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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, April 28, 2014
1:15 P.M.

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

3

4 NORMA GONSALVES,
Presiding Officer

5

6 RICHARD NICOLELLO,
Deputy Presiding Officer

6

7 HOWARD KOPEL,
Alternate Deputy Presiding Officer

8

MICHAEL VENDITTO

9

DENISE FORD

10

LAURA CURRAN

11

FRANCIS X. BECKER

12

VINCENT MUSCARELLA

13

ELLEN BIRNBAUM

14

LAURA SCHAEFER

15

DONALD MACKENZIE

16

17 KEVAN ABRAHAMS,
Minority Leader

17

ROSE MARIE WALKER

18

DENNIS DUNNE

19

JUDITH JACOBS

20

DAVID DENENBERG

21

DELIA DERIGGI-WHITTON

22

CARRIE SOLAGES

23

SIELA BYNOE

24

25 WILLIAM J. MULLER, III
Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: Please
3 stand for a moment of silence. Minority
4 Leader Kevan Abrahams.

5 LEGISLATOR ABRAHAMS: Yes, I just
6 want to request a moment of silence for Glen
7 Cove City Councilman Nicholas DiLeo who
8 passed away last week. Thank you.

9 (Whereupon, a moment of silence
10 was observed.)

11 CHAIRWOMAN GONSALVES: At this
12 time, I have a point of personal privilege.
13 And, here today to give us a brief
14 presentation on the Long Island Blood
15 Services, Karen Muscalino, am I correct?
16 And I had the opportunity about a couple of
17 weeks ago, maybe a little bit more, of
18 meeting with Karen and other members of Long
19 Island Blood Services and we agreed that
20 they had a message to give to us today.

21 So, Karen, it's yours.

22 MS. MUSCALINO: Thank you. First
23 of all, I would like to thank the presiding
24 officer for inviting us here today and also
25 welcoming her to our volunteer leadership

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2 team which is spearheaded by Ed Travianti,
3 the president of TD Bank, so thank you and
4 welcome.

5 We're here today because New York
6 Blood Center, especially Long Island Blood
7 Services, is the exclusive provider for
8 about over 80 percent of the blood on Long
9 Island. We're exclusive providers to the
10 North Shore System and the Catholic Health
11 System and some of the other hospitals,
12 Winthrop as well.

13 We have had two incredibly bad
14 years as I imagine many of you have gone
15 through. There have been hurricanes, there
16 has been snow storms, there has been flu,
17 there has been everything except locust,
18 that's the only thing that hasn't hit yet.

19 With that being said, we are now
20 going into the summer months which has
21 always been a very critical period for us.
22 And what we're here today to do is ask you
23 if you would all consider running community
24 blood drives in your districts. I know some
25 of you do.

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2 I'm looking at Denise Ford there,
3 I know she does it, and I believe Laura
4 Schaefer, you do it as well. But we would
5 ask you all to consider doing that. We
6 would be glad to do most of the leg work for
7 you. We would just need your support and
8 your stamp of approval on it.

9 So, I think, if I understood it
10 correctly, you've all been asked to
11 designate somebody in your area that we
12 could meet with so hopefully you will be
13 hearing from us in the next couple of weeks
14 and start the ball rolling on that.

15 If there are any questions, I
16 would be more than glad to take it.

17 We've handed to you a folder
18 which gives you a little bit more about the
19 blood center. There's a couple of
20 scholarship programs that we run as well and
21 the one thing that we did offer is an
22 invitation to our May 7th event at Crest
23 Hollow and this is a very special event.
24 One of the firemen who had been burnt over
25 80 percent of his body will be introduced to

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2 his blood donors. It's a surprise and we're
3 looking forward to it. So if any of you
4 would like to come we would love to have
5 you.

6 With that, I look forward to
7 dealing with you as we go through the next
8 couple of weeks. Thank you.

9 CHAIRWOMAN GONSALVES: Don't go
10 away, Karen. Legislator Ford.

11 LEGISLATOR FORD: Thank you very
12 much and I'm glad to finally see you here
13 and letting us know about the blood service.
14 I just want to also recognize my good friend
15 Tina Cobaliski who, for all of us, anyone
16 who does decide to run a blood drive, Tina
17 is that person that you meet with. And, as
18 it's been said, this is a very easy thing to
19 run. All the work is done by the Long
20 Island Blood Services, you just have to get
21 names. I had posters made up and the rest
22 is handled by them. They help with the
23 scheduling. You can schedule it through
24 your office and even the setup, the way you
25 just have to show up.

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2 All I can say is that for me, and
3 I think I'm up to my tenth year of doing it,
4 and for me it's very personal because it's a
5 way of remembering my husband. My husband
6 was a New York City firefighter and he
7 always cared for his community and he gave
8 his life in the line of duty. For me, the
9 best way to keep his memory alive is to
10 remind people that they too can be heros in
11 their community and they too can help save a
12 life.

13 That's the most important thing.
14 You don't have to be a firefighter or a
15 policeman. You can be an ordinary citizen
16 like any of us. There are so many people
17 that do require blood and it's very
18 important that we have it, that we have good
19 quality blood, and that we make sure that
20 whatever we do we can help save lives.

21 One of the offshoots too is, you
22 can also sign up at times and have -- where
23 people can sign up for bone marrow, and we
24 just had some young man last week who
25 actually donated his bone marrow, and

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2 hopefully will help save the life of a nine
3 year old girl.

4 So I can't tell you the feeling
5 that you get. And, for any of us to be
6 involved to say that if you ran this blood
7 drive, and you actually get a lot of blood,
8 like you get a lot of pints, knowing that
9 you are going to help save someone's life,
10 it really gives you a rush. I can't
11 underscore that enough.

12 Then, when you find out through
13 your blood drive that you have somebody who
14 donated, is now going to be able to donate
15 bone marrow, I'm telling you, this is one of
16 the simplest things as legislators to do.
17 It is so easy to do. The rewards are so
18 significant, that I urge all of you to
19 please meet with them, discuss with them,
20 and set up blood drives.

21 If I can I will come to your
22 blood drives and donate to one of you, okay,
23 how's that? Thank you.

24 CHAIRWOMAN GONSALVES: Karen,
25 biggest advocate you can have.

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2 MS. MUSCALINO: I know. Thank
3 you very much.

4 CHAIRWOMAN GONSALVES: Anyone
5 else want to say anything? Legislator
6 Walker.

7 LEGISLATOR WALKER: Thank you,
8 Karen, and thank you for being here today.
9 You give us the best advice. I work with
10 Councilman Muscarella doing our blood drives
11 in the Town of Oyster Bay and I'd love to do
12 one in my district. I just know we have our
13 PTAs do it in Hicksville. We have the
14 Michael Magro Foundation who does it, Sara
15 Grace Foundation, our fire department, so
16 you'd find a spot where it look likes a good
17 time to do the blood drive, obviously we
18 don't want to do it at the same time they're
19 doing it.

20 MS. MUSCALINO: Absolutely we'll
21 work with you. And the PTA is basically a
22 shutdown during the summer, the high
23 schools, so on and so forth. We will work
24 with you to try to find a space for you,
25 absolutely.

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2 LEGISLATOR WALKER: Excellent.

3 And I will look forward to working with you.

4 MS. MUSCALINO: We will be

5 calling.

6 CHAIRWOMAN GONSALVES: Job well

7 done, Karen.

8 MS. MUSCALINO: Thank you very
9 much. We look forward to working with you.

10 CHAIRWOMAN GONSALVES: Any other
11 legislators that would like to comment?

12 LEGISLATOR BIRNBAUM: I would
13 just like to say that I'm a member of the
14 Gallon Club and have been a regular donor
15 since my friend's daughter was diagnosed
16 with Leukemia over 30 years ago.

17 MS. MUSCALINO: We'll be calling
18 you too.

19 LEGISLATOR BIRNBAUM: And,
20 actually, she has beaten it.

21 MS. MUSCALINO: Excellent.

22 CHAIRWOMAN GONSALVES: Legislator
23 Denenberg.

24 LEGISLATOR DENENBERG: I just
25 want to thank you because we've partnered

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2 with the Mayor of Freeport again and again
3 at the Freeport rec center and a few other
4 locations. You do make it so easy. Keep up
5 the great work.

6 CHAIRWOMAN GONSALVES: Do you
7 want to comment on something that Karen has
8 said?

9 MS. BORDEN: Yes. On what Ms.
10 Ford said.

11 CHAIRWOMAN GONSALVES: Go ahead,
12 Joanne.

13 MS. BORDEN: I just wanted to
14 warn Ms. Ford against volunteering for too
15 many blood drives, because I have a very
16 rare type of blood, and every time they had
17 a heart transplant they would call on me
18 until they worked me so anemic that my
19 doctor wanted to put me in the hospital.

20 CHAIRWOMAN GONSALVES: Any other
21 comments?

22 (No verbal response.)

23 Thank you again, Karen. Thank
24 you to Long Island Blood Center Services.

25 MS. MUSCALINO: I just wanted to

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2 thank you all and you will be hearing from
3 us in the next couple of weeks. So thank
4 you, presiding officer.

5 CHAIRWOMAN GONSALVES: Remember
6 the date, May 7.

7 MS. MUSCALINO: May the 7th,
8 Crest Hollow Country Club at 5:30 and we
9 look forward to having all of you there. We
10 can have a meeting there. Take care. Thank
11 you very much.

12 CHAIRWOMAN GONSALVES: Mr.
13 Muller, call the roll, please.

14 CLERK MULLER: Deputy Presiding
15 Officer Nicoletto?

16 LEGISLATOR NICOLELLO: Here.

17 CLERK MULLER: Alternate Deputy
18 Presiding Officer Kopel?

19 LEGISLATOR KOPEL: Here.

20 CLERK MULLER: Legislator Bynoe?

21 LEGISLATOR BYNOE: Here.

22 CLERK MULLER: Legislator
23 Solages?

24 LEGISLATOR SOLAGES: Here.

25 CLERK MULLER: Legislator Ford?

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2 LEGISLATOR FORD: Here.
3 CLERK MULLER: Legislator Curran?
4 LEGISLATOR CURRAN: Here.
5 CLERK MULLER: Legislator Becker?
6 LEGISLATOR BECKER: Here.
7 CLERK MULLER: Legislator
8 Muscarella?
9 LEGISLATOR MUSCARELLA: Here.
10 CLERK MULLER: Legislator
11 Birnbaum?
12 LEGISLATOR BIRNBAUM: Here.
13 CLERK MULLER: Legislator
14 DeRiggi-Whitton?
15 LEGISLATOR DERIGGI-WHITTON:
16 Here.
17 CLERK MULLER: Legislator
18 Venditto?
19 LEGISLATOR VENDITTO: Here.
20 CLERK MULLER: Legislator
21 Schaefer?
22 LEGISLATOR SCHAEFER: Here.
23 CLERK MULLER: Legislator Dunne?
24 LEGISLATOR DUNNE: Here.
25 CLERK MULLER: Legislator Jacobs?

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2 She's here. Legislator Walker?

3 LEGISLATOR WALKER: Here.

4 CLERK MULLER: Legislator

5 MacKenzie?

6 LEGISLATOR MACKENZIE: Here.

7 CLERK MULLER: Legislator

8 Denenberg?

9 LEGISLATOR DENENBERG: Here.

10 CLERK MULLER: Minority Leader

11 Abrahams?

12 LEGISLATOR ABRAHAMS: Here.

13 CLERK MULLER: Presiding Officer

14 Gonsalves?

15 CHAIRWOMAN GONSALVES: Present.

16 CLERK MULLER: We have a full

17 quorum.

18 CHAIRWOMAN GONSALVES: Thank you,

19 Mr. Muller. Joanne Borden. We have 30

20 minutes. It's now 1:25. We should be okay

21 by 2 o'clock. Go ahead, Joanne.

22 MS. BORDEN: Good afternoon for

23 the 40th time. The American Psychiatric,

24 Psychological and Medical Associations plus

25 all medical researchers agree transgender

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2 people are born transgender. It's not
3 voluntary.

4 By not outlawing discrimination,
5 you are unnecessarily persecuting patriotic
6 citizens, war veterans, teachers,
7 accountants, lawyers, engineers. People in
8 all walks of life have this phenomenon, this
9 birth variation called transgenderism.

10 I'll wager you have a transgender
11 person in the closet in your family. Does
12 religion make you persecute us? Do you
13 persecute us because in your heart you truly
14 believe we are not God's children?

15 I quoted chapter and verse
16 showing you in black and white no
17 interpretation that God does not judge us by
18 outward appearances. God judges us by what
19 is beneath the surface and in our hearts.

20 We dress and live in accordance
21 with what is inside of us, what is in our
22 hearts, and in accordance with the Bible's
23 Deuteronomy that fanatics with blinders use
24 against us.

25 Do you persecute us because you

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2 fear losing a vote in your job? If so, your
3 persecution for personal gain is a
4 corruption of your office and Americanism.
5 Such corruption for personal gain is
6 overkill. Until the next census, no issue
7 can unseat you. What has happened to the
8 Republican party? It's been gripped by
9 extremists, not conservatives, not even
10 ultra-conservatives. It's yielding to
11 extremism. Only extremists would deny human
12 rights to its own citizens.

13 You betray your constituent's
14 trust to promote liberty and justice for all
15 before personal gain. Your persecution of
16 transgender people is incompatible with all
17 concepts of humanity, human dignity and has
18 no place in society.

19 My greatest fear is that
20 extremists will some day rule my country.
21 Extremism eventually leads honest citizens
22 to anarchy and chaos. Our county, state and
23 national constitutions cry out, "Pass the
24 law. Pass the Gender Clarification Law and
25 pass it now."

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2 I have one thing other I would
3 like to mention. I would like permission to
4 speak directly for perhaps ten minutes to
5 the majority and minority counsels.

6 CHAIRWOMAN GONSALVES: You mean
7 at another time, not talking about now? At
8 another time? In other words, you're
9 looking to make an appointment?

10 MS. BORDEN: A future
11 appointment.

12 CHAIRWOMAN GONSALVES: Just
13 contact my office if you would like and we
14 will see what we can do.

15 MS. BORDEN: Mr. Astuni and Mr.
16 Klein.

17 CHAIRWOMAN GONSALVES: You can
18 contact Mr. Astuni.

19 LEGISLATOR ABRAHAMS: Yes.

20 MS. BORDEN: Thank you very much.

21 LEGISLATOR ABRAHAMS: On behalf
22 of the minority caucus, feel free to reach
23 out to my office and talk directly to either
24 Peter Klein or Michelle Darcy.

25 MS. BORDEN: Thanks.

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2 CHAIRWOMAN GONSALVES: Legislator
3 Jacobs.

4 LEGISLATOR JACOBS: I can't talk
5 loud, but I have to tell you something. You
6 know, I know a fight is hard when you
7 believe in something and sometimes it
8 happens, sometimes it doesn't. I'm telling
9 you for all my years of experience, this
10 will happen. There was just an article in
11 the paper, I think it was a week ago about
12 prejudice against transgender people in a
13 restaurant, if I recall the story. Am I
14 right? An Irish pub?

15 I just want to say to you,
16 sometimes you have to just stick with it. I
17 know you have been unbelievable in that
18 because so many of us came here from a
19 background of fighting at windmills. My
20 father-in-law always used to say, "so what
21 happened, did the windmill, did you win?"

22 And rarely do you win at the
23 beginning, but this is not going to stand
24 anymore. People have grown. People have
25 learned to accept. And when we don't accept

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2 each other, I don't know where we are. It's
3 the only way to avoid these extremists
4 taking over is to realize where we're
5 supposed to be. I can't believe it won't
6 happen. Otherwise I will join you where
7 ever you want to go. If we can't do it in
8 our country, we should be ashamed of
9 ourselves because it's certainly accepted
10 all over.

11 But, as I said to you, remember,
12 part of the problem here is two
13 interpretations of our civil rights law.
14 Human rights, we thought we covered
15 everybody, and you made some very good
16 points which there is certain disagreement
17 about that, that anyone wrote the human
18 rights law for Nassau County years ago
19 thinking we left anybody out. If we ever
20 did it would have been in their period, but
21 there's always room for movement.

22 MS. BORDEN: Yes. You know,
23 there was a dispute which the minority
24 counsel said, "we're not covered under the
25 current law." The majority counsel said,

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2 "we are covered." And the county attorney
3 -- I have the letters -- said, "we are not
4 covered."

5 So if there's my dispute about
6 that, if there is my doubt, why allow people
7 to be discriminated against?

8 There was just an incident in
9 Holbrook and I think a bunch of people had a
10 transgender demonstration. I don't know if
11 you read it in Newsday. It happens all the
12 time. It happens in jobs. You don't know
13 how frightened people are.

14 LEGISLATOR JACOBS: It's really
15 unacceptable. It really is. So we have to
16 stand up for what's right. As I said to
17 you, if I ever knew that a simple
18 description of what gender is could solve
19 this whole problem, I don't know what's
20 taking so long.

21 MS. BORDEN: Thank you.

22 CHAIRWOMAN GONSALVES: Thank you,
23 Joanne. Richard Brummel.

24 MR. BRUMMEL: Good afternoon. My
25 name is Richard Brummel.

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2 CHAIRWOMAN GONSALVES: Good
3 afternoon.

4 MR. BRUMMEL: I'm a resident of
5 East Hills. I grew up in Nassau County,
6 grew up in East Hills. I came back a few
7 years ago. I've been fighting for the
8 environment for the past two or three years,
9 as I have seen severe degradation going on
10 first in East Hills and then a widening
11 circle of experiences and awareness that I
12 have developed.

13 I'm here to talk about
14 specifically two issues; one is, the one I
15 will get to later which is your proposal
16 today to sell some more county land in East
17 Garden City, or Resolution 41-2014.

18 But I have a written statement
19 also that I'm going to address with respect
20 to the Christopher Morley Park which there
21 is a very popular, it seems, proposal to
22 site a water stripper in that park that will
23 take freon and five other volatile organic
24 compounds which seem to be carcinogens, and
25 instead of having them in the Roslyn water

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2 supply will spray them into the atmosphere
3 in Christopher Morley Park. This is an
4 issue that has received very little
5 environmental analysis, it's received very
6 little public attention, aside from any kind
7 of flag waving and drum beating on the part
8 of all the citizens in the water district
9 who are happy to have it happen.

10 I have communicated since March
11 with various legislators and also the county
12 executive to urge you to take a much more
13 discriminating view of this proposal and to
14 reject it and to protect Christopher Morley
15 Park.

16 I don't believe it's on the
17 agenda today. It seems to flit in and out
18 of the public attention. I have submitted
19 extensive written comments on the issue
20 regarding SEQRA compliance and some of the
21 major flaws in this plan.

22 I have submitted those to the
23 legislature by hand to Ms. Gonsalves and
24 didn't receive any reply yet since March. I
25 have also communicated with Legislator

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2 Abrahams' office. I have not received any
3 kind of response from them.

4 I can inform you now that the
5 Green Party of Nassau County has taken a
6 position to oppose going forward with this
7 without a full process of state legislative
8 approval of land alienation in addition to
9 full SEQRA process.

10 The Sierra Club Long Island Group
11 voted at their last meeting to oppose any
12 use of park land for this purpose. I have
13 communicated with the Roslyn Water District
14 and ask that they look at alternatives such
15 as conservation. They're going to get by
16 this summer without putting in a water
17 stripper. It seems like there are other
18 alternatives. But, in any case, the park is
19 not an appropriate location for it.

20 The other issue, this is a FOIL
21 request as well to the county for any
22 documents related to this process.

23 CLERK MULLER: Your three minutes
24 have expired, sir.

25 MR. BRUMMEL: I'm really sorry.

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2 Okay. And this is also a SEQRA information
3 request which is separate from FOIL and I
4 have written comments that I would like to
5 submit.

6 MR. BRUMMEL: What was that?

7 CHAIRWOMAN GONSALVES: I believe,
8 Mr. Brummel, you did meet with our counsel,
9 Mr. Astuni, upon your request to meet with
10 me.

11 MR. BRUMMEL: I believe you met
12 with our counsel, Mr. Astuni, on this
13 matter. Chris Astuni.

14 MR. BRUMMEL: He invited me into
15 his office when I came to visit Legislator
16 MacKenzie and he said -- he spent five
17 minutes with me telling me he didn't know
18 too much about it and when he did know
19 something about it, he would get back to me
20 on behalf of the county executive.

21 I specifically communicated an
22 extensive letter with your office, with you,
23 and with Mr. Abrahams. Maybe you're busy,
24 maybe this is not happening right away, and
25 that's why you've taken additional time to

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2 absorb the issue. I'm looking forward to
3 getting a response. Obviously you are not
4 voting on it today, so we have plenty of
5 time to talk about it.

6 CHAIRWOMAN GONSALVES: By the
7 way, Mr. Brummel, some of the items that you
8 have requested should be done are required
9 for us to do it in the event that we decide
10 to do this.

11 MR. BRUMMEL: I'm sorry. I
12 didn't hear you.

13 CHAIRWOMAN GONSALVES: Some of
14 the items that you have requested that we
15 do, before we take any position on it, are
16 required for us to do; for example, SEQRA.

17 MR. BRUMMEL: Yes, but there is a
18 discretionary element in terms of whether
19 you make a positive declaration that will
20 have a significant impact and then you
21 require a full environmental impact
22 statement or whether you use the short
23 environmental assessment form which is a
24 series of checks that say no.

25 CHAIRWOMAN GONSALVES: I'm aware

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2 of that, Mr. Brummel.

3 MR. BRUMMEL: So that's why we're
4 asking that.

5 CHAIRWOMAN GONSALVES: In the
6 meantime, Legislator Nicoletto would like to
7 address you.

8 LEGISLATOR NICOLELLO: I just
9 wanted to note that this is initially a
10 Roslyn Water District issue. Apparently
11 they have one well that's undergoing
12 treatment. And the second one, which is
13 Diana's Trail in the community of Roslyn
14 Estates, is the one that discussions have
15 been underway moving the water stripper into
16 Christopher Morley Park.

17 We, the county, Village of Roslyn
18 Estates, the water district, the Town of
19 North Hempstead, state officials have all
20 been working together to try to come up with
21 a solution for this. This obviously has not
22 been submitted to the legislature yet. When
23 it becomes finalized it will be. The
24 legislature will insist that, number one,
25 it's safe for the residents and the people

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2 using the park.

3 Secondly, esthetically, it is as
4 pleasing as possible that you don't have a
5 metal silo sitting in a nature area, and
6 that it doesn't affect the use of the park
7 and patrons.

8 So the questions with respect to
9 SEQRA and alienation will follow state
10 requirements. The state will have to pass a
11 law with respect to alienation. So all
12 those items that you mentioned will be done
13 according to the law and will be addressed.

14 Again, we will insist from the
15 county's point of view, if an effort to
16 assist the Roslyn Water District that this
17 will be safe again for the surrounding
18 areas, for the park itself, for the people
19 that use the park, be esthetically
20 acceptable, and that it does not limit in
21 any way, shape, or form our resident's
22 ability to use that park.

23 But it has not been submitted
24 specifically to us. It's still in the
25 process of being finalized with the water

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2 district as far as my understanding within
3 the last week or so.

4 MR. BRUMMEL: I appreciate that.
5 I really hope that in addition to the
6 conversations that occur between the water
7 district and the mayor of Roslyn Estates and
8 the Town of North Hempstead, that the public
9 of Nassau County at large, the users of that
10 park, have a full public opportunity to have
11 an input, an opportunity for input, and a
12 hearing that will involve them specifically.
13 Because sometimes what the public feels,
14 what the individual users and citizens feel
15 and think does not necessarily filter
16 through when it's only a process that
17 involves leaders and the higher officials.

18 LEGISLATOR NICOLELLO: When it
19 comes to the legislature, it will have to go
20 through committees and will have to go
21 through the Full Legislature and there will
22 be full and public meetings with respect to
23 that. At that time there will be open
24 public forums with respect to it.

25 And, as you know, this has not

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2 been done -- that this has been a major
3 issue in the community. There have been
4 public meetings in the community and it's
5 been communicated thoroughly to the
6 residents living in Roslyn.

7 So, again, when it comes -- if it
8 comes before the legislature, when it comes
9 before the legislature, there will be a full
10 and fair opportunity for people to be heard.

11 MR. BRUMMEL: But I would hope
12 that also there can be an outreach within
13 the park itself to users of the park so
14 they're aware as well. Because what seems
15 to be happening is that the Roslyn Water
16 District is dumping their problem in the
17 county park, and the people in the county
18 park are not as aware, possibly at all
19 aware.

20 LEGISLATOR NICOLELLO: That's a
21 good suggestion. We will reach out to the
22 parks department to make sure that there is
23 a way, in whatever way it can be done, that
24 the patrons of the park or the users of the
25 parks have notice that this is happening

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2 and/or when the legislative meetings are
3 going to take place.

4 MR. BRUMMEL: That sounds great,
5 thank you.

6 CHAIRWOMAN GONSALVES: Mr.
7 Brummel, Minority Leader Kevan Abrahams
8 would like to say something.

9 LEGISLATOR ABRAHAMS: I apologize
10 for not getting back to you but is that the
11 information that you sent to my office to my
12 attention?

13 MR. BRUMMEL: That's all in my
14 original letter.

15 LEGISLATOR ABRAHAMS: I will have
16 our counsel take a look at that and review
17 it and we will definitely get back with you
18 hopefully by the end of this week.

19 MR. BRUMMEL: Thank you very
20 much.

21 LEGISLATOR ABRAHAMS: You're very
22 welcome and I apologize again.

23 CHAIRWOMAN GONSALVES: Sandra
24 D'Arcangelo.

25 MR. D'ARCANGELO: Good afternoon.

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2 My name is Sandra D'Arcangelo. I'm with the
3 Coalition of Nassau Civic Associations. I
4 would like to make a statement regarding our
5 request to renew the Nassau County
6 partnership with the USGS survey to monitor
7 the county's groundwater and assess the
8 state of the aquifer.

9 We have been advised by the
10 Public Works Department that a two year
11 contract with the USGS for 2014 and '15 will
12 be submitted to the legislature within the
13 next two months. This contract is necessary
14 for the survey to commence its groundwater
15 testing and assessment and other related
16 sources of drinking water assessment in
17 Nassau.

18 The contract was dropped in 2010
19 and we have been left to guess the possible
20 magnitude of salt water intrusion and the
21 quantity of water in our aquifers. Not only
22 must we renew this invaluable contract which
23 the USGS pays part of, but we need to expand
24 their services to include not only quantity
25 but water quality testing as well.

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2 Newsday's April 20th article, In
3 Harms Way, on former military installations,
4 that still have unexploded munitions and
5 toxic waste, some with radiological
6 contamination on Long Island, not
7 decontaminated from many many years ago, is
8 only a few of the 254 Super Fund sites that
9 affect Long Island's aquifer system.

10 Much of what has been cleaned up
11 has ended up in our land fills which are now
12 closed Super Fund sites or in our
13 incinerators. Toxic waste is constantly
14 being recycled and fed to us in different
15 forms; air, water, and soil.

16 Nassau is quickly becoming one
17 big toxic plume with some sites merging into
18 one another.

19 We cannot urge you strongly
20 enough to quickly renew this contract with
21 USGS on a multi-year basis with expanded
22 quality services.

23 We need scientific monitoring,
24 testing, assessment, and modeling of our
25 resources so that we know the state of our

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2 potable water. Thank you.

3 CHAIRWOMAN GONSALVES: I would
4 like you to know that in the next couple of
5 days, the administration will be filing a
6 two year contract with USGS. I also would
7 like you to know that the results will not
8 only be used in-house, meaning within the
9 county, but will be shared with water
10 districts and the newly created Long Island
11 Commission on Aquifer Protection. We, like
12 you, feel it is extremely important that we
13 make sure that we are vigilant in making
14 sure that our water supply is safe.

15 MS. D'ARCANGELO: Thank you. We
16 would like to see that expanded as well.

17 CHAIRWOMAN GONSALVES: Legislator
18 Denenberg.

19 LEGISLATOR DENENBERG: Sandra.
20 Thank you. You and I had met on this a few
21 times and I just want to thank you for
22 coming down and your advocacy has been
23 really important. What you showed, and
24 several of your partners on this issue, show
25 that for Nassau for the last three plus

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2 years, there's been just an empty space
3 where the information, whether it's on water
4 level, groundwater protection, any
5 infiltration in terms of contaminants as
6 well as groundwater flow, so it's level,
7 it's infiltration from salt water, it's
8 contamination and it's also water quality.
9 So it's quantity and quality. And that's
10 information that the USGS does for an
11 incredibly low price and you would have it
12 right up to the Queens Nassau line and then
13 again at the Nassau Suffolk line. So we've
14 got to make sure that that information is
15 coming to us again because it's important,
16 as the presiding officer just said, for all
17 of the water districts that coordinate
18 within Nassau and the neighboring counties.

19 MS. D'ARCANGELO: Absolutely.
20 Thank you.

21 LEGISLATOR DENENBERG: Thank you
22 for your advocacy.

23 CHAIRWOMAN GONSALVES: Andrew
24 Malekoff.

25 MR. MAY: Madam Presiding

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2 Officer, I just want to make one point on
3 the last topic. The contract with the USGS
4 has been filed and it's Clerk Item E-124-14
5 and I believe it was filed on the 25th.

6 CHAIRWOMAN GONSALVES: Thank you.
7 Go ahead.

8 MR. MALEKOFF: Good afternoon.
9 My name is Andrew Malekoff and I live in
10 Long Beach, New York. I'm the executive
11 director of North Shore Child and Family
12 Guidance Center.

13 My testimony today is a
14 continuation of my earlier remarks on the
15 crisis of dwindling access to community
16 based mental health care for children.

17 I offer this not to criticize
18 Nassau County, but rather as a wake-up call
19 regarding the policies of New York State and
20 private health insurance industry.

21 I want you to be well informed
22 and to have some insight in the event that
23 some unforeseen crisis or tragedy in one of
24 the communities that you represent.

25 For three decades, New York State

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has systematically marginalized middle class and working poor families who have children with mental health problems. The truth is that the public is unaware of this, that is, unless you have a child or grandchild who is refusing to go to school, cutting herself, paralyzed by anxiety, deeply depressed, out of control, violent or suicidal, and, yes, this happens even in the best of families.

Because mental health is stigmatized, the reality of the state's neglect has been obscured. In other words, we continue to treat illnesses above the neck different than those below the neck.

Just to refresh your memory since my last testimony, 75 percent of all serious mental illness occurs before the age of 24. Yet, only one out of five children receives help from a mental health specialist.

For many middle class families, when it comes to seeking mental health care for their children, the process of finding help is a shell game that is operated on different corners of the block by New York

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2 State and the private health insurance
3 industry.

4 You might find it of some
5 interest to know that at the same time that
6 New York State is turning its back on
7 universal mental health care, the New York
8 State Office of Mental Health is running up
9 annual overtime expenses of \$94 million a
10 year.

11 As for the private health
12 insurance industry, commercial insurers are
13 required to demonstrate that they have
14 adequate networks of care. Network adequacy
15 refers to a health plan's ability to deliver
16 benefits promised by ensuring reasonable
17 access to a sufficient number of in-network
18 providers and services under the terms of
19 the contract.

20 The truth is, however, that none
21 of them have adequate behavioral health care
22 networks because they offer substandard
23 rates. Consequently, underfunded community
24 based child mental health agencies cannot
25 afford to contract with them with very

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2 exceptions.

3 As for having their licenses
4 revoked by New York State for failing to
5 live up to their contracts, that is unlikely
6 to happen given the millions of lobbying
7 dollars that the insurance industry has
8 backing them up.

9 Finally, the situation is dire.
10 I want you to know about it so when the
11 you-know-what hits the fan in one of your
12 communities, you will be well informed.
13 Thank you.

14 CHAIRWOMAN GONSALVES: Thank you,
15 Mr. Malekoff.

16 LEGISLATOR FORD: Mr. Malekoff,
17 thank you very much. I appreciate the
18 e-mails and I realize this is a tough issue.
19 I commend you on continuing the fight and,
20 hopefully, some day, because you are
21 battling against insurance companies.

22 For us, we have a newly formed
23 group in Long Beach and it was formed by
24 young people because of drug overdoses and
25 the deaths that we had, six, just in the

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2 past 15 months. One of the elements we are
3 looking at actually is the mental health.

4 We feel that, I guess from the
5 people, from the speakers that we've had,
6 I'm just a member of the group, I didn't
7 organize it, it's very interesting because
8 of the direct connection between mental
9 health and our young people, and then the
10 eventual addiction to drugs is something
11 that seems to go hand in hand.

12 So, I urge you to, like, if you
13 want to, look up Rip LB, and start looking
14 to see what they have to say and maybe come
15 down to one of the meetings because we are
16 forming together to also fight against the
17 insurance companies on the money they can
18 give for young people who are addicted to go
19 to treatment centers. We're looking to make
20 it so that it's mandatory 60 to possibly 90
21 days that they pay for the treatment.

22 I think that this is maybe
23 something, if you can join with us, maybe we
24 can really try to start getting the message
25 out, and making people aware of what's

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2 happening, and the need to fight against the
3 insurance companies and what they're doing
4 to our communities.

5 MR. MALEKOFF: I appreciate that.
6 I can't overemphasize the importance of the
7 issue of stigma when it comes to mental
8 health. Someone recently in my staff went
9 to a fund-raiser that was the result of an
10 organization that was formed by parents and
11 friends where there was a child who had
12 cancer who has since died, and there was a
13 huge turnout, a lot of energy, people were
14 ready to do whatever they could to help
15 their neighbors and friends.

16 The problem is, when you have a
17 child that is out of control, when you have
18 a child who has psychosis, who is suicidal,
19 who is involved with drugs, the shame that's
20 involved with families, the difficulty in
21 terms of coming out public, makes it so
22 difficult to advocate for this issue.

23 So I think for you, as leaders,
24 in all of your communities to be able to
25 grapple with the issue of stigma as well as

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2 fight with insurance companies and confront
3 New York State's neglect of middle class and
4 working poor families who have these needs,
5 would really make a tremendous difference.

6 So I certainly appreciate
7 anything that you do in that regard.

8 CHAIRWOMAN GONSALVES: Legislator
9 DeRiggi-Whitton.

10 LEGISLATOR DERIGGI-WHITTON: I
11 just want to ask if you were aware, I got a
12 call the other day that the Glen Cove
13 Hospital is closing its psychiatric
14 department which is just amazing to me, but
15 I guess it follows along with what you are
16 talking about.

17 I don't know if you have any
18 influence, I know we are going to do what we
19 can, but I would appreciate any help you
20 have with that.

21 MR. MALEKOFF: Yes, I'm aware of
22 that, and, as a matter of fact, I just
23 received a call from a service provider
24 within Glen Cove saying that it's impossible
25 to find places for people who don't want to

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2 go south of Northern Boulevard to get the
3 help that they need for their children's
4 mental health problems. And, again, that's
5 largely because the nonprofit community is
6 bailing out on seeing anyone that has private
7 insurance. The state is saying that
8 nonprofit agencies should change their payer
9 mix which is a euphemism for bailing out on
10 the middle class and working poor. They're
11 saying that the marketplace will take care
12 of it, meaning the private practitioners.
13 But the private practitioners will not see
14 these families. They will not see kids that
15 have serious mental illness, complex
16 problems that are crisis oriented because
17 the labor intensity that's involved is not
18 worth their while economically. So, all
19 that's left are community based agencies and
20 they are dropping like flies or they're
21 giving up all of their cliental except
22 people who have Medicaid. It's a very
23 serious issue and I certainly appreciate the
24 latest stress for the community of Glen
25 Cove.

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2 Also, I put something up here, a
3 longer article that will appear on May 1st
4 in the New York State nonprofit press which
5 I go into much more detail than what I
6 presented to you today. I also sent it to
7 all of your offices. So I encourage you to
8 take a look at that time to get a little
9 more in-depth of the view of the issues.
10 Thank you.

11 CHAIRWOMAN GONSALVES: Neal
12 Lewis.

13 MR. LEWIS: I have a letter to
14 hand in. Presiding officer and members of
15 the legislature, my name is Neal Lewis. I'm
16 the executive director of the Sustainability
17 Institute of Molloy College.

18 In light of the time, I want to
19 speak in quick bullets. You've heard me
20 speak before on the issue of carbon monoxide
21 awareness and safety, and I want to thank
22 the legislators and the past number of you
23 did press releases and other things to help
24 with the efforts to raise public awareness
25 on this issue. So I thank you for that.

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2 The bill that's before you, the
3 ordinance proposed by the fire marshal,
4 appears to be very comprehensive in the
5 number and types of different buildings that
6 would be covered.

7 So I want to start by
8 acknowledging the fact that it's a bill that
9 goes much further than what the state law
10 requires and, in that respect, it's a very
11 good thing.

12 I want to point out that the New
13 England Journal of Medicine has written to
14 advise the public, particularly for doctors
15 to understand, that carbon monoxide can have
16 significant health effects at levels below
17 the level that triggers a carbon monoxide
18 alarm which is 70 parts per million.

19 On that point, I've handed out to
20 you a letter from NYCOSH, which is a
21 statewide organization that's highly
22 respected on these sort of workplace health
23 and safety issues.

24 I have also given you an OSHA
25 fact sheet which, if you look at the back,

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2 indicates that 50 parts per million is the
3 standard that OSHA has set. So the
4 difference between 50 and 70 is one of great
5 significance. People can be working in
6 their workplace and, in fact, be exposed to
7 these levels of carbon monoxide that will
8 not trigger the carbon monoxide detectors
9 even after this law goes into effect
10 because, as written, it doesn't have a
11 requirement to capture that lower level.

12 I should point out that there are
13 some towns that have taken that extra step
14 in part as a response to this initiative
15 that I have been involved in, the NYCOSH
16 letter and such.

17 So, one of the questions I would
18 have is, to what extent this law would
19 supersede what has already now been passed
20 in the towns of Hempstead and North
21 Hempstead, which do require digital readout
22 for lower than 70 parts per million for
23 places of public assembly.

24 I would hope that this law will
25 not supersede that law and not prevent that

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2 from going into effect. I have spoken to
3 the Town of Hempstead that acted before
4 North Hempstead did and they are telling me
5 that they are moving ahead and do not see
6 problems with implementing their
7 requirements. So, churches, restaurants,
8 theaters, are all going to be required to
9 have digital readout carbon monoxide
10 detectors and Hempstead believes that they
11 can implement that law effectively, rather
12 quickly.

13 So, one question and concern I do
14 have is that we don't want to see this law
15 step down from what we have accomplished in
16 two other towns. I should also point out
17 that there is one other town in Suffolk, the
18 Town of Brookhaven that's looking to require
19 the digital readout for the carbon monoxide
20 detectors that are in homes which is like
21 the one I have in my hand which is -- it has
22 a little screen. You have to hold the
23 button to get the digital readout but, as it
24 says right now, zero parts per million. It
25 should generally always be zero parts per

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2 million, but there are times and there can
3 be back drafts in your heating system and a
4 number of things can happen.

5 Again, I realize I only have
6 three minutes so I'm trying to say this all
7 as quickly as I can. It's good that you are
8 doing as much as you're doing. I do
9 encourage you to go further and I hope this
10 law doesn't do any harm in impeding the
11 efforts of those municipalities that are
12 going further.

13 I do think the message that
14 NYCOSH has and the message of OSHA is one
15 where we should embrace the need to use
16 technology to really make ourselves aware of
17 the risks. So they say to provide early
18 indication of CO leaks and to help prevent
19 chronic exposure to CO at concentrations
20 below the audible alarm of 70 parts per
21 million. Carbon monoxide detectors should
22 be required to be equipped with digital
23 readouts in parts per million.

24 So, NYCOSH's position is exactly
25 the position that I have been raising to you

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2 for months now. I want to point out, this
3 is not a political partisan philosophical
4 issue. I think we all agree philosophically
5 that governments should have standards in
6 this area. So it's just a matter of getting
7 the right standards. I think a lot of that
8 has to do with recognizing how technology
9 has changed.

10 The original law came about some
11 20 years ago. We have come a long way in
12 those 20 years since that tragic death out
13 in Southampton that prompted the first law.

14 So this is not an issue where
15 we're so much at odds. It's more of a
16 question of just trying to get it right. I
17 do think when you read this law it's not
18 like, for example, where it's Huntington,
19 where it's --

20 CLERK MULLER: Your three minutes
21 have expired.

22 MR. LEWIS: Okay.

23 CHAIRWOMAN GONSALVES: Legislator
24 Jacobs has something to say, Neal.

25 LEGISLATOR JACOBS: Neal, I just

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2 wanted to say when I put my bill in for this
3 right away after that tragedy in Huntington,
4 I want to compliment the county executive
5 who called me within a couple of weeks and
6 told me that he and the fire marshal had
7 really presented a bill to him to consider,
8 and, number one, I want to thank the county
9 executive for even calling me because I
10 appreciated the fact that he understood I
11 put it in with all good intentions, but I
12 must tell you that when our legal team read
13 what the fire marshal said, it was even more
14 comprehensive than we even thought ours was.
15 So I told Ed that I was 100
16 percent behind his and certainly that's the
17 one we should go with, and then he asked me
18 if I would give him some type of statement
19 about that. I certainly did because, I
20 think as you feel, this is bipartisan. This
21 is important. If the state would act
22 quicker, the state could have had a law in
23 place right away too, but they didn't. So,
24 until they do, the important thing was to
25 get something going.

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2 I appreciated the bipartisanship
3 that was shown here for doing that. Not
4 here, but up there.

5 MR. LEWIS: That's right. And I
6 want to be clear, I'm not opposing that you
7 enact the ordinance that's before you today.
8 I do think this is a big step forward.

9 I would encourage perhaps to
10 create a committee or something and take a
11 couple of months to look at the question of
12 could we require the digital readout. Even
13 the direction that Brookhaven is going,
14 residential, or in the direction that
15 Hempstead and North Hempstead have gone with
16 larger establishments.

17 So I would -- I think that if
18 people get into a small room, we can kind of
19 explain some of the nuances as to why the
20 thinking is that this is needed and that it
21 could be done, but I do understand that to
22 require a new technology, some questions
23 have to be asked, is it readily available?
24 It is economically feasible? That kind of
25 thing. But the early indications are that

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2 the answers to those questions are yes.

3 I think the fire marshal did a
4 good job with what they wrote here. So I
5 understand why your lawyers were
6 complimentary of it. And I'm not here to
7 say this is bad. It's not bad, it's good.
8 But you know how it is, sometimes you still
9 want to see if we can still go further.

10 LEGISLATOR JACOBS: But, Neal,
11 you do agree that passing this today is
12 pretty important?

13 MR. LEWIS: Absolutely.

14 LEGISLATOR JACOBS: And then we
15 discussed the other, we can always amend it.

16 MR. LEWIS: That's right.
17 Absolutely.

18 CHAIRWOMAN GONSALVES: Legislator
19 Venditto.

20 LEGISLATOR VENDITTO: Thank you,
21 presiding officer. Neal, I just want to say
22 thank you again for coming down today, for
23 the ongoing work that you're doing. Because
24 of its very elusive nature, I think we can
25 all agree, that raising awareness is so very

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2 important, and we will do what we can to
3 make sure that these laws don't conflict
4 each other, as you mentioned, make sure that
5 everything is seamless and not conflicting
6 and nothing is overriding anything else.

7 In the meantime, we will be
8 staying as aggressive as we can from our end
9 to see it through to make sure that the
10 awareness increases by the day. So please
11 keep in contact with all of us and keep up
12 the good work.

13 MR. LEWIS: Thank you,
14 legislator.

15 CHAIRWOMAN GONSALVES: Gerard
16 Ottavino.

17 MR. OTTAVINO: Good afternoon.
18 I'm Gerald Ottavino and the environmental
19 coach for the Point Lookout Civic
20 Association and the Nasen Beach to Bay
21 Council of Civic Associations on Long Beach
22 Island.

23 Similar to testimony already
24 given, I'm here to speak about renewing the
25 partnership contract between Nassau County

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2 and the United States geological survey.
3 Nassau County has been without proper
4 groundwater monitoring and testing for
5 almost three and a half years. One salient
6 reason, such testing is so critical as
7 experts still do not have the requisite data
8 to assess the state of the county's
9 aquifer's system and, hence, the state of
10 its drinking water since Super Storm Sandy.

11 Basically, because our drinking
12 water comes from an underground source, out
13 of sight has been out of mind for far too
14 long.

15 I have been informed via the
16 county's Department of Public Works that a
17 two year contract with the United States
18 Geological Survey, for 2014 and 2015, is
19 currently moving through the county's
20 approval process.

21 Not too long ago, this entire
22 legislature wisely overcame its differences
23 in voting unanimously to band fracking
24 wastewater from entering Nassau County. It
25 was the wisest decision that this county has

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2 made in some time.

3 Renewing the county's partnership
4 contract with the USGS is equally as
5 important. Therefore, I strongly urge each
6 and every one of you to expedite having this
7 contract placed on the legislature's agenda
8 for next month and to publicly convince its
9 importance to the county's welfare, and
10 likewise urge you to approve it and its
11 funding unanimously as well.

12 One thing I would like to mention
13 is, this contract is only for two years and
14 would end December 31st, 2015. We are
15 already well into 2014. Just ask yourself
16 rhetorically the question, how can the USGS
17 test and monitor every well in Nassau County
18 in 19 months? It's quite the task.

19 Moving forward. History has
20 proven civilizations have fallen based upon
21 their inability to manage their water. What
22 makes anyone here today think the fate of
23 Nassau County will be any different? Having
24 noted this, let me propose a small but
25 urgent challenge, more like a dare.

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2 So future partnership contracts
3 with the USGS continue forever and
4 uninterrupted, who among you will introduce
5 legislation to assure they be made a
6 mandatory part of the county's budget each
7 year, as mandatory as approving your own
8 salaries?

9 This is more than just a
10 rhetorical question. Its basic survival as
11 the future of the county's drinking water
12 and, hence, that of the county itself may
13 depend on this simple course of action.
14 Thank you.

15 CHAIRWOMAN GONSALVES: Thank you,
16 Mr. Ottavino. And it's my understanding
17 that the item has been filed in the clerk's
18 office and it's subject to review by this
19 body and it could likely come before us next
20 month.

21 MR. OTTAVINO: The point is that
22 it be expedited so the USGS can start at
23 once.

24 CHAIRWOMAN GONSALVES: We heard
25 you.

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2 MR. OTTAVINO: Thank you.

3 CHAIRWOMAN GONSALVES: Diane
4 Madden. Two other speakers and, if you
5 notice, I'm going past 2 o'clock because I
6 think it's beneficial to hear all of you at
7 the same time. Go ahead, Diane.

8 MS. MADDEN: Good afternoon. My
9 name is Diane Madden and here to thank
10 Presiding Officer Norma Gonsalves and
11 Minority Leader Kevan Abrahams for both
12 filing the much needed Animal Rights
13 Legislation on April 2nd.

14 I'm involved and have been
15 involved for the past 15 years with animal
16 rescue and advocacy. I'm here to say that
17 it always occurs to me that it's very easy
18 for animal abusers to abuse animals and it's
19 very hard for animal advocates to try and
20 protect them.

21 So this is such an important
22 piece of legislation and I do really hope
23 that you will bring these bills to the
24 floor.

25 Two points that I wanted to

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2 mention because I do appreciate the
3 legislation introduced by Dave Denenberg and
4 Laura Curran which would include a database
5 where the name or names of the abusers would
6 be connected and linked with the Department
7 of Social Services. The child protective
8 services, often times, when individuals
9 abuse animals, there is a history of
10 domestic violence. And this would also send
11 a message to those animal abusers that there
12 is going to be a level of accountability.

13 The second issue that I wanted to
14 bring up and is equally as important, that
15 the legislation, the language is included
16 that the abuser has no access to that
17 animal. Again, it would be fruitless to
18 list an abuser on a registry and then every
19 night have that person go home to that
20 animal they abused. So I hope that you will
21 take a look at that language and both of
22 these pieces of legislation because, again,
23 I did appreciate the one put forward by Dave
24 and Laura.

25 The last thing I wanted to say,

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2 because I know we're short on time here,
3 I've always stated that we domesticated
4 these animals. We have made them our
5 companions. I believe it's our
6 responsibility to protect them. We have an
7 opportunity now to do this right. So I do
8 urge you and I implore you to move these
9 bills to the floor. Animals are much like
10 children. They just want to feel safe and
11 loved and protected.

12 So I thank you for taking those
13 steps to do that and looking forward, I'm
14 always here. Thank you.

15 CHAIRWOMAN GONSALVES: Thank you,
16 Diane, for coming. Yes, there are two
17 pieces of legislation, we have joined
18 together, the majority and minority,
19 regarding this issue, and hopefully we will
20 be considering them in the next couple of
21 meetings.

22 However, I'm hoping that we will
23 continue to work together to develop the
24 best possible legislation to protect our
25 animals.

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2 MS. MADDEN: I couldn't agree
3 more and I do thank you for that. I agree
4 100 percent that this is something that
5 everyone can work together on and that would
6 make it the most effective.

7 Again, it's so important, I know
8 Suffolk County has done this, but, honestly,
9 I think it's more important for Nassau
10 County to get it right the first time. So
11 thank you so much.

12 CHAIRWOMAN GONSALVES: You're
13 welcome, Diane. Thank you for coming.
14 Legislator Denenberg.

15 LEGISLATOR DENENBERG: Thank you.
16 Diane, thank you for coming and, to
17 presiding officer, thank you for both your
18 bill and our bill. I think it's an issue
19 that obviously we are all looking at.

20 This is Child Abuse Prevention
21 Month and, if you look at just the data,
22 animal abuse and animal abusers, by
23 overwhelming figures, end up being child
24 abusers as well. So, just when we
25 coordinate or work together and have a bill

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2 down, some of what Diane just mentioned, but
3 a download to child protective services and
4 to the Department of Social Services for
5 that registry certainly would give very,
6 very important information to those agencies
7 that are also protecting children and of
8 course abusers should not have access to the
9 animals that they are abusing. So, thank
10 you, Diane.

11 MS. MADDEN: Thank you so much.

12 CHAIRWOMAN GONSALVES: Lucille
13 DeFina.

14 MS. DEFINA: Hi. Good afternoon.
15 I don't want to repeat Diane too much, but I
16 do want everyone to know that I am here
17 today because this is a very important piece
18 of legislation and I want to thank everyone
19 involved for filing this much needed animal
20 rights legislation.

21 I'm here today to not only thank
22 and support this extremely important
23 legislation, but to encourage the presiding
24 officer to bring one of these bills to the
25 floor for a vote.

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2 I would like to thank Dave
3 Denenberg, in particular, and Laura Curran
4 for listening to us over the years about how
5 important it is to protect our animals, and,
6 hopefully, it will also result in protecting
7 our children in Nassau County. An animal
8 abuse registry is extremely important but it
9 is important to do it right.

10 I don't want to repeat about the
11 child abuse, but the point of Dave
12 Denenberg's and Laura Curran's legislation
13 that does download that information directly
14 to Child Protective Services is extremely
15 important.

16 I'd also like to mention that as
17 being a long time animal rescuer, I did
18 hundreds of adoptions a year on my own
19 personally without having an animal abuse
20 registry. I cannot tell you how difficult
21 that was. The screening process that we go
22 through to try to determine if you're
23 sending this animal home with a good home, a
24 good person, is very difficult to do. I've
25 spent many nights worrying about the person

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2 who that animal went home with, and it's not
3 a good feeling, and sometimes you just try
4 to make the right choice.

5 An animal abuse registry could
6 solve a lot of these problems especially
7 with animals at municipal shelters. I
8 cannot tell you how horrible it is to watch
9 an animal being redeemed by their owner or
10 being adopted when you do not have a good
11 feeling about this person, and you feel like
12 you are looking at an animal abuser, and
13 there is nothing that you can do to prevent
14 this animal from going home with this
15 person.

16 This animal abuse registry is so
17 important and I cannot stress enough how
18 thrilled I am that someone is finally going
19 to do something about it.

20 So, again, thank you so much and
21 I am here to support you every step of the
22 way.

23 CHAIRWOMAN GONSALVES: Bob
24 Williams.

25 MR. WILLIAMS: Good afternoon,

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2 presiding officer and members of the
3 legislature. Thank you very much for
4 allowing me to speak to you today.

5 My name is Bob Williams and I
6 wanted to comment just very briefly on the
7 carbon monoxide ordinance that you're going
8 to vote on today.

9 I am a former Long Island
10 firefighter who has responded to many a CO
11 alarm. I'm also a New York State licensed
12 security and fire alarm installer.

13 I want to first compliment and
14 commend both the legislature and the Nassau
15 County fire marshal's office on crafting
16 this ordinance. Especially Deputy Chief
17 Fire Marshal Michael Yatauro who has reached
18 out to both the general public and the
19 industry in creating this ordinance.

20 I think the ordinance is very
21 fair to the business community and it
22 protects the general public and the building
23 workers against the dangers of carbon
24 monoxide poisoning.

25 Carbon monoxide, as many of you

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2 know, is called the silent killer because of
3 the effects of poisoning are not often
4 immediately noticeable, like heat and smoke
5 of a fire condition.

6 There were many times when I
7 responded to a CO call and the occupants
8 were hesitant to leave because they didn't
9 understand the effects or the conditions of
10 CO poisoning.

11 I think you've got probably the
12 most advanced legislative document here in
13 New York State today, as far as county wide
14 documents are concerned, and I urge you to
15 pass this legislation.

16 A prior speaker mentioned some
17 devices that can readily detect low level
18 chronic carbon monoxide poisoning. This
19 industry is changing as carbon monoxide has
20 come to the forefront and there will be many
21 devices out there and I'm sure this bill can
22 be amended later. I'm sure this bill can be
23 amended later and the fire marshal will,
24 because of the input he has gotten from the
25 community, will make the changes when they

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2 deem it necessary. Thank you very much.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Mr. Williams. That's the end of public
5 participation. Now, we proceed to today's
6 calendar and it's my understanding that this
7 is a consent calendar, and the items that
8 are on the calendar and have gone through
9 committee and been unanimously been approved
10 by committees so, therefore, we will move
11 forward with the entire calendar as
12 consented by the minority.

13 So, I read the first item, Item
14 1, Resolution Number 50; Item 2 -- by the
15 way, it's all 2014, Item 2, Ordinance Number
16 39; Item 3, Ordinance Number 40; Item 4,
17 Ordinance Number 41; Item 5, Ordinance
18 Number 42; Item 6, Ordinance Number 43; Item
19 7, Ordinance Number 44; Item 8, Ordinance
20 Number 45; Item 9, Ordinance Number 46; Item
21 10, Ordinance Number 47; Item 11, Ordinance
22 Number 48; Item 12, Ordinance Number 49;
23 Item 13, Ordinance Number 50; Item 14,
24 Ordinance Number 51; Item 15, Ordinance
25 Number 52; Item 16, Ordinance Number 53;

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2 Item 17, Ordinance Number 54; Item 18,
3 Ordinance Number 55; Item 19, Ordinance
4 Number 56; Item 20, Resolution 51 -- I'm
5 sorry, Item 20 is not being called. So,
6 therefore rescind that item. So the last
7 item was Item 19, Ordinance 56; Item 21,
8 Resolution Number 52; Item 22, Resolution
9 Number 53; Item 23, Resolution Number 54;
10 Item 24, Resolution Number 55; Item 25,
11 Resolution Number 56; Item 26, Resolution
12 Number 57; Item 27, Resolution Number 58;
13 Item 28, Resolution Number 59; Item 29,
14 Resolution Number 60; Item 30, Resolution
15 Number 61; Item 31, Resolution Number 62;
16 Item 32, Resolution Number 63; Item 33,
17 Resolution Number 64; Item 34, Resolution
18 Number 65; Item 35, Resolution Number 66;
19 Item 36, Resolution Number 67; Item 37,
20 Resolution Number 68; Item 38, Resolution
21 Number 69; Item 39, Resolution Number 70;
22 Item 40, Resolution Number 71. And that is
23 the calendar.

24 A motion, please.

25 LEGISLATOR KOPEL: So moved.

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2 LEGISLATOR WALKER: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Walker.

6 Any comments before we take a
7 vote? Legislator Jacobs.

8 LEGISLATOR JACOBS: I would like
9 to say one thing. I hope everyone who is
10 here on the CO alarm knows it just passed,
11 okay?

12 CHAIRWOMAN GONSALVES: And I
13 would like to thank the Fire Marshal's
14 Office and those who came up to speak on
15 behalf of the legislation, and I would hope
16 that everything can be improved but, for the
17 time being, I think, too, I agree with those
18 who spoke today, that is a very, very
19 comprehensive piece of legislation.

20 So, thank you Michael Yatauro,
21 and, thank you, Chief Scott Tusso, and all
22 those that participated in formulating this
23 legislation. You have a comment? Did you
24 speak before? Are you speaking on an item
25 that you we just called?

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2 MR. BRUMMEL: No. I would like
3 to speak on this item, I have not spoken on
4 it yet.

5 CHAIRWOMAN GONSALVES: Which item
6 is it, sir?

7 MR. BRUMMEL: It's Richard
8 Brummel. This item, Number 41-2014, as I
9 said before, I'm an environmental advocate.
10 I think this is regarding property that
11 Nassau County owns. There is a sump, a
12 large sump off of Stewart Avenue on South
13 Street and the proposal is to sell part of
14 that sump property to a private -- to expand
15 a roadway.

16 I want to object to the negative
17 declaration under SEQRA. I want to object
18 to some of the content of the environmental
19 assessment form. I will say that I did go
20 by the information that was on the county
21 website and there was -- the appendix that's
22 specified, what exactly the property at
23 issue was missing.

24 So when I visited the site
25 yesterday, I didn't know exactly what I was

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2 looking for. I understand it's a small
3 portion of this sump that's going to be sold
4 off, but this connects to the larger issue
5 of what the county does with its land. What
6 they're going to do to Christopher Morley
7 Park, put a toxic thing there.

8 I have also had some experience
9 with what the county did with its old east
10 office complex in Plainview and I've
11 submitted testimony under SEQRA for that.

12 The county's property, that was a
13 terrible loss. If the development process
14 goes through, there will be a terrible loss
15 of woodland and open space.

16 This sump is -- you're only
17 talking about a very small piece of
18 property, a very small portion of that
19 property. I don't think that you know from
20 the documentation that you have here, and
21 certainly the public doesn't know what is
22 actually involved.

23 When I visited the site
24 yesterday, I discovered that that sump in
25 general is basically a sanctuary for Canada

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2 geese. There's a lot of Canada geese
3 nesting there. There were geese and
4 goslings crossing the road around that sump,
5 not necessarily the road that's being
6 expanded, but connected to that road. This
7 will definitely affect that wildlife, and
8 that needs to be reflected in these
9 environmental documents.

10 In addition, there is kind of an
11 intermittent wetland in the middle of the
12 sump which has to be attracting a lot of
13 other kind of wildlife.

14 Granted, the proposal to sell the
15 property is not the central portion of the
16 sump, but I would have a question whether
17 this is the beginning of a larger
18 willingness to sell other portions of that
19 sump, and that would require a connected
20 analysis, an overall analysis under SEQRA
21 because of the threat otherwise of
22 sedimentation of the environmental review.

23 But just the fact that you're
24 selling a portion of that land and that
25 wildlife does depend on that land and that

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2 the geese are evidently crossing those
3 roads, and --

4 CLERK MULLER: Your three minutes
5 have expired.

6 MR. BRUMMEL: I'm sorry, the
7 testimony under the resolution, is there
8 also a three minute limit?

9 CLERK MULLER: Yes, there is.

10 MR. BRUMMEL: Well, I wasn't
11 aware of that.

12 CLERK MULLER: It's in the rules
13 of procedure, sir.

14 MR. BRUMMEL: Well, my counsel
15 took off today, I apologize.

16 CLERK MULLER: Okay.

17 MR. BRUMMEL: In any event, I
18 object basically on the environmental
19 analysis issues and also on the general
20 issue of the county's custodianship of the
21 public land.

22 This is a natural land and I
23 would also like to know what -- there is no
24 analysis of how the traffic is going to be
25 changing, what the traffic situation is

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2 there now, and certainly not how it's not
3 going to affect any of the wildlife that I
4 detected was there. None of that is in this
5 document.

6 So that tells us that this is
7 deficient and it's not ready to be voted
8 upon. So I would urge you not to vote, and
9 to vote --

10 CHAIRWOMAN GONSALVES: I need to
11 clarify something for you. Every one of
12 these items that requires the sale of county
13 property goes through the planning
14 commission, Nassau County Planning
15 Commission and to our own Open Space Parks
16 Advisory Board Commission, and both have
17 approved the sale of that property.

18 Going back to the wetlands, the
19 wetlands within that property can never be
20 developed and cannot be sold.

21 So it's just a portion of that
22 property, not the entire property.

23 MR. BRUMMEL: Yes. But these
24 documents that are part of the resolution
25 which I really appreciate that the clerk

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2 provided to me prior to the meeting, these
3 documents reflect all of the information
4 that came before those other bodies, the
5 planning commission and your open space and
6 that information is not there.

7 So therefore, it's up to you -- I
8 mean, if their judgement was adequate, then
9 we wouldn't need a legislature, but the
10 legislature has to exercise its overarching
11 responsibility and its greater wisdom and
12 its greater capacity and its representation
13 for the entire community directly in order
14 to say, okay, that's true, these documents
15 are deficient and we will go further as the
16 law requires. And I would urge you to do
17 that.

18 CHAIRWOMAN GONSALVES: Legislator
19 Jacobs.

20 LEGISLATOR JACOBS: On the same
21 wave length that Norma was, I just want to
22 say to you that the Plainview property, are
23 you aware that right now, and I'm not
24 talking pro or con about the intensity of
25 development there, are you aware that right

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2 now, a 430,000 square foot, 50 foot high
3 office building can be built. That that's
4 how that was zoned. People have a
5 misunderstanding there, thinking that if
6 nothing is done, it stays green.

7 Right now, the zoning on that
8 property, if somebody wanted to use it like
9 Cannon built right up the block from it,
10 they can do it. I'm not positive the
11 general public is aware of that.

12 MR. BRUMMEL: I mean, but you are
13 begging the question, the point was, that
14 property was in the portfolio, it was owned
15 by the people of Nassau County, and prior to
16 it being zoned, it only became zoned that
17 way once you sold it. Had you maintained
18 it, had you protected it, had you done
19 something constructive with it, had you
20 created the covenants to protect all the
21 woods, they couldn't build anything there
22 that you didn't approve. But that's an
23 entirely different subject. The point is --

24 LEGISLATOR JACOBS: Well,
25 similar. Let me just say something. It's

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2 similar --

3 MR. BRUMMEL: You guys made a
4 mistake with that in terms of the --

5 LEGISLATOR JACOBS: Excuse me,
6 Mr. Brummel. Hold on. I was here then. I
7 became presiding officer during that. I
8 have to tell you something. That property
9 was a source of something that a prior
10 administration, way prior, decided to sell
11 off. It was in the budget every year to be
12 sold and every single year it was registered
13 in the budget as if it was sold and it never
14 was. Then, finally, it was sold.

15 So any restrictions that are on
16 it now, for the 150 border of walking or
17 passive use for people, all that are things
18 we put in, but the zoning itself was always
19 there.

20 So I just want you to know that
21 you're not looking at a -- and I don't blame
22 you, because when you drive by it looks
23 beautiful, but the bottom line is, it's not
24 what would be there today if everything is
25 rejected, if everything is rejected, an

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2 office building can be built.

3 MR. BRUMMEL: The point that I'm
4 make is that the county has the ability,
5 when it owns property, to be a good
6 custodian of that property, whether it's
7 Christopher Morley Park, whether it's this
8 sump, I mean, obviously your portfolio is
9 not as big as it once was and that's a
10 shame, so let's leave that point aside.

11 LEGISLATOR JACOBS: I agree with
12 you on that, but a mistake was made 20 years
13 ago at the very beginning. Trust me on
14 this.

15 MR. BRUMMEL: I only used it as
16 an example. There is a lot of dialogue
17 going on hopefully that we'll be able to --
18 through an environmental process, more of it
19 will be able to be protected, but this is
20 something that you can do something about.
21 It's a very small piece of land. I won't
22 say it's symbolic because it has -- it
23 actually is functional in terms of this
24 wildlife, for instance, and I think it's a
25 legitimate action for the board to delay

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2 that sale.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Mr. Brummel. Any other public comment?

5 (No verbal response.)

6 There being none, all those in
7 favor of the calendar as presented, signify
8 by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The calendar, the items pass
13 unanimously. We are going to recess for
14 five minutes and then we are going to come
15 back because we have an emergency item. So
16 it has been requested that we recess for
17 five minutes. So be it.

18 (Whereupon, the Full Legislative
19 Committee recessed at 2:30 p.m. and
20 reconvened at 2:50 p.m.)

21 CHAIRWOMAN GONSALVES: Will my
22 colleagues please take their seats. Mr.
23 Muller, will you please?

24 CLERK MULLER: We have an
25 emergency from the county executive that's

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2 updated -- I'm sorry. We have an emergency
3 from the county executive dated April 28,
4 2014, and emergency resolution declaring an
5 emergency for immediate action upon a
6 resolution making certain determinations
7 pursuant to the State Environmental Quality
8 Review Act for the construction of a
9 perimeter flood protection berm/flood wall
10 and park improvements at the Bay Park Sewage
11 Treatment and County Park.

12 Please entertain a motion and
13 have a vote on the emergency.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Kopel. All those in favor of establishing
19 of the emergency signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 We're establishing the emergency.
24 Now the resolution itself. Everybody voted
25 in favor of the emergency, yes? Yes. Now

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2 the resolution itself.

3 CLERK MULLER: Emergency
4 Resolution 3 of 2014, an emergency
5 resolution declaring an emergency on a
6 resolution, Clerk Item 155-14, a resolution
7 making certain determinations pursuant to
8 the State Environmental Quality Review Act
9 for the construction of a perimeter flood
10 protection berm/flood wall and park
11 improvements at the Bay Park Sewage
12 Treatment and County Park.

13 LEGISLATOR FORD: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Ford, seconded by Legislator
17 Kopel.

18 Now, tell us about this.

19 MR. MAY: So, the original
20 resolution was for the Grace Industries
21 contract which I believe was Clerk Item
22 B10-14 for the perimeter berm wall at Bay
23 Park.

24 The resolution that was approved
25 back on, I think it was April 7th, did not

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2 explicitly detail the SEQRA determination
3 and, out of an abundance of caution, the
4 administration has determined that we should
5 have included this detailed SEQRA
6 determination for your review.

7 The nature of the emergency is
8 such that we understand NIFA has scheduled a
9 meeting on Friday, May 2nd, at I believe
10 four o'clock in the afternoon. They're
11 going to be taking up the Grace Industries
12 contract at that time and I wanted to make
13 sure that all necessary approvals were done
14 beforehand.

15 I suppose if NIFA was not meeting
16 until next month, this may have been able to
17 wait, but due to the timing, we are now in
18 the emergency scenario. So that is the
19 brief description of this item. Were there
20 questions on this that I can elaborate?

21 CHAIRWOMAN GONSALVES: Is SEQRA
22 pertaining just to the plant or for the park
23 as well?

24 MR. MAY: No. The SEQRA
25 determination is for the plant and for the

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2 park. The planned park improvements,
3 obviously there is not a contract before you
4 right now to approve, but we're going to be
5 doing some topographical improvements to the
6 site.

7 Let me back up for a second,
8 first I want to say about the park area, the
9 footprint of the park will not be reduced.
10 Okay? Obviously with Hurricane Sandy, we
11 all know that there was significant damage
12 throughout the area. We have our own plant
13 there. We have an administrative building,
14 bathrooms, there's electric there.

15 So what this SEQRA determination
16 also provides for is improvements to the
17 park. It's basically going to be a one to
18 one improvement, almost. There's a
19 multi-purpose field there now. That will be
20 a multi-purpose field when this is
21 completed. There's a ball field, there will
22 be a ball field. There's an administrative
23 building, there will be a new administrative
24 building. There's going to be topographical
25 improvements, increased drainage, better

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2 drainage.

3 I believe the entire park is
4 going to be elevated. The number I heard is
5 about three feet to mitigate any potential
6 flooding. This is going to keep the park
7 open longer, if there's a rainstorm that may
8 previously inundated the fields and made
9 them unusable. They will now be useable
10 more often due to the improved drainage.

11 So, yes, this covers both the
12 plant and the park.

13 CHAIRWOMAN GONSALVES: Any
14 questions from any colleagues? Minority
15 Leader Kevan.

16 LEGISLATOR ABRAHAMS: Mr. May, I
17 know you just explained some of the
18 improvements but some of the SEQRA talks
19 about improvements that include ball playing
20 fields, baseball, soccer, basketball,
21 tennis, are these -- what exactly are we
22 talking about?

23 MR. MAY: It's all the existing
24 facilities. I believe the soccer field,
25 football field is the multi-purpose field

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2 that will remain. There's baseball fields,
3 there are tennis courts, there's basketball
4 courts.

5 Basically everything that exists
6 at the park now will exist in the park when
7 the improvements are done. It will just be,
8 for lack of a better term, nicer.

9 LEGISLATOR ABRAHAMS: So these
10 are upgrades and improvements?

11 MR. MAY: Yes. Both in the
12 physical sense they will be upgraded from
13 the current height as well as the upgraded
14 improvements to the park itself. They will
15 be better facilities.

16 LEGISLATOR ABRAHAMS: Thank you.

17 MR. MAY: Thank you.

18 CHAIRWOMAN GONSALVES: Legislator
19 Denenberg.

20 LEGISLATOR DENENBERG: Yes. Just
21 to understand, this went through the
22 planning commission, the SEQRA review went
23 through the Planning Commission and OSPAC?

24 MR. MAY: It went through the
25 planning commission with a recommended

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2 negative declaration.

3 LEGISLATOR DENENBERG: What about
4 the Open Space Parks and Advisory Committee?

5 MR. MAY: There was no change to
6 the park. It did not -- it was not required
7 to go to OSPAC.

8 LEGISLATOR DENENBERG: So it's
9 not -- I'm not sure why it wouldn't, but I
10 guess -- I mean, obviously I'm going to vote
11 for this, but OSPAC -- can we have counsel
12 come up maybe?

13 MS. HORDACK: Jane Hordack.
14 Basically, as Greg explained to you, the
15 whole continuity of earth improvements,
16 berm, surfaces at the park, drainage, and
17 all the pieces of that are what is being
18 done. There is going to be no diminution in
19 the availability of playing fields or any
20 other changes to the park that would have
21 necessitated a consideration of those
22 things. These are things that you would do
23 because of the --

24 LEGISLATOR DENENBERG: I mean, I
25 will take a look. I thought OSPAC would

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2 have to look at the park improvements too
3 and this certainly sounds at the very least
4 like park improvements, but, if it doesn't,
5 that's fine.

6 You're saying the planning
7 commission considered it when?

8 MS. HORDACK: The Planning
9 Commission considered it a while ago, in
10 fact, probably about two months ago now and
11 voted to adopt the recommended negative
12 declaration, and to pass on a recommendation
13 of a negative direct declaration to you.

14 LEGISLATOR DENENBERG: And it's a
15 negative declaration even though while we're
16 going to be putting up a berm, correct?

17 MS. HORDACK: Yes.

18 LEGISLATOR DENENBERG: That was
19 the contract. But, Greg, you said something
20 about that each of the surfaces, or the
21 fields, are going to be raised?

22 MR. MAY: Raised three feet to
23 mitigate flooding.

24 LEGISLATOR DENENBERG: The entire
25 park?

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2 MR. MAY: I don't believe the
3 entire -- I believe it's the playing
4 surfaces, but I can certainly get more
5 details and get back to you on that,
6 absolutely.

7 LEGISLATOR DENENBERG: I mean,
8 it's got to move forward, so I just don't
9 understand if we are raising that many
10 surfaces why there would be a negative
11 declaration, but you said that the Planning
12 Commission fully looked at this?

13 MS. HORDACK: It's a negative
14 declaration because everything that's being
15 done is being done with the idea that you
16 are going to be improving drainage. That
17 park has been plagued by puddling and by
18 substandard drainage systems and, this now,
19 because you are doing so much earth moving
20 with the berm, it was the opportune time to
21 address those things as we went forward with
22 the improvements.

23 LEGISLATOR DENENBERG: And around
24 the berm we are going to be putting drainage
25 too, right?

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2 MS. HORDACK: Absolutely.

3 There's going to be tremendous drainage
4 improvements in that area.

5 LEGISLATOR DENENBERG: And the
6 water would be running to where, ultimately?

7 MS. HORDACK: One of the main
8 features would be to diminish the surface
9 scouring that results now during any heavy
10 rainfall both within the plant and within
11 the park and to increase the drainage
12 capture so that you won't have those first
13 flush impacts into the adjacent water
14 bodies.

15 LEGISLATOR DENENBERG: Good.
16 Thank you.

17 CHAIRWOMAN GONSALVES: Legislator
18 Ford.

19 LEGISLATOR FORD: Thank you very
20 much. I'm happy that this will be passed
21 because I know that I had an opportunity to
22 go to a public forum on the presentation of
23 the sewage treatment plant and the
24 surrounding area with the berm. The
25 residents were very very excited about this

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2 and, Jane, you're absolutely right that this
3 park area has been plagued with puddles,
4 with flooding. A lot of times the area has
5 been unusable for residents and for
6 visitors.

7 So, by renovating and raising up
8 and making it better drainage for the park
9 area, that the ball fields and all the other
10 amenities will be able to be used by the
11 residents and visitors year round. I mean,
12 they don't have to worry in the future about
13 rain once it's done. So I thank you very
14 much.

15 CHAIRWOMAN GONSALVES: Any other
16 comments?

17 (No verbal response.)

18 Is there any public comment? Mr.
19 Brummel.

20 MR. BRUMMEL: Richard Brummel. I
21 didn't expect to be commenting on this, but
22 it seems I'm the only member of the public
23 who is an environmental advocate that's
24 here, so I sort of take that burden.

25 I notice that there's two and a

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2 half acres of impervious material being laid
3 down. That doesn't seem like the most
4 optimal approach if you're concerned about
5 drainage. There is such a thing as pervious
6 surfaces that can be put down as well.

7 And I'm seeing here that they are
8 going to excavate 36 acres, up to 12 feet in
9 depth. That's on page -- that's D2, project
10 operations, that's pretty significant.

11 What strikes me more than
12 anything is, when you had the carbon
13 monoxide legislation, you had two or three
14 people here complimenting it, and the animal
15 abuse registry you had a few people here
16 complimenting it.

17 There are a lot of
18 environmentalists who are concerned about
19 the health of the waterways, who are
20 concerned about septic sewage, whatever, and
21 none of them are here. You haven't reached
22 out to any of the organizations. I was just
23 at the Echo-Fest in North Hempstead and
24 they're coming out of the woodwork, these
25 organizations that are interested to

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2 protect. They are available to you.

3 LEGISLATOR JACOBS: You are

4 making statements that aren't true.

5 Legislator Ford and I were two of the people

6 that originally, years and years ago, talked

7 to the state committee on the protection of

8 our water supplies, of our land. You have

9 environmentalists sitting up here, many of

10 us have a very long background in it. So

11 you never have to be fearful. We're not

12 going to let something happen that is going

13 to be detrimental to the health of the

14 people.

15 MR. BRUMMEL: I don't know,

16 Legislator Jacobs, with all due respect, you

17 seem awfully defensive about all these

18 things.

19 LEGISLATOR JACOBS: I'm just

20 knowledgeable, that's all.

21 MR. BRUMMEL: As a resident of

22 Nassau County and someone who came back

23 after many years, the level of environmental

24 degradation in this county, which is evident

25 through traffic, through air pollution,

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2 through loss of open space, through over
3 population, these indicate that the trust-me
4 approach has not worked with this
5 legislature. I'm not even talking about
6 fiscally, ethically, culturally, whatever.
7 There are a lot of problems out of this
8 legislature.

9 I'm focusing on the
10 environmental, okay, so the trust-me
11 approach, I'm sorry if I offend you, but I
12 think that this is a legitimate question to
13 raise.

14 LEGISLATOR JACOBS: Like I just
15 said, you can't make statements --

16 CHAIRWOMAN GONSALVES: Legislator
17 Jacobs, I spoke to Mr. Brummel. I said this
18 is a very environmentally sensitive body,
19 okay? We have been from day one. And there
20 is nothing that we would do to jeopardize
21 our environment.

22 It's my turn. We have worked on
23 the quality of our water. We have worked on
24 the sale of property. We made sure that any
25 environmental bond money was used for

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2 environmental bond projects. We are not
3 blind to the environment. We cannot, in all
4 due honesty, we cannot stop development in
5 this county the way you would like us to
6 stop it. We just can't.

7 We are a very, very dense county
8 and we just cannot. If the law is not on
9 our side, we cannot just arbitrarily say no,
10 you can't do this or you can't come here.
11 We have enough of your kind here in Nassau
12 County. We are a very environmentally
13 sensitive body.

14 I said that to you privately
15 before, from day one, from the day I came
16 onto this body, I worked with these
17 legislators and most of them are here, okay,
18 and they know how important it is to protect
19 our environment.

20 I do believe that your motives
21 are sincere. I really do. I'm being very
22 gentle. I can understand where you're
23 coming from but, for the most part, to
24 accuse us of doing something that is
25 contrary to protecting our environment, I

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2 don't think that is fair. And there are too
3 many of us up here who worked diligently on
4 so many environmental issues over the past
5 18 years.

6 So, please understand that we
7 want to protect our environment just as much
8 as you do. Maybe even more so because we
9 are here in a position to do that. Okay?
10 Legislator Nicoletto.

11 LEGISLATOR NICOLELLO: This is an
12 emergency, as was explained, but this item
13 and this series of items came before the
14 legislature several weeks ago and
15 committees. There were full hearings.
16 These items have been the subject of
17 extended debates. The environmental
18 community is fully aware of this and is
19 fully up to date, and they're fully
20 supportive for a very simple reason. This
21 is the ultimate environmental protection
22 measure.

23 We had a situation with Super
24 Storm Sandy in which, because of the breach
25 of the sewage treatment plant, we had

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2 untreated sewage flowing into our waters.
3 And then, even when we were able to correct
4 that relatively quickly, it was still being
5 partially treated.

6 This will help to protect in the
7 event of future emergencies, that this
8 sewage treatment plant will stay online,
9 works, ensures that untreated sewage is not
10 being dumped into our water way.

11 This is not just -- not having a
12 negative impact, this is the ultimate
13 environmental measure that we can take here.

14 CHAIRWOMAN GONSALVES: Legislator
15 Ford.

16 LEGISLATOR FORD: I too, also, I
17 had the opportunity of working with
18 Legislator Jacobs and when we decided to
19 fight and to protect the Lloyd Aquifer
20 against the Suffolk County Water Authority,
21 it was to -- Judy was presiding officer at
22 that time, and she was the one person who
23 helped lead the charge and really worked
24 with Sara Mayland, May Newberger and myself,
25 and we actually were very successful to our

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2 credit, and I think it was a lot of hard
3 work, a lot of sleepless nights, and a lot
4 of answering questions and testimony.

5 We also, as you heard before, we
6 passed unanimously on a bipartisan effort to
7 not accept fracking waste water here in
8 Nassau County. We have endeavored in almost
9 everything that we've done to try to balance
10 everything. And, as Presiding Officer
11 Gonsalves has said, a lot of times
12 development doesn't fall to us, it also is
13 under the jurisdiction of the towns and
14 villages, the zoning authorities. But we
15 will always try to maintain to make sure
16 that we protect open space as best as we
17 could.

18 We ended up passing and had
19 Nassau County residents pass an
20 environmental bond act where we were able to
21 protect a lot of open space, keep farm land,
22 maybe, you know what, we would have
23 preferred to have done a lot more than what
24 we've done already, but we didn't always
25 have the money, but we are doing the best

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2 that we can.

3 As a result, even with the sewage
4 treatment plant, we have been part of a
5 western bays group for the last ten years
6 and we commissioned, Legislator Denenberg
7 and myself, you know, we formed this
8 together. We have a lot of
9 environmentalists that sit with us on this,
10 and we've got the state to give us money to
11 do an intense TMDL study of that area, and
12 we know how impaired our waterways are.

13 So, for you to come here, sir,
14 and then to make a comment, as if, "where
15 are the environmentalists?" A lot of us, as
16 both Legislator Gonsalves and Jacobs have
17 said, a lot of us are concerned about our
18 environment, and have always advocated for
19 it.

20 For me, a lot of times I take
21 hits, even in my own neighborhood because of
22 the way that I stand on some the issues that
23 were passed even in the area that I live
24 that I felt were anti-environment, but I'd
25 like to know where the green party was with

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2 those decisions.

3 CHAIRWOMAN GONSALVES: Legislator
4 Kopel.

5 LEGISLATOR KOPEL: Our job here
6 is to make choices, that's our job. Our job
7 is to make choices after we've heard pros
8 and cons about different things.

9 I think there is a very common
10 mistake which is made by too many people who
11 call themselves environmentalists, which is
12 to be reflexively against everything and
13 that's not real world, that just doesn't
14 work.

15 In this particular case, the
16 worst possible outcome would be to do
17 nothing. And then to have another storm
18 come down and reek havoc once again.

19 So, what we're doing over here,
20 and there is no reason, by the way, I will
21 say this to my colleagues here, there is no
22 reason for anyone here to be defensive about
23 this, so let's not be defensive about this.
24 We are doing the environmentally correct
25 thing, and we're doing the environmentally

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2 sensible thing.

3 After having studied it, after
4 having gotten the advice of the experts who
5 understand these things, and I really don't
6 think that any of us need to feel anything
7 but good about what we are doing over here.

8 The fact that somebody is in
9 opposition to everything is not unusual.
10 You are always going to find somebody who is
11 against something, anything that you want to
12 do. We can't do nothing. We live in the
13 real world, we've got people, and we've got
14 our job, and our job is to make sure that we
15 are protecting the public health of our
16 constituents and that's what we are doing
17 over here and we're doing it right.

18 CHAIRWOMAN GONSALVES: Legislator
19 Denenberg.

20 LEGISLATOR DENENBERG: Thank you,
21 presiding officer.

22 Just, Ms. Hordack, I just want
23 all of us to remember, all we're doing here,
24 we're the lead agency, we're approving a
25 negative declaration on the State

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2 Environmental Quality Review Act and my
3 questions to you, Jane, we have this
4 document, we have the berm, 12 foot berm,
5 it's improvement, park improvement plans,
6 which include realignment of internal park
7 access, upgrading playing fields, a comfort
8 station, improved lighting, a public art and
9 education display, landscaping, green
10 infrastructure, and with the recommendation
11 of the Nassau County Planning Commission, we
12 are finding that the proposed action, number
13 one, won't result in substantial adverse
14 change in existing air quality, ground
15 surface water quality, traffic or noise,
16 correct?

17 MS. HORDACK: Correct.

18 LEGISLATOR DENENBERG: We are
19 also finding that it's not going to be a
20 substantial increase in solid waste
21 production, or an increase in eroding,
22 flooding, leaching, or drainage?

23 MS. HORDACK: Correct.

24 LEGISLATOR DENENBERG: In fact,
25 we are improving it?

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2 MS. HORDACK: Absolutely.

3 LEGISLATOR DENENBERG: And then
4 no adverse impact to any species of animal
5 or plant?

6 MS. HORDACK: Absolutely not.

7 LEGISLATOR DENENBERG: And if you
8 read down the list, there is environmental
9 characteristics, won't impair the quality of
10 historic archeology, and we're doing none of
11 this, correct?

12 MS. HORDACK: Correct.

13 LEGISLATOR DENENBERG: Your point
14 is the berm will protect what we have and
15 we're improving drainage on existing ball
16 fields, correct?

17 MS. HORDACK: That's absolutely
18 correct.

19 LEGISLATOR DENENBERG: So that's
20 why the Planning Commission recommended to
21 us that this is a neg dec, in other words,
22 no substantial adverse environmental impact,
23 correct?

24 MS. HORDACK: Correct.

25 LEGISLATOR DENENBERG: Thank you.

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2 CHAIRWOMAN GONSALVES: There
3 being no other comment --

4 MR. BRUMMEL: I have a chance to
5 answer all that was said?

6 CHAIRWOMAN GONSALVES: I believe
7 you had many an opportunity today to answer
8 or reply to what has been said.

9 MR. BRUMMEL: May I have 30
10 seconds?

11 CHAIRWOMAN GONSALVES: You have
12 30 seconds, let's go.

13 MR. BRUMMEL: This is not a
14 matter of being reflexively against anything
15 that's coming down.

16 This body has demonstrated that
17 the public cannot always count on exactly
18 its assurances, if you read Newsday, there
19 is plenty of issues.

20 What I was strictly referring to
21 is that you don't have any environmental
22 advocates here. The environmental groups
23 that are concerned with the water who are
24 taking -- who are supporting this issue, and
25 I was simply raising that question as a

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2 question for you.

3 CHAIRWOMAN GONSALVES: Your 30
4 seconds are over.

5 MR. BRUMMEL: As for the other
6 things, I can come back another time.

7 CHAIRWOMAN GONSALVES: Come back
8 again and see us at the next meeting. Thank
9 you very much.

10 All those in favor of the
11 resolution 155 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 The item passes unanimously.

16 Thank you very much.

17 Now, a motion to adjourn.

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR MUSCARELLA: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Walker, seconded by Legislator
22 Muscarella. All those in favor of
23 adjourning.

24 (Aye.)

25 Any opposed?

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(No verbal response.)

I don't think so.

(Whereupon, the Full Committee
adjourned at 3:15 p.m.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of May, 2014.

FRANK GRAY