

NASSAU COUNTY
TEMPORARY DISTRICTING
ADVISORY COMMISSION

MEETING VI

Held at
THE CITY OF GLEN COVE TOWN HALL
9 GLEN STREET

GLEN COVE, NY 11542

FRANCIS X. MORONEY

CHAIR

Nassau County Legislature

1550 Franklin Avenue

Mineola, New York

October 18, 2022

6:05 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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

COMMISSIONERS:

FRANCIS X. MORONEY, CHAIRMAN

PETER BEE

JOHN J. REINHARDT

MAUREEN FITZGERALD

CHRISTOPHER DEVANE

ERIC MALLETT

DAVID MEJIAS, VICE CHAIR

JARED KASSCHAU

ANDRENA WYATT (absent)

JAMES MAGIN, JR.

MICHAEL PERNICK

EXECUTIVE DIRECTORS:

ELISABETTA COSCHIGNANO

RACHEL WHITMORE

BOARD ATTORNEYS:

VINCENT MESSINA, ESQ.

PETER CLINES, ESQ.

CLERK:

MICHAEL PULITZER

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

PUBLIC COMMENT:

Karen Moskowitz - LWV of Nassau County

Dan Oppenheimer

Kevin McKenna

Stephanie Chase

AGENDA

1. Open meeting - Pledge of
Allegiance

2. Chairman's Statement

3. Introduction of the
Commissioner's

4. Public Statement

5. Adjourn

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2 CHAIRMAN MORONEY: Good evening,
3 ladies and gentlemen. We're going to
4 start this hearing. It's now five past
5 or six past six. Could I ask you all to
6 rise with me and recite the Pledge to the
7 flag.

8 (Whereupon, the Pledge of
9 Allegiance was said by all.)

10 CHAIRMAN MORONEY: Thank you very
11 much. Just so you know what's going on
12 here, you see these little -- They look
13 like dots from the candy store. I'm
14 going to be running the machine. So if
15 you forgive me if I hit it wrong. It's
16 not my forte, but I'll do the best I can.
17 We have a three-minute rule. When it
18 comes to that time, we'll get a
19 notification that, you know, wrap it up
20 if you can and we'll move forward from
21 there.

22 In the meantime, can I have the roll
23 call.

24 CLERK PULITZER: Yes, sir.

25 Commissioner Peter Bee?

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COMMISSIONER BEE: Present.

CLERK PULITZER: Commissioner John
Reinhardt?

COMMISSIONER REINHARDT: Present.

CLERK PULITZER: Commissioner
Maureen Fitzgerald?

COMMISSIONER FITZGERALD: Present.

CLERK PULITZER: Commissioner
Christopher Devane?

COMMISSIONER DEVANE: Present.

CLERK PULITZER: Thank you.
Commissioner Eric Mallette?

COMMISSIONER MALLETT: Present.

CLERK PULITZER: Commissioner David
Mejias?

COMMISSIONER MEJIAS: Present.

CLERK PULITZER: Thank you.
Commissioner Jared Kasschau?

COMMISSIONER KASSCHAU: Present.

CLERK PULITZER: Okay. Thank you.
Commissioner Andrena Wyatt?

(Whereupon, there was no
response.)

CLERK PULITZER: Commissioner James

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2 Magin, Jr.?

3 COMMISSIONER MAGIN: Present.

4 CLERK PULITZER: Commissioner
5 Michael Pernick?

6 COMMISSIONER PERNICK: Present.

7 CLERK PULITZER: Chairman Frank
8 Moroney?

9 CHAIRMAN MORONEY: Present.

10 CLERK PULITZER: We have a quorum,
11 sir.

12 CHAIRMAN MORONEY: If anyone is
13 interested in speaking at this evening's
14 event, right over here on my right, your
15 left (indicating) you'll see the table
16 where Michael Pulitzer is sitting. He's
17 the Clerk for the County Legislature. So
18 if you want to speak and you want to get
19 on the list, please go over there and
20 sign in, okay?

21 In the meanwhile, in each of these
22 proceedings, I have taken the opportunity
23 to put some thoughts on paper. Those of
24 you who've been here upon multiple
25 occasions, and there are a few of you

1
2 that I recognize, will recognize a few of
3 the things that I'm saying so we can all
4 work from the same page.

5 First, I want to thank Tom Alfano
6 for subbing for me last week. He did a
7 heck of a job under difficult
8 circumstances.

9 I'd like to welcome you to the sixth
10 public hearing of the Temporary
11 Redistricting Advisory Commission. This
12 is an opportunity for the residents and
13 taxpayers to suggest and to tell the
14 commissioners what they want to have and
15 what they want to see in their maps.

16 There will be additional
17 opportunities for the public to have
18 input into this process. To date, the
19 members of both the Republican and
20 Democratic delegations have heard from
21 approximately 95 speakers with varying
22 requests to keep various communities
23 together.

24 I trust that the public attendees
25 and those streaming this, watching this

1
2 from stream, are free to share your
3 ideas. We are open to receiving e-mails
4 and the like.

5 (Whereupon, there was an
6 un-mic'd unidentified speaker
7 from the audience.)

8 CHAIRMAN MORONEY: The Commission --
9 Mr. McKenna, you're out of order. You're
10 out of order. You're out of order.

11 (Whereupon, unidentified
12 audience member continues to
13 speak.)

14 CHAIRMAN MORONEY: If I could, the
15 Commission consists of 11 members with a
16 non-voting chair being appointed by the
17 county executives. There are five
18 members appointed by the Presiding
19 Officer and five by the Minority Leader.

20 The Commission permits but does not
21 require public hearings. The priory
22 apportionment processes established the
23 tradition that these hearings will be
24 happening on a regular basis.

25 The County Legislature has allocated

1
2 \$985,000 to fund the work of the
3 Commission. The allocation is divided
4 equally between the commissioners, both
5 appointed by the Presiding Officer and
6 the Minority Leader; however, a portion
7 of the \$985,000 is set aside for services
8 such as stenographic services, American
9 Sign Language interpreters and
10 Spanish-speaking interpreters and other
11 shared costs of the Commission.

12 Each delegation of appointees shares
13 the balance equally for the purchases of
14 the needed mapping technology, software,
15 the hiring of experts, counsel and other
16 staff as they may deem necessary to this
17 process.

18 In developing the map or maps, the
19 Commission must comply with both federal
20 and state law. The proceedings have to
21 be fair and transparent to the public.

22 The transparency is achieved by
23 significant outreach to the public and
24 holding public hearings on any map or
25 maps or plans for redistricting that may

1
2 be submitted to the County Legislature by
3 these commissioners or others.

4 Once maps or plans are drawn, there
5 will be an opportunity for the public to
6 see and give an opinion as to the work
7 product.

8 We are looking forward to a full
9 hearing in early November at a date to be
10 determined.

11 The updated website will have a link
12 to any and all maps that may be presented
13 by any commissioner or anyone else.

14 Thereafter, any map or maps are turned
15 over to the legislature. Likewise, all
16 the transcripts from the public and
17 public comment that are generated by
18 these hearings from the TDAC will also be
19 sent over.

20 There'll also be an opportunity
21 after these hearings close for input, and
22 that date will be announced as and when
23 we get to the last hearing.

24 The full legislature will conduct
25 public hearings on submissions by an

1
2 appropriate legislative committee, then
3 the entire legislation. The goal of the
4 temporary Redistricting Commission is to
5 have our process complete and complete
6 its hearings so that the legislature has
7 adequate time to review any submissions
8 of maps and conduct its hearings.

9 The County Legislation may reject,
10 adopt, revise or amend the redistricting
11 plan or plans recommended by the
12 Temporary District Advisory Commission or
13 adopt any other redistricting plan that
14 meets all constitutional, federal and
15 state statutory requirements.

16 In an effort to achieve
17 transparency, all of the meetings and
18 hearings will be in public and streamed
19 live over the internet, which I believe I
20 said earlier, and the Legislative Clerk
21 will preserve those records. Further,
22 this commission will stream the hearings
23 and keep the record open for a period of
24 time once these are completed which has
25 also been referenced. It will include

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2 the submissions including e-mails and
3 correspondence received prior to the date
4 that the Commission record is closed.
5 Nonetheless, any correspondence or e-mail
6 or information received after that date
7 will also be forwarded to the full
8 legislature for its consideration.

9 In preparation for this hearing, a
10 notice of this meeting and others was
11 sent to the following:

12 - the Office of the County
13 Executive; all the County Legislators;
14 members of the Minority Commission
15 Delegation; members of the Majority
16 Commission Delegation; Nassau County
17 League of Women Voters; the City of Glen
18 Cove; the City of Long Beach; the Town of
19 Hempstead; the Town of North Hempstead;
20 the Town of Oyster Bay; 22 villages in
21 the Town of Hempstead; 30 villages in the
22 Town of North Hempstead; 16 villages in
23 the Town of Oyster Bay; 55 libraries,
24 like the one we're in tonight; 57 school
25 districts; 67 civic associations; 50

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2 chambers of commerce; and, approximately,
3 150 members of news and other media
4 outlets that serve Nassau County.

5 There are additional hearings
6 scheduled for October 20 at the Albany
7 Avenue Community Center and the Elmont
8 Memorial Library on the 26th of October.

9 With that, I'm going to call upon
10 our first speaker.

11 COMMISSIONER MEJIAS: Mr. Chairman,
12 if I may.

13 CHAIRMAN MORONEY: Sure.

14 COMMISSIONER MEJIAS: We do have
15 serious concerns at the silence of the
16 Republican Delegation and the disregard
17 they've had -- they've demonstrated for
18 the integrity of this process.

19 First, at the last meeting, we
20 proposed that in the spirit of
21 transparency that both delegations
22 disclose any experts they have contracted
23 to analyze and develop maps. The
24 Republican delegation, to date, still
25 claims they have not contracted any

1
2 experts and have no one working to
3 analyze or develop maps. Assuming that
4 they are being transparent in that claim,
5 this is even more concerning as it shows
6 that they are either counting on the
7 Republican control legislature to develop
8 the maps and choose their voters rather
9 than their voters choosing them and
10 choose what district lines they want to
11 run in, or it's a clear neglect of their
12 responsibilities to the public.

13 The Democratic Delegation has
14 disclosed their experts and initial
15 findings to the public and we've put our
16 initial reports and findings into the
17 record from both Dr. Daniel Magleby and
18 our expert on demography, Dr. Megan Gall.

19 Secondly, as it is now October 18,
20 at the onset of this process, the
21 Democratic delegation had proposed a
22 resolution that both delegations put
23 forth their proposed maps by October 14,
24 four days ago. Not only did the
25 Republican delegation vote down the

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2 resolution but they continue to propose
3 the maps are released the same day that
4 they would be submitted to the Nassau
5 County Legislature. This is unacceptable
6 and an insult to the process and the
7 people as it gives the people of Nassau
8 County zero time to review the maps and
9 put any concerns or questions they may
10 have on the record.

11 Our experts, Dr. Magleby and
12 Dr. Gall, in their reports had two key
13 findings that should cause alarm and show
14 the seriousness of the redistricting
15 process and the threat of the current
16 maps.

17 Our first expert, Dr. Daniel
18 Magleby, has determined that the current
19 county legislative map is an extreme
20 partisan gerrymander which violates New
21 York State law. In other words, we need
22 to start from scratch with our new maps.

23 Moreover, our demographer and
24 expert, Dr. Megan Gall, has made a
25 preliminary determination that there is

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2 substantial evidence that the current map
3 and any new map adapted by Nassau County
4 that is similar to the current map
5 violates both Federal and State Voting
6 Rights Acts and illegally dilutes the
7 voting rights of members of the minority
8 community.

9 What does this mean? The current
10 maps are completely, legally invalid and
11 must be scrapped. We must start fresh
12 with completely new maps. If we do not,
13 the maps we propose to the County
14 Legislature will be illegal and the
15 Commission will violate its duty under
16 the County Charter to properly propose
17 legally compliant maps.

18 At the last meeting we attempted to
19 show a PowerPoint to the public in order
20 to educate the public better on the
21 redistricting process. We were thwarted
22 and not allowed to present our
23 PowerPoint; however, we did hand out the
24 PowerPoint deck to the public and we do
25 have copies of that deck tonight, which

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2 we'll hand out to the public and was
3 already put into the record. So I'll ask
4 our Democratic staff to hand out to the
5 public, anybody that wants a copy of the
6 PowerPoint which talks about what the
7 redistricting process is and what our
8 responsibilities here of this Commission
9 are.

10 Since the current maps are illegal
11 and must be scrapped, we must start fresh
12 with completely new maps. If we do not,
13 there is a serious threat that the maps
14 and new legislative districts will not
15 only be illegal but members of minority
16 communities will be under represented in
17 government.

18 So I would ask you to look at the
19 PowerPoint that we presented last week in
20 Freeport because redistricting can be
21 confusing. Naturally, many of the people
22 in this room tonight are not familiar
23 with the legal process of redrawing
24 legislative districts. I'll ask that if
25 you have any questions, we'd be glad to

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2 answer them.

3 When we did try to present the
4 PowerPoint at the meeting last week, the
5 five Democratic commissioners all walked
6 out on the public in an illegal recess.
7 The five Republican commissioners all
8 walked out in an illegal recess despite
9 the public's outcry to see the
10 presentation. What you're going to have
11 here today is a copy of the presentation.
12 I'm still not really sure why the
13 Republican delegation didn't want to
14 provide the public with as much
15 information as possible, but I will draw
16 your attention to the PowerPoint that
17 we've handed out today so that you can
18 familiarize yourselves a little bit more
19 with what the process is.

20 Having said that I'll turn it over
21 to Jared Kasschau, my fellow
22 commissioner.

23 COMMISSIONER KASSCHAU: Good evening
24 everyone. Thank you, Dave.

25 I don't want to go into -- to repeat

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2 much of what Commissioner Mejias said,
3 but the one thing that stands out in my
4 mind that bears repeating and it's
5 something that I've repeated at every
6 meeting to date is with respect to the
7 opportunity for the public to review
8 draft proposed maps that are put together
9 by this body.

10 As it stands now, as the Chairman
11 had mentioned, they're planning on having
12 the maps put together and as it stands a
13 matter of hours between the time that
14 those maps were published and the times
15 that they're transmitted to the County
16 Legislature.

17 As Commissioner Mejias had just
18 mentioned, redistricting is a very
19 complex process. It requires expert
20 analysis. There's absolutely no way that
21 the public can have an opportunity to
22 meaningfully review those maps and
23 experts have an opportunity to review
24 those maps before they're transmitted to
25 the Legislature.

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2 I've gone on multiple occasions
3 about our efforts to have the agreement
4 with my colleagues on the other side of
5 the table with respect to producing maps
6 at least one week in advance of those
7 maps being transmitted to the Legislature
8 to no avail and it's extremely
9 frustrating. I think we're doing the
10 public a great disservice by trying to
11 compress the amount of time within which
12 the maps are transmitted, published and
13 then transmitted to the Legislature. I
14 strongly believe as my colleagues do,
15 that those maps should be vetted
16 carefully by not only this Commission and
17 the experts that we've engaged, but also
18 by all of you.

19 With that, I'll pass my time over to
20 Commissioner Pernick.

21 COMMISSIONER PERNICK: Thank you
22 very much.

23 As Commissioner Mejias referenced in
24 his initial comments, the members of the
25 Democratic Delegation have retained two

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2 experts who have been doing objective,
3 non-partisan analysis of the current map
4 to inform our process. They've prepared
5 preliminary reports which we've submitted
6 into the record and you can find them
7 online. They are not on the official
8 website, but they are on a shared drive
9 that the Democratic members have made
10 available to the public. A link to that
11 shared drive is included in the
12 PowerPoint presentation. So you can go
13 ahead and look at the two expert reports
14 that have been submitted to this
15 Commission by the Democratic members.

16 The takeaway from the first report,
17 submitted by Dr. Daniel Magleby, is
18 extremely important. As Commissioner
19 Mejias said, he concluded that the
20 current map and any new map adopted by
21 Nassau County that is similar to the
22 current map is an illegal partisan
23 gerrymander. The results of his analysis
24 leave no room for doubt on that point.
25 And this is important because the laws

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2 have changed over the last ten years.

3 The Municipal Home Rule Law now has a
4 provision that provides, "Districts shall
5 not be drawn to discourage competition or
6 to favor or disfavor incumbents or other
7 particular candidates for political
8 parties."

9 We know the methodologies the courts
10 will look at when evaluating whether that
11 standard has been met, has been complied
12 with, and we know that the current map
13 fails and any map that bears significant
14 resemblance to the current map would
15 fail.

16 How did Dr. Magleby do this? Well,
17 it's pretty simple. He uses a computer
18 simulation to generate 10,000 random maps
19 that comply with the requirements into
20 the law, and he measures the outcome of
21 the map that's being evaluated against
22 those 10,000 maps. What did he conclude?
23 The current Nassau County legislative map
24 has more bias in favor of Republicans and
25 against Democrats than all 10,000 random

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2 simulated maps. That's evidence that
3 courts across the country would look to.
4 The map is an illegal partisan
5 gerrymander.

6 His report officially places this
7 Commission, officially places Nassau
8 County on notice that if we don't start
9 from scratch, if we use that map as a
10 starting point, we will be in violation
11 of the Municipal Home Rule Law's
12 prohibition on partisan gerrymandering.

13 The second report, submitted by
14 Dr. Megan Gall, is a preliminary
15 assessment of whether the map complies
16 with the Federal Voting Rights Act and
17 the State Voting Rights Act. These are
18 incredibly important laws designed to
19 protect communities of color against
20 racial discrimination in voting. The
21 takeaway from her assessment is also
22 really simple and incredibly important.
23 There's substantial evidence that the
24 current map and any map adopted by Nassau
25 County that is similar to the current map

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2 would violate the Federal and the State
3 Voting Rights Act.

4 How did she do this analysis? Well,
5 it's, again, pretty straight forward.
6 She walked through the preconditions, the
7 standards laid out by the United
8 States Supreme Court. She walked through
9 the methodology that is in the New York
10 State Voting Rights Act and concluded
11 that there's an obligation that it's
12 possible to draw a map with five
13 majority/minority districts and there's,
14 therefore, an obligation to draw a map in
15 which voters of color have an opportunity
16 to elect candidates of their choice in at
17 least five districts. The current map
18 was drawn with only three
19 majority/minority districts.

20 In the last ten years because of the
21 growth of the minority community in
22 Nassau County, there are now four
23 districts. She has confirmed that it's
24 possible and, in fact, required to draw
25 five. So any map that doesn't achieve

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2 that goal we're concerned would very
3 likely violate the Federal Voting Rights
4 Act and the State Voting Rights Act.

5 So what does this mean? This also
6 puts us on notice. It puts this
7 Commission and it puts Nassau County on
8 notice that we have an obligation to
9 comply with the Federal and State Voting
10 Rights Act, and if we have a map that
11 looks anything like the current map,
12 we're probably going to violate those
13 statutes.

14 So we have an opportunity to fix
15 those violations now. I know that my
16 colleagues on the Democratic side are
17 committed to doing so and I hope we can
18 work collaboratively with our colleagues
19 on the Republican side to work together
20 to develop a map that complies with all
21 of these requirements that can earn six
22 votes so we can send that to the
23 legislature for a recommendation.

24 Thank you. Dave?

25 COMMISSIONER MEJIAS: We've

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2 repeatedly expressed our concerns about
3 the grave deficiencies in the Republican
4 delegation's approach to the
5 redistricting process so far and we
6 continue to have those concerns. We
7 appreciate all the public input to date
8 and look forward to hearing from you
9 today.

10 Thank you for your time.

11 COMMISSIONER BEE: Mr. Chairman?

12 CHAIRMAN MORONEY: Yes, Mr. Bee.

13 COMMISSIONER BEE: I'd just like to
14 note that I do agree that we seem to have
15 different approaches to the process. My
16 understanding is that we are here to hear
17 from the public. Thus far, we have now
18 spent 20 minutes hearing from the
19 Democratic Delegation that their lawyer
20 has told them that a 10-year old map is
21 illegal. We're here to draw a new map.
22 The first step in that process, we think,
23 is to hear from the public as to how they
24 would like the new map to look. That
25 being said, I request that you call upon

1
2 the first speaker.

3 CHAIRMAN MORONEY: Yes. Karen
4 Moskowitz.

5 MS. MOSKOWITZ: Good evening. My
6 name is Karen Moskowitz, Co-Chair of the
7 Nassau League of Women Voters
8 Redistricting Committee.

9 The League's a non-partisan grass
10 roots non-profit encouraging informed and
11 active participation in our democracy.

12 The League takes position on a
13 variety of public policy issues, but
14 never supports or opposes any political
15 party or candidate. As it has at all
16 earlier public meetings of the
17 Commission, we're here to advocate on
18 behalf of the transparent and inclusive
19 redistricting process. Once again we
20 remind you that redistricting is
21 foundational to the right to vote and
22 that the public must be able to observe
23 the work of the commission, but to date
24 what we lived with is an opaque
25 procedure.

1
2 Firstly, with respect to the current
3 process, repeated requests for an
4 inclusive process in statements to the
5 Commission made by both the League and
6 the public have fallen on deaf ears.

7 There are a few public meetings and
8 working and mapping meetings, if there
9 are any, are held outside the public
10 view.

11 An expanded calendar of public
12 meetings could easily continue into
13 December and still allow the Commission
14 ample time to draw its proposed maps and
15 meet the submission deadline to the
16 Legislature.

17 Despite claims that public meetings
18 are broadly publicized, the public must
19 work to find meeting details. On the
20 official Commission website, details of
21 future meetings aren't posted in a timely
22 manner or require layers of click-through
23 to access. Full meeting information is,
24 however, readily available on the
25 Democratic Delegation's shared drive.

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2 Dates and venues must be publicized with
3 ample notice and the County Clerk's
4 officially designated newspapers.

5 Provisions still have not been made
6 for those who are physically challenged
7 despite that County Legislature and
8 Commission meeting notices clearly state,
9 "The Nassau County Legislature is
10 committed to making its public meetings
11 accessible to individuals with
12 disabilities and every reasonable
13 accommodation will be made so that they
14 can participate." By holding no meetings
15 virtually, the physically challenged
16 aren't able to participate in real time
17 with live oral statements or by
18 responding to questions posed by
19 commissioners.

20 Secondly, the current plan is for
21 the Commission to introduce proposed maps
22 at 5:00 p.m. on November 10 and submit
23 them to the legislature three-and-a-half
24 hours later. This effectively eliminates
25 the public's ability to analyze and

1
2 respond to the maps prior to their
3 submission to the Legislature. It also
4 means the Commission has no intention of
5 holding public hearings to enable the
6 community to express whether the maps
7 meet their expectations.

8 The State Independent Redistricting
9 Commission held a second round of public
10 hearings after the release of its
11 proposed maps and the court, hearing the
12 Harkenrider v. Hochul litigation allowed
13 a window of public comment on the
14 congressional and New York Senate maps
15 proposed by it's court-appointed Special
16 Master.

17 The County Charter gives the
18 Commission until January 7, 2023 to
19 submit their mapping plan. The
20 accelerated November 10 timing
21 demonstrates gross disrespect for the
22 public and is an obvious attempt to
23 bypass community input.

24 The County's redistricting process
25 has been opaque and the lack of

1
2 responsiveness from the Commission on
3 concerns raised show little regard for
4 interest of its residents.

5 The League has suggested remedies so
6 that communities of interest can be
7 fairly served by the Commission's mapping
8 plan. Let's make the efforts necessary
9 for a fair redistricting process. Thank
10 you.

11 COMMISSIONER PERNICK: Ms. Moskowitz,
12 if I may, I first want to thank you for
13 coming. I know that you and other
14 leaders in the League have been deeply
15 involved in this process. I am grateful
16 for that --

17 MS. MOSKOWITZ: Thank you.

18 COMMISSIONER BEE: -- and I know
19 some of the individuals up here are truly
20 grateful for the involvement, the
21 guidance, the testimony from the League
22 throughout this process.

23 I want to elevate two of the points
24 that you have raised. First, virtual
25 meetings. I think you make a very

1
2 important point that virtual meetings
3 would be essential for many members of
4 our community who cannot come out on a
5 weekday evening to participate in person,
6 who may not be able to come to in-person
7 meetings at all and having virtual
8 meetings is a critical step.

9 I introduced a resolution at the
10 outset of this process calling for at
11 least two virtual meetings, one before
12 maps were introduced and one after maps
13 were introduced so the members of the
14 public would have that opportunity. I do
15 hope that's something that we can
16 reconsider in light of the advocacy from
17 the League on that point.

18 Second, I think it's worth elevating
19 the important point you raised
20 overlooking what's happened in the State
21 process even with the compressed
22 timeline; even with the litigation; even
23 with all of the challenges that have
24 plagued the State redistricting process,
25 they were still able to have not only a

1
2 full set of hearings of the Commission
3 after draft maps had been introduced, but
4 a set of hearings in an extremely
5 compressed judicial schedule where there
6 is a week for members of the public to
7 weigh in and participate on proposed maps
8 and have their voices heard.

9 So I think it's really important,
10 the point that you raised, that there's
11 no good excuse for denying the public
12 this opportunity to comment, to weigh in
13 on proposed maps --

14 MS. MOSKOWITZ: And then as you say
15 with respect to Harkenrider v. Hochul,
16 the public was given a mere three days to
17 respond. They either had to
18 send -- e-mail something or drive up or
19 fly up to Bath, New York.

20 In that short amount of time, 3,000
21 public comments were received and the
22 Special Master actually took them into
23 account and a point of fact did respond
24 to something the Nassau League of Women
25 Voters had suggested with respect to how

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2 Long Island is oriented, but 3,000
3 comments in three days.

4 COMMISSIONER PERNICK: Absolutely.
5 Well that, again, speaks to the role of
6 and the impact that something like that
7 can have.

8 Based on your testimony to this
9 Commission, I would, at this point, like
10 to make a motion for this Commission to
11 hold at least one fully virtual hearing
12 in addition to any other hearings that
13 are scheduled for us to hold that after
14 draft maps are released but before a vote
15 is held so that members of the public
16 will have that opportunity to do exactly
17 what the media's been recommending, to
18 participate virtually and have their
19 voices heard in that mechanism.

20 I'll make that motion at this time,
21 and if it's unclear, I'm happy to restate
22 it.

23 COMMISSIONER MEJIAS: Second.

24 CHAIRMAN MORONEY: On the motion --

25 COMMISSIONER PERNICK: And I'll make

1
2 a motion for a roll call vote.

3 CHAIRMAN MORONEY: Mr. Pernick, on
4 that issue, at least two weeks ago, Mr.
5 Mejias was sent an e-mail together with
6 Mr. Clines and I don't know who else was
7 on it, requesting whether or not we could
8 set up a virtual hearing. So there's no
9 reason that I can see why we can't agree
10 to that. That is something that has been
11 on the table. We have not been answered.
12 We don't know where you stand on it. We
13 know where you stand on it, and I'm
14 assuming that this is going to get a
15 positive vote on the part of Mr. Mejias.
16 I don't think there's any objection to
17 that; however -- That's all I have to
18 say.

19 COMMISSIONER PERNICK: My
20 understanding is that the proposal was
21 not to hold a virtual meeting after maps
22 were released. My motion is for us to
23 commit as a Commission to hold one
24 virtual meeting after maps are released
25 and not have that replace another

1
2 meeting, but have a stand alone,
3 additional virtual meeting that we
4 schedule after maps are released. That's
5 the motion that's on the table.

6 CHAIRMAN MORONEY: As to the motion,
7 I don't know why you're afraid to turn
8 this over to the County Legislature?
9 There's certainly competent people,
10 competent people in this audience who can
11 figure out how to do that. You guys just
12 want this thing to go on forever. I
13 don't know why, but that's the reality
14 that makes no sense whatsoever.

15 We have time right now to do a
16 virtual meeting. It's been requested by
17 the League of Women Voters. You have not
18 agreed to send anything back to us. It's
19 laid out there as frequently happens.

20 On another issue -- this issue. It
21 seems that at every one of these
22 meetings, instead of listening to people,
23 a little ambush takes place. Two
24 meetings ago the day before the meeting
25 was held, we received a request for a

1
2 resolution the following day. That's not
3 providing anybody with a lot of notice.
4 That's an ambush. Last week, PowerPoint,
5 and all that was asked was tell us what's
6 in it. Show it. We have no idea what
7 you had in it. Yet, the second ambush
8 accounts, and here we are today, a third
9 ambush. We keep on upping the ante to
10 keep this party going. When it's time to
11 finish up, we're going to finish up. So
12 that's all I have to say on it.

13 COMMISSIONER MEJIAS: First of all,
14 just to make the record clear, my
15 understanding is you wanted to make the
16 last meeting virtual, which we want a
17 virtual meeting in addition to the
18 meeting's that are already scheduled.
19 Second of all, I think it's ironic that
20 you think it's an ambush that you didn't
21 get our PowerPoint in time for the
22 meeting a day or two before, but you want
23 to give the entire county an hour to
24 consider the maps that could determine
25 who represents them for the next ten

1
2 years. So the only ambush happening here
3 is coming from the Republican Delegation
4 on the people of Nassau County.

5 I don't understand why we can't give
6 the people a week or two to look at the
7 maps. Everybody works hard. Maybe you
8 can't take off of work on November 10 to
9 looks at the maps in the hour and quickly
10 tell us what you think. Why can't we
11 give people time to look at these maps,
12 to analyze what we've come up with? Why
13 you can't tell us who's drawing your
14 maps?

15 I'm sure you have a lot of faith in
16 the Nassau County Legislature when you
17 look at how gerrymandered the Presiding
18 Officer's own district is. The Presiding
19 Officer's district is illegal. It's
20 illegal, and he is in charge of the
21 redistricting process, and he will
22 determine what the maps look like. He's
23 going to determine what his district
24 looks like so he can preserve his own
25 power and he's going to determine who his

1
2 voters are, not that the voters are going
3 to determine who their elected official
4 is.

5 If it's too much to ask to give the
6 people more than an hour, don't complain
7 that we didn't give you your PowerPoint a
8 few days in advance, and the PowerPoint
9 was just informing the public about the
10 process. So if you want to talk about
11 ambushes, maybe we should stop ambushing
12 the people of Nassau County.

13 CHAIRMAN MORONEY: Call the roll on
14 the motion.

15 CLERK PULITZER: Yes, sir.
16 Commissioner Peter Bee?

17 COMMISSIONER BEE: Mr. Chairman,
18 it's my understanding the motion calls
19 for an additional hearing post map to be
20 done by Zoom, and while I would encourage
21 the Chair to arrange for Zoom to be
22 available at one or more of our next
23 meetings if it's technologically feasible
24 to do so, I'm going to vote against this
25 particular motion. I've repeatedly said,

1
2 that at this point in time, I'm not ready
3 to commit to additional hearing dates.
4 So for that reason, I will vote no on the
5 motion.

6 CLERK PULITZER: Commissioner John
7 Reinhardt?

8 COMMISSIONER REINHARDT: No.

9 CLERK PULITZER: Commissioner
10 Maureen Fitzgerald?

11 COMMISSIONER FITZGERALD: No.

12 CLERK PULITZER: Commissioner
13 Christopher Devane?

14 COMMISSIONER DEVANE: No.

15 CLERK PULITZER: Commissioner Eric
16 Mallette?

17 COMMISSIONER MALLETTE: No.

18 CLERK PULITZER: Commissioner David
19 Mejias?

20 COMMISSIONER MEJIAS: Yes.

21 CLERK PULITZER: Commissioner Jared
22 Kasschau?

23 COMMISSIONER KASSCHAU: I believe
24 this body has a much more important role
25 than my colleagues on the Republican side

1
2 seem to. The Legislature saw fit to
3 create this Temporary Districting
4 Advisory Commission so that we can take
5 meaningful testimony which means informed
6 testimony from the public, get as much
7 feedback as we can with respect to actual
8 draft proposed maps and then provide
9 informed analysis to the Legislature so
10 that it can make its decision.

11 I don't believe that we're here just
12 to listen to the public speak, and that's
13 it. We have an actual role to play and I
14 believe that we're not doing it right
15 now. So I vote yes or aye on the motion.

16 CLERK PULITZER: Thank you.
17 Commissioner Andrena Wyatt? She is
18 absent.

19 Commissioner James Magin?

20 COMMISSIONER MAGIN: I vote yes.

21 CLERK PULITZER: Commissioner
22 Michael Pernick?

23 COMMISSIONER PERNICK: I vote yes.

24 CHAIRMAN MORONEY: Announce the
25 results.

1
2 CLERK PULITZER: The results are 5
3 no's, 4 yes, 1 absent.

4 CHAIRMAN MORONEY: The motion fails.
5 Now before I move onto the next
6 speaker, if any of you here wish to have
7 your statement put on the record, we have
8 Mr. Pulitzer over here (indicating) so
9 you can fill out the sheet so that we
10 know where you're from, we know what's
11 going on and please go over, because we
12 have very few speakers.

13 Next is Dan Oppenheimer.
14 Mr. Oppenheimer, before you begin, I know
15 you didn't have your address down on
16 here. Maybe when you finish with your
17 presentation you can fill that out with
18 Mr. Pulitzer.

19 MR. OPPENHEIMER: Be happy to. Dan
20 Oppenheimer. I'm a resident of Village
21 of Hempstead. First of all, thank you to
22 Mr. Pernick and the members of the
23 Democratic commission for providing the
24 shared drive. I was able to access that
25 today. If any of you have had a chance

1
2 to look at it I would recommend it. I
3 just got a very quick overview of it.
4 From what I could see it included the
5 population of all 19 districts. Have you
6 had a chance to look at it?

7 CHAIRMAN MORONEY: I haven't been
8 graced with a copy of it, so I can't
9 speak to that.

10 MR. OPPENHEIMER: Okay. I'm sure
11 they could arrange that. Just as a --
12 Again, I can't verify all of the
13 information on there so I'm not really
14 going to speak about the drive, but it
15 seems to me that that really is the
16 substantial information that the public
17 needs to help us with our opinions as you
18 referenced.

19 All of us have opinions, Republican
20 opinions, Democratic opinions,
21 Independent opinions. The more
22 information and data that we have to base
23 these opinions on, to me, is the crux of
24 the matter with this.

25 I wanted to use some of my time to

1
2 read a portion of a story that was in
3 *Newsday* published yesterday. The
4 headline is, "Mineola Mayor and
5 Republican North Hempstead Council
6 Members Sue the Town Over New District
7 Lines." The story goes in part, "The
8 Mayor of Mineola Village along with two
9 Republican North Hempstead Council
10 members have filed a Federal complaint
11 against the Town of North Hempstead
12 asking a judge to invalidate the recently
13 adopted redistricting map as
14 unconstitutional. The complaint sites
15 concerns that the new lines be drawn in
16 accordance with the 2020 census favor
17 Democrats in future elections and
18 diminishes the power of certain voters in
19 the town."

20 Now that sounded familiar to me.
21 Fred Brewington, one or two meetings ago,
22 made reference to there may be a lawsuit
23 following this procedure.

24 I really hope that you're not
25 wasting your time and that it's just

1
2 leading to a lawsuit regardless of what
3 decision you come to, and I certainly
4 hope you're not wasting our time. I
5 travel a little bit to get here. Many
6 people have done the same for a number of
7 meetings. If all that is going to happen
8 from this is a lawsuit with a lot of
9 lawyers getting paid a lot of money to
10 figure out the result and a judge
11 somewhere who also may not be
12 technologically advanced enough to study
13 the district but has to make a decision,
14 I would say that would have been a
15 tremendous waste of time.

16 Thank you.

17 CHAIRMAN MORONEY: Thank you,
18 Mr. Oppenheimer.

19 Kevin McKenna.

20 MR. MCKENNA: Kevin McKenna,
21 Syosset, New York.

22 Mr. Moroney or Mr. Bee, I'm not sure
23 who it was, but you had talked about the
24 fact that almost \$1 million has been
25 allocated towards this committee; is that

1
2 correct? I think it was \$993,000?

3 CHAIRMAN MORONEY: Nine hundred and
4 eighty-five thousand.

5 MR. MCKENNA: Okay. It's posted up
6 on the Nassau County website if you spend
7 some time and you can find it. I'm not
8 sure how senior citizens -- I'm not sure
9 how many people have access to anything
10 if they don't use a computer or whatever.
11 I mean the Republican party you could
12 send out millions and millions of dollars
13 worth of mailers, but you can't send out
14 a mailer to residents, especially
15 seniors, letting them know about the
16 importance of these hearings?

17 On your Nassau County website, you
18 list out the names of all the committee
19 members and you also, right below it, you
20 also post the names of two individuals
21 that you call Co-Executive Directors.
22 One of them is Elisabetta Coschignano. I
23 don't know whether she's ever present at
24 these meetings, and the other one --

25 CHAIRMAN MORONEY: Stand up,

1
2 Elisabethta. She's over there
3 (indicating).

4 MR. MCKENNA: Oh, she is? Okay. I
5 would think out of professionalism, in
6 the beginning I would think that you
7 would introduce all the people that are
8 involved in this committee. The other
9 one is Rachel Whitmore who sits over
10 hidden behind the desk over there.

11 My question is: Are the
12 co-executive -- and Mr. Moroney I thank
13 you for finally answering my e-mail. I
14 had to send about five e-mails to you
15 trying to understand the purpose of the
16 Co-Executive Directors, and your answer
17 to me was in a line or two, "they assist
18 the Board" -- I have a couple of
19 questions.

20 CHAIRMAN MORONEY: The last part of
21 that sentence was left out and that says,
22 "with the daily operations of the
23 Commission."

24 MR. MCKENNA: Okay. My question is
25 do those two individuals, do they talk

1
2 during this process? Do they work
3 together to try to -- in other words, let
4 me give you an example. The last meeting
5 which was in Freeport, it was pouring,
6 pouring rain and the parking lot was to
7 the left of the building and people were
8 getting out of their car going to a door
9 that was locked, and there were no signs
10 to even explain to the public which
11 door -- so do the Co-Executive Director,
12 is it a function of theirs to try to
13 educate the public as to -- What's the
14 purpose, I mean, in some detail, but my
15 real question is I'd like you to tell me
16 and tell us if they work together to try
17 to make this process good? But my
18 question is do they get paid?

19 (Whereupon, there were a
20 couple of Commission members
21 who said yes.)

22 MR. MCKENNA: They do get paid. I'd
23 like to go on the record right now --

24 CHAIRMAN MORONEY: Before you
25 continue, your three minutes are up. If

1
2 you could wrap up, it would be
3 appreciated.

4 MR. MCKENNA: Sure. They do get
5 paid. Can you tell us how much they get
6 out of that?

7 CHAIRMAN MORONEY: I'll be candid
8 with you, I don't know any of the
9 salaries on it at all.

10 MR. MCKENNA: I'd like to go on the
11 record --

12 CHAIRMAN MORONEY: You can call and
13 file a FOIL if you want.

14 MR. MCKENNA: You know what? I
15 think I'm going to withhold what I was
16 just about to say.

17 I think there's a severe conflict of
18 interest with both individuals in the
19 positions that they hold getting paid for
20 this co-executive situation.

21 Can you just tell me do they work
22 together? Do they talk?

23 CHAIRMAN MORONEY: Of course they
24 do. Now can you wrap it up, please? Now
25 you're about a minute past.

1
2 MR. MCKENNA: In closing -- Thank
3 you for the courtesy of just a few extra
4 seconds -- At the last meeting or the
5 meeting before, I explained to everybody
6 about the three legislators in Hicksville
7 about how crazy it is to have three
8 legislators in Hicksville. Guess what?
9 I found out today that there's actually
10 four legislators in Hicksville now
11 because of the recent redrawing. I don't
12 know whether you guys know this. I'm
13 told that Legislator Siela Bynoe, who's
14 on the Democratic side of the Leg, that
15 her district that was recently redrawn
16 goes into a certain part of Hicksville.
17 So now Hicksville has four legislators.
18 That's what I'm told, and he's
19 (indicating) shaking his head yes and the
20 co-director who's behind the desk over
21 there, she's also concurring.

22 Thank you very much for your time
23 and as the last speaker said, I hope that
24 you save the taxpayers' money on a future
25 lawsuit because we've had enough of you

1
2 wasting our money. Thank you very much.

3 CHAIRMAN MORONEY: Thank you for
4 your thoughts.

5 COMMISSIONER MEJIAS: I just want to
6 state for the record that every meeting
7 I've -- I missed one meeting -- but at
8 every meeting that I've been at,
9 Ms. Coschignano has been here as well.
10 So I just want to put that on the record.

11 CHAIRMAN MORONEY: I think that any
12 disagreement we may have amongst
13 ourselves on the dais, I think everybody
14 up here is acting in good will and I know
15 that --

16 COMMISSIONER MEJIAS: They're not
17 paid.

18 CHAIRMAN MORONEY: That's another
19 point in favor, but I do know how hard
20 the staff works because they really keep
21 the thing buzzing along.

22 With that said, Stephanie Chase.

23 MS. CHASE: Hello. Good evening.
24 Glad to see you're feeling better.

25 CHAIRMAN MORONEY: Thank you very

1
2 much for saying that. I appreciate that.

3 MS. CHASE: Okay. As far as
4 transparency goes, I've been to all
5 meetings but one and so far,
6 overwhelmingly, everyone has said the
7 same thing, the public, that we'd like to
8 see the maps at least two weeks before
9 they're turned over, and we just hope
10 you're listening to us. It's been the
11 same thing all the meetings I've gone to.
12 It's the same thoughts from the public.
13 So it's more aligned with this side of
14 the dais (indicating).

15 So I hope you're listening. I hope
16 you'll take what we say, and we are not
17 going into litigation or whatever you
18 guys call it, and wasting money because
19 if you're listening and you wanted the
20 public's input, that's what they've said
21 and also an extra district to represent
22 us properly.

23 As far as you say that they ramble
24 on, but if it wasn't for them, I wouldn't
25 know which way was up. I really wouldn't

1
2 they explain it in very -- lay term --
3 where anybody could understand, because
4 otherwise I would not have known and I
5 wouldn't have traveled all the way from
6 Rockville Centre to get here because I
7 feel it's that important.

8 So I hope you take it into
9 consideration and you listen, you listen
10 to the public. They're telling you --
11 Every meeting I've gone to, they're
12 saying the same things.

13 Thank you.

14 CHAIRMAN MORONEY: Mrs. Chase,
15 before you leave I have a question for
16 you.

17 MS. CHASE: Yes.

18 CHAIRMAN MORONEY: You're from --
19 what village did you say?

20 MS. CHASE: I'm from Lakeview,
21 Rockville Centre section.

22 CHAIRMAN MORONEY: And who is your
23 representative?

24 MS. CHASE: Right now it's Taylor --
25 you're talking about Taylor Darling?

1
2 CHAIRMAN MORONEY: I'm talking about
3 your County Legislator.

4 MS. CHASE: Oh. It's Bynoe, Siela
5 Bynoe.

6 CHAIRMAN BYNOE: Have you heard
7 anything about her map being drawn out of
8 the district?

9 MS. CHASE: I didn't hear yet about
10 that, no.

11 CHAIRMAN MORONEY: Okay. Nor have
12 I. I don't know if anybody else at the
13 dais either.

14 MS. CHASE: Well, that doesn't
15 mean --

16 CHAIRMAN MORONEY: I'm just curious.
17 I know Siela very well. She's a fine
18 legislator.

19 Thank you.

20 MS. CHASE: Okay. Thank you.

21 CHAIRMAN MORONEY: That concludes
22 all the speakers who signed up. Is there
23 anybody left in the audience who wishes
24 to make a statement?

25 (Whereupon, there was no

response.)

CHAIRMAN MORONEY: If not, I want to thank the Glen Cove Police Department as well as the Nassau County Police Department for their presence here today. Thank you very much for being here, and thank you all for coming out and participating.

COMMISSIONER MEJIAS: I'd like to thank the City of Glen Cove and the City of Glen Cove staff, the Mayor and the council members for helping us arrange a meeting here in City Hall and letting us use their chairs for the night.

CHAIRMAN MORONEY: Your three minutes are up. Thank you.

COMMISSIONER BEE: Move to adjourn.

CHAIRMAN MORONEY: Second.

(Whereupon, all members respond by saying, "aye.")

C E R T I F I C A T E

STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 18th day of October,
2022.

Karen

Lorenzo

KAREN

LORENZO

Temporary Districting Advisory Commission 10.18.22			
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