

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

HEALTH AND SOCIAL SERVICES COMMITTEE

ROSE WALKER
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

June 30, 2014
4:05 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

ROSE MARIE WALKER
Chairwoman

FRANCIS X. BECKER
Vice-Chairman

LAURA SCHAEFER

MICHAEL VENDITTO

DELIA DERIGGI-WHITTON
Ranking

JUDITH JACBOS

KEVAN ABRAHAMS

WILLIAM J. MULLER, III
Clerk of the Legislature

LIST OF SPEAKERS

GREG MAY. 6
MARY ELLEN LAURAIN. 13
PAUL BRODERICK. 15
BRIAN HALL. 17

2 CHAIRWOMAN WALKER: I ask the clerk to
3 please take the roll call.

4 CLERK MULLER: Legislator Bynoe is here.
5 Legislator Jacobs?

6 LEGISLATOR JACOBS: Here.

7 CLERK MULLER: Ranking Member DeRiggi-
8 Whitton?

9 LEGISLATOR DeRIGGI-WHITTON: Here.

10 CLERK MULLER: Legislator Venditto?

11 LEGISLATOR VENDITTO: Here.

12 CLERK MULLER: Legislator Schaefer?

13 LEGISLATOR SCHAEFER: Here.

14 CLERK MULLER: Vice Chairman Becker?

15 LEGISLATOR BECKER: Present.

16 CLERK MULLER: Chairwoman Walker?

17 CHAIRWOMAN WALKER: Here.

18 CLERK MULLER: We have a quorum.

19 CHAIRWOMAN WALKER: Thank you, Mr.
20 Muller.

21 LEGISLATOR BECKER: Madam Chair, just
22 for a moment. I just got some terrible news.
23 Apparently the three Israeli boys in Israel have

2 been found dead. So I think, you know, this is
3 one world. If we could just pause just for a
4 moment in silence for these young men.

5 (Whereupon, a moment of silence was
6 taken.)

7 LEGISLATOR BECKER: Thank you.

8 CHAIRWOMAN WALKER: Thank you,
9 Legislator Becker.

10 And if we would all remember certainly
11 them and their families in our prayers.

12 LEGISLATOR BECKER: I understand one of
13 the boys is an American, so that makes it --
14 well, it's bad as it is but makes it even worse
15 for those moms and dads.

16 CHAIRWOMAN WALKER: It certainly puts
17 what we do into perspective, that's for sure.

18 We do have five items on the agenda
19 today. The first is Clerk Item 248-14, a
20 resolution to accept a gift offered by a donor to
21 the Department of Parks, Recreation and Museums.

22 May I have a motion, please?

23 LEGISLATOR BECKER: So moved.

24 CHAIRWOMAN WALKER: By Legislator Becker

25 -

2 LEGISLATOR SCHAEFER: Second.

3 CHAIRWOMAN WALKER: Seconded by
4 Legislator Schaefer.

5 Mr. May.

6 MR. MAY: Madam Chairwoman.

7 CHAIRWOMAN WALKER: Would you like to
8 give us a little report on this?

9 MR. MAY: Yes. First, let me say that
10 Commissioner Brian Nugent or Acting Commissioner
11 Brian Nugent apologizes for not being here today.
12 I understand there was quite a lot of action over
13 the weekend in parks and he needed to be present
14 there. But he will be here at the Full
15 Legislature to discuss this item further. He did
16 ask me to take care of it for him.

17 However, this is a donation from the
18 Tobacco Action Coalition of Long Island for no
19 smoking and smoking designated area signs. The
20 county executive has authorized the acting parks
21 commissioner to regulate and ban smoking in
22 county parks, starting with a complete ban in
23 passive parks and county preserves, and rolling
24 out designated smoking areas in active parks.

25 CHAIRWOMAN WALKER: Thank you, Mr. May.

Are there any questions from the legislators? Legislator Jacobs.

LEGISLATOR JACOBS: Okay. Mr. May, I just wanted to comment. Number one, I'm happy to hear we're going to put signs up. I think it was 2010, along with Judi Bosworth, it was part of a whole package that we did file with the clerk's office, as far as no smoking in parks, no smoking within 50 feet of our buildings. And then following that, in 2012, an issue that no smoking with children under 18 years old or younger in a car, where they're really trapped in a small space and surrounded by smoke.

I'm just bringing this out because it takes so long for us to make a decision to do something here.

I met with the health commissioner, Dr. Eisenstein, and we had a very interesting conversation about Smoking 21, at which point he told me that he was very concerned we'd lose the ATUPA funds. The ATUPA funds is the Adolescent Tobacco Use Prevention Act, which insists that we educate under 18. We get monies in for enforcing the fact that under the age of 18 should not be

2 sold cigarettes. So he was concerned about
3 Smoking 21 interfering with that particular act
4 and our monies. Which I understood when he said
5 it. But when he left I realized, wait a minute.
6 New York City passed it. Suffolk passed it.
7 Westchester passed it. Rockland's about to pass
8 it. Why would we be the only ones that would
9 lose ATUPA money? So I didn't stop there. I
10 called the New York State Department of Health
11 and found out that was absolutely ridiculous.
12 ATUPA monies, as long as we continue to enforce
13 for under 18, they couldn't care less if we went
14 to age 30 in smoking.

15 This is just an opening for me to say to
16 you, I appeal to the county executive to come
17 forward and let this be again his initiative, it
18 doesn't need my name on it. It doesn't need
19 Siela Bynoe on it, because she was with me in
20 Suffolk when we saw the signing of the bill in
21 Suffolk. Let's just do it.

22 We're the only county downstate now who
23 doesn't have Smoking 21. We were the very first
24 county to ever have no smoking in public
25 gathering places. Why would we want to be the

1 only county in the downstate that tells people
2 who are under 21, come on into Nassau. We know
3 you can't buy it where you are, but come on in
4 and we'll give it to you.
5

6 I know you can't answer me Greg, and I'm
7 not even asking you to. But I'm hoping that the
8 county executive realizes that that ATUPA money
9 is not in jeopardy, absolutely is not because if
10 it was none of the other counties would have done
11 it. It's not in jeopardy as long as we keep
12 doing what we're doing. We're doing a great
13 thing. We should join the crowd. We shouldn't
14 stick out like a sore thumb as the only county in
15 the downstate area that isn't brave enough to
16 take a stand. Come on. We were the first county
17 to take the stand originally. If you can get
18 that message back, I'd appreciate it.

19 MR. MAY: Certainly. And I can
20 certainly look into the issue with the State
21 Department of Health. My understanding is that
22 the monies would be in jeopardy.

23 LEGISLATOR JACOBS: I'll tell you who to
24 call. If you want to call me, I will tell you
25 the head who I spoke to.

1 MR. MAY: I will absolutely do that.

2 LEGISLATOR JACOBS: Okay. Thank you.

3 CHAIRWOMAN WALKER: Any other comments
4 from any of the other legislators?

5 (No verbal response.)

6 LEGISLATOR DeRIGGI-WHITTON: Can I just
7 comment? I totally agree with what Judy Jacobs
8 just said. I think as a mom of two teenagers, if
9 we can eliminate any temptation, I really think
10 it's our duty as a county to do it.

11 Any step you can take to make it more
12 difficult, to make them think or be afraid of
13 getting in trouble, I really believe that it's so
14 important. Their minds are not fully developed
15 at that age. Give them a couple of more years to
16 really think about what they're doing.

17 And all those studies have shown that the
18 addiction, if you start prior to 17, the
19 addiction goes up so much higher than should you
20 start after 22. The medical research there. The
21 ethical reasons are there.

22 According to what Judy's information,
23 which I'm happy to hear, we wouldn't have a
24 financial burden either.
25

2 Thank you.

3 LEGISLATOR JACOBS: Greg, I'm sorry to
4 interrupt but I want to say one thing to you.
5 Remember, we passed Smoking 19 in this
6 legislature. So if ATUPA really would have hurt
7 us, it would have hurt us right then and there
8 because they would have said you can't do that.
9 It didn't. That's why I know for a fact it's not
10 true.

11 I know he meant well, by the way. He's a
12 wonderful guy. His fear is unfounded.

13 CHAIRWOMAN WALKER: Legislator Bynoe.

14 LEGISLATOR BYNOE: Thank you. Good
15 evening. Or good afternoon, Greg.

16 MR. MAY: Good afternoon.

17 LEGISLATOR BYNOE: I would like to echo
18 the sentiments of my colleagues. As a former
19 smoker who started somewhere around the age 16
20 and a cancer survivor, I implore you to please
21 look into the suggested ramifications for raising
22 the smoking age and the funding. If the two do
23 not connect, I really would like to see the Full
24 Legislature support smoking forward with Smoking
25 21.

2 Thank you.

3 CHAIRWOMAN WALKER: Is there any public
4 comment?

5 (No verbal response.)

6 If none, all those in favor of Clerk Item
7 248-14 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The item passes unanimously.

12 The next item -- I'll put three of them
13 together, if that's all right.

14 Clerk Item 264-14, an ordinance
15 supplemental to the annual appropriation
16 ordinance in connection with the Health
17 Department.

18 Clerk Item 265-14, an ordinance
19 supplemental to the annual appropriation
20 ordinance in connection with the Health
21 Department.

22 Clerk Item 273-14, an ordinance
23 supplemental to the annual appropriation
24 ordinance in connection with the Health
25 Department.

2 Motion, please?

3 LEGISLATOR BECKER: So moved.

4 LEGISLATOR VENDITTO: Second.

5 CHAIRWOMAN WALKER: Motion by Legislator
6 Becker, seconded by Legislator Venditto.

7 The items are before us.

8 We have Ms. Mary Ellen Laurain.

9 MS. LAURAIN: Good afternoon. Mary
10 Ellen Laurain, Department of Health.

11 Item 264-14 is a supplemental
12 appropriation in the amount of \$75,000 for the
13 sexually transmitted disease intervention
14 program. This is funded through New York State
15 Department of Health and mandated under New York
16 State Public Health Law. The program is designed
17 to prevent the spread of STDs through
18 verification of treatment and contact
19 investigations.

20 CHAIRWOMAN WALKER: Are there any
21 questions on that item from the legislators?

22 (No verbal response.)

23 MS. LAURAIN: Item 265-14 is a
24 supplemental appropriation in the amount of
25 \$54,172. This is for the child, family and

2 safety grant. It was 100 percent funded through
3 New York State Department of -- I'm sorry --
4 through New York State Office of Children and
5 Family Services. This team reviews all deaths of
6 children who reside and die in Nassau County and
7 whose deaths are unexplained or unexpected.

8 CHAIRWOMAN WALKER: Any questions from
9 the legislators regarding this item?

10 (No verbal response.)

11 MS. LAURAIN: The goal is to come up
12 with recommendations and education for
13 prevention.

14 CHAIRWOMAN WALKER: Great.

15 MS. LAURAIN: Item 273-14 is a
16 supplemental appropriation in the amount of
17 \$523,600 for the tuberculosis prevention and
18 control program. This is funded through New York
19 State Department of Health. And the program
20 provides comprehensive services to protect the
21 public from tuberculosis.

22 CHAIRWOMAN WALKER: Any questions or
23 comments from the legislators?

24 (No verbal response.)

25 Any public comment?

2 (No verbal response.)

3 Seeing none; all those in favor of Clerk
4 Items 264-14, 265-14, and 273-14 signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The items carry unanimously.

10 Thank you, Ms. Laurain.

11 Clerk Item 269-14 is an ordinance
12 supplemental to the annual appropriation
13 ordinance in connection with the Department of
14 Social Services.

15 And before us, we have Paul here to speak
16 to us.

17 MR. BRODERICK: Paul Broderick, Deputy
18 Commissioner of Department of Social Services.

19 CHAIRWOMAN WALKER: I'm sorry. We did
20 need a motion.

21 LEGISLATOR BECKER: So moved.

22 LEGISLATOR SCHAEFER: Second.

23 CHAIRWOMAN WALKER: Motion by Legislator
24 Becker, seconded by Legislator Schaefer.

25 MR. BRODERICK: The item before you is a

2 supplemental appropriation for \$345,000 from New
3 York State Department of Education to fund our
4 summer nutrition program, summer food program.

5 Between -- I guess for the next 35 days, between
6 July and August, between 35 to 40 sites they will
7 be serving between 65 to 70,000 meals to
8 children.

9 Do you have any questions?

10 CHAIRWOMAN WALKER: Are there any
11 questions from the legislators?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 I just thank you, Paul. I'm just happy
16 to see that so many of our young people who are
17 taken care of during the school year, in the
18 summer might go hungry without those meals.
19 Thank you very much.

20 MR. BRODERICK: Thank you.

21 CHAIRWOMAN WALKER: All those in favor?

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item carries unanimously.

2 I apologize. We do have one other item,
3 which I first need a motion to suspend the rules.

4 LEGISLATOR SCHAEFER: So moved.

5 LEGISLATOR VENDITTO: Second.

6 CHAIRWOMAN WALKER: Motion by Legislator
7 Schaefer, seconded by Legislator Venditto.

8 All those in favor of suspending the
9 rules?

10 (Aye.)

11 We have one item. Clerk Item 274-14,
12 which is an ordinance supplemental to the annual
13 appropriation ordinance in connection with the
14 Department of Human Services/Office of Mental
15 Health, Chemical Dependency and Developmental
16 Disability Service.

17 Motion, please?

18 LEGISLATOR BECKER: So moved.

19 LEGISLATOR SCHAEFER: Second.

20 CHAIRWOMAN WALKER: Motion by Legislator
21 Becker, seconded by Legislator Schaefer.

22 And we have?

23 MR. HALL: Brian Hall from Human
24 Services.

25 This is a grant from New York State

2 Office of Mental Health. It's \$390,932. It's
3 100 percent funded by the state. It's for mental
4 health, chemical dependency for children and
5 family mental health services.

6 CHAIRWOMAN WALKER: Any comments from
7 the legislators?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 Then all those in favor of this item
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion passes unanimously.

17 That is the last item on the agenda.

18 LEGISLATOR BECKER: Move to adjourn.

19 CHAIRWOMAN WALKER: Motion to adjourn by
20 Legislator Becker --

21 LEGISLATOR VENDITTO: Second.

22 CHAIRWOMAN WALKER: seconded by
23 Legislator Venditto.

24 All in favor?

25 (Aye.)

2 LEGISLATOR JACOBS: Legislator Jacobs
3 has one thing to say. Happy Birthday, Madam
4 Chairwoman.

5 CHAIRWOMAN WALKER: Just so you know, I
6 share this birthday with Legislator Michael
7 Venditto.

8 LEGISLATOR JACOBS: Happy Birthday,
9 Mike.

10 CHAIRWOMAN WALKER: Thank you. Thank
11 you all.

12 (Whereupon, the Health and Social
13 Services Committee adjourned at 4:20 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 state:

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 11th day of July, 2014.

FRANK GRAY