

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,
PRESIDING OFFICER

FULL LEGISLATURE

PETER J. SCHMITT,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

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

PETER J. SCHMITT
Chair

DIANE YATAURO
Minority Leader

KEVAN ABRAHAMS

ROBERT TROIANO

CARRIÉ SOLAGES

DELIA DERIGGI-WHITTON

JOSEPH SCANNELL

FRANCIS X. BECKER

HOWARD KOPEL

VINCENT MUSCARELLA

RICHARD J. NICOLELLO

JUDI BOSWORTH

WAYNE WINK

NORMA GONSALVES

JOSEPH BELESI

DENNIS DUNNE, SR.

JUDITH JACOBS

ROSE MARIE WALKER

DAVID DENENBERG

WILLIAM MULLER
Clerk of the Legislature

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3 CHAIRMAN SCHMITT: We start each meeting
4 with a half hour of public comment. Speakers are
5 asked to keep their remarks to three minutes.
6 I'm sorry. We have to do the roll.

7 CLERK MULLER: Deputy Presiding Officer
8 Gonsalves?

9 LEGISLATOR GONSALVES: Present.

10 CLERK MULLER: Alternate Deputy
11 Presiding Officer Kopel?

12 LEGISLATOR KOPEL: Here.

13 CLERK MULLER: Legislator Troiano?

14 LEGISLATOR TROIANO: Here.

15 CLERK MULLER: Legislator Solages?

16 LEGISLATOR SOLAGES: Here.

17 CLERK MULLER: Legislator Ford?

18 LEGISLATOR FORD: Here.

19 CLERK MULLER: Legislator Scannell?

20 LEGISLATOR SCANNELL: Here.

21 CLERK MULLER: Legislator Becker?

22 LEGISLATOR BECKER: Present.

23 CLERK MULLER: Legislator Muscarella?

24 LEGISLATOR MUSCARELLA: Here.

25 CLERK MULLER: Legislator Nicoletto?

2 LEGISLATOR NICOLELLO: Here.

3 CLERK MULLER: Legislator Bosworth?

4 LEGISLATOR BOSWORTH: Here.

5 CLERK MULLER: Legislator Wink?

6 LEGISLATOR WINK: Here.

7 CLERK MULLER: Legislator Belesi?

8 (No verbal response.)

9 CLERK MULLER: Legislator Dunne?

10 LEGISLATOR DUNNE: Here.

11 CLERK MULLER: Legislator Jacobs?

12 (No verbal response.)

13 CLERK MULLER: Legislator Walker?

14 LEGISLATOR WALKER: Here.

15 CLERK MULLER: Legislator DeRiggi-

16 Whitton?

17 LEGISLATOR DeRIGGI-WHITTON: Here.

18 CLERK MULLER: Legislator Denenberg?

19 LEGISLATOR DENENBERG: Here.

20 CLERK MULLER: Minority Leader Abrahams?

21 (No verbal response.)

22 CLERK MULLER: Presiding Officer

23 Schmitt?

24 CHAIRMAN SCHMITT: Here.

25 CLERK MULLER: We have a quorum.

2 CHAIRMAN SCHMITT: Okay. We have a
3 quorum. I should have announced first that, with
4 the calling of the roll, that obviously the
5 majority does not have a working majority today
6 because one of our members is under the weather
7 and hospitalized and is not here today. So we
8 don't have ten votes; we only have nine votes.
9 And nine votes is not enough to do many of the
10 things that had to be done. So we are in the
11 process of cutting out of the calendar many items
12 that will not be called today. And I will be
13 recessing this meeting. As soon as I'm able, as
14 soon as the missing member is able, we will come
15 back and finish taking care of the business of
16 the day that's on the calendar.

17 Now we start with a half hour of public
18 comment. The first speaker is Robert Rapp. I'm
19 sorry. Robert Rappo. I'm sorry.

20 MR. RAPPO: Hi. Good afternoon. I just
21 want to say my last name is Rappo - R-A-P-P-O,
22 first name is Robert. I came here today thinking
23 that there was going to be a vote for the closing
24 of the precincts. I just wanted to say, first of
25 all, I'm a disabled individual. I have very,

2 very big concerns for public safety. I'm very,
3 very against that issue because of my
4 disabilities. I've also been a crime victim in
5 my life. I feel that community centers for the
6 public is not a fair way to the taxpayers.

7 One of the districts, there was a
8 shooting recently. I saw you, Mr. Solages, on
9 television. This is just something that's very,
10 very -- we don't get a fair shake as disabled
11 individuals. Public safety issues are surely not
12 the way to put this on the Nassau County's back.
13 This will be a serious, serious problem if these
14 precincts do close. I know this is not up for a
15 vote today.

16 Again, I just wanted to say, I can't say
17 how being a victim of a crime has changed my
18 life. I was very glad that because I was able to
19 get the medical attention that I needed and they
20 came so quickly and everything. So I ask those
21 that are in favor of this to think of this very,
22 very carefully.

23 Again, when you're a victim of a crime,
24 think, God forbid that a female is raped or
25 something like that. This is something that

2 should be taken very, very, very seriously.

3 I won't go into any statements. But the
4 county executive of Nassau County should fess up.
5 And people with disabilities, I just want you all
6 to know, we're being discriminated against and I
7 don't like it. I don't like it. I take it very
8 personal.

9 Quality of life issues are very serious
10 here, and this could -- these kinds of issues
11 could escalate into crimes.

12 Again, when this does come up, I
13 appreciate that each one of you will weigh that
14 situation very, very, very seriously. There has
15 to be other ways and other revenue for the
16 county.

17 One last thing I would like to say, I
18 don't know if there's any representative -- most
19 of my dealing has been with the Fifth Precinct,
20 which is one of the precincts to be closed. I
21 have called for non-emergency issues; they've
22 been always very, very responsive. I commend and
23 applaud the executive officer of that precinct.
24 Please, not only to the Nassau County Police
25 Department, but be fair to the public, that's all

2 that I could ask you.

3 Thank you very much for your time. And
4 remember, we have some serious, serious --
5 anybody that wanted to ask on the side -- some
6 serious concerns concerning the disabled. When
7 we're not given our fair share that's
8 discrimination. I gotta just leave it at that.

9 I thank you for your time today, and
10 thank you for giving me the opportunity to speak.

11 CHAIRMAN SCHMITT: Thank you.

12 Linda Miller. Your slip says Woodland
13 Road, but it doesn't say where.

14 MS. MILLER: That's correct.

15 CHAIRMAN SCHMITT: Where?

16 MS. MILLER: Roslyn.

17 CHAIRMAN SCHMITT: Roslyn. Okay. Thank
18 you. Go ahead.

19 MS. MILLER: Honorable Legislators. The
20 reason I am here today is because I am most
21 concerned about the proposal on the table to cut
22 the precincts in half. My number one concern is
23 there is no way, notwithstanding the technology
24 that you were discussing, unless you have it over
25 every square foot of Nassau County, there is --

2 and you're going to redeploy people from desk
3 jobs. There will be more officers out on patrol.
4 I can't quite accept that. I don't think that
5 would happen. I think that especially in today's
6 economy, there is going to be a tremendous
7 increase in burglaries, which I understand since
8 the beginning of the year has already occurred,
9 110 percent or something like that. Just as the
10 gentleman prior to my speaking discussed, Mr.
11 Rappo, my family was a victim of a crime.

12 I grew up on the south shore. And I am
13 scared still by the fact that my house was
14 burglarized, they beat my dog, the family dog
15 over the head, and the dog had to be put to sleep
16 within a month. You have no idea. I know that
17 you are charged as legislators to find ways to
18 cut the deficit in our budget. However, by your
19 proposing to cut the precincts in half, it's
20 going to harm the residents of Nassau County,
21 without a doubt. And you can say anything you
22 want, but you will not convince me that there
23 will not be an increase in crime because there
24 most assuredly will be. And it will be on your
25 heads if you vote for it. And I'm very outraged

2 that you would even consider doing such a thing.
3 There are other ways to trim the fat.

4 In addition, I want to caution you that
5 if there is, in fact, an increase in burglaries,
6 it's going to depreciate the value of our homes.

7 I was president of the PTA in Roslyn for
8 three years. We were successful in defeating the
9 mass burn incinerator. And I assure you I will
10 be going door to door to request that all of my
11 neighbors get out there and petition all of you
12 to put a stop to this most injudicious horrible
13 proposal.

14 CHAIRMAN SCHMITT: Thank you.

15 CLERK MULLER: Legislator Abrahams is
16 here.

17 CHAIRMAN SCHMITT: Heather Smith of Long
18 Beach.

19 MS. SMITH: Everyone ready? Alright.
20 My name is Heather Smith. I am from Long Beach.
21 I am with We the People, Save our Waters
22 Coalition and Sludge Stoppers. Today I am here
23 partly because of this -- everyone this, money,
24 and this, water and transparency. Today we want
25 to talk about what's happening with our sewage

2 treatment plants. And we want to know what's the
3 Legislature knows about it. Because our group
4 has done some investigating, and we want to find
5 out what's happening about the lease of our
6 sewage treatment plants.

7 At this point, we're not in support of
8 it. We can go into why. There's going to be
9 other people talking behind me about our various
10 points. But one of the main reasons that we are
11 concerned with this is because we're afraid that
12 it's going to affect our wallets.

13 We have found in research of other cities
14 that have had a private company take over that
15 their bills go from \$185 a year to \$185 a month.
16 This is a concern. We're not sure if this is
17 going to happen. But Legislators, I ask you, do
18 you know about this issue? And if you do, how
19 much do you know about it? Because our group has
20 started to investigate this and we have the
21 contract from Morgan Stanley, we have it
22 highlighted, we have it sticky noted. So we
23 would love it if you would look into this more
24 with the county executive and also inquire with
25 our group.

2 I would like to, I guess, summarize this.
3 We don't want to get kept in the dark about this.
4 And the reason that we're here today is we see
5 that the Rules and Reg Committee had a little
6 note for \$24,750 going toward Morgan Stanley to
7 start with this deal. But why is it \$24,750?
8 Because it was \$25,000 they'd have to come before
9 you and talk more on this issue, and we really
10 want that to happen. In fact, we want hearings
11 on this issue.

12 We have found that the county executive
13 is going to talk to our group. We are thankful
14 for that. But we want them to talk to you and we
15 want you to find out more of the details.

16 Thank you very much.

17 CHAIRMAN SCHMITT: Legislator Ford.

18 LEGISLATOR FORD: Ms. Smith, hello? I'm
19 over here. Legislator Ford. I thank you very
20 much for coming down. This is a very important
21 topic in regard to the status of our sewage
22 treatment plants.

23 As you may be aware, because I know some
24 of the people that are sitting in the audience
25 with you, that we do have a Western Bays Working

2 Group. At the last meeting we did discuss it.
3 The deputy county executive did come in and gave
4 us an overview as to basically what has happened
5 so far with the RFP going out, for the
6 possibility of trying to get an operator.

7 Rest assured, with something like this,
8 this is something that we're going to look at
9 very closely. And I agree with you, that before
10 anything is done that this does warrant public
11 opinion, public input, and that there will be
12 public hearings on a situation like this.

13 MS. SMITH: Thank you very much. I
14 appreciate that. And I just want to say the
15 devil is in the details with those contracts.

16 LEGISLATOR FORD: Right.

17 MS. SMITH: And that's a tricky thing.
18 Public privatization issues, it's not like the
19 bus.

20 LEGISLATOR FORD: Right.

21 MS. SMITH: There's a pipe going into
22 the water that will affect us.

23 Thank you very much.

24 LEGISLATOR FORD: You know, too, also,
25 you know, the county executive, to his credit,

2 has spent a lot of money on upgrading
3 specifically the Bay Park Sewage Treatment Plant.
4 That plant, when we look at having the TMDL study
5 done over in the Western Bays area, we see that
6 there's been great impairment of the waters and
7 there's a lot of issues with that whole area.
8 From the various sewage treatment plants that are
9 pumping runoff, there's so many things that are
10 impairing the waterways. It's something that we
11 are closely watching.

12 For me, for the time and effort that I've
13 also put in trying to get the Bay Park Sewage
14 Treatment Plant upgraded, fixed, with the TMDL
15 study and so forth, I don't want to, like, just
16 hand it over to somebody else so that they can
17 pollute the water even more. So, I'm on your
18 side.

19 MS. SMITH: Thank you.

20 CHAIRMAN SCHMITT: Legislator Denenberg.

21 LEGISLATOR DENENBERG: Thank you for
22 coming down, Heather. Thanks for all your great
23 work that you've done.

24 Obviously, you know my position on this
25 is that at least the devil we know, which is the

2 county and something that's operating that's at
3 least open to public scrutiny, and particularly
4 the dollars and cents that you know -- the sewer
5 tax is what it is. It actually is something that
6 -- sewage treatment is imperative to the
7 environment, as you showed with your water. It's
8 also imperative to our pocketbooks.

9 As someone who is in a private water
10 district, I'm paying ten times or at least five
11 times for water what people do in a public
12 district. Before we engage on something that's
13 worth \$500 million to a billion dollars, what
14 Legislator Ford said is imperative; there ought
15 to be not just public participation, but public
16 hearings as to whether that's even a way we want
17 to go. And I don't mean a public hearing like
18 Veolia after the contract is presented to us. I
19 mean a public hearing for public input. Mr.
20 Schmitt just said that's all I'm going to get.
21 If that's really true, then I would urge you to
22 keep speaking out. What you deserve is a public
23 hearing on this entire concept and whether that's
24 the way to go, not just one hearing to come down
25 when a contract for half a billion dollars comes

2 down, which would be ridiculous.

3 There is the 24,750 contract which never
4 went to the Legislature, is a first contract with
5 Morgan Stanley. A contract with Morgan Stanley
6 did go to the Rules Committee with about two
7 days' notice in December, where half a million
8 dollars is going over the next year to Morgan
9 Stanley to run a proposal, qualifications, and
10 then negotiate with bidders, and then get five
11 million for financing the deal.

12 MS. SMITH: I know. And the way it's
13 gone about is actually very -- we, the people,
14 are very concerned about what appears to be
15 somewhat of a shady way of going about it. If
16 you're going to do something and you're going to
17 say you're going to fix the sewage treatment
18 plants, then just be transparent about it and
19 don't try to go through the Rules and Reg
20 Committee even if it might seem more efficient.
21 We deserve that.

22 Thank you.

23 LEGISLATOR DENENBERG: You said that's
24 all I was going to get, Peter. Peter, you said
25 that was all the people were going to get.

2 CHAIRMAN SCHMITT: Legislator Denenberg,
3 when the time is right Legislator Ford, whose
4 district -- remember districts? Legislator Ford,
5 whose district this plant sits in --

6 LEGISLATOR DENENBERG: You're wrong.
7 You're wrong on the record. Legislator Ford's is
8 not the district the plant sits in.

9 CHAIRMAN SCHMITT: Then Legislator
10 Kopel.

11 LEGISLATOR DENENBERG: Cedar Creek sits
12 between Legislator Dunne's and my district, and
13 Bay Park sits between Legislator Becker's and
14 Legislator Kopel's district. Physically in
15 Legislator Kopel's district and physically in
16 Dennis' district.

17 LEGISLATOR FORD: Legislator Denenberg,
18 you're absolutely correct as to where the sewage
19 treatment plants sit. But, as you are aware --

20 LEGISLATOR DENENBERG: Let's not forget
21 Glen Cove is in Legislator DeRiggi's district, as
22 well.

23 LEGISLATOR FORD: Right. But you are
24 aware of the fact that even when you were in the
25 majority, I had been involved with the Bay Park

2 Sewage Treatment Plant --

3 LEGISLATOR DENENBERG: Absolutely.

4 LEGISLATOR FORD: With the Bay Parkers
5 in advocating for upgrades there. Even though it
6 was not in my district, because the outflow is
7 basically within my district --

8 LEGISLATOR DENENBERG: Agreed.

9 LEGISLATOR FORD: over in Reynold's
10 Channel -

11 LEGISLATOR DENENBERG: Agreed.

12 LEGISLATOR FORD: As I indicated to Ms.
13 Smith over there, that I will be holding hearings
14 prior and it will not be such as the Veolia
15 hearings.

16 LEGISLATOR DENENBERG: Is that
17 legislative hearings that you're talking about?
18 Okay. Thank you.

19 CHAIRMAN SCHMITT: Michael Mulhall.

20 MR. MULHALL: Good afternoon Presiding
21 Officer Schmitt, members of the Legislature,
22 fellow citizens. I wanted to come here today and
23 speak out on behalf of the community policing
24 program, not because I'm insensitive to the needs
25 of the disabled, not because I'm insensitive to

2 the needs of law enforcement, but rather just to
3 reestablish the fact that the county is in a
4 fiscal crisis. It's been in a fiscal crisis for
5 more than a decade. And despite the fact that at
6 one point the county enjoyed robust reserves of
7 more than \$200 million, I believe the peak at
8 \$282 million, it cannot go without saying that
9 the county over the last several years has been
10 mismanaged to the point that the current county
11 executive inherits a \$310 million deficit. No
12 one is entering into these decisions because he
13 or she wants to do these things. Government is
14 at a limit now; we're at a tipping point. If we
15 are going to go forward and not do these things,
16 not right-size government, the opposite is what's
17 going to hold. You're going to have to raise
18 taxes, raise taxes by double digits.

19 *Newsday* had a report recently where both
20 Nassau and Suffolk County, just to make up the
21 pension liabilities for both counties, are facing
22 \$145 million tab for 2012. So the \$310 million
23 of the deficit, more than half of it is going to
24 pay pension liabilities to the State of New York
25 to make up a shortfall because employees were

2 promised a specific return. When the stock
3 market and capital markets underperform, the
4 taxpayer is asked to subsidize that. In a
5 perfect world, we would like to continue to
6 operate all of the sewage treatment plants, but
7 we're broke. We're \$310 million in the red and
8 we have to come up with money.

9 Now, it's not perfect. I will -- I cite
10 the right side of the legislature here. Over the
11 last five years the track record is unimpressive.
12 I'm going to cite it. 2004, County Executive
13 Suozzi allows \$150 million to go to six different
14 backers through the Nassau Industrial Development
15 Agency with the then-head David Mejias, who then
16 eventually became legislature.

17 We go forward. In 2009, right before the
18 election, Legislator Joseph Scannell, my
19 legislator, with County Executive Suozzi,
20 allocates \$50 million to the development of a new
21 First Precinct in Baldwin. Fifty million. I was
22 surprised that we didn't ask for a luxury hotel
23 to come in and bid on it. Fifty million dollars
24 and no one was outraged. It was only because the
25 county executive got involved that it was right-

2 sized down to a far more less, a more appropriate
3 number, less than \$10 million.

4 And then the hyperbole. The fact that
5 the crime has gone up 110 percent; it has not.
6 Those statistics are flawed. Last year, as many
7 of you recall, we had several snowstorms, and so
8 crime was depressed because of that. If you go
9 back to the previous years, crime rates were
10 flat. You're being told a story because it's
11 politically compelling, it's attractive to half
12 of the side of the legislature here that was a
13 rubber stamp for Tom Suozzi and for profligate
14 financial irresponsibility.

15 I'm going to -- with all due respect to
16 Legislature Solages and Legislator Whitton, you
17 get a pass because you weren't here. But former
18 Legislator and former Presiding Officer Diane
19 Yatauro topped it when she bailed out the City of
20 Glen Cove with \$90 million of Nassau County
21 taxpayer money, \$6 million a year for 15 years.
22 When Legislator Becker tried to question it, she
23 turned off his microphone.

24 So let's add up the cost. There's \$150
25 million that Suozzi gave away in 2004, there is

2 \$90 million that Legislator Yatauro gave to the
3 City of Glen Cove -- that's almost \$290 million -
4 - and another 50 million that if Legislator
5 Scannell had his way I guess would have had the W
6 Hotel in Baldwin for the First Precinct.

7 CLERK MULLER: Your three minutes have
8 expired.

9 MR. MULHALL: That's over \$300 million
10 right there. That's why you can't afford new
11 water treatment facilities, why you can't afford
12 to not make changes for community policing
13 program. So the opposite is true.

14 How much would we have to raise taxes
15 just to offset a \$310 million deficit? Probably
16 close to 40 percent.

17 My final point is Nassau County is broke.
18 We are already under the watch of the Nassau
19 Interim Finance Authority. We've been under
20 their watch for ten years and yet we are still
21 chronically broke. The taxpayers can't afford
22 any more. We're in the fourth year of a housing
23 correction that started at the beginning of the
24 credit crisis. None of these options are what
25 anyone wants to do. But I advocate to you that

2 you have to use commonsense.

3 Almost 45 percent of Nassau County is now
4 above the age of 55 or 60, they're going towards
5 a fixed income, and they cannot afford their
6 current property taxes; the opposite is true. If
7 we don't privatize, I'm going to tell you right
8 now. Do you think the county does a good job
9 managing our water treatment facilities today?
10 They probably don't. My point is they're not
11 going to get any better and it's going to cost
12 money. Are you prepared to have your property
13 taxes raised by 40 or 50 percent? I'm just
14 telling you. That is the opposite.

15 I do know what I'm talking about. I do.
16 I've been coming here for several years and I
17 know the math. All I'm telling you --

18 VOICE: You don't know the math.

19 MR. MULHALL: No, I do know the math.
20 Listen.

21 CLERK MULLER: Your three minutes have
22 expired.

23 MR. MULHALL: My final point. I am
24 urging --

25 CHAIRMAN SCHMITT: Let's have order.

2 MR. MULHALL: I'm urging you. Nassau
3 County is under attack. The taxpayers can't
4 afford any more. My property taxes were \$12,500
5 a year when I bought my home in 2006; they're now
6 in excess of \$19,000. I just read a report in
7 the local herald that cited that as one of the
8 ways Nassau County's trying to make up the money
9 is by increasing the costs passed on to the
10 villages. We are at the tipping point. There is
11 nothing else left.

12 The 177 police cars that are out there,
13 most, if not all, of them are equipped with
14 laptop computers, with devices that scan license
15 plates, that do plenty of work, and none of
16 that's going to change. Not to mention, none of
17 this is going to impact the City of Long Beach,
18 where there is a police force, the City of Glen
19 Cove, that has a dedicated police force, or any
20 of the villages that have their own police force,
21 including Rockville Centre. None of that is
22 going to change.

23 What I'd ask you to do is continue to
24 make the right decisions but in the context of
25 taxpayers who are struggling.

CHAIRMAN SCHMITT: Thank you very much.
Legislator Kopel.

LEGISLATOR FORD: Mr. Mulhall. Mr.
Mulhall. One real quick thing. Thank you very
much.

I always appreciate it when you come
here, actually. You make a very good and
forceful presentation. I just want you to expand
a little bit because it's been suggested to us
that we ought to -- it's been suggested to us and
there's been a lot of mailing going around and
flyers, leaflets and e-mails to the effect that
we really ought to compensation for these
problems by raising taxes. What do you think the
effect of that will be here?

MR. MULHALL: I think that we're in a
position where it's a no win situation. We're
not alone. Listen. Today it was announced in I
think the *Wall Street Journal*, Stockton,
California, has declared bankruptcy. Stockton
was a very affluent part of California. But,
faced with mounting pensions costs -- let's talk
about economics first, Legislator Kopel, in
response to your question.

2 Several years ago you could get a rate of
3 return of about seven or eight percent if you
4 managed your money well. Today, because we're in
5 a new economic paradigm is a reflection of a sick
6 economy that's not likely to get well in the
7 short term. Interest rates are anemically low;
8 thus, to generate a return now, today, two to
9 three percent is considered the gold standard in
10 terms of a return on money. As a result, if the
11 state, if the county, if other municipalities are
12 locked into a contract that guarantees their
13 employees an eight percent investment return,
14 then we are going to continue to see what we
15 have, which is that five percent differential's
16 going to be made up by the taxpayer; the \$310
17 million that County Executive Mangano and the
18 Legislature are going to struggle to kind of
19 close is based on the fact that more than half of
20 that, almost half of it is in pension
21 liabilities, making up that shortfall. That's
22 the biggest issue here, that all these decisions
23 are all seen through the lens of the county's
24 finances.

25 Several years ago this county had, at the

2 time, a \$282 million surplus, led through a
3 series of decisions that went unchallenged. They
4 went unchallenged. There were people on the
5 minority side of the aisle who challenged it.
6 There were people on the majority side who agreed
7 with it. Silence passes for acceptance.

8 I thought all along, you cannot allocate
9 five million here, five million here and it
10 doesn't have a cost; it does. All I'm trying to
11 demonstrate is that if you follow those decisions
12 over the last seven years, they have an impact.
13 They have handcuffed this administration, they
14 have handcuffed this Legislature, and forced you,
15 compelled you to take these decisions. Because
16 the opposite is true.

17 When the County raised taxes in 2000, I
18 believe, I think it was a 20 percent tax hike
19 that generated approximately \$120 million. So,
20 today, to close a \$310 million deficit we're
21 talking about raising the Nassau County portion
22 of your taxes somewhere between 40 and maybe as
23 high as 50 percent just to satisfy this debt.
24 What I think the public needs to be aware of the
25 fact is that the five year plan the county

executive put forward in his last year in office had many assumptions in there that were extremely rosy and went unchallenged. The best example is that 40 percent of Nassau County's revenue comes from sales taxes, and he had in there projections that were 100 million greater every year out, from one billion to 1.1 billion, to 1.2 billion, to 1.3 billion. This is what he left the current county executive with.

Meanwhile, we all know that in 2009 county sales tax revenues declined down to around 850 to \$900 million. They needed to be re-baselined. So the idea is that this is not a one-time crisis. The county is facing a series of three to four years out of chronic financial debt. This is not a one off. Even if we save 12 million or whether it's 20 million --

LEGISLATOR KOPEL: What you're saying, though, is it's not really a revenue problem, it's a spending problem.

MR. MULHALL: It is. We misallocated our money.

LEGISLATOR KOPEL: We misallocated our money.

1 I will tell you that in my district,
2 every one of our districts comprises several
3 school districts. Everybody. It's very
4 noticeable when you pass from one district to
5 another, there's a striking difference in real
6 estate values. The higher cost districts, real
7 estate values are inevitably lower. It could be
8 just across the street, there's a very striking
9 difference. You go to some of these higher costs
10 areas, you find stores are empty, offices are
11 empty. And I believe there's a strong cause and
12 effect.
13

14 MR. MULHALL: It's funny. And I will
15 wrap up my time because I want to let other
16 people speak.

17 Governor Cuomo is addressing this issue
18 because he knows his entire re-election rests on
19 this; the ability to correctly manage the State
20 of New York right now. One in five tax dollars
21 that the State of New York enjoys in Albany comes
22 from Wall Street. Wall Street is seeing
23 declining revenues. Why? Because of new
24 financial regulatory burdens being put upon it by
25 Dodd Frank. Revenue's been cut in half for most

2 of the investment banks, and as a result there's
3 going to be declining revenue to Albany, and
4 Albany already knows that. So what is Governor
5 Cuomo doing? He's proposing Title VI pension
6 reform. I don't understand how the governor, a
7 man who shares your party, is actually leading
8 the effort for financial reform and yet many of
9 you here want to keep it as politics as usual.
10 PAU for the PBA. Legislator Scannell is the
11 darling of the PBA. It's got to be bigger than
12 that. The PBA has to understand that the
13 taxpayers are under duress, under duress.

14 And someone else was talking about
15 homeowner values. Homeowner values are a
16 reflection of your property taxes too. If your
17 property taxes start to exceed a specific rate,
18 no one is going to buy your home. And that's
19 back to my point, Stockton, California. The home
20 values in Stockton, California plummeted.
21 Plummeted.

22 CHAIRMAN SCHMITT: Legislator Becker.

23 LEGISLATOR BECKER: Mr. Mulhall, you
24 mentioned one thing very briefly, something about
25 the incorporated village. I didn't catch what

2 you said. It's passed on to the --

3 MR. MULHALL: A report in *The Local*
4 *Herald* weeks ago about Mayor Murray --

5 LEGISLATOR BECKER: Yes. The
6 headquarters' tax.

7 MR. MULHALL: Correct. And I believe
8 it's jumped up to up to six to \$8 million. I
9 haven't seen a response yet from Legislator
10 Scannell on that effort as my legislator. But
11 the village is struggling to address those costs.

12 LEGISLATOR BECKER: Mr. Mulhall, I just
13 want to add one thing to you. This is really for
14 the benefit of the new members of this
15 legislature. There's a history here. And I hope
16 they kept an open mind as to what you were
17 saying. Unfortunately, you wish there was no
18 blame here, but there is.

19 When County Executive Tom Suozzi was
20 elected, contrary to what people believe, I
21 embraced - I embraced his candidacy. I embraced
22 his --

23 MR. MULHALL: His first two years were
24 fantastic.

25 LEGISLATOR BECKER: He came into this

2 county and I was looking forward to his
3 leadership. Unfortunately he really wasn't
4 interested in running the county; he wanted to
5 run for governor.

6 MR. MULHALL: Correct.

7 LEGISLATOR BECKER: Wait a minute. I
8 have an important comment to make here.

9 One of the things you didn't mention, as
10 far as the mismanagement, incompetence, was the
11 tax certiorari proceedings and laws in this
12 county. When he was first elected we were paying
13 out \$100 million a year in tax certiorari
14 proceedings. I went against my party and voted
15 for reassessment of this county because this
16 problem I thought had to be addressed, it had to
17 be ended. There's no way, aside from some of the
18 other issues that we face in this county, that we
19 could financially be able to continue to bond
20 \$100 million in refunds year after year after
21 year. Over the next four years we spent \$65
22 million reassessing this county. Sixty-five
23 million dollars. Once again, this is when Mr.
24 Suozzi was the county executive and the democrats
25 had the majority.

CHAIRMAN SCHMITT: Mr. Becker, is there a question here?

LEGISLATOR BECKER: Yes. I have a question.

We thought that reassessment would fix that problem. Because nobody was watching the store, nobody managed the process properly on the other side of the aisle --

LEGISLATOR DENENBERG: Fran, reassessment was under Gulotta.

LEGISLATOR BECKER: It started then, yes. But it didn't end. He was gone. He was gone. We had \$100 million year after year --

CHAIRMAN SCHMITT: Let's go.

LEGISLATOR BECKER: It was not addressed. This County is saddled with \$1 billion in additional debt because of the mismanagement of the prior administration. It's important to know. It's important to recognize that this is the truth. And I was looking forward to his leadership in this County, but unfortunately it didn't work.

MR. MULHALL: Legislator Becker, I share your comments. Mine wasn't so much today fault

2 finding. Mine was just to set the tone for the
3 fact that people need to understand the context
4 of which these decisions are being made in. The
5 decision's not which is the best decision. The
6 decision's really coming down to which is the
7 most affordable one, which is the one that we can
8 afford to live with. It's not ideal in some
9 respects, some of the decisions you're going to
10 have to entertain, but they are the ones that are
11 the most affordable. And that's what I'm asking
12 people to consider here today, is that we have to
13 live within our means. The economy is dictating
14 this and we need to make decisions that reflect
15 that new paradigm that we are living in.

16 Thank you.

17 CHAIRMAN SCHMITT: Thank you.

18 Jane Thomas, Port Washington, League of
19 Women Voters.

20 MS. THOMAS: Good afternoon, members of
21 the Legislature. My name is Jane Thomas. I am
22 the vice president of the League of Women Voters
23 of Nassau County. My colleague, Barbara Epstein,
24 is with me today.

25 The League is a non-partisan

2 organization, which you know, which encourages
3 informed and active involvement in government and
4 influences public policy through education and
5 advocacy. The League of Women Voters of Nassau
6 County seek fair redistricting in Nassau County,
7 calls on the County Legislature to follow the
8 Nassau County Charter, Section 113, and to
9 appoint a temporary advisory commission to
10 execute fair and inclusive redistricting. Many
11 other organizations in the County are joining the
12 League in this endeavor. There is a list at the
13 back of the statement we've just handed in, and
14 several are joining every day. One joined
15 yesterday, the Uniondale Community Council.

16 We believe that an independent, non-
17 partisan commission should be convened to
18 accomplish this. The membership and process of
19 this commission must be transparent,
20 geographically diverse and representative of the
21 various populations of Nassau County.

22 Several of the points, the key point that
23 are important to this commission are as follows.
24 One; they should hold public hearings prior to
25 committee members and subsequent to the same.

2 These meetings will enable the commission to
3 receive input from the public before the
4 development of the plan as well as public
5 response to all proposals before presentation to
6 the legislature.

7 Two. Consider hearings be held in each
8 of the towns and two cities, at different times
9 of the day and evening in order to enable as many
10 members of the citizenry to participate as
11 possible.

12 Three. Extend these meetings
13 geographically so that they are accessible to our
14 diverse populations.

15 Four. Post notice for all meetings at
16 least seven days in advance.

17 Five. Design voting districts so that
18 they are contiguous, reasonably compact, and
19 fairly representative of identifiable communities
20 of interest. Wherever possible, a concerted
21 effort should be made to keep cities, towns,
22 villages, and unincorporated areas intact.

23 Six. Adhere to the Voting Rights Act and
24 take into consideration Nassau County's minority
25 populations.

2 Seven. Develop and maintain a website
3 where hearing times, location and dates are
4 clearly posted, all committee minutes are cited
5 and recorded in a timely fashion, and all
6 proposed district maps are published. Further,
7 the website should include all data considered by
8 the commission and also provide a mechanism for
9 members of the public to comment on proposed
10 maps.

11 We hope that the legislature will follow
12 these recommendations. And for a good source of
13 information on redistricting, we are making
14 available to you today this -- each one of you
15 will get a copy of a Citizen's Guide to
16 Redistricting, prepared by the Brennan Center for
17 Justice. So we will be giving that to you now.

18 CLERK MULLER: Three minutes have
19 expired.

20 MS. THOMAS: Sorry?

21 CLERK MULLER: Three minutes have
22 expired.

23 MS. THOMAS: I'm finished.

24 CHAIRMAN SCHMITT: Wrap it up. Go
25 ahead.

MS. THOMAS: We're finished. That's it.

LEGISLATOR DENENBERG: If you were the prior speaker you would get 30.

CHAIRMAN SCHMITT: I would appreciate it if the people who are not running this meeting would can it. I'll make those decisions. You can continue.

MS. THOMAS: Thank you, except that I'm finished. But I'd love to hear from you about this.

CHAIRMAN SCHMITT: I will be happy to respond to you. First of all, I'm delighted to see the League of Women Voters raising its head. I don't know where you were in 2003 when the county last redistricted itself, or where you've been for the last ten years when the Democrats ran the Legislature.

LEGISLATOR WINK: I suspect that in 03 there wasn't an illegal redistricting that was done by the Democrats.

MS. THOMAS: Exactly.

LEGISLATOR WINK: So that may have been why the League of Women Voters didn't feel the need to be here.

2 CHAIRMAN SCHMITT: No, no, no. I'd be
3 happy to go over this as long as --

4 LEGISLATOR WINK: I know what happened
5 in 2011; that I know.

6 CHAIRMAN SCHMITT: The County Charter --

7 LEGISLATOR DENENBERG: So do the courts.

8 CHAIRMAN SCHMITT: The County Charter
9 has three sections -- 112, 113, and -- 111, 112 -
10 - 112, 113, and 114. 112 mandated, in our
11 opinion, which has been accepted by the Court of
12 Appeals that what was done was done in a legal
13 manner, just that the lines that were drawn and
14 adopted could not be used in last year's
15 election.

16 LEGISLATOR WINK: And if you knew that
17 going in, you wouldn't have done it in the first
18 place, Peter. You know --

19 CHAIRMAN SCHMITT: Here's the pertinent
20 information --

21 LEGISLATOR WINK: that as well as I do.

22 CHAIRMAN SCHMITT: for the League of
23 Women Voters. I can assure you --

24 LEGISLATOR DENENBERG: Let the people
25 know and Mr. Mulhall know that that cost us \$3

2 million.

3 CHAIRMAN SCHMITT: If they still stop
4 their carping across the way.

5 I can assure you that the provisions of
6 the County Charter will be followed to the
7 letter. To the letter. There will be a
8 commission activated. It will have ten members;
9 five will be appointed by myself, five will be
10 appointed by the minority leader, and the county
11 executive will appoint a non-voting chairman.
12 That commission will go off and do all of the
13 things that you mentioned in your remarks.

14 How the commission acts -- you should
15 appear, when the time comes, in front of that
16 commission and again go over that list of how you
17 would like to see the hearings and maps and so
18 forth and so on, because that will be up to this
19 commission to do, not to this legislature. So
20 they will then go through that process and then
21 at a certain time prescribed by the Charter they
22 will present to the legislature their
23 recommendations and then the legislature will
24 decide either to accept their recommendations or
25 to substitute their own.

2 MS. EPSTEIN: Two questions I might ask
3 on that.

4 CHAIRMAN SCHMITT: Certainly.

5 MS. EPSTEIN: One, when do you plan to
6 set up the advisory commission?

7 CHAIRMAN SCHMITT: The commission will
8 be activated sometime between March and May.
9 We're working on determining a date right now.

10 MS. EPSTEIN: And then will -- once the
11 commission is set up will there be public notice
12 about any hearings that they might have so that
13 we may have the opportunity to speak before the
14 commission?

15 CHAIRMAN SCHMITT: Yes. There will be
16 public notice. They operate under the same rules
17 and regulations that we do.

18 Legislator Abrahams.

19 LEGISLATOR ABRAHAMS: First, I want to
20 thank you for coming down. One quick thing.

21 You had mentioned independent
22 redistricting in your comments. You should just
23 know that Section 114 does not allow for
24 independent redistricting process to exist here
25 in Nassau County. That would have to be some

2 type of change to the current Charter in order
3 for that process to go forward. What you're
4 hearing now is basically the current process, as
5 they see fit. So there will not be any type of
6 independent review of the maps if the Charter was
7 to be executed the way it is currently today.
8 Just so you know.

9 MS. EPSTEIN: We realize that.

10 LEGISLATOR ABRAHAMS: Okay.

11 MS. EPSTEIN: There's nothing to say we
12 couldn't advocate for that and hopefully --

13 LEGISLATOR ABRAHAMS: I'm not saying you
14 shouldn't. And I think you should. I just
15 wanted to make sure that you knew that what's
16 spelled out in the Charter now that calls for the
17 minority and majority putting five members to a
18 particular commission and then the county
19 executive putting the leader of that commission,
20 a non-voting person, I just want you to know
21 that's not the equivalency of an independent
22 redistricting commission, which I'm sure you
23 know. But I just wanted to make it clear that
24 that mechanism is not there.

25 MS. THOMAS: We're not asking here

2 anything that we aren't asking of New York State.
3 Of course, Andrew Cuomo is calling himself for an
4 independent commission. So we're asking
5 essentially for the same thing. We're advocating
6 for that.

7 LEGISLATOR ABRAHAMS: I was just about
8 to ask you. Obviously, the League of Women
9 Voters of the County supports an independent
10 redistricting process.

11 MS. EPSTEIN: On the state level, of
12 course. On every level of government, frankly.

13 LEGISLATOR ABRAHAMS: Okay. On the
14 Nassau County level.

15 MS. EPSTEIN: As well as the state.

16 LEGISLATOR ABRAHAMS: As well as on the
17 state. Thank you.

18 MS. THOMAS: I just have a question
19 about it.

20 CHAIRMAN SCHMITT: The commission --
21 you'll have an independent commission, that's
22 what the five members and the five members.
23 That's an independent commission.

24 MS. THOMAS: My question is --

25 CHAIRMAN SCHMITT: The State of New York

2 doesn't have that. They don't have a
3 redistricting process that's -- they don't have a
4 Charter. They don't have a redistricting process
5 that's a guideline or chiseled in stone for them
6 to follow every ten years; we do.

7 MS. THOMAS: Right. The question I
8 would raise is -- one of the things that we
9 talked about was a website for the commission.
10 Now, is that under their jurisdiction or is that
11 something that the Legislature can request of
12 them?

13 CHAIRMAN SCHMITT: Well, we can request
14 it but the commission has a budget, and it's a
15 half a million dollars --

16 MS. THOMAS: Right.

17 CHAIRMAN SCHMITT: and if they wish to
18 expend or use the county website -- when we get
19 to that point I'm sure something can be worked
20 out. The county has a website and we have the
21 ability to make one available to them and we
22 certainly would do so.

23 MS. THOMAS: Thank you very much.
24 Appreciate it.

25 LEGISLATOR ABRAHAMS: If I may, Peter.

CHAIRMAN SCHMITT: Oh, yes, of course.

LEGISLATOR ABRAHAMS: Just so you know, I heard the Presiding Officer mention that this is an independent commission. In our estimation, in our point of view, bipartisanship, in terms of both sides picking members is not the equivalency of redistricting being independent.

CHAIRMAN SCHMITT: It was ten years ago.

LEGISLATOR ABRAHAMS: The Cuomo legislation, which I am sure which you have read, requires a level of steps as well as the criteria in selecting the members to the commission in terms of their background and not having previous -- not being previous elected officials, so on and so forth. So we just don't want you to leave, and I'm sure you're not, with the misconception that bipartisan in selecting this commission is the equivalency of independent redistricting.

MS. THOMAS: I understand.

CHAIRMAN SCHMITT: And I would suggest since you weren't around in 2003 that you get, my office would be happy to make it available to you, that you review the transcripts of the

2 hearings that were held and hear then-Presiding
3 Officer Judy Jacobs talk about what an
4 independent commission has done and how it's
5 bipartisan because of the minority leader's
6 appointments and presiding officer's appointment.
7 It was good enough ten years ago; it's good
8 enough for now. We're going to follow the
9 Charter to the letter. It's the law. It's not
10 my choice, it's the law.

11 MS. EPSTEIN: I understand you're
12 following the charter, okay. But the point is
13 that what we want is to have an open and
14 transparent process that follows what the Charter
15 says --

16 CHAIRMAN SCHMITT: And you will have it.

17 MS. EPSTEIN: so that the residents of
18 Nassau County have an opportunity to speak as to
19 their particular points of view, before and
20 after.

21 MS. EPSTEIN: And that you will have.
22 And if you have any complaints or if you have --
23 if you see that not being the case, feel free to
24 contact my office and we'll get involved to fix
25 that. We're going to have transparency.

2 LEGISLATOR ABRAHAMS: I don't want to
3 make a bone of contention. I think the majority
4 had an opportunity. Last year they took
5 advantage of an opportunity to not do something
6 transparent and try to ram a redistricting plan
7 in a matter of three weeks through this
8 legislature.

9 It's hysterical to me - why I'm laughing
10 in my head. The fact remains that this
11 legislature took a vote in a matter of three
12 weeks, which the State Court of Appeals basically
13 reversed that decision, and for them to say that
14 that process was transparent is almost laughable.
15 It really truly is.

16 CHAIRMAN SCHMITT: It was conducted
17 according to the Charter and followed every rule
18 of law.

19 LEGISLATOR ABRAHAMS: Unfortunately, the
20 highest court in the state did not agree with
21 you.

22 LEGISLATOR DENENBERG: Three million
23 dollars later, though.

24 CHAIRMAN SCHMITT: Let's concentrate on
25 2012 and what our responsibilities under the

2 Charter are. You and I both share
3 responsibilities and legal mandates to perform
4 certain duties, and I'm going to perform them on
5 my side; I assume you will comply with them.

6 MS. EPSTEIN: We're looking forward to
7 following what the Charter says and to have the
8 process that is amenable to the residents of
9 Nassau County, that they have an opportunity to
10 speak before the maps are drawn and after the
11 maps are drawn so that they feel that they're
12 having input on to what's going on.

13 CHAIRMAN SCHMITT: Legislator Ford.

14 LEGISLATOR FORD: I thank you very much
15 for coming down and speaking about this because
16 it is very, very important.

17 Rest assured, I like many of the
18 recommendations, if not all of them, that you
19 have made. And I do believe that we need to have
20 public input on the redistricting. Even the last
21 time when they redistricted, when we talked about
22 some of the villages and some of the smaller
23 areas that have been cut in half, I think that
24 even for us, we have the small area of Island
25 Park that has been separated. And hopefully

2 under the -- when we do redistricting that we
3 would put it back together, so to speak. And I
4 understand what the concern is. Because a lot of
5 times with the villages, they are such small
6 little hamlets that all of a sudden if they are
7 divided, instead of having one person represent
8 them they got to try to, like, work with two
9 different people. So I truly understand and
10 appreciate everything that you've said.

11 And I do believe that this is --
12 regardless of what happened last year it was, you
13 know I didn't agree with it, but this is a new
14 year. Let's try to start the process and do it
15 right.

16 MS. EPSTEIN: Right. And also, we
17 realize that the process affects all of us for
18 the next ten years, so it's important to keep
19 that in mind. And thank you very much for your
20 time. We really appreciate it.

21 LEGISLATOR FORD: Thank you.

22 CHAIRMAN SCHMITT: Okay. We're going to
23 -- that concludes more than half an hour of
24 public comment. So we're going to go to the
25 calendar and conduct the business of the

2 calendar, and then we will return to public
3 comment. I don't expect this calendar will take
4 very long.

5 As I indicated at the start of the
6 meeting, many items are not going to be called
7 that are listed on the calendar. We have a
8 consent -- what we call a consent calendar, which
9 are items that the Minority and Majority agree
10 should just be passed because they've been vetted
11 in committees. So I'm going to call that consent
12 calendar now.

13 Item Number 6, Resolution Number 16; Item
14 7, Ordinance Number 8; Item 9, Ordinance Number
15 10; Item 10, Ordinance Number 11; Item 11,
16 Ordinance Number 12; Item 12, Ordinance Number
17 13; Item 13, Ordinance Number 14; Item 14,
18 Ordinance Number 15; Item 15, Ordinance Number
19 16; Item 16, Ordinance Number 17; Item 17,
20 Ordinance Number 18; Item 18, Ordinance Number
21 19; Item 19, Ordinance Number 20; Item 20,
22 Ordinance Number 21; Item 23, Ordinance Number
23 24; Item 24, Ordinance Number 25; Item 26,
24 Ordinance Number -- I'm sorry -- Item 25,
25 Ordinance Number 26; Item 26, Ordinance Number

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2 27; Item 27, Ordinance Number 28; Item 28,
3 Ordinance Number 29; Item 29, Ordinance Number
4 30; Item 30, Ordinance Number 31; Item 31,
5 Ordinance Number 32; Item 32, Ordinance Number
6 33; Item 33, Ordinance Number 34; Item 34,
7 Ordinance Number 35; Item 35, Ordinance Number
8 36; Item 37, Ordinance Number 38; Item 39,
9 Ordinance Number 17 -- I'm sorry, Item 39 is a
10 Resolution Number 17; Item 44, Resolution Number
11 22; Item 45, Resolution Number 23; Item 48,
12 Resolution Number 26; Item 47, Resolution Number
13 25; Item 48, Resolution Number 26; Item 49,
14 Resolution Number 27; Item 50, Resolution Number
15 28; Item 51, Resolution Number 29; Item 52,
16 Resolution Number 30; Item 53, Resolution Number
17 31; Item 54, Resolution Number 32; Item 55,
18 Resolution Number 33; Item 56, Resolution Number
19 34; Item 57, Resolution Number 35; Item 58,
20 Resolution Number 36; Item 60, Resolution Number
21 38; Item 61, Resolution Number 39; Item 62,
22 Resolution Number 40; Item 63, Resolution Number
23 41; Item 64, Resolution Number 42; Item 65,
24 Resolution Number 43; Item 66, Resolution Number
25 44.

2 May I have a motion, please?

3 LEGISLATOR GONSALVES: So moved.

4 LEGISLATOR DUNNE: Second.

5 CHAIRMAN SCHMITT: Moved by Legislator
6 Gonsalves, seconded by Legislator Dunne.

7 Any public comment on any of those items?

8 (No verbal response.)

9 All those in favor please say aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The items carry unanimously.

14 Just for the record, we are not calling
15 Item Number 1, Item Number 2, 3, 4, or 5, Item
16 Number 8, Item Numbers 21, 22, Item Number 36,
17 Item Number 40, 41, 42, 43, 46, 38 as well, Item
18 Number 59 and Item Number 67.

19 I am going to recess this meeting,
20 subject to the call of the Chair at which time we
21 will reassemble and take care of business. So,
22 this meeting will be in recess.

23 (Whereupon, the Full Legislature recessed
24 at 2:10 p.m.)

25 CHAIRMAN SCHMITT: We're going to return

2 to public comment.

3 The Chair recognizes Legislator Rose
4 Walker.

5 LEGISLATOR WALKER: I'd just like to
6 take a moment and ask each and every one of you
7 to keep a young Bethpage resident, a firefighter,
8 Kevin O'Toole, 22 years old. He's a volunteer
9 firefighter in Bethpage. But he also volunteers
10 while he's away at college in Maryland. He was
11 one of the firemen seriously hurt, actually he's
12 in critical condition along with another
13 firefighter, this weekend. If you would please
14 keep Kevin O'Toole in your thoughts and prayers
15 and his family, as well as firefighter Ethan
16 Serel, who was 21 years old and who is also in
17 critical condition. I just ask you to remember
18 all of them. Thank you.

19 CHAIRMAN SCHMITT: Thank you.

20 Beverly Visconte from Baldwin.

21 MS. VISCONTE: Good afternoon.

22 CHAIRMAN SCHMITT: Good afternoon.

23 MS. VISCONTE: I'm Beverly Visconte.

24 I'm speaking on behalf of Sludge Stoppers Task
25 Force and We, The People, Save our Waters

2 Coalition.

3 The gentleman speaking before brought up
4 a very good question; what can we afford to live
5 with? I'm here to speak up against the plan to
6 the plan, the proposal, even the idea of
7 privatizing our sewage treatment plants in Glen
8 Cove, in Bay Park, and Cedar Creek. This is not
9 something we can afford to live with.

10 The motive here is a one-time financial
11 windfall that would help close the budget gap.
12 But then that's it. There's no more money after
13 that. Only, from my point of view, negative
14 ramifications. It's not like we won't be needing
15 these facilities anymore. Of course, the
16 corporation that gets a hold of it is in the
17 business of making profit, big profits. And how
18 are they going to do that? Cutting costs.
19 Cutting costs such as downsizing the workforce at
20 the plants, cutting costs on materials and
21 equipment. Not good. Not good for any of us
22 living in Nassau County.

23 They can also raise profits by raising
24 revenues, attracting more business. New York
25 City is looking for a place to leave their

2 sewage. Suffolk County is looking for a place.
3 Then there's the upstate hydro fracking waste
4 water people who are looking for a place to
5 unload their waste water looking towards Long
6 Island sewage treatment plants to do that. This
7 is not good for us. It's not good for our
8 environment, our property values. Flat out, it
9 is not a good idea.

10 My proposal is that we drop this idea all
11 together. Let's get our plants back into good
12 working order they way they used to be, A-plus
13 plants. Use Glen Cove as an example. They have
14 \$75 million in reserves already that can be used
15 to begin some of the upgrades in Bay Park, in
16 Cedar Creek. Maybe apply to the state, federal
17 funding to help with this. Ask the voters. The
18 voters on Long Island have been excellent at
19 responding to environmental issues. Ask the
20 voters if they will approve bond money. Ask the
21 voters to pay more tax. Sometimes paying more
22 tax is better than the pain of getting backdoor
23 taxes, the pain of losing services, the pain of
24 losing your quality of life on Long Island.

25 CHAIRMAN SCHMITT: Excuse me one second.

2 MS. VISCONTE: Sure.

3 CHAIRMAN SCHMITT: Did you just say that

4 --

5 MS. VISCONTE: Where am I looking?

6 CHAIRMAN SCHMITT: Up here. Right here.

7 MS. VISCONTE: Okay.

8 CHAIRMAN SCHMITT: Did you say that Glen
9 Cove is an example of a well run plant?

10 MS. VISCONTE: Yes.

11 CHAIRMAN SCHMITT: You know Glen Cove is
12 run privately.

13 MS. VISCONTE: No, no. It's managed --

14 LEGISLATOR DENENBERG: No. It's not.

15 That's just not true.

16 MS. VISCONTE: but it's not owned by
17 Severn Trent.

18 CHAIRMAN SCHMITT: No. It's owned by
19 Nassau County.

20 MS. VISCONTE: Yes.

21 LEGISLATOR DENENBERG: And it's county
22 employees that work there, Peter.

23 MS. VISCONTE: Perfect. Yes.

24 CHAIRMAN SCHMITT: How come every time
25 there's a conversation looking out there I hear

2 chatter from over here?

3 LEGISLATOR DENENBERG: Because you don't
4 want to listen. Severn Trent -- the county
5 plants at Cedar Creek and Bay Park have --

6 CHAIRMAN SCHMITT: Wonderful.

7 LEGISLATOR DENENBERG: have an outside
8 operator --

9 CHAIRMAN SCHMITT: You're out of order.

10 LEGISLATOR DENENBERG: too right now.

11 CHAIRMAN SCHMITT: Go ahead. Continue.

12 LEGISLATOR DENENBERG: They do. Wake
13 up.

14 MS. VISCONTE: Ready?

15 CHAIRMAN SCHMITT: Ready.

16 MS. VISCONTE: As I was saying, some
17 time more tax is less painful than backdoor
18 taxes, loss of services, loss of quality of life.
19 But if you won't drop this issue all together --
20 Mr. Schmitt. Okay.

21 I propose that we establish a citizen
22 advisory committee to be a part of this planning,
23 to decide whether we need privatization at all.
24 You need to have citizens of Nassau County
25 involved in this. The sewage treatment plants

2 are our property. We're going to be the ones
3 that are paying for this after you unload it on
4 to a private company. A citizen's advisory
5 committee could also act as a watchdog in the
6 operation of the sewage treatment plant so that
7 they won't be allowed to depreciate again.

8 We, The People, want to be able to
9 protect ourselves as taxpayers, to protect our
10 property values, and to protect our waterways,
11 bays, and beaches that are so invaluable to us as
12 Long Islanders. And selling off the sewage
13 treatment plants is not the answer.

14 Thank you for your time.

15 CHAIRMAN SCHMITT: Thank you.

16 Helene Manas of Merrick.

17 MS. MANAS: Good afternoon. My name is
18 Helene Manas and I'm here as a Merrick resident.
19 I just have to say it's freezing in here. Is it
20 always this cold?

21 CHAIRMAN SCHMITT: It certainly is.

22 MS. MANAS: Oh my God.

23 I also wanted to talk about the sale or
24 lease of the sewage plants.

25 I know that there was a contract made

2 with Morgan Stanley, and they're supposed to be
3 paid \$500,000 by the county to find a private
4 corporation to buy or lease our sewage treatment
5 plants. Then they get a transaction fee of not
6 less than \$5 million if they make a deal. Morgan
7 Stanley makes \$5 million whether it is a good or
8 bad deal for the county.

9 So, first I want to know if the county is
10 so in debt and we have no money that we're laying
11 off police officers, closing precincts, and
12 trying to sell off our sewage plants, why do you
13 have \$5 million to pay Morgan Stanley to look for
14 a privatization company? It doesn't make any
15 sense to me.

16 Then, from what I understand, now the
17 Nassau residents pay approximately \$185 a year in
18 sewage taxes. Municipalities whose STPs are
19 privately owned are paying as much as \$185 per
20 month. I don't want to pay a backdoor tax of
21 \$185 a month to a private company. If I'm going
22 to have to pay the money I would rather it be
23 upfront and I'll pay my taxes and know that I own
24 the sewage companies and I can have questions
25 answered. Because once it's a private company,

2 they don't answer to me, but the county does.

3 I think you really need -- I appreciate
4 that Legislator Ford said that she's going to
5 look into this before you make any decisions, and
6 I really hope you are sincere about that. We
7 need your vote, if it ever comes to it, in order
8 for it to be fair.

9 Thank you.

10 CHAIRMAN SCHMITT: Thank you.

11 LEGISLATOR DENENBERG: Wait. Peter.

12 Peter.

13 CHAIRMAN SCHMITT: Yeah.

14 LEGISLATOR DENENBERG: Helene, thanks
15 for coming down. You have private water or
16 public?

17 MS. MANAS: Yes. I do. Aqua.

18 LEGISLATOR DENENBERG: With Aqua, in
19 private water, you don't pay a water tax.
20 Nothing that you pay is tax deductible, correct?

21 MS. MANAS: Yes. Correct.

22 LEGISLATOR DENENBERG: You're paying
23 about \$1,000 a year for water?

24 MS. MANAS: Yes.

25 LEGISLATOR DENENBERG: Those of us who

2 suffer paying \$1,000 a year for water, when other
3 people are paying about 200 a year because they
4 have a public entity, see that if you're trying
5 not to burden taxpayers with more bills, one of
6 the worst ways to go is a monopoly over a public
7 necessity.

8 MS. MANAS: Yes. I agree with you.

9 LEGISLATOR DENENBERG: Thanks.

10 MS. MANAS: Thank you.

11 CHAIRMAN SCHMITT: Adam Haber. Adam the
12 slip you filled out says 35 Crab Apple Drive but
13 there's no community listed.

14 MR. HABER: It's in East Hills. Hi
15 everybody. How are you doing?

16 I've been coming to these meetings since
17 last June. Listening to the conversations that
18 you've been having on many important topics, such
19 as budget deficits, the Coliseum referendum,
20 privatizing sewage facilities, redistricting,
21 should there be a county corrections review
22 board, and transgender rights, a host of issues,
23 many important topics.

24 What I've noticed -- and I read avidly,
25 all the blogs, all the newspapers, everything.

2 There's been little polling on public sentiment
3 on many of these topics. It seems that much of
4 the time these decisions happen in a vacuum
5 without the idea of a chance of success. For
6 example, the August referendum on the Nassau
7 Coliseum project which failed by a large
8 percentage. In response to this, I created a
9 website called Nassausuggestionbox.com. This is
10 a nonpartisan website. There will be no ads for
11 the first several months. There will be no
12 perception of bias.

13 The purpose of this website is to help
14 the community, which is Nassau. It's to educate
15 people about the issues facing Nassau County, to
16 submit ideas to improve county government, to
17 vote and comment on ideas that people like and
18 dislike, to learn about the candidates that are
19 running, to participate in weekly straw polls on
20 current issues, and to easily learn how to
21 contact your local representatives. Our goal in
22 the development of this public forum is so that
23 there could be a place where citizens can learn
24 about important policy issues in Nassau County
25 and let their ideas and concepts be known.

I also have an issue of the week -- it will be an issue of two weeks because I started a soft launch of the website today and I'm doing a hard launch next Wednesday, which will include half page ads in all of the *Anton*, *Richner*, and *LM Publications*, a *Newsday* e-mail blast. I'll be sponsoring News 12, highway sign. I'm really spending a lot of money to get the word out to try and get more participation in the community.

The first issue of the week, which should be interesting, is about public safety and the police precinct consolidation. It read as, Nassau County wants to consolidate eight police precincts to four in order to save money. County Executive Mangano said there will not be a decrease of cars in the street and Nassau will save approximately \$20 million per year. Should Nassau County go ahead with the consolidation plan? And my hope two weeks from now is you will know how the public feels about it. I tried very hard with the wording to make it nonpartisan. I took a graduate class in polling to make sure that I was not doing Democrat or Republican. This could be a site where the

community can come together and comment. It's not a site where people are going to be sitting home and complaining. I reserve the right to delete comments that are filled with vitriol and are not productive. I think we need 1.3 people commenting on how we should help the county and their input as opposed to just 19; it will help you guys out.

In closing, if there's any village, town or city here or any nonprofit organization that would like the code that I created for this website, I'd be happy to give it to them free of charge so they could create their own communities and get their voices heard.

Thanks so much.

CHAIRMAN SCHMITT: Thank you.

LEGISLATOR WINK: Mr. Schmitt, if I could.

CHAIRMAN SCHMITT: Legislator Wink.

LEGISLATOR WINK: Adam, I just want to thank you for coming down. I think it's a very innovative idea you have and I hope it takes off because, quite frankly, we all know that there are certain avenues right now that people tend to

2 take, usually unanimously and always
3 vitriolically, it seems. I hope that yours will
4 be a refreshing alternative to what we generally
5 hear anonymously in terms of content and context,
6 for that matter.

7 But I thank you very much for this idea.

8 MR. HABER: Thank you. I spent a lot of
9 time and energy. I have about 15 people that I
10 know through the different businesses that are
11 involved with the website design. The layout is
12 clean, easy to use, informative. There are many
13 different things that have to do with government
14 on there not just the things that I mentioned.
15 There's actually a poll for the Republican
16 candidates for president right now. It's going
17 to be a very cheap way for people to really see
18 and get the pulse on any issues.

19 I also created links, whether you like
20 this or not Wayne, for each individual legislator
21 so people can give you suggestions. Just, for
22 example, not to pick on you. I posted one
23 yesterday about some bus stops on Glen Cove Road
24 that I feel need to be put in. These are
25 community issues. They could range from very

2 minute community issues to very broad issues.
3 There are over 20 idea topics that people can
4 pick from. You can see what are the most popular
5 ideas, which win by the large margins, recent
6 ideas. It's a fun site. It's easy to use.
7 Again, I'm willing to give it to any towns,
8 cities, village. This is for the benefit of Long
9 Island.

10 I love where I live. I think this is an
11 easy way to make things a little bit better.
12 Communication is the key to success in anything.
13 I think this would be a great way for people to
14 communicate and get their ideas across.

15 I will now allow people to just
16 consistently sit home in their pajamas and just
17 create things on the website that are not for the
18 benefit of the community.

19 I'm about to create a part of the website
20 where you can click on the person's name and see
21 if they have a history of just ridiculous
22 comments so you can discount anything that they
23 say. This is really for the benefit of the
24 community, and I'm hoping it works.

25 CHAIRMAN SCHMITT: We ought to try that

2 here.

3 LEGISLATOR WINK: Anything that
4 increases the ability of real people.

5 MR. HABER: Pardon me?

6 LEGISLATOR WINK: Anything that
7 increases the ability of real people to get their
8 opinions to their elected officials I think is a
9 great thing.

10 MR. HABER: Two weeks from today -- I
11 know you have the police precinct meeting
12 postponed. I'm not saying I'm for it or I'm
13 against it. But what I am saying is hopefully
14 you will get the input from -- I'm hoping
15 thousands of people, if not hundreds, in comments
16 that show why they support or -- look. We
17 understand you have to save money, there's no
18 questions about it. But is the community -- do
19 they have the stomach for this or not? You'll
20 know how they feel. I assume that will affect
21 how they feel on a bunch of other topics that
22 will be put up there.

23 If anybody wants to e-mail me up here
24 about a topic they'd like to see put up there
25 anonymously, not anonymously, I'd be happy to

2 post it as a question that you can get feedback
3 from your community.

4 CHAIRMAN SCHMITT: Do you have any
5 brochures or anything?

6 MR. HABER: Just go to
7 nassausuggestionbox.com. It just started today.
8 It's pretty simple and easy to use.

9 CHAIRMAN SCHMITT: So it's Nassau what?

10 MR. HABER: Nassausuggestionbox.com.

11 CHAIRMAN SCHMITT:

12 Nassausuggestionbox.com.

13 MR. HABER: The idea behind it -- I'm
14 hoping what happens is every town and village,
15 like Roslyncitizenbox.com, Town of North
16 Hempstead -- everybody should have input into
17 what the residents want.

18 Today is the first day of the soft
19 launch. By this time two weeks from now you
20 should really know a lot of opinions from a lot
21 of different people because the amount of time,
22 energy, and money I personally spent to get the
23 word out there on the street.

24 Good luck. And I hope it benefits
25 everybody.

2 LEGISLATOR SOLAGES: Mr. Haber. Mr.
3 Haber, I have a question for you. Adam.

4 If the League of Women Voters seeks to
5 join or look out for other organizations on the
6 issue of redistricting, how can they use your
7 website?

8 MR. HABER: Well, there's 21 idea
9 topics. They could post a topic under idea
10 topics that pertains to what they're talking
11 about. There is one called other, so if it's not
12 in one of the topics. Or, if they'd like I could
13 have a question of the week posted. If there's a
14 lot of input on the website, if thousands of
15 people come on I'll make it more of a question of
16 bi-weekly. It's very hard to have a question
17 daily that's pertinent. You don't want to just
18 make up questions that are important. But if the
19 League of Women Voters have a question that they
20 feel is worthwhile, I'll be happy to post it.
21 The e-mail address is on there in the info tab.
22 You can contact me and I'll return your e-mail
23 within a day or two.

24 LEGISLATOR SOLAGES: Thank you.

25 MR. HABER: Thank you.

2 CHAIRMAN SCHMITT: Okay. Scott Bochner
3 of Long Beach.

4 MR. BOCHNER: Good afternoon,
5 everybody. Scott Bochner from Long Beach. I'm
6 also here to represent the Sludge Stoppers Task
7 Force and We, The People to stop the sale or
8 lease of the sewer treatment plant. What's
9 really nice is there's been a lot of comments and
10 issues on here, so I don't really have to go into
11 so much about it.

12 What's nice about this particular forum
13 is that we're able to speak about it. We're able
14 to talk to you. There's been a feedback. When
15 there's a private company there -- I have a
16 private company. If somebody knocked on my door
17 and wanted to give me a lot of input, I could
18 choose to say I really don't want to hear about
19 it or not.

20 I don't know if everybody realizes that
21 this particular topic is probably one of the
22 biggest votes or something that's going to come
23 down in the last 50 years, because I feel that it
24 involves every single person in Nassau County.
25 Everybody does flush. Everybody does use the

2 bathroom. So this is going to affect everybody.

3 The person who was up here -- I wish he
4 didn't leave-- that was talking about yes, the
5 county has to make some tough decisions. But
6 this particular decision, if it's a private
7 company, they have to make money. So if it's not
8 going to be a tax, it's going to be a bill. And
9 he doesn't realize that that's what's going to
10 happen.

11 The Morgan Stanley information that came
12 out from that other woman was probably -- I don't
13 remember her name -- Helene, is true that Morgan
14 Stanley is brokering this deal and it is costing
15 the county a lot of money to do this.

16 What's unfortunate is that, like that
17 gentleman with the website said, it's stuck in a
18 vacuum. The people really don't know what's
19 going on, and we need to get this information out
20 to the public. It's unfair that such an historic
21 deal or such an event can go on behind closed
22 doors and the people who are going to be
23 suffering for year don't have any say or input in
24 this particular deal, and it's unfortunate that
25 that's happening. The transparency, the less

2 control that we have going on in the county is
3 really tough.

4 Like Legislator Ford did say, yes, we've
5 been involved in the Western Bays and there are
6 problems that are going on with the plants,
7 itself, right now. But what happened when it
8 needed to be fixed, it did get fixed. That was
9 really, really good, what she said. If it is a
10 private company, will it get fixed? That's -- we
11 just don't know.

12 What happens is we all know that the DEC
13 regulates what comes out of those pipes. They
14 are underfunded, undermanned. They couldn't even
15 stop a leak that went on for months, and months,
16 and months. Who is going to be watching what
17 comes out of these pipes?

18 It's important to know that the quality
19 of life on Long Island is really centered around
20 the bays, the ocean, the water, and the fishing,
21 and the swimming, and what happens to the
22 communities. What Beverly had said about the
23 fracking, yes, the SGIS has included the three
24 sewer treatment plants in its paperwork filed so
25 they can to fracking. To say that fracking water

2 won't come to Long Island is just not true,
3 because we ship our solids to Pennsylvania. If
4 we're willing to do that and pay a lot of money
5 to ship our solids to Pennsylvania, then what's
6 to stop a private company from trying to get
7 additional revenue to take in fracking water?

8 CLERK MULLER: Three minutes have
9 expired.

10 MR. BOCHNER: Fracking water is worth a
11 lot of money.

12 I know that -- I guess my time is up.

13 CHAIRMAN SCHMITT: Just wrap up. Go
14 ahead.

15 MR. BOCHNER: What we're asking for is
16 just some citizen input, some information that we
17 could find out, like Ms. Ford said, so we can be
18 involved in this decision making that it's not
19 going be, okay, here's what we did. We cut a
20 deal. Now this deal is coming down the pike.
21 You have two weeks to figure it out. Oh, come in
22 and talk about it. This thing needs to be spoke
23 about.

24 You can't have a pipe that's going into
25 our waterways and not talk about what's going to

happen for years to come. It's very important that we have an input on that.

Thanks.

CHAIRMAN SCHMITT: Thank you.

Joanne Borden.

MS. BORDEN: It's shameful of this body to perpetuate ancient beliefs in denying transgender civil rights. Those ancient beliefs originated in the Hebrew Bible and carried over to other religions that was based on 2,000-plus year old information. We were stoned, burned, and tortured to death. Now you continue the same ancient beliefs and continue torturing us by denying us equality. Transgender people, wearing the clothes of the other sex, was based on ancient beliefs, like the earth is flat.

It boils down to what is our sex? Is it what you see or is it what is inside us? We are transgendered because we have a sex inside us different from the one a doctor saw when we were born. That's been proven by medical scientists over and over during the past 100 years. Given time I could cite case after case, after case that proves we have a different sex inside us and

2 not something we learn after we are born.

3 If a person can have two sexes, a
4 physical one and another one in their brain
5 inside, which sex determines the proper clothes?
6 If we turn to the Bible again we will judge man
7 by his sex inside him.

8 I once quoted Samuel as saying that man
9 looketh on the surface; the Lord looketh on the
10 heart. John said, Jesus commands you to look
11 beneath the service so you will judge man
12 correctly.

13 The ancient belief that a person's true
14 sex is what is seen on the surface coincides with
15 the belief that the world is flat. We now know
16 the earth is not flat as you see it, but it is
17 round; and a person's sex is not as you see it,
18 but it is what's inside, what is beneath the
19 surface, what is in his heart.

20 Everyone surrounding Nassau, 70 percent
21 of New York State, over 40 percent of the United
22 States provides transgender equal rights. It's
23 time for Nassau to catch up and give us equal
24 rights also. Replace ancient beliefs with modern
25 knowledge. Stop the stoning and burning our lack

2 of a law encourages. Stop torturing us and give
3 us equal rights. Give us equality.

4 Thank you.

5 CHAIRMAN SCHMITT: Thank you.

6 Claudia Borecky. Your slip indicates a
7 post office box not an address.

8 MS. BORECKY: I'll give my address. I
9 gave it because I'm representing my civic. I
10 gave my civic address, but I will give -- my home
11 address, do you want me to give it now?

12 CHAIRMAN SCHMITT: Yes, please.

13 MS. BORECKY: 28 Washington Drive,
14 Merrick.

15 CHAIRMAN SCHMITT: Thank you. Go ahead.

16 MS. BORECKY: Okay. I came here to
17 speak about the privatization of the sewer
18 treatment plants. A lot of my friends here have
19 already covered a lot of the issues I wanted to
20 address. But on the agenda today I noticed that
21 there's the contract with Morgan Stanley for
22 \$24,750. Is that contract the same one that was
23 entered into in August of last year that you're
24 just approving now? Is that what that is?

25 CHAIRMAN SCHMITT: Where on the agenda

2 do you see that?

3 MS. BORECKY: Notice is hereby given that
4 the county executive -- at the very end. There's
5 a whole list of contracts. It's ID Number
6 CQBU11000005.

7 LEGISLATOR DENENBERG: It's on the list
8 that we don't vote on.

9 CHAIRMAN SCHMITT: Okay. Yeah, the
10 county executive entered into a contract for
11 \$24,000.

12 MS. BORECKY: And now we're just talking
13 about it now, six months later, correct?

14 CHAIRMAN SCHMITT: We don't have any
15 input into that.

16 MS. BORECKY: An RFP went out to get
17 that. So that's from -- that's a public bidding
18 process that went out --

19 CHAIRMAN SCHMITT: That's well within
20 the confines of the county executive's office.
21 We only get contracts in excess of \$25,000 or
22 higher.

23 MS. BORECKY: 24,750. I see that.

24 CHAIRMAN SCHMITT: And he put out an RFP
25 and the RFP is returnable to him.

2 MS. BORECKY: And Morgan Stanley was,
3 yes, it was picked, it was chosen. Actually, it
4 was chosen in February 2010, one month after
5 County Executive came into office and we're just
6 hearing about this now.

7 Then you went into a contract with Morgan
8 Stanley for \$100,000 a quarter, starting October
9 1, 2011 and covering a five quarter period of
10 time, and that wasn't approved by the Rules
11 Committee until December, after it had already
12 done the work of \$100,000 -- they completed the
13 work by that point. How can you approve
14 something after you have already done the work?
15 Isn't that what NIFA is saying that they did with
16 the lawyer contracts? I just want to let you
17 know, I sent a letter to NIFA. I'm asking the
18 state comptroller's office to also investigate
19 the practice of you hiring places and approving
20 them six months later.

21 CHAIRMAN SCHMITT: I have been a
22 consistent and constant complainer about that,
23 both in the years that we were in the Minority
24 and in the years we were in the Majority. It is
25 almost institutional in this place.

2 MS. BORECKY: But it is against the
3 County Charter to do it that way, right?
4 Correct?

5 CHAIRMAN SCHMITT: The former county
6 executive did it routinely. The current county
7 executive seems to be going down that path. NIFA
8 has warned that they may not approve those
9 contracts if work has started before the contract
10 is approved.

11 MS. BORECKY: I just want to let you
12 know that I am sending and I am asking NIFA to
13 investigate this contract as well.

14 CHAIRMAN SCHMITT: But you see I don't
15 think that's a fair action. Because I could do
16 that here on the Rules Committee. I could say
17 you already did the work? Sorry, we're not going
18 to approve the contract.

19 MS. BORECKY: That's another question.
20 How come it never got to -- how come this is a
21 personal services contract of \$100,000?

22 CHAIRMAN SCHMITT: That's not -- you
23 know, when they hire somebody in a contract and
24 tell them to do a job, a lawyer, a plumber, I
25 don't care what it is, and they do the job, it's

not their fault that the paperwork is gobbled up around here. It's not their fault that the contract wasn't approved before they did the work. So you have the contract now sitting in front of you and you have an opportunity to say, okay, we're not going to pass this contract, which just screws the guy that probably and hopefully a Nassau County businessman who performs the service. He needs to be paid.

MS. BORECKY: The government has a process of doing it and it did not go according to the process. The process says you should have gotten the approval first. What is the big hurry here?

CHAIRMAN SCHMITT: You're right.

MS. BORECKY: Why are we pushing the sale or the lease of the sewage treatment plants?

CHAIRMAN SCHMITT: You should have gotten the approval first, you're 100 percent right; they didn't. So what do you want to do about it?

MS. BORECKY: I want that contract to be null and void. That's what I want.

CHAIRMAN SCHMITT: Now you're screwing

2 the person that did the work in good faith.

3 MS. BORECKY: Who said they could do
4 that work? I certainly as a taxpayer did not say
5 --

6 CHAIRMAN SCHMITT: I guess the county
7 executive did.

8 MS. BORECKY: it. Why is that a personal
9 services agreement when Morgan Stanley was hired
10 under an RFP? How can that be called a personal
11 -- you call it at a whim, a personal services
12 contract when it should really be a public
13 contract. They were retained under responses to
14 an RFP.

15 CHAIRMAN SCHMITT: I don't follow you.

16 MS. BORECKY: So it should go through
17 NIFA.

18 CHAIRMAN SCHMITT: All contracts over a
19 certain amount go to NIFA.

20 MS. BORECKY: This one did not go through
21 NIFA though.

22 CHAIRMAN SCHMITT: Then it's under the
23 amount.

24 MS. BORECKY: Excuse me?

25 CHAIRMAN SCHMITT: Then it's under the

2 amount.

3 MS. BORECKY: \$100,000 is under the
4 amount?

5 CHAIRMAN SCHMITT: I don't know -- what
6 is the amount?

7 MS. BORECKY: It's actually \$500,000.

8 CHAIRMAN SCHMITT: Anything over \$50,000
9 goes.

10 MS. BORECKY: Okay. This is \$500,000
11 and it's not going through NIFA.

12 CHAIRMAN SCHMITT: Then it went it NIFA.

13 MS. BORECKY: It's done because it's
14 being done in the dark. We, the people, are
15 being kept out of this, the biggest decision that
16 this county has made in I don't know how many
17 years --

18 CHAIRMAN SCHMITT: Since the last big
19 decision we made.

20 MS. BORECKY: Excuse me?

21 CHAIRMAN SCHMITT: Since the last big
22 decision we made, the buses.

23 MS. BORECKY: Well, we don't know what's
24 going to happen with this privatization.

25 Research has shown that it has worked against us.

2 We feel, as the people said before, we should
3 have a citizen advisory and an oversight
4 committee to make sure that our plans are working
5 up to date and they can be returned to blue
6 ribbon quality with public -- under public
7 scrutiny.

8 I also want to point out, because there
9 seems to be some mistake about this. It's under
10 the idea that County Executive Mangano has been
11 putting money forward to fix the plaids when the
12 money that he's using is money that was approved
13 under the Democratic Majority. That is true.

14 CLERK MULLER: Your three minutes have
15 expired.

16 CHAIRMAN SCHMITT: Don't even start with
17 your democratic stuff. What are you running for
18 this year?

19 MS. BORECKY: The money -- the work that
20 was done already was approved in 2009 under the
21 Suozzi Administration.

22 LEGISLATOR DENENBERG: The 2010 capital
23 plan, absolutely right. Which was passed by the
24 Democratic Majority in 2009. You guys walked
25 out.

2 MS. BORECKY: But we, the people, refuse
3 to play party politics. We want to be part of
4 this conversation, unless you're where Denise
5 Ford went. I would like to call her office this
6 week and set up public hearings with the
7 legislature.

8 CHAIRMAN SCHMITT: Let me tell you
9 something. You know, it's very nice how you
10 weave in and out of being a "civic leader" and a
11 democrat candidate at the next turn of the
12 calendar. The point of the matter is there are
13 people who are going to engage in this
14 conversation; you're looking at them. And we
15 were elected by the public, whether you like it
16 or not, to do just that, and we will. And if you
17 don't like the way we do it, then you run against
18 us, you get elected, and then you can do it your
19 way.

20 MS. BORECKY: We, the people, will not
21 play party politics. This matter is way too
22 important to the people of Nassau County. Laugh
23 all you want.

24 LEGISLATOR ABRAHAMS: Claudia, Claudia,
25 one second. Hold on one second.

2 This is truly amazing. Mr. Mulholland,
3 which we all know was a previous candidate --
4 Mulhall, which we all know was a previous
5 candidate, we were able to bite our tongue.
6 Here, Ms. Borecky, who may wear two hats, is
7 trying to bring up a very important issue and you
8 guys are laughing, you're discounting her.

9 CHAIRMAN SCHMITT: Because --

10 LEGISLATOR ABRAHAMS: I mean, the lack
11 of --

12 CHAIRMAN SCHMITT: Because, Kevan, as
13 you well know, Mulhall --

14 LEGISLATOR ABRAHAMS: I didn't cut you
15 off, Peter.

16 CHAIRMAN SCHMITT: Mulhall ran one time
17 20 years ago.

18 LEGISLATOR ABRAHAMS: I didn't cut you
19 off, Peter.

20 CHAIRMAN SCHMITT: She's running every
21 year.

22 LEGISLATOR ABRAHAMS: Okay. Alright.

23 MS. BORECKY: What are you talking
24 about?

25 LEGISLATOR DENENBERG: She ran one time

2 in her life.

3 LEGISLATOR ABRAHAMS: The fact remains -

4 -

5 LEGISLATOR DENENBERG: one time.

6 MS. BORECKY: Part of --

7 LEGISLATOR ABRAHAMS: We showed Mr.

8 Mulhall the respect that he deserves. But you
9 guys just want to laugh and you want to joke
10 around. You want to discount her. The fact
11 remains is that she is bringing up a very notable
12 issue; if you guys want to discount it, go right
13 ahead. We're going to remember this the next
14 time Mr. Mulhall comes down, because he comes
15 down every time and he's very political.

16 MS. BORECKY: May I point out that I
17 have been an activist in this County for a long
18 time. You could ask -- before I decided to run
19 for office. I decided to run for office because
20 I felt in office I'd have a better chance of
21 getting things done. I was an activist before.
22 I was an activist later. I will not stop until
23 this sewage treatment plant plan is buried.

24 I'm going to speak to Denise Ford; she
25 mentioned that she'd so legislative hearings, and

2 we're going to make sure that they're done this
3 month.

4 Thank you.

5 CHAIRMAN SCHMITT: Nobody said anything
6 about hearings this month.

7 LEGISLATOR DENENBERG: Claudia, just to
8 straighten out. You ran once. Mr. Mulhall ran
9 once too. He was allowed to go for 30 minutes;
10 there apparently was no problem.

11 But on the issue, there was an RFP sent
12 out. Morgan Stanley was hired pursuant to an
13 RFP. Your point that that is beyond a personal
14 services contract and awarding a contract based
15 on a big typically goes to the Full Leg not just
16 to a Rules Committee. The first contract being
17 less than 25,000 no one even saw until it was
18 attached at the end of an agenda today. The vote
19 in December was to backdate a contract with
20 Morgan Stanley to October 1 to give them 100,000
21 for the first quarter and 500,000 over the course
22 of a year to come up with qualifications, review
23 the qualifications, come up with a bid or
24 negotiate a contract for the privatization or
25 long term leasing or sale of a sewage treatment

2 plant. If we didn't want to go down that path
3 the Rules Committee could have voted no right
4 then and there.

5 No one was holding a gun saying Morgan
6 Stanley is going to sue us for \$100,000 unless we
7 allow them to come up with a contract to sell our
8 sewage treatment plants. At that point we
9 committed taxpayer money, a half a million
10 dollars, toward the privatization issue. To say
11 that we had no choice is ridiculous. The whole
12 policy, regardless of who the county executive
13 is, are violating the Charter and back dating
14 contracts, should always end, period.

15 CHAIRMAN SCHMITT: One more speaker.
16 Joe Valoni from Lynbrook.

17 MR. KOLODNEY: I don't want to beat the
18 sludge -- I mean the sewer treatment plant thing
19 to death, but there are one or two things I
20 wanted to ask you.

21 I thought I heard a while back that there
22 had been a contract let to study the Bay Park
23 plant and find out what needed to be done there.
24 Was that contract let and is there a study
25 currently under -- I heard something about a \$3

2 million contract to study to see what needed to
3 be done to bring the Bay Park plant up to snuff.
4 Can anybody answer that question?

5 CHAIRMAN SCHMITT: I can give you a
6 partial answer, I think.

7 There was a contract issued to some
8 consulting engineer; it was either Dvirka &
9 Bartelucci or Cameron Engineering, I don't
10 remember which one.

11 LEGISLATOR DENENBERG: For Bay Park,
12 it's Dvirka & Bartelucci.

13 CHAIRMAN SCHMITT: Dvirka & Bartelucci.
14 They went in to find out what was necessary to
15 keep that plant, A. running, because it was on
16 the verge of collapse and, B. what had to be done
17 to upgrade it. I believe that they issued a
18 report; I never saw it. I think they issued a
19 report to the administration, who sent us
20 contracts for things recommended in that report
21 that had to be done. We would get a contract to
22 buy the equipment or whatever was going to be
23 installed in the plant, and the work is going on
24 as we speak and has been going on for quite a
25 while. I don't know exactly where they are on

2 that. Whether they're 70 percent done or 90
3 percent done, I don't know. But as far as I
4 know, that's where it stands.

5 MR. KOLODNEY: So that implies that the
6 plant is being brought up to snuff.

7 CHAIRMAN SCHMITT: Yes. It is.

8 MR. KOLODNEY: Okay. Great. And

9 CHAIRMAN SCHMITT: They're bringing Bay
10 Park and Cedar Creek up to snuff. There's also -
11 - I don't know if they're working on it as we
12 speak, but there is going to be work on the
13 plants we got from Lawrence and Cedarhurst, to
14 clean them up and --

15 MR. KOLODNEY: I thought those were
16 going to be phased out because that sewage was
17 going to be pumped into Bay Park.

18 CHAIRMAN SCHMITT: Yeah. What they're
19 going to do is --

20 MR. KOLODNEY: Why spend money --

21 CHAIRMAN SCHMITT: The original plan was
22 to pump sewage, raw sewage into Bay Park.
23 They're going to make one plant operational but
24 not up to total standard. It's a little
25 complicated. They're going to filter the sewage

2 from the second plant to the first plant, where
3 it will be processed. Then it will be shipped to
4 Bay Park, where it will be processed again. But
5 the stuff going into Bay Park will be -- I think
6 the figure thrown around was 90 percent treated.
7 So they will be pumping relatively clean affluent
8 into Bay Park rather than raw sewage.

9 MR. KOLODNEY: Okay.

10 CHAIRMAN SCHMITT: And that will
11 complete that work.

12 MR. KOLODNEY: The only other thing I
13 wanted to say is that if this thing does go to
14 contract, are you people going to have -- are you
15 going to review the contract to make sure that
16 the people of Nassau County are protected along
17 the lines of if any work needs to be done -- that
18 the contractor who wins the bid on the plants, if
19 that goes through, is going to be required to do
20 a study of what work needs to be done, and that
21 study will be done in a time period, a reasonable
22 time period and if they don't get that study done
23 there will be penalties, number one. Number two.
24 If the plants -- number two, that there will be
25 some public means of doing random checks and the

2 plants will have to be open to some public entity
3 that will go in from time to time and check to
4 see what they're up to. The third item will be,
5 that I think should be in the contract before you
6 sign on to it, is the -- I'm trying to remember
7 what I was going to say. I'm having a senior
8 moment. I don't remember the third one.

9 I guess the point I'm trying to make is
10 that whatever you do -- oh, yeah. I had a talk
11 with that fellow who was up here for a long time
12 and he said we can always sue -- I said to him,
13 how are we going to sue the potential bidder that
14 wins? How are we going to sue that entity if it
15 isn't on the contract that they have to do
16 something or other? He said we'll sue the
17 legislature or something to that effect. We'll
18 sue you guys. So, anyway, that's basically what
19 I'm saying, is that the public should be --

20 CHAIRMAN SCHMITT: You're losing me a
21 little bit along the way here. The process is
22 not quite the way you described it. The process
23 is that the Department of Public Works, with the
24 Legislature's approval, the rules committee
25 approval, enters into a contract -- the county

1 executive actually enters into a contract with a
2 consulting engineer; Dvirka & Bartelucci in the
3 case of Bay Park. The consulting engineer then
4 goes in and pursuant to the terms of his contract
5 issues a report and/or recommendations as to what
6 is necessary in the plant to bring it up to
7 standard. The administration then turns around
8 and puts contracts out to bid for various
9 machinery or parts, unless they're sole source in
10 which case they just buy them, and those
11 contracts are then sent to the rules committee
12 for approval. We get copies of the contract and
13 we have the administration people here, usually
14 the commissioner of public works, to answer
15 questions that anybody might have on either side.
16 We go over those contracts. We scrutinize them
17 pretty carefully. But, speaking for myself, I'm
18 not an engineer so I can only go so far. Then,
19 when the contract is let, they go out and perform
20 the work.

21
22 The consulting engineer is supposed to be
23 reporting back to DPW on the progress of the
24 work, and DPW obviously is free to go into the
25 plants and does go into the plants at any time

2 during the process to check on how things are
3 going. And during that whole time, because the
4 plant is operating, the DEC, Department of
5 Environmental Conservation, is monitoring what's
6 pumped out into the channel or the ocean,
7 depending on which plant it is. And then when
8 the job is finished, the job will be finished and
9 they'll go away and we'll run the plant or sell
10 it. I don't know. I'm hearing that we're going
11 to --

12 MR. KOLODNEY: Anyway. What I was
13 getting at was the work that needs to be done on
14 these plants, there should be something in the
15 contract. Once a study is done and it is
16 ascertained what needs to be done to bring all
17 the plants up to snuff, there should be a
18 timeframe that this company has that they have to
19 get the work done within that period of time and
20 there will be penalties --

21 CHAIRMAN SCHMITT: I believe there is.

22 MR. KOLODNEY: Okay. The only reason I
23 brought that up is that this plant in
24 Indianapolis, this private company ran it for ten
25 years and apparently Indianapolis is not happy

2 with the way it was being run and they didn't
3 make many improvements. If there's nothing in
4 the contract that forces them, via penalties,
5 that forces them to get the work done. I think
6 if there's going to be a contract, it should be
7 carefully constructed so that everybody is
8 protected, including yourselves. If this thing
9 goes to ground and there's a big stink over the
10 rate increases, it's going to come back to haunt
11 you guys because it's going to be done under the
12 Republican administration, and if it was
13 Democrats who were in the Majority, I would be
14 saying the same thing to you.

15 Thank you very much for letting me speak.

16 CHAIRMAN SCHMITT: Thank you.

17 LEGISLATOR DENENBERG: Peter. Peter.

18 CHAIRMAN SCHMITT: Legislator Denenberg.

19 LEGISLATOR DENENBERG: Sir. The
20 contracts that were approved by the rules
21 committee recently, you should know a lot's been
22 talked about, improvements and what we need to do
23 in the plants.

24 Over the years, in bipartisan way, going
25 back to 07, capital projects in sewer and storm

2 water management plans have been approved that
3 have had over almost \$700 million worth of
4 improvements allocated through date. Not all of
5 its been done. In fact, we're still implementing
6 things from the 2010 and 2011 capital plan. But
7 things like gravity belt thickeners, separation
8 tanks, bar screen scrubbers, new press rooms have
9 all been done or are being done in accordance
10 with those capital plans.

11 The original contracts with Dvirka &
12 Bartelluci for Bay Park and Cameron for Cedar
13 Creek was for them to actually be the manager of
14 the plant that's operated by county workers.
15 Those contracts were extended for their
16 management as well as for their guidance in
17 implementing items that were in the 09/10 and 11
18 plan for things like ammonia removal and what
19 kind of tertiary upgrades might be necessary in
20 the future to make the plants compliant with
21 future, with future requirements that don't exist
22 yet. So that's really where we are with a lot of
23 those contracts for outside companies to be doing
24 the management or to foresee what needs to be
25 done to implement projects that are already in

2 the capital plan and have been for a few years.

3 MR. KOLODNEY: Thank you.

4 CHAIRMAN SCHMITT: Okay. Malik Arid.

5 MR. ARID: Thank you very much,
6 Honorable Presiding Officer Peter Schmitt and
7 Honorable members of this house. I would like to
8 talk very briefly about the situation we are
9 facing in Valley Stream, the proposal of closing
10 down the Fifth Precinct.

11 I moved to Nassau County in 1999, and I
12 bought my first house in Valley Stream in 2003.
13 At that time I was paying taxes of almost \$4,000,
14 compared to the similar house in Queens for \$1500
15 tax. I chose to move into Nassau County not
16 because of anything else but safety and security
17 of myself and my family. And today, after eight
18 years of my buying house, my taxes have gone
19 almost double, \$8,000. And the very interesting
20 thing which, compared to the increase in the tax,
21 is that in 2004 when I bought the house, the
22 whole year there were only seven robberies in a
23 one mile radius of my house. In 2011, last six
24 months of 2011, there were 21 robberies only one
25 mile radius of my house. Whereas I'm paying

2 almost double the tax of 2004. The safety and
3 security is already compromised in my part of the
4 world; I'm not sure about other parts of Nassau
5 County. For me the most important thing in
6 Valley Stream and other residents in Valley
7 Stream is the safety and security.

8 I do understand that the county is facing
9 big serious challenges of financial, you know,
10 challenges. And I totally support the Honorable
11 County Executive, that he has to make some tough
12 decisions, but not the tough decisions based on
13 my safety and my family's safety. I just want to
14 sure a small and quick message from my 11 month
15 old daughter. I want to show you the picture.
16 Eleven month old daughter.

17 She is the most precious person I have in
18 my life, and she sends a message to all of you
19 honorable members of this house. My dear
20 honorable members of this house, dads, moms,
21 granddads, and grandmoms. My dad is jobless
22 these days. He's not having any job, but he is
23 still paying \$8,000 a year of tax in Nassau
24 County to make sure that my life and safety and
25 security and property is safe. Please do not

1 play politics on this issue. We need our police
2 and we need our precinct. Why the NYPD, the
3 largest police division of the world, is
4 increasing the precincts and we are talking about
5 decreasing the precincts. We need more police
6 presence and we need more precincts in Nassau
7 County. Please do not play politics on a party
8 basis on this issue.

10 I will support any decision to cut some
11 cost or to, you know, reduce the financial
12 challenges of the county. But I will not
13 compromise, as a citizen of Nassau County, to
14 compromise the safety and security of my family.

15 Thank you very much, sir.

16 CHAIRMAN SCHMITT: Thank you.

17 Our last speaker is Gerard Ottavino from
18 Point Lookout.

19 MR. OTTAVINO: Good afternoon. Gerald
20 Ottavino, Point Lookout, and I represent, among
21 others, the Sludge Stoppers Task Force.

22 I'd like to reiterate some points that
23 other speakers have mentioned throughout this
24 period. And the first thing I'd like to request
25 is the legislature and county executive quash any

and all possibility of tracking wastewater coming to the county sewage treatment plants for treatment or purification.

Further, it would be in the entire county's best interest to ban all fracking and related liquids, some proven to be toxic, radioactive, and others still unknown, from entering into New York State. Please reach out to Governor Cuomo to ban all forms of fracking, fracking wastewater from entering New York State.

The second issue I'd like to bring is on privatization of the sewage treatment plants that the county is considering.

There's a long list of tragedies in the United States and all over the world of failures of having tried to privatize municipality interests, in particular wastewater and sewage treatments plants. Certain examples would be Indianapolis, which was just mentioned. Another one would be Atlanta which, after a period of time, because of substandard service and escalating prices in the terms of fees or taxes, however you want to look at them, the municipalities were forced to purchase back the

2 assets that they sold to these privateers. It
3 had to purchase them back as a loss to the county
4 or, I should say, to the municipality. So I
5 would really encourage the county to enter into
6 any type of privatization agreement along these
7 lines.

8 Joining the two topics is if the county
9 goes private it opens up the door to having
10 private interests expand their revenue horizons.
11 What does that do? Well, their eyes get big and
12 they look to fracking wastewater as a disposal.
13 The county sewage treatment plants are not built
14 or equipped to handle toxic chemicals. They are
15 biological plants. Any toxic chemicals that
16 enters into those plants will destroy the
17 chemistry in those plants, and whatever comes out
18 of those plants would be poorly suited for the
19 waterways that they will enter into, whether it
20 be the ocean or be the bays.

21 In summary, the two topics are related.
22 And I would encourage the county to abandon
23 privatization and to be proactively banning
24 fracking here in New York State.

25 Thank you for your time.

2 CHAIRMAN SCHMITT: Thank you. That's
3 the last speaker that I have. That concludes the
4 business of the day. I want to thank everybody
5 for coming.

6 We are in recess.

7 (TIME NOTED: 3:10 P.M.)

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1 Full Legislature - 2-27-12

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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 _____ day of _____, 2012.

FRANK GRAY