a firm contract if the conditions

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2 are uncertain?

3 MR. ARNOLD: The contract
4 documents we put together allows us to have
5 a firm contract, yes.

6 LEGISLATOR KOPEL: When would you
7 anticipate this might commence?

8 MR. ARNOLD: If the funding is
9 approved today, we could put out a mini bid
10 contract in my on calls to put together a
11 final bid packaging which I think we might
12 be out to bid sometime mid to later summer
13 and figure a contract procurement process of
14 six to eight months, probably demo-ing this
15 job some time in the late winter of next
16 year.

17 LEGISLATOR KOPEL: Do you
18 anticipate having to do any type of soil
19 work there?

20 MR. ARNOLD: I believe we are
21 anticipating right now just removing the
22 building and leaving the asphalt cap as it
23 is.

24 LEGISLATOR KOPEL: And securing
25 the property with adequate fencing and all

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2 that?

3 MR. ARNOLD: Yes, we would
4 upgrade the fencing so it would be a secure
5 property.

6 LEGISLATOR KOPEL: Great. Thank
7 you very much.

8 CHAIRWOMAN GONSALVES: Legislator
9 Schaefer.

10 LEGISLATOR SCHAEFER: I had a
11 question as to whether or not there is any
12 plan for this property once everything is
13 cleared away, maybe it's early but if you're
14 clearing it I think there's a reason other
15 than it's dangerous?

16 MR. WALSH: In addition to the
17 demolition, this property is also a DEC
18 State to super fund site, so any
19 redevelopment is going to have to be done
20 part and parcel with DEC which has been
21 involved with this site.

22 The county entered into contract
23 to dispose of this property many years ago.
24 I think 2005 was when it was executed. That
25 contract is the subject of a contractual

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2 dispute at this point.

3 LEGISLATOR SCHAEFER: What's the
4 dispute?

5 MR. WALSH: I would rather
6 discuss it in executive session because it
7 could end up - it's in negotiations at this
8 point, so I would be happy to discuss it in
9 executive session or more likely will be
10 back in front of this body hopefully with a
11 Resolution and this approval will help in
12 may ways to get us to that point.

13 CHAIRWOMAN GONSALVES: We can
14 wait until that time?

15 MR. WALSH: Yes.

16 CHAIRWOMAN GONSALVES: Okay.
17 Legislator Schaefer satisfied with your
18 answer? Is there anyone else who has a
19 comment? Legislator Solages and then
20 Legislator Bynoe.

21 LEGISLATOR SOLAGES: Thank you
22 very much. I would like to thank my
23 colleagues and also Mr. Arnold for preparing
24 the comprehensive answers to the several
25 questions that we sent you between the last

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2 date and today's date.

3 As a representative of the Third
4 Legislative District which includes Inwood,
5 I am joined here today by several community
6 leaders from Inwood and I'm very glad they
7 are here today, especially Mr. Sobel who I
8 think is the favorite son of Inwood.

9 Nevertheless, I have a question.
10 My main question is, the capital costs that
11 the county is now spending to fix this
12 property, can that at least be passed on to
13 the buyer of this or potential buyer of this
14 site?

15 MR. WALSH: I'm going to let
16 Conal Denion from the County Attorney's
17 Office answer.

18 MR. DENION: Conal Denion, County
19 Attorney's Office. I think that question
20 would be appropriate at the time of the
21 transfer of the property, either in the
22 transferring Ordinance, issues such as that
23 could be addressed at that time.

24 LEGISLATOR SOLAGES: I spoke
25 prior to this with Mr. Arnold and I asked

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2 him the same question, Mr. Arnold, is it
3 possible that you could shed light on this
4 question?

5 MR. DENION: Is the question
6 whether the assets or the purchase proceeds
7 would be used to redeem bonds or pay down
8 bonds, is that the question?

9 LEGISLATOR SOLAGES: Yes.

10 MR. DENION: Again, that can be
11 addressed at that time and certainly the
12 Legislature can direct the use of the
13 proceeds as it normally does to either the
14 general fund or other purposes.

15 CHAIRWOMAN GONSALVES: I have
16 Legislator Bynoe, why don't you ask your
17 question, Legislator Bynoe, and then I will
18 go back. Okay, minority leader.

19 LEGISLATOR ABRAHAMS: Thank you
20 for letting me jump in, Madam Presiding
21 Officer, and just to piggyback on what
22 Legislator Solages said, I think the
23 question should probably be, make sure we're
24 clear, we are bonding for \$2.1 million for
25 the demolition of this building on Rogers

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2 avenue, correct?

3 MR. DENION: Correct.

4 LEGISLATOR ABRAHAMS: Can the
5 Legislature also require as part of this
6 bond that the proceeds of this bond, once
7 the land is sold or property is sold, can we
8 add something to this bond item today which
9 will require whether the County Executive or
10 the next county executive, or whoever on
11 this Legislative body, to ensure that when
12 that property is sold, that the proceeds go
13 directly to that sale, can we add that to
14 this bond item today? I guess that's what
15 we're asking you today, not at the time the
16 property is sold, today can we actually do
17 that?

18 MR. DENION: I guess I would have
19 to think about the question. The state law
20 requires that when there is a sale of an
21 asset that's financed with bond proceeds
22 that it actually requires it to be used for
23 purposes of paying down the bond.

24 However, in this case, there is a
25 legal issue as to whether or not there will

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2 be an asset left. You are paying for
3 demolition. The building would be gone.
4 You would be selling the raw land after
5 that.

6 LEGISLATOR ABRAHAMS: So I guess
7 the question will be, obviously there is a
8 cost benefit to someone that purchases the
9 property in the future to not have the
10 structure there. No one is going to try to
11 rebuild that structure. I've seen the
12 pictures. That begs another questions in
13 regards to how the county allows buildings
14 and infrastructure to get this bad, but that
15 removal, a \$2.1 million removal of this
16 structure, is a benefit to someone that
17 comes along to purchase the land to erect
18 their own structure?

19 MR. DENION: It depends how you
20 look at it. The county owns the property
21 now. If it's going to transfer the property
22 it's going to transfer it clean or subject
23 to as is where is, but I think that's a
24 business decision about how the county is
25 approaching the sale.

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2 LEGISLATOR ABRAHAMS: I

3 understand that and the sale may not come
4 for another year from now, who knows, but I
5 think what we are requiring is that the cost
6 that it has to the county, this is an
7 enormous cost, I think Legislator Kopel and
8 Solages identified it pretty well, it's an
9 enormous cost.

10 Is it possible today that we can
11 add as part of the bonding that that cost,
12 when the county does sell the property, that
13 the property would basically address the
14 fact that that \$2.1 million or whatever we
15 generate in the sale, would go towards
16 paying down the bond?

17 MR. DENION: I think it would be
18 more appropriate in the Ordinance selling
19 the property, again, term and condition of
20 the sale is that the proceeds be used for a
21 particular purpose. You would be taking one
22 term out now and sort of separating it out
23 as we had done in the future.

24 I would have to think about that.
25 Again, this is to borrow money and to direct

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2 how the proceeds will be used and it's not
3 the sale ordinance, not a transfer. It
4 hasn't happened. It's a future event. I'm
5 not so sure. I would have to think about
6 that.

7 LEGISLATOR ABRAHAMS: I think --

8 CHAIRWOMAN GONSALVES: I don't
9 mean to interrupt but I have a question.
10 Wouldn't that be a sense of the legislature
11 if we want to impose that?

12 MR. DENION: It could be. My
13 initial reaction is that it's a term of the
14 sale which probably would be included in the
15 sale Ordinance.

16 CHAIRWOMAN GONSALVES: But right
17 now this cost is just for demolition,
18 correct?

19 MR. DENION: Correct.

20 LEGISLATOR ABRAHAMS: Madam
21 Presiding Officer, not to jump on what
22 you're saying, this would be a condition of
23 the borrowing as we see it.

24 I mean, before we proceed with
25 \$2.1 million in borrowing, we would want to

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2 make sure that the future owner of the
3 property would have to incur this cost, or
4 see the county absorb a \$2.1 million cost to
5 demolition a building that they very well
6 would have to do to in order for them to
7 erect their structure in the future.

8 MR. DENION: The concern I have
9 is it's not a condition of the borrowing
10 because it being a future event it would be
11 happening after.

12 LEGISLATOR ABRAHAMS: I'm sorry,
13 a condition for -- it's one of the things
14 that we are exploring, a condition for us to
15 borrow meaning us. I don't know about the
16 majority.

17 MR. DENION: But it raises issues
18 again, it wouldn't be known at the time of
19 the borrowing and the use of the proceeds
20 what eventually the sale, how much money, to
21 whom, and under what conditions.

22 When borrowing, you would be
23 borrowing to demolish the building and
24 that's all the county would be able to know,
25 is that it's spending the money properly on

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2 the demolition. So to make this a condition
3 -- it's not really a condition of the
4 borrowing.

5 LEGISLATOR ABRAHAMS: I'm sorry.
6 I have questions but I don't want to jump on
7 Legislator Solages.

8 CHAIRWOMAN GONSALVES: I have
9 Legislator Bynoe and then I have three
10 people here who would like to speak as well
11 from the public.

12 LEGISLATOR BYNOE: Thank you,
13 Presiding Officer. Based on the question
14 that Legislator Schaefer raised earlier, I
15 do believe that it would be for the benefit
16 of this body to go into executive session to
17 understand what the contractual implications
18 may be.

19 CHAIRWOMAN GONSALVES: It's not
20 the item.

21 LEGISLATOR BYNOE: I'm
22 understanding -- could you repeat the fact,
23 what you said earlier, Mr. Walsh, you
24 mentioned there was a contractual --

25 MR. WALSH: There had been a

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2 contract with the county with a potential
3 buy of many years ago, and that contract is
4 still in the nature of dispute and
5 negotiations, so I can't discuss it in front
6 of this body because it's in the nature of a
7 settlement.

8 LEGISLATOR BYNOE: So, yes, this
9 is why he couldn't discuss it here.

10 CHAIRWOMAN GONSALVES: It's not
11 the item on the floor now. There will be an
12 opportune time --

13 LEGISLATOR BYNOE: It's relevant
14 because it impacts my decision of whether we
15 should move forward in demolishing a
16 building that we may have some type of
17 litigation and we may not recoup our \$2.1
18 million. We may be putting good money out
19 to bad, if I don't understand what the
20 contractual dispute is with the previous
21 potential buyer or prospective buyer.

22 CHAIRWOMAN GONSALVES: Legislator
23 Kopel would like to answer your question.

24 LEGISLATOR KOPEL: Legislator
25 Bynoe, that's incorrect, and I can explain

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2 that because right now the county is
3 potentially subject to enormous liability.
4 If you look at the picture, I think you may
5 have seen it.

6 LEGISLATOR BYNOE: Mr. Kopel, in
7 all fairness --

8 LEGISLATOR KOPEL: Excuse me, I
9 haven't finished.

10 LEGISLATOR BYNOE: Yes. I'm
11 sorry, Presiding Officer, I'm sorry, I was
12 not addressing Legislator Kopel. I'm asking
13 you --

14 CHAIRWOMAN GONSALVES: Hold on.
15 You're not speaking on the item.

16 LEGISLATOR KOPEL: You shouldn't
17 interrupt me.

18 LEGISLATOR BYNOE: Presiding
19 Officer, may I speak with you, that's who I
20 was addressing?

21 LEGISLATOR KOPEL: But I was not
22 finished.

23 LEGISLATOR BYNOE: But I was
24 addressing and you guys interrupted me
25 because you feel you need to explain

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2 something further to me but I still feel
3 like I need to --

4 CHAIRWOMAN GONSALVES: Let me say
5 something. I have three people out in that
6 audience who would like to speak. I can
7 tell you right now, if it's not germane to
8 the item.

9 LEGISLATOR BYNOE: It is germane
10 to the item because I feel it's relevant to
11 me making a decision. I believe it's
12 relevant for me to make a decision.

13 If you're telling me there is
14 potential litigation or a contractual
15 dispute on a previous sale that this county
16 engaged in and we are considering knocking
17 down this building at the tune of \$2.1
18 million, how do we know we are not putting
19 good money out to bad?

20 LEGISLATOR KOPEL: It's nothing
21 to do with that. I can answer you.

22 LEGISLATOR BYNOE: But I'm not
23 asking you to answer me. I'm asking to go
24 into executive session so Mr. Walsh can
25 speak freely. He said he thought it would

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2 benefit this body to go into executive
3 session to be able to discuss the item
4 freely. I think that that's what should
5 happen.

6 CHAIRWOMAN GONSALVES: Mr. Walsh,
7 going into executive session on this item is
8 really not germane at this time?

9 MR. WALSH: It's not germane to
10 this bond ordinance in front of you.

11 CHAIRWOMAN GONSALVES: So,
12 therefore, going into executive session at
13 this time --

14 LEGISLATOR BYNOE: Mr. Walsh, if
15 you would explain to me why it's not
16 germane.

17 MR. WALSH: Sure. The item in
18 front of you is a matter of a building that
19 is in severe disrepair that needs to be
20 demolished. I believe the information
21 submitted by Ken Arnold is very clear that
22 it's a public safety issue with neighbors
23 and other buildings nearby impacted.

24 LEGISLATOR BYNOE: That point is
25 not lost on me. I feel like if I'm going to

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2 be making a decision with \$2.1 million with
3 the county's resident's money, if there is a
4 back story that this body could benefit from
5 understanding the back story.

6 I don't want to make a decision
7 today and tomorrow there's litigation all in
8 the paper or there's a bigger issue, and we
9 have already invested our \$2.1 million into
10 the demolition of the building.

11 If there is a potential that the
12 perspective buyer was on the hook for
13 actually doing the demolition, I just want
14 to be able to have the opportunity to have
15 the dialogue. I want to have a dialogue.

16 LEGISLATOR KOPEL: If the buyer
17 demolishes and doesn't do it and we are --
18 is responsible, we can potentially get
19 damages from the buyer and recover that
20 money. Number one.

21 Number two, if somebody gets
22 injured over there in the interim, it's
23 still our building we can still be held
24 liable for many millions of dollars.

25 LEGISLATOR DRUCKER: But what

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2 about if there's a claim for specific
3 performance. If there's a claim for
4 specific performance, Mr. Walsh --

5 CHAIRWOMAN GONSALVES: You are
6 interrupting.

7 LEGISLATOR KOPEL: You can get
8 that --

9 LEGISLATOR DRUCKER: Mr. Kopel,
10 you are 100 percent wrong.

11 CHAIRWOMAN GONSALVES: It ends.
12 Through the chair. Okay?

13 LEGISLATOR SOLAGES: Can I ask a
14 question? Is there a buyer already in mind?

15 CHAIRWOMAN GONSALVES: Excuse me.
16 Through the chair.

17 LEGISLATOR SOLAGES: Your
18 attorney whispered there is a buyer already,
19 is there a buyer? I want to make sure this
20 is not part of a back room deal and if
21 there's a buyer already --

22 CHAIRWOMAN GONSALVES: Excuse me.
23 It looks like that and they wasn't
24 demolished yet?

25 LEGISLATOR BYNOE: That's why

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2 they won't us to demolish it. It's a
3 benefit for the county to demolish it.

4 CHAIRWOMAN GONSALVES: No, they
5 want to demolish it because it is unsafe.

6 LEGISLATOR BYNOE: It only became
7 now? That building seems to have been
8 unsafe for a very long time.

9 CHAIRWOMAN GONSALVES: You are
10 out of order. There are three people in the
11 audience who deserve to be heard, okay?
12 There is no motion.

13 LEGISLATOR BYNOE: I make a
14 motion to go into executive session.

15 LEGISLATOR MACKENZIE: Can I ask
16 a question?

17 CHAIRWOMAN GONSALVES: And I have
18 Legislator Gaylor who is waiting too.

19 LEGISLATOR MACKENZIE: If I ask
20 it then we can move on.

21 Is there any portion or any
22 description of the pending litigation that
23 you can tell us in public session that might
24 shed some light on whether it has to do with
25 the building itself, if the answer is no

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2 then the answer is no. But if there's any
3 portion that you can describe here maybe it
4 will satisfy people that it's not related to
5 the building and the demolition and we can
6 move on.

7 MR. WALSH: Legislator, as of
8 now, there is to pending litigation. It is
9 just a contractual dispute and ongoing
10 negotiations that we don't want to --

11 LEGISLATOR MACKENZIE: So there's
12 been no public litigation so it would have
13 to be subject to executive session.

14 MR. WALSH: Correct. Because
15 we're in negotiations, thank you.

16 CHAIRWOMAN GONSALVES: Legislator
17 Gaylor, do you have something to add and
18 then I'm going to the public.

19 LEGISLATOR GAYLOR: Thank you,
20 Madam Presiding Officer. Just a couple of
21 quick questions. One, Mr. Walsh, you had
22 indicated this was a public safety issue,
23 and then also I heard it was a super fund
24 site. Do you know what level of
25 classification the DEC has assigned to this

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2 property?

3 MR. WALSH: Yes. A Class II
4 super fund site.

5 LEGISLATOR GAYLOR: So it's
6 significant. Has the state's DEC cleanup
7 already been conducted?

8 MR. WALSH: I don't believe the
9 state has undertaken any cleanup. I believe
10 in past about ten years ago there have been
11 some remediation of some of the tanks by the
12 EPA but, to my knowledge, there is a public
13 record on the state website, DEC website
14 about this that's updated periodically.

15 But I'm not aware of the state
16 taking any remediation action.

17 LEGISLATOR GAYLOR: Finally, are
18 there any funds from the state or through
19 DEC that could be made available as part of
20 the cleanup to demolish the building?

21 MR. WALSH: That's possible.
22 With some of the cleanup programs there may
23 be opportunities for a successful develop to
24 take advantage of that and I would expect
25 that.

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2 LEGISLATOR GAYLOR: But can the
3 county take advantage of those funds to
4 demolish the building?

5 MR. WALSH: I'm not aware that
6 any of the cleanup programs with DEC provide
7 funds for demolition, not in my experience.

8 LEGISLATOR GAYLOR: Thank you,
9 Madam Presiding Officer.

10 CHAIRWOMAN GONSALVES: I have
11 Desiree Fusco, I'm going to call you in
12 order.

13 MS. FUSCO: My name is Desiree
14 Fusco. I'm an attorney, I'm a resident of
15 Inwood and vice president of the Inwood
16 Civic Association here in support of the
17 measure you are debating right now.

18 I simply wanted to thank the
19 Legislature for taking the time to consider
20 this and ask that you please pass the bond
21 resolution. It's something that's been a
22 blight in my neighborhood for a very long
23 time and we appreciate you taking the steps
24 to do something with this county owned
25 property. I'm deferring the other time I

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2 have to Mr. Vilardi and Mr. Sobel.

3 MR. SOBEL: Thank you. My name
4 is Pete Sobel. I'm a resident and
5 businessman in Inwood since 1984.

6 I want to thank the legislators
7 for being so attentive to taxpayer dollars.
8 It's refreshing to hear.

9 I would also like to congratulate
10 the police for such a great drug bust. What
11 I tell you about this property, it's been a
12 haven for drug users for the past 30 years,
13 since I'm in Inwood, and shouldn't be there
14 one more day.

15 As we speak about costs to the
16 taxpayers, we should speak about cost to the
17 community.

18 This isn't a place that's
19 forbidden for children, like many young boys
20 get on their bikes and love to ride through
21 there. Its water system has broken, sewer
22 system has broken and flooded homes in the
23 area.

24 There's been stolen cars driven
25 in there and set on fire. I'm not going to

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2 argue when this should have been but I think
3 we all realize this place should have been
4 taken down years ago. I'm going to ask the
5 Legislature not to let it stand one more
6 day.

7 Although there is tremendous
8 costs to remove it, there is tremendous
9 costs to let it stand. Thank you.

10 CHAIRWOMAN GONSALVES: Thank you,
11 Mr. Sobel. Mr. Vilardi.

12 MR. VILARDI: Good afternoon,
13 Madam Presiding Officer and legislators. I
14 can't really add too much more to what
15 Desiree and Mr. Sobel have said.

16 This building, like they have
17 indicated, has been a blight on the Inwood
18 community, which is my hometown, for more
19 than 20 years. It's extremely dangerous
20 situation at the moment.

21 I'm not disputing when it became
22 dangerous, but it's dangerous now and it's
23 been dangerous for many many years.

24 I think it's a great first step
25 for the County Legislature consider this

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2 bond act today and hopefully pass the
3 Resolution.

4 In response to Legislator
5 Gaylor's question, I have done some work
6 with DEC in the past. There are no programs
7 from DEC to provide funding for the
8 demolition, but there are definitely
9 programs to help the county which is the
10 current owner to remediate the property,
11 which may help in the effort to get the
12 building sold and cover all the debt
13 associated with the building.

14 I understand your concern,
15 Legislator Bynoe, and I think it's a valid
16 one. But hopefully there will be money to
17 cover all the debt and the expenses.

18 Be that as it may, as Legislator
19 Kopel indicated and Desiree and Peter
20 indicated, it's a very, very dangerous
21 situation at the moment. Children are
22 playing on the grounds. It's open. The
23 fencing is always down. Always torn down.

24 If a child God forbid falls on
25 that property and gets hurt, the county will

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2 be looking at a lot larger bill than 2.1
3 million, and it's a very very good thing for
4 the county to take up this legislation
5 today, and I certainly hope that you will
6 pass it in a bipartisan fashion. Thank you.

7 CHAIRWOMAN GONSALVES: Thank you,
8 Mr. Vilardi. I have Ms. Mereday, I know you
9 want to speak on this item.

10 MS. MEREDAY: Meta J. Mereday,
11 Baldwin resident.

12 I'm always encouraged when
13 residents step up and speak about the issues
14 that are going on in their communities.

15 I'm even more encouraged and
16 motivated when our elected officials do not
17 mind engaging in debate when it comes to
18 protecting our rights and our funding.

19 As always, I definitely salute
20 those legislators including Legislator Bynoe
21 and Solages and Minority Leader Abrahams.

22 My concern and the words I kept
23 hearing during this presentation when we
24 were talking about the DEC site that speaks
25 to me in terms of contamination, and we

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2 already have an issue here where Long Island
3 is fast becoming the Flint part II in the
4 United States because we are already
5 fighting a water tax where ten percent of
6 the county residents are paying what 90
7 percent in addition are benefiting from.

8 I found it interesting that you
9 have little pinwheels in front of the
10 building that talks about April being child
11 abuse month and water is definitely one of
12 the abuses. So if you have this type of
13 building and facility where you have
14 residents at risk but I'm also hearing the
15 word tanks.

16 So my concern as it pertains to
17 this bond issue because I definitely want to
18 speak to the presiding officer's initiative
19 that this has to pertain to this Ordinance
20 is this contract itself, if we're talking
21 about funding and we're talking about
22 taxpayer dollars, I would still question and
23 I have questioned in the past and continue
24 to question the lack of inclusion,
25 involvement, and out reach of service

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2 disabled and veteran owned business.

3 Ironically, and I have the copy
4 of the press release, where it has
5 Legislator Curran wins bipartisan support to
6 help veteran owned business. Tomorrow this
7 is a year old, from legislation that took
8 three years to pass. We yet to have any
9 type of directory that's inclusive and
10 supportive or comprehensive to the needs in
11 addressing the inclusion of service disabled
12 and veteran owned business with regard to
13 providing job opportunities for the veterans
14 and their families who cannot afford to live
15 here, not that any other resident at this
16 rate can afford to live here.

17 But, we speak to this, we have
18 the flags, we do all that, the flags and the
19 presentations and we are still so far behind
20 in those efforts.

21 So, my question, as it pertains
22 to this, and I'm trying to remain timely and
23 calm, because I'm hoping that all of you do
24 speak up with regard to this and I hope you
25 get this passed.

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2 But I would be more concerned in
3 addition to the safety concern, who's
4 involved with this and other contracts?
5 When are the veterans that we speak so
6 highly about can actually get their shot so
7 they can live safely and comfortably in
8 Nassau County? Thank you.

9 CHAIRWOMAN GONSALVES: Thank you,
10 Ms. Mereday. There being no other public
11 comment, we are now ready, I guess --

12 LEGISLATOR ABRAHAMS: I have
13 questions.

14 CHAIRWOMAN GONSALVES: I'm going
15 to give you two minutes more and then moving
16 on. I think we are really beating a dead
17 horse here. I honestly think the item you
18 are talking about and that's the general
19 issue.

20 LEGISLATOR ABRAHAMS: Can I with
21 my two minutes?

22 CHAIRWOMAN GONSALVES: Go ahead.
23 I'm going to give you two minutes.

24 LEGISLATOR ABRAHAMS: Well, I
25 don't understand why we're curtailing or

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2 trying to cut off. I can't understand, only
3 in Nassau County, we would want to say that
4 not going into executive session, getting
5 more information on a particular property is
6 actually a bad thing.

7 We're getting more information to
8 make a sound decision which is very valid to
9 this property. We do not want to go into
10 executive session to hear that because we
11 want to proceed in the blind. Only in
12 Nassau County that happens.

13 But I do have some questions if
14 we can answer them in regards to the
15 appraised value and the state of the
16 condition of the building as well.

17 Is anyone here that can answer
18 that?

19 CHAIRWOMAN GONSALVES: Mr.
20 Arnold, can you address that?

21 LEGISLATOR ABRAHAMS: Did the
22 clock stop on my two minutes?

23 MR. WALSH: Kevin Walsh, Office
24 of Real Estate Services. You asked about
25 the question about what the appraised value

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2 is?

3 LEGISLATOR ABRAHAMS: Yes. Has
4 the county done an appraisal to determine
5 the value of the property?

6 MR. WALSH: We have not done a
7 recent appraisal. I don't want to state
8 anything on the record because, as I said,
9 we are still in negotiations, so obviously
10 that --

11 LEGISLATOR ABRAHAMS: I'm sorry,
12 negotiations with? Please clarify
13 negotiations.

14 MR. WALSH: With the contract
15 dispute but also in the event we are going
16 to be issuing a new RFP, I don't want to
17 state any kind of value on the record.

18 LEGISLATOR ABRAHAMS: Is there a
19 potential buyer in place, is there a
20 potential RFP for the property to go out for
21 this particular sale of this property? See,
22 this is why stuff like that -- and if it
23 wasn't --

24 MR. WALSH: This is a significant
25 property with a lot of redevelopment

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2 challenges. Obviously if we were going to
3 go back out, if we couldn't settle with our
4 contract dispute party, would likely be a
5 new RFP.

6 LEGISLATOR ABRAHAMS: Mr. Walsh,
7 let me see if I can say this a little bit
8 clearer because the response I did not like.

9 Is this property being considered
10 by the administration to be sold?

11 CHAIRWOMAN GONSALVES: Is there
12 an RFP?

13 LEGISLATOR ABRAHAMS: No. That's
14 not what I asked. I asked, is it
15 potentially to be sold by the county?

16 MR. WALSH: I think your question
17 is, is the administration planning on
18 retaining this property? And the answer is
19 no, we are planning on transferring and
20 disposing of this property to a developer
21 who will redevelop it and bring it back to
22 productive use back on the tax rolls.

23 LEGISLATOR ABRAHAMS: That's the
24 plan, is there discussions in place to
25 execute that plan while we are considering

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2 this vote on demolition of this building?

3 MR. WALSH: Yes.

4 LEGISLATOR ABRAHAMS: Has any
5 developer expressed interest?

6 MR. WALSH: Our office gets calls
7 about this property, many properties,
8 periodically from various developers, yes.

9 LEGISLATOR ABRAHAMS: So it's
10 conceivable that this that legislative body
11 will see an RFP that will go out for the
12 transfer of this building?

13 MR. WALSH: It is conceivable,
14 yes.

15 LEGISLATOR ABRAHAMS: In the
16 immediate future?

17 MR. WALSH: That I can't say.

18 LEGISLATOR ABRAHAMS: Is it in
19 contract now?

20 MR. WALSH: It's in contractual
21 dispute. I'll leave it at that.

22 LEGISLATOR ABRAHAMS: So then our
23 concerns and our questions, which I think
24 have been highlighted by Legislator Solages
25 and -- now we do need executive session.

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2 CHAIRWOMAN GONSALVES: Hold on.
3 Because you went a little too far.

4 LEGISLATOR ABRAHAMS: I did?

5 CHAIRWOMAN GONSALVES: No. He
6 did. Not you, he did. Mr. Walsh, guess
7 what, all those in favor of going into
8 executive session?

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR FORD: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Ford. All those in favor signify by saying
14 aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 (Whereupon, the Full Legislative
19 Committee recessed into executive session at
20 2:40 p.m. and reconvened at 3:15 p.m.)

21 CHAIRWOMAN GONSALVES: We moved
22 the item. I'm going to have a request from
23 Legislator Solages to make the final
24 comment. Legislator Solages, let's go.

25 LEGISLATOR SOLAGES: Thank you

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2 very much, and I would like to thank my
3 colleagues for participating in a very
4 vibrant executive session.

5 But, as with much consideration
6 that I do intend on voting for this bonding
7 proposal, but with and on the condition that
8 the sale of this property will take into
9 account the cost of demolition which would
10 be up to \$2.1 million. And that we will be
11 very vigilant in making sure that the sale
12 involves the best interests of the county
13 and county residents and that we can at
14 least save some money.

15 But, again, I ask DPW -- I
16 recently took pictures of the site and there
17 are some gaps in the fence, and, God forbid
18 a child goes there and gets hurt, I would
19 ask that you improve in the meantime any
20 fencing, any barriers on that property.
21 There are many children that play around
22 there and Mr. Sobel can attest to you and
23 Mr. Vilardi, it's a beautiful area of Inwood
24 with a beautiful county park, also needs
25 improvement, but for now, in the mean time,

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2 until the county is able to demolish the
3 property, I ask that you improve the
4 barriers and that's all. Thank you.

5 CHAIRWOMAN GONSALVES: Now for
6 the item. Item 5, Ordinance 41. I believe
7 we did move the item.

8 All those in favor of Item 5,
9 Ordinance 41, signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 So it goes 13 to 6. Thank you
14 very much. So the item passes.

15 Item 6, Ordinance 42, a bond
16 Ordinance providing for a capital
17 expenditure to finance the capital projects
18 identified herein within the County of
19 Nassau and authorizing \$700,000 of bonds of
20 the County of Nassau to finance such
21 expenditure pursuant to the local finance
22 law of New York and County Governmental Law
23 of Nassau County.

24 Motion, please.

25 LEGISLATOR DUNNE: So moved.

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2 LEGISLATOR RHOADS: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Rhoads. Mr. Arnold.

6 MR. ARNOLD: This is a capital
7 bond Ordinance for safety improvements for
8 the County Clerk space. I have chief fiscal
9 officer John Butler here to speak on the
10 particulars on the safety issues.

11 MR. BUTLER: John Butler, Fiscal
12 Officer, Nassau County Clerk, Maureen
13 O'Connell's Office.

14 There is a pressing need to
15 address safety and security at the Clerk's
16 Office. The capital project before you is
17 one that will allow the Clerk's Office to
18 upgrade and update it's physical office
19 space to a better, more secure and more
20 efficient layout for our CSEA employees.

21 The benefits of this project
22 would include security and safety
23 enhancements that improve the security of
24 our CSEA employees and the large volumes of
25 cash they transact daily through the

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2 installation of partitions to separate them
3 from the general public they serve.

4 Plexiglass with speakers.

5 Better, more modern workspaces
6 for the CSEA employees as well as additional
7 work for CSEA employees through the county's
8 DPW facilities unit.

9 Other county departments and
10 agencies have recently been updated in
11 similar fashion including the sheriff's
12 department, the treasurer's office, the
13 health department and the IT department.

14 The Clerk's Office should not be
15 excluded from similar upgrades that provide
16 CSEA employees with safer working
17 environments, and, in general, the best
18 practice is to separate employees that
19 transact cash from the public that they are
20 dealing with.

21 CHAIRWOMAN GONSALVES: Legislator
22 Nicoletto.

23 LEGISLATOR NICOLELLO: I have a
24 question for Mr. Arnold. Who would be doing
25 the work in the County Clerk's Office?

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2 MR. ARNOLD: We would look at a
3 combination of county employees and on
4 specialty items where we need to bring
5 contractors in, they would be looking to do
6 the work.

7 LEGISLATOR NICOLELLO: In terms
8 of the specialty items, you wouldn't be
9 letting another contractor -- you would be
10 using existing requirements contracts and
11 things of that nature; am I correct?

12 MR. ARNOLD: That's my impression
13 on the size of this project. That's how we
14 would look at it.

15 LEGISLATOR NICOLELLO: So this
16 doesn't lead to another contract, it doesn't
17 have to go out for an RFP and all that
18 stuff?

19 MR. ARNOLD: I don't believe the
20 scope of work would require that.

21 LEGISLATOR NICOLELLO: And as
22 indicated, part of it would be done by CSEA
23 employees?

24 MR. ARNOLD: We have done similar
25 types of work, yes, I would think the glass

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2 partition might be the item that would
3 require, and the flooring type of work.

4 LEGISLATOR NICOLELLO: Thank you.

5 CHAIRWOMAN GONSALVES: Minority
6 leader.

7 LEGISLATOR ABRAHAMS: Thank you,
8 Madam Presiding Officer. I was trying to
9 understand. It sounds like obviously this
10 item is being considered to discuss the
11 security to install barriers between the
12 public and workers.

13 Are there any items that are tied
14 to -- obviously that's a concern, and if we
15 can, do you have any pictures, how can we
16 visualize the current condition if possible?

17 MR. BUTLER: Yes, I can send you
18 pictures. I can send them to you by email
19 pretty quickly.

20 LEGISLATOR ABRAHAMS: That's
21 fine. If I'm understanding this correctly,
22 the partitions to be installed, that's the
23 \$700,000 in cost?

24 MR. BUTLER: That's probably
25 going to be the largest part of it. We

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2 actually met with the DPW facilities unit,
3 John Camacho, to get this estimate of
4 \$700,000. So we worked that up together
5 with them. They're the ones.

6 LEGISLATOR ABRAHAMS: What kind
7 of structure, are we talking about a bank
8 teller structure, what are we talking about
9 that costs \$700,000?

10 MR. BUTLER: It's not an
11 inexpensive ordeal. We are talking about
12 multiple rooms, not one room. The County
13 Clerk's Office is basically four to five
14 different areas where the cash gets
15 transacted.

16 LEGISLATOR ABRAHAMS: So it's
17 more than one area?

18 MR. BUTLER: It's all the rooms
19 in the Clerk's Office including the
20 basement.

21 LEGISLATOR ABRAHAMS: Do we know
22 how many rooms and what kind of structures
23 we're building, how big they are, and the
24 size of them?

25 MR. BUTLER: Yes, I can get you

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2 all those details. The rooms will be the
3 basement, 107, 108 and 105. If you need
4 square footage calculations, I can also get
5 that to you.

6 LEGISLATOR ABRAHAMS: Ken, do you
7 have those numbers? We have to take this up
8 for item consideration today.

9 MR. ARNOLD: I would have to get
10 them from my facilities group. They work
11 directly with the County Clerk on this.

12 LEGISLATOR ABRAHAMS: But your
13 person -- what was at gentleman you
14 mentioned that you said worked with the
15 county?

16 MR. ARNOLD: John Camacho.

17 LEGISLATOR ABRAHAMS: And John is
18 from your department?

19 MR. ARNOLD: Yes.

20 LEGISLATOR ABRAHAMS: He worked
21 with the department to come up with this
22 estimate?

23 MR. ARNOLD: Yes.

24 CHAIRWOMAN GONSALVES: Legislator
25 DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: Yes,
3 thank you. These barriers are they just
4 regular plexi-glass or bulletproof? I know
5 you're dealing with cash.

6 MR. BUTLER: They could be either
7 but we were basically would be with how the
8 probation is set up, which is a general
9 plexi-glass with speaker. That would be
10 okay.

11 LEGISLATOR DERIGGI-WHITTON:
12 Other than that, are there any other, let's
13 say, safety provisions that you are allowing
14 for this?

15 MR. BUTLER: We would take a look
16 at other safety enhancements that could be
17 done in our office. The layout is probably
18 beyond its useful life. The last time the
19 office was upgraded was probably some time
20 far in the past, and there are other areas
21 that were safety, probably can be improved.

22 LEGISLATOR DERIGGI-WHITTON: Is
23 that included with the \$700,000 or no? Are
24 you doing any other public safety studies
25 with this?

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2 MR. BUTLER: Not necessarily a
3 study, but it's possible that the funds from
4 the project could also be used to make those
5 similar enhancements.

6 LEGISLATOR DERIGGI-WHITTON: Do
7 you have any kind of camera system in the
8 Clerk's Office?

9 MR. BUTLER: There's a general
10 one I believe at 240 but we would like to
11 upgrade that if possible as well.

12 CHAIRWOMAN GONSALVES: Are there
13 any other questions or comments from the
14 legislators? Yes, Legislator Curran.

15 LEGISLATOR CURRAN: How was the
16 \$700,000 cost arrived at?

17 MR. BUTLER: An estimate from DPW
18 facilities unit.

19 CHAIRWOMAN GONSALVES: Any public
20 comment on this item, Item 42?

21 MS. MEREDAY: Meta Mereday,
22 Baldwin. My question has to do with just
23 not -- having consideration if we're talking
24 about \$700,000 why we're not considering
25 having some outside participation through

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2 some type of RFP.

3 I'm concerned about how this
4 figure, and I'm glad that Legislator Curran
5 asked the question as well as Minority
6 Leader Abrahams with regard to what was the
7 breakdown.

8 I find it interesting that we're
9 talking about an architectural and design
10 project, and those of you who are making
11 decisions with regard to it you do not have
12 the genesis behind this as far as a study, a
13 design, a before and after, something, some
14 choices. Just to get an idea.

15 If we're talking about public
16 safety, is this based on what -- I mean, who
17 are we protecting the employees from? From
18 taxpayers?

19 I'm just trying to understand
20 where this is kind of coming from. You're
21 going to the Clerk's Office to pay for fees
22 for things that have to do with your home
23 and your property but maybe because of the
24 growing frustration in the terms of things
25 that are being contracted that we are paying

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2 for, there might be concern.

3 Is it going to be similar to the
4 barricades that you have at Social Services
5 where people feel more inhuman than getting
6 the social services that our funding pays
7 for?

8 So, I'm hoping again we can kind
9 of ask those questions and \$700,000 is a lot
10 of money to just kind of put on a piece of
11 paper and say we will give you the details a
12 little later, and we are not inclusive of
13 people who represent the various
14 constituencies within the county.

15 Again, service disabled veterans,
16 minority and women business, again, we are
17 not distributing the funding and then we're
18 wondering why we have to increase funding on
19 land banks and demolishing homes and
20 buildings that have been in disrepair for 30
21 plus years.

22 So, just some things to consider
23 and hopefully these questions will get
24 answered here so that they're not brought up
25 on News 12, Fios or Newsday later on and

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2 then folks act like they didn't know what
3 was going on.

4 So I'm giving you 35 seconds back
5 in case someone else wants to ask a
6 question. Thank you.

7 CHAIRWOMAN GONSALVES: Thank you,
8 Ms. Mereday. There being no other comment
9 all those in favor of Item 6, Ordinance 42
10 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 LEGISLATOR ABRAHAMS: Passes
15 unanimously.

16 CHAIRWOMAN GONSALVES: Don't
17 shock me, please.

18 Now we move on to the last item
19 on the calendar which is Item 7, Ordinance
20 43, a bond ordinance providing for a capital
21 expenditure to finance the capital projects
22 identified herein within the County of
23 Nassau and authorizing \$500,000 of bonds
24 from the County of Nassau to finance such
25 expenditure pursuant to the Local Finance

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2 Law of New York and the County Governmental
3 Law of Nassau County.

4 Motion, please.

5 LEGISLATOR SCHAEFER: So moved.

6 LEGISLATOR KENNEDY: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Schaefer, seconded by Legislator
9 Kennedy. Mr. Arnold.

10 MR. ARNOLD: Ken Arnold, Public
11 Works. Again, I would have John Butler
12 speak to the needs of the upgrades of the
13 management system at his organization.

14 MR. BUTLER: Good afternoon. The
15 capital project before you will allow the
16 Clerk's Office to continue its digitization
17 and move on line more of our county records
18 for the benefit of the Nassau County
19 taxpayers who use our services.

20 Nassau County should reinvest in
21 the Clerk's Office by expanding
22 modernization and digitalization of our
23 records which are accessed every day by
24 members of the title industry, attorneys,
25 lending institutions and our residents.

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2 Documents and recordings pre-
3 1993 are not available in a digital format
4 but should be. Once digitized, they could
5 be moved online for ease of access.

6 The benefits of this project
7 would include reducing the need to dedicate
8 staff to processing public requests. Staff
9 now processing public requests could be
10 redeployed to digitizing additional
11 documents, increasing the speed of full
12 modernization and digitization.

13 Reducing consumables associated
14 with onsite visits including paper,
15 machines, toner, and IT services;
16 encouraging the use of off premises access
17 to our recordings. Reducing general foot
18 traffic to our office, and reducing the size
19 of documents needed on-site, freeing space
20 in the 240 basement and lowering our overall
21 real estate space needs.

22 Please support our efforts to
23 continually modernize our office, reduce the
24 county's recurring general fund expenses and
25 enhance the spirits of our end users and

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2 customers.

3 CHAIRWOMAN GONSALVES: Legislator
4 Kopel.

5 LEGISLATOR KOPEL: This is
6 another very, very important critical
7 project. How soon can you get this done?

8 MR. BUTLER: How soon can we get
9 13 votes? Just kidding.

10 LEGISLATOR KOPEL: Let's hope.
11 But how long would this project take?

12 MR. BUTLER: Probably within two
13 to three months.

14 LEGISLATOR KOPEL: That would be
15 wonderful because we are so far behind the
16 rest of the country. New York City has had
17 this for years and years and considering,
18 hope you will all forgive me, the outlandish
19 fees that we charge in my opinion for some
20 of the recordings in Nassau County, I think
21 that it certainly behooves us to modernize
22 and make this office worth while at least
23 and somewhat less painful for the people
24 that use it.

25 MR. BUTLER: That's our goal.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Nicolello.

4 LEGISLATOR NICOLELLO: Can you
5 compare Nassau County to any surrounding
6 counties? Is this something that other
7 counties in the state or downstate are
8 doing?

9 MR. BUTLER: This is the
10 direction that everybody is going. I mean,
11 obviously digitizing these records is not an
12 inexpensive affair. It cost money to do it
13 but just because of that doesn't mean it
14 shouldn't be done. Maybe it can be done in
15 stages or pieces, or palpable bit at a time,
16 but it should be done.

17 Again, we have all land records
18 online available through a website from 1993
19 forward, but we go back as far as 1899. So
20 we really need to kind of continue in this
21 approach.

22 LEGISLATOR NICOLELLO: Just the
23 other day, the Democratic party announced
24 their ticket, or at least their candidate
25 for County Clerk in front of the County

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2 Clerk's building, and one of the things that
3 he said was that we have to take advantage
4 of technology to build a more open and
5 transparent clerk's office, number one.

6 Number two, he said modernizing
7 is essential to management of the office.
8 So I think we can all agree that this is an
9 important project for our county and the
10 County Clerk's Office, and I look to my
11 colleagues to the left to join with us in
12 support of this item.

13 CHAIRWOMAN GONSALVES: Yes,
14 Legislator DeRiggi-Whitton.

15 LEGISLATOR DERIGGI-WHITTON: I'm
16 a notary and I called to see if we didn't
17 get the records, and they said, well, if we
18 cashed your check, that means you're good.
19 We just have to maybe fix that with this.

20 MR. BUTLER: I just want it to be
21 understood correctly that although we may
22 initiate it it goes through the central
23 Nassau County purchasing system, the
24 procurement system.

25 LEGISLATOR DERIGGI-WHITTON: So

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2 the Clerk's Office is handling the RFPs and
3 everything or --

4 MR. ARNOLD: Yes. Usually will
5 do their own RFPs in this case. But it will
6 follow the typical county procurement
7 process. They don't procure an outside --
8 coming through either the Office of
9 Purchasing or this body for approvals.

10 LEGISLATOR DERIGGI-WHITTON: Just
11 clarify that one more time as far as the
12 procurement?

13 MR. ARNOLD: The procurement will
14 go through the typical county process. They
15 don't sign the contract independent of this
16 body, so any contracts associated with this
17 work will come to this body for approval.

18 The RFP will be done by the
19 County Clerk's Office. They will initiate
20 whether they have IT part of it because it's
21 an IT function. I can't speak to that.

22 LEGISLATOR DERIGGI-WHITTON: Who
23 would evaluate the RFP, ranking and
24 everything else?

25 MR. ARNOLD: It would be up to

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2 the County Clerk's Office to put together
3 their technical review committee but I would
4 assume that if it's a big IT function, they
5 might have some IT people on their
6 committee. I can't speak --

7 LEGISLATOR DERIGGI-WHITTON:
8 Could you just clarify what your role with
9 the Clerk's Office is going to be in the
10 procurement process?

11 MR. BUTLER: I'm the fiscal
12 officer of the Clerk's Officer, so I will
13 definitely be involved and be on the
14 committee, as well as the appropriate IT
15 people.

16 CHAIRWOMAN GONSALVES: Any other
17 questions or comments from the legislators?
18 (No verbal response.)

19 Any public comment? Ms. Mereday.

20 MS. MEREDAY: I have to ask this
21 question. The previous ordinance had to do
22 with \$700,000 to provide the petitions and
23 safety for collecting funds and things like
24 that with interacting with the public. Now
25 you're looking at \$500,000, again, we're not

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2 talking about \$7.50. We're talking almost
3 three quarters of a million and a half a
4 million, so \$500,000 is now under
5 consideration for digitizing, which I agree,
6 we need to get with the rest of the world,
7 but because we are in a vulnerable location,
8 are we looking at some kind of backup plan?

9 And if we are looking at
10 improving and modernizing our technology,
11 then why do we need \$700,000 for partitions
12 if we are going to be reducing the footprint
13 of the public?

14 Is someone considering that in
15 terms of the discussion? Because I'm still
16 back to coming from a construction era
17 scenario and being a 911 first responder.
18 You still have to have some kind of initial
19 design and review to discuss what it is that
20 you are planning when you do the estimations
21 and the budgeting.

22 So just food for thought, for
23 anyone who cares to consider it, even though
24 the majority of you are going to vote for it
25 anyway, I would like to have that on the

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2 record: \$700,000 for the partitions and the
3 safety. And the public footprint. \$500,000
4 to modernize to reduce the footprint and to
5 remove those same employees who are going to
6 not be facing the public who are now going
7 to be putting the information into the
8 computer. So do they need the partition too
9 or not, I'm just asking?

10 CHAIRWOMAN GONSALVES: Thank you,
11 Ms. Mereday. There being no other comment,
12 all those in favor -- okay, Mr. Budnick,
13 you're on.

14 MR. BUDNICK: John Budnick, 122
15 122 Von Huenfeld Street, Massapequa Park.

16 Speaking for myself, as a former
17 Nassau County Clerk employee, there has been
18 a need both for the partitions because they
19 are people who get very aggressive because
20 at the find sometimes in the records that
21 they're looking at things that they don't
22 like. Number one.

23 Number two, the cash amounts of
24 money that are being transacted at the
25 County Clerk's Office, I don't have the

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2 exact numbers, but I can guesstimate based
3 upon the number of transactions they do on
4 an annual basis, they may be in excess of
5 30, 40, \$50,000 a year. That creates a
6 large security problem for the personnel
7 working there with the money.

8 Next of all, the need for
9 digitization. It should be recalled that in
10 the 1960s, when large amounts of paper
11 records were kept at Mitchell Field in one
12 of the hangers there, there was a large fire
13 and there are still massive problems with
14 the lack of records as a result of that
15 fire.

16 And there was another fire in the
17 late 1970s at 262 Old Country Road where
18 criminal records were filed in the attic of
19 the main way of 262 Old Country Road.

20 There has been a need for
21 digitalization of records because we so many
22 of them so located in potentially dangerous
23 places.

24 This should have been done at
25 least, it is my personal opinion, at least

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2 ten or 20 years ago.

3 And to hold anything up is
4 questionable shall we say. Thank you very
5 much for your time and trouble.

6 CHAIRWOMAN GONSALVES: You're
7 welcome, Mr. Budnick. Minority Leader.

8 LEGISLATOR ABRAHAMS: Thank you,
9 Madam Presiding Officer. Obviously, I think
10 every one in the county, or most in the
11 county know our position in regards to
12 bonding, has been to vote no until the
13 procurement process has been changed.

14 However, to remain consistent,
15 our side of the aisle has voted for
16 contracts as they pertain to the
17 Comptroller's Office as well as the District
18 Attorney, when they are a process which is
19 separate of the county procurement process
20 and they handle the current RFP as well as
21 the review and evaluation of the RFP.

22 That said, to be fair to the
23 County Clerk, it is only fair that she has
24 the same resources that the other officers
25 have and at this time, we are inclined to

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2 support their bonding and look forward to
3 their contract to digitize and put in a
4 stronger records management system for the
5 County Clerk's Office.

6 CHAIRWOMAN GONSALVES: Legislator
7 Bynoe.

8 LEGISLATOR BYNOE: Thank you,
9 Presiding Officer. I have a question from
10 the representative from the County Clerk's
11 Office. Mr. Butler, with the digitizing and
12 becoming more current with technology in the
13 office, I'm hearing from Mr. Budnick that we
14 take a lot of cash

15 MR. BUTLER: We do take a lot of
16 cash.

17 LEGISLATOR BYNOE: So would we be
18 moving away from taking cash to some extent
19 and accepting online payments?

20 MR. BUTLER: I mean, that's
21 happening. We accept online payments now as
22 it is. But so far as Ms. Mereday was
23 saying, it's not like it's ever going to be
24 zero. So maybe there is a dent in it or the
25 online foot hold to the office that traffic

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2 might be reduced, but that's still an
3 extremely large amount of people that are
4 coming and visiting our office on a daily
5 basis that we do business with, tens of
6 thousands in cash.

7 LEGISLATOR BYNOE: So we accept
8 point of sale when they come in?

9 MR. BUTLER: We do. But we can't
10 tell them how they pay us.

11 LEGISLATOR BYNOE: Yes, we can.
12 I argue that we could. But I'm just
13 concerned about us really accepting that
14 amount of cash at this day and age when most
15 places you can walk in and do your
16 transaction. I hardly ever have cash.

17 I know that most places that I
18 interface with I can pay and interface with
19 them electronic payment and the like.

20 I'm just asking if that's going
21 to be something that we are going to do in a
22 bigger way with this undertaking?

23 MR. BUTLER: It's already in
24 place and there's no restrictions as to
25 anybody that, if they would want to come and

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2 use it, it's our preferred as well as, in
3 some instances, some customers prefer it,
4 but if they prefer to use cash, I mean --

5 LEGISLATOR BYNOE: Just a thought
6 because I know another local municipality
7 actually had a breach to their process and
8 someone was actually taking the cash and so
9 they no longer accept cash as payment. Just
10 something that I think we should be
11 considering going forward. Thank you.

12 CHAIRWOMAN GONSALVES: There
13 being no other comment, all those in favor
14 of Item 7, Ordinance 43 signify by saying
15 aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 I have one more item which is
21 number 30 on the calendar, which is Item 30,
22 Resolution 90, a resolution to authorize the
23 transfer of appropriations heretofore made
24 within the budget for the year 2017.

25 Motion, please.

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2 LEGISLATOR KENNEDY: So moved.

3 LEGISLATOR RHOADS: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Kennedy, seconded by Legislator
6 Rhoads. There is a need for an amendment in
7 the nature of a substitution. So there is
8 an amendment being offered in the nature of
9 a substitution replacing the words health
10 department with the words medical examiner.
11 It's under the description title column.

12 Motion for the amendment in the
13 nature of a substitution.

14 Motion, please.

15 LEGISLATOR GAYLOR: So moved.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Gaylor, seconded by Legislator
19 MacKenzie.

20 Any questions or comments in
21 regarding the amendment in the nature of a
22 substitution?

23 (No verbal response.)

24 There being none, all those in
25 favor of the amendment in the nature of a

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2 substitution signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Now for the item as amended, the
7 item is 30, Resolution 90. Any questions or
8 comments or any public comment?

9 LEGISLATOR DERIGGI-WHITTON: Just
10 to clarify, it's going from medical examiner
11 to medical examiner?

12 CHAIRWOMAN GONSALVES: It's
13 replacing health department with medical
14 examiner.

15 LEGISLATOR DERIGGI-WHITTON: So
16 it's health department going to medical
17 examiner? It's medical and medical, so no
18 health department?

19 CHAIRWOMAN GONSALVES: No. Got
20 it? All medical examiner. Any questions of
21 Mr. Podlesak regarding this item?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

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2 favor of Item 30 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 It's unanimous. Today's my lucky
7 day. Hold on. Every one has a copy of the
8 emergency item.

9 CHAIRWOMAN GONSALVES: We want
10 to make sure that Legislator Dunne has had
11 more than enough time because we did not --

12 CLERK PULITZER: It's recorded on
13 the record that he's here at 1:20.

14 CHAIRWOMAN GONSALVES: Which is
15 more than enough time, because we didn't get
16 to the calendar till about 2:10.

17 Now we have an emergency item.

18 The emergency is Item 103-17, a bond
19 Ordinance providing for a capital
20 expenditure to finance the capital budget
21 identified here within the County of Nassau
22 and authorizing \$2 million of bonds of the
23 County of Nassau to finance such expenditure
24 pursuant to the Local Finance Law of New
25 York and the County Governmental Law of

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2 Nassau County. A motion to establish the
3 emergency.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Walker. All those in favor of establishing
9 the emergency signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The emergency is established.

14 By the way, I think it's
15 important to note that the item has been
16 stamped February 27, 2017 for those who wish
17 to know when this was filed.

18 Now, for the item. Who is gong
19 to speak on this item?

20 MR. ARNOLD: Ken Arnold, Public
21 Works. The item before you is a bond
22 Ordinance for the purchase of snow removal
23 equipment, snow plows. The department's
24 current fleet has 16 vehicles over 18 years
25 of service which, in the opinion of the

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2 department, we need to start replacing some
3 of these old equipment to ensure that the
4 safety of the traveling public during snow
5 emergencies can be upheld utilizing state of
6 the art equipment.

7 We are looking for \$2 million in
8 funding to purchase eight plows for next
9 year's snow season. Working with the state
10 contractor, six to nine month lead time,
11 build out of these trucks which is why its
12 imperative that we get the bond ordinances
13 as soon as possible so we can put these
14 orders into the state contract.

15 CHAIRWOMAN GONSALVES: Just to
16 correct the record, I need a motion for Item
17 103-17.

18 LEGISLATOR RHOADS: So moved.

19 LEGISLATOR GAYLOR: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Rhoads, seconded by Legislator
22 Gaylor.

23 So you already talked to us about
24 it. So any questions of Mr. Arnold? Okay,
25 Legislator DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: Hi
3 Ken. So on a typical storm, what percentage
4 of the trucks do you use at one time?

5 MR. ARNOLD: 100 percent of the
6 trucks.

7 LEGISLATOR DERIGGI-WHITTON: Do
8 you know what the mileage is approximately
9 on the trucks, are they used just for snow
10 removal or used throughout the year?

11 MR. ARNOLD: The trucks are used
12 all year long. They're the large hauling
13 trucks that we would use on moving
14 materials, but their main need for the large
15 load is for the sand and salt that we dump
16 on the county roads during snow.

17 LEGISLATOR DERIGGI-WHITTON: Do
18 you know the approximate average of the
19 mileage?

20 MR. ARNOLD: I would have to
21 assume it's quite extensive. Some of these
22 trucks are 18 to 23 years old. They have
23 quite a bit of mileage on them. They're
24 highly maintained but they are reaching the
25 end of their useful service. They're

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2 rotting out from the sand and salt use.

3 We need to start replacing these
4 ages vehicles.

5 LEGISLATOR DERIGGI-WHITTON: If
6 we purchase these new eight vehicles, do you
7 know what their expected life would be?

8 MR. ARNOLD: I think we look to
9 replace our snow trucks in the ten to 15
10 year range. I would have to go back and
11 check on my fleet dealer. Really that's
12 what they're looking for.

13 LEGISLATOR DERIGGI-WHITTON: So
14 you would expect the new ones to last
15 approximately 15 years?

16 MR. ARNOLD: Yes. We run our
17 trucks till -- past their useful life.

18 LEGISLATOR DERIGGI-WHITTON:
19 Thank you.

20 CHAIRWOMAN GONSALVES: Minority
21 Leader.

22 LEGISLATOR ABRAHAMS: Thank you,
23 Madam Presiding Officer. Ken, when was the
24 last time we purchased vehicles for the
25 county?

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2 MR. ARNOLD: Snow trucks, we've
3 been buying them. We haven't bought any in
4 the last year, year and a half.

5 It's hard because they take such
6 a long time to get them. So I think we
7 might have taken delivery of a couple of
8 trucks at the beginning of this season which
9 helped us, but we haven't had a bond
10 ordinance approved in two plus years.

11 LEGISLATOR ABRAHAMS: That I'm
12 aware of. I think based on the questioning
13 with Legislator DeRiggi-Whitton you said
14 that you want to replace half the fleet now?

15 MR. ARNOLD: We would come back
16 to probably next year for the other half
17 after we evaluate where we are again. It's
18 not half the fleet, it's half of these older
19 trucks.

20 LEGISLATOR ABRAHAMS: The entire
21 fleet was 102 trucks?

22 MR. ARNOLD: So 20 percent of our
23 fleet is over 20 years old. So we want to
24 replace half of those trucks immediately.

25 LEGISLATOR ABRAHAMS: You've seen

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2 mechanical issues with these trucks?

3 MR. ARNOLD: Mechanical and also
4 the bodies are rotting away.

5 LEGISLATOR ABRAHAMS: And the
6 rest of the fleet, is it safe to assume the
7 rest of the fleet is significantly below
8 that 15 year criteria or just about the --
9 around the same?

10 MR. ARNOLD: I believe it's
11 probably half and half. I would want to
12 double check. I know we bought some plows
13 in the last couple of years so not all our
14 fleet is tremendously old, but every one of
15 these trucks has to be utilized during a
16 snow storm to cover our routes on a circuit
17 that we want to achieve. So any trucks that
18 are down only exasperates our problems to
19 getting out to plowing or salting roads.
20 Takes longer.

21 LEGISLATOR ABRAHAMS: I think
22 everybody here recognizes the fact that snow
23 removal is extremely important, especially
24 here in the northeast. That's not the
25 issue. Obviously it comes down to cost and

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2 trying to determine need. From our
3 standpoint, how much does each truck cost?

4 MR. ARNOLD: The larger trucks
5 cost about a quarter of a million dollars a
6 piece.

7 LEGISLATOR ABRAHAMS: A quarter
8 of a million dollars a piece?

9 MR. ARNOLD: That's correct.
10 Maybe slightly less with state contracts.

11 LEGISLATOR ABRAHAMS: How would
12 the administration feel if did four trucks
13 at this time?

14 MR. ARNOLD: I mean, we need --
15 we already have 16 very old trucks. We're
16 looking to replace half. Replacing a
17 quarter, anything will help, but I think our
18 goal is to get eight trucks this year and
19 come back to you again next year for another
20 eight trucks.

21 LEGISLATOR ABRAHAMS: I think
22 everybody realizes that you guys need the
23 trucks but I think that when I look around
24 the county I see requests from many
25 different people for many different things.

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2 Obviously the Legislature was
3 considering earlier today the demolition of
4 a building. There are many things that we
5 have to prioritize and if we gave everybody
6 what they wanted you guys would be at \$4
7 million today.

8 I think right now based off of
9 trying to determine the need while at the
10 same time trying to make sure that we're
11 balanced, we would like to see if the
12 administration is amenable to a haircut.

13 Our request -- I mean we took
14 that into account, 16 trucks at one time,
15 even though there is an age on these trucks,
16 we were trying to be economical on how many
17 trucks we needed, but your vote is the final
18 call on what we get.

19 LEGISLATOR ABRAHAMS: So you are
20 amenable to --

21 MR. ARNOLD: We need snow trucks
22 but we really would like to have the eight,
23 but I'm not going to say no to getting four.

24 LEGISLATOR ABRAHAMS: I
25 understand.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Schaefer, then Legislator Walker and then
4 Legislator Birnbaum and then Legislator
5 Rhoads. Go ahead.

6 LEGISLATOR SCHAEFER: What do you
7 do with the trucks that you're going to get
8 rid of or replace? Can you sell them for
9 parts or anything? Do you get anything back
10 on that?

11 MR. ARNOLD: Sometimes we look to
12 trade them or put them up for auction on
13 salvage. Depending on the people who buy
14 them, to run the trucks, or they'll buy just
15 the parts. It all depends on the condition
16 of the truck we put up for auction.

17 LEGISLATOR SCHAEFER: I imagine
18 you're not getting a lot in return for the
19 sale of an old truck like that?

20 MR. ARNOLD: Probably not. I can
21 go back and check but not sure what's been
22 received on them.

23 LEGISLATOR SCHAEFER: Thank you.

24 CHAIRWOMAN GONSALVES: Legislator
25 Walker.

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2 LEGISLATOR WALKER: I know you
3 said we really could use 16 and you cut it
4 down to eight knowing the expense could be a
5 lot. I just know that snow removal
6 throughout this county is very very
7 important to all our residents.

8 I'm sure with getting eight new
9 vehicles and I don't know if we could
10 possibly still use any of those old vehicles
11 at all, I would hate to see us cut it down
12 to four and have areas of the county that
13 are then delayed in snow removal because we
14 don't have the equipment to remove the snow
15 properly.

16 I don't think any one of us wants
17 to have to deal with residents in making
18 sure that our roads are clear.

19 There is a lot of county snow
20 emergency routes that have to be taken care
21 of and I think it's something that we have
22 to address and if you really need eight,
23 then we should get the eight trucks.

24 CHAIRWOMAN GONSALVES: Now I
25 believe the next one is Legislator Birnbaum

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2 and then Rhoads.

3 LEGISLATOR BIRNBAUM: I have two
4 questions. Of the eight snow trucks you
5 want to order at this time, will they all be
6 identical in size and cost?

7 MR. ARNOLD: Yes.

8 LEGISLATOR BIRNBAUM: You said
9 the reason that it takes so long and it cost
10 so much is because they're built to
11 specifications but how would this differ
12 from any other truck that somebody would
13 order?

14 MR. ARNOLD: These trucks aren't
15 shelf items. They only build them when we
16 order them. That's why they can't go to a
17 truck lot and buy the truck sitting there
18 waiting for you. They only build them
19 because of their expense when they know they
20 have a seller.

21 So we order them and they go in
22 the build out with the manufacturer of the
23 body and chassis and engine, and then they
24 get outfitted with the plow equipment from
25 the sometimes the same manufacturer or

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2 sometimes a different manufacturer, all
3 through the state contract order.

4 LEGISLATOR BIRNBAUM: During a
5 typical snow storm, how many snow trucks
6 would we send out at one time?

7 MR. ARNOLD: We usually would
8 send out all our trucks.

9 LEGISLATOR BIRNBAUM: How many
10 would that be?

11 MR. ARNOLD: About 102.

12 LEGISLATOR BIRNBAUM: Do you have
13 some kind of list of the aging of the
14 trucks, how many?

15 MR. ARNOLD: I have the oldest,
16 16 trucks. We have one truck still being in
17 service built in 1994. Four trucks in
18 service, 1996. Eight from 1997, and three
19 from 1999. Those are our oldest trucks we
20 are looking to replace.

21 LEGISLATOR BIRNBAUM: When these
22 old trucks break they go out of service?

23 MR. ARNOLD: Yes.

24 LEGISLATOR BIRNBAUM: How do we
25 service them?

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2 MR. ARNOLD: We have our fleet
3 mechanics on during any snow emergency, our
4 fleet mechanics are on and working. So any
5 truck that goes down is brought back to the
6 yard and is repaired.

7 Sometimes it can be repaired
8 within the storm and sometimes they have to
9 be put aside and they require further work
10 and then we just have less trucks on the
11 road during that emergency.

12 CHAIRWOMAN GONSALVES: Legislator
13 Rhoads.

14 LEGISLATOR RHOADS: Thank you,
15 Presiding Officer. It's not really a
16 request question as much as it is a
17 statement.

18 I'm sure the Department of Public
19 Works is trying to look at the rolling
20 replacement of these vehicles to try to get
21 ahead of the need to replace them.

22 With a fleet of 102 vehicles and
23 I know you're asking for eight, if the
24 vehicles have a useful life of between ten
25 to 15 years as you indicated, we should be

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2 replacing six to seven vehicles a year each
3 year in order to avoid having a vehicle in
4 service greater than 15 years.

5 So I think the number you are
6 asking for, eight, enables us to at least do
7 this year's installment of trying to catch
8 up on the age of our fleet.

9 MR. ARNOLD: I would agree.

10 CHAIRWOMAN GONSALVES: Minority
11 Leader.

12 LEGISLATOR ABRAHAMS: Ken, just
13 to follow-up, you said there were 102 trucks
14 out there. We have 102 drivers for every
15 storm that mans those 102 trucks?

16 MR. ARNOLD: Every storm is
17 different and what people will come in and
18 work. Our goal is to put out 102 trucks
19 out. I can't say every storm we have
20 everybody is available to us, some people
21 are sick, some people are away. Our goal is
22 to put every one of our trucks out.

23 LEGISLATOR ABRAHAMS: That would
24 be the goal. Obviously you get hit by a
25 nor'easter that would be the goal. But what

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2 actually happens?

3 MR. ARNOLD: I would have to go
4 back and look at my notes. I think in the
5 blizzard we might have had 90 something
6 trucks out with some people not around.

7 LEGISLATOR ABRAHAMS: By my math,
8 we have 101 trucks, that's the goal.
9 However, if you deduct 16 of the old trucks,
10 we're talking about 86 trucks. So we're
11 talking about four old trucks and this
12 Legislative body is to consider a \$2 million
13 bond. It's the same number that I just
14 offered you.

15 MR. ARNOLD: But also during the
16 storm we lose trucks also. During heavy
17 pushing operations, we can lose 20 percent
18 of our fleet during breakdowns.

19 LEGISLATOR ABRAHAMS: But that's
20 systemic tied to the fact that this a very
21 aging fleet. We should probably in the
22 future, with proper procurement practices in
23 place, we should be considering a greater
24 amount of bonding. But we are trying to do
25 what is best for public safety while at the

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2 same time do what's best for Nassau County
3 taxpayers.

4 I think the best we can do is a
5 million dollars, which gets you right in
6 line with that 90 or so number based off of
7 16, off the 102, gets me to 86. So that
8 puts it right at 90. I don't see what the
9 problem is.

10 MR. ARNOLD: It's the department
11 opinion that we need the minimum of eight
12 trucks to ensure the safety of the traveling
13 public during a snow storm.

14 LEGISLATOR ABRAHAMS: Of course,
15 that's what we all want, but it sounds like
16 we are able to do that with 86 trucks very
17 consistently and very easily.

18 We have 86 trucks that are not
19 being asked to be removed from the fleet.
20 That's clearly what he said.

21 I would say that based on the
22 fact that we are doing four, based on what
23 the county uses in terms of its average, and
24 I'm just roughly estimating this, it sounds
25 like to me doing a million dollars with four

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2 trucks addressing the issue of removing four
3 trucks. It doesn't sound like you're using
4 all 16 of these delapidated eroded trucks.
5 It doesn't sound like you are using them all
6 of them all the time. Am I understanding
7 that correctly?

8 Well, it could also snow from
9 hell. A lot of things can happen.

10 With that being said, it's not.
11 The reality is that he just said he's using
12 90. A lot of things can happen.

13 We're lucky. But, look, I
14 thought you guys were the budget conscience
15 ones. We are trying to be budget conscience
16 and, to me, it makes better sense when we
17 have 86 capable trucks and vehicles that can
18 handle the job, and the fact that the county
19 uses 90, it makes more than enough sense to
20 bond for the four, which gets us back to the
21 90 off the 86, reduce it from 102.

22 A lot of things break. Fleet
23 cars in the police department break as well.
24 But anything can happen. But we have to
25 budget and we have to determine where we are

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2 fiscally while at the same time managing the
3 public safety option. I would make at this
4 time --

5 CHAIRWOMAN GONSALVES: We have
6 one more question.

7 LEGISLATOR ABRAHAMS: But we want
8 to make a motion to amend the item.

9 CHAIRWOMAN GONSALVES: Legislator
10 Ford.

11 LEGISLATOR FORD: We would like
12 to follow-up with some of the questioning.

13 My question would be this, is
14 there any possibility whenever we have
15 snowstorms, you really don't know in advance
16 how many trucks will have to go out to clear
17 the roads; is that correct?

18 MR. ARNOLD: We don't know how
19 many drivers we will get to put the trucks
20 out, but our goal is put all of our trucks
21 out on the road.

22 LEGISLATOR FORD: Which would be
23 102?

24 MR. ARNOLD: Yes.

25 LEGISLATOR FORD: And if you

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2 don't have enough drivers or the trucks are
3 broken down and you don't have the proper
4 number of vehicles to clear all the roads,
5 you will have to make decisions as to which
6 neighborhood you are not going to plow,
7 correct?

8 MR. ARNOLD: Well, basically
9 everything takes longer. We would -- the
10 circuits will all take, instead of four
11 hours, six hours or eight hours to get --
12 depending on how many trucks we have out.

13 LEGISLATOR FORD: I know for me
14 living on the south shore a lot of times it
15 is difficult because you have to come all
16 the way down, like you travel maybe farther
17 distances than if you were in the center of
18 the island in order to plow the roads.

19 It's very important because the
20 roads freeze, people can't get through, we
21 need to make sure school buses, we have
22 children who need to get to school or so we
23 can drive safely to get to work.

24 I understand when we talk about
25 trying to look at the budget and to make

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2 sure that we're conscience of what we're
3 spending because we are spending resident's
4 taxpayer money.

5 But I firmly believe that most of
6 our residents would appreciate the fact that
7 we have working snowplow trucks. When the
8 winter hits and there's a lot of snow, the
9 calls that we get are actually from people
10 when their roads are not plowed.

11 If you ever troll through your
12 Facebook messages during snowstorms, most of
13 the complaints come from the fact that
14 people feel that their streets are not being
15 plowed or maybe they're not being plowed
16 properly.

17 I would have to look to your
18 guidance because obviously you've been doing
19 this a lot longer than any of us ever even
20 tried to do and you know exactly what is
21 needed in order to sufficiently plow our
22 roads and to keep our neighborhoods safe.

23 I would have to say that you
24 already know that during the procurement
25 process what you need to do, that we're

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2 going through a state bid, that you have to
3 make sure you order the proper trucks in
4 order to be able to respond to snow plowing,
5 we need to do it now.

6 I have to say that I trust you
7 enough that if you're saying at this point
8 that we need, I guess, the eight trucks,
9 that we should vote on the \$2 million.

10 I would urge the legislators to
11 listen to somebody who has the experience.
12 It has nothing to do with the procurement
13 policy. This is something that we have been
14 doing year after year.

15 If I think somebody who has the
16 expertise and working for the county long
17 enough that we at this point we should defer
18 to him and say, if we need the eight trucks,
19 let's vote for it.

20 CHAIRWOMAN GONSALVES: I have one
21 question. I didn't ask it, but I'm going to
22 ask you. Why, Mr. Arnold, is it expedient
23 that we do it now?

24 MR. ARNOLD: Six to nine month
25 lead time for the state procurement process

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2 for the state bid. So they can have the
3 truck in time for next year's winter
4 operation.

5 CHAIRWOMAN GONSALVES: Would you
6 say that we had a very mild snow year this
7 winter?

8 MR. ARNOLD: With the exception
9 of two events.

10 CHAIRWOMAN GONSALVES: And maybe
11 next year will a worse winter than this
12 year.

13 We are going to work this out in
14 a way that both sides of the aisle will
15 certainly be appreciative.

16 We are going to take a vote on
17 the item as it has been presented to us.
18 Item 103-17, all those in favor of 103-17
19 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 So now it fails. The item fails
24 12 to 7.

25 Now, this meeting is going to be

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2 recessed which means my colleagues on the
3 other side of the aisle, when we come back,
4 we will reconsider it, provided you come up
5 with an amendment in writing.

6 Listen, if we don't have enough
7 snow plows when it really comes down in
8 November, guess what, don't laugh, Mr.
9 Drucker, it could be your district. So the
10 item fails but we're going to come back
11 again. I'm going to put this meeting in
12 recess.

13 LEGISLATOR NICOLELLO: I have a
14 motion to reconsider.

15 LEGISLATOR SCHAEFER: Second.

16 CHAIRWOMAN GONSALVES: Mr. Arnold,
17 don't go away. I just want him to hear.
18 Motion to reconsider is put before -- the
19 motion to reconsider is on those who voted
20 in the affirmative. All those in favor --
21 you made the motion to reconsider. Do you
22 have a second, okay, Laura Schaefer.

23 All those in favor of
24 reconsidering this item, signify by saying
25 aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Guess what, Mr. Klein, we need a
6 motion to table which means you guys better
7 do your homework and get us the amendment.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR FORD: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Nicoletto, seconded by Legislator
12 Dunne. All those in favor of tabling the
13 motion to reconsider signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 Mr. Arnold, this meeting is in
18 recess. So we're probably going to come
19 back on May 8th to reconsider this.

20 MR. ARNOLD: Thank you.

21 CHAIRWOMAN GONSALVES: We are in
22 recess. We now have Rules Committee.

23 (Whereupon, the Full Legislative
24 Committee recessed at 4:13 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 12th day of May, 2017.

FRANK GRAY