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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Tuesday, March 5, 2013
10:09 A.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

8 HOWARD KOPEL,
Alternate Deputy Presiding Officer

8

9 MICHAEL VENDITTO

9

10 DENISE FORD

10

11 JOSEPH SCANNELL

11

12 FRANCIS X. BECKER

12

13 VINCENT MUSCARELLA

13

14 JUDI BOSWORTH

14

15 WAYNE WINK

15

16 ROBERT TROIANO

16

17 KEVAN ABRAHAMS,
Minority Leader

17

18 ROSE MARIE WALKER

18

19 JOSEPH BELESI

19

20 DENNIS DUNNE

20

21 JUDITH JACOBS

21

22 DAVID DENENBERG

22

23 DELIA DERIGGI-WHITTON

23

24 CARRIE SOLAGES

24

25 WILLIAM J. MULLER, III
Clerk of the Legislature

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Minutes of
The Full Legislative Meeting of
February 25, 2013
(By reference, Item 74-13).....27

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1 Full Legislature/3-5-13

2 CHAIRWOMAN GONSALVES: Please
3 take your seats. We're ready to begin.

4 Residents of Nassau County,
5 fellow legislators, as I just said, we're
6 ready to call a special meeting of the
7 legislature to order at this time and I ask
8 that Legislator Dennis Dunne lead us in the
9 Pledge of Allegiance.

10 (Whereupon, the Pledge of
11 Allegiance was recited.)

12 CHAIRWOMAN GONSALVES: Thank you,
13 Legislator Dunne. I will ask the clerk to
14 please call the roll.

15 CLERK MULLER: Deputy Presiding
16 Officer Nicoletto?

17 LEGISLATOR NICOLELLO: Present.

18 CLERK MULLER: Alternate Deputy
19 Presiding Officer Kopel?

20 LEGISLATOR KOPEL: Here.

21 CLERK MULLER: Legislator
22 Troiano?

23 LEGISLATOR TROIANO: Here.

24 CLERK MULLER: Legislator
25 Solages?

1 Full Legislature/3-5-13
2 LEGISLATOR SOLAGES: Here.
3 CLERK MULLER: Legislator Ford?
4 LEGISLATOR FORD: Here.
5 CLERK MULLER: Legislator
6 Scannell?
7 LEGISLATOR SCANNELL: Here.
8 CLERK MULLER: Legislator Becker?
9 LEGISLATOR BECKER: Here.
10 CLERK MULLER: Legislator
11 Muscarella?
12 LEGISLATOR MUSCARELLA: Here.
13 CLERK MULLER: Legislator
14 Bosworth? I think she's here. Legislator
15 Wink?
16 LEGISLATOR WINK: Here.
17 CLERK MULLER: Legislator
18 Venditto?
19 LEGISLATOR VENDITTO: Here.
20 CLERK MULLER: Legislator Belesi?
21 LEGISLATOR BELESI: Here.
22 CLERK MULLER: Legislator Dunne?
23 LEGISLATOR DUNNE: Here.
24 CLERK MULLER: Legislator Jacobs?
25 LEGISLATOR JACOBS: Here.

1 Full Legislature/3-5-13

2 CLERK MULLER: Legislator Walker?

3 LEGISLATOR WALKER: Here.

4 CLERK MULLER: Legislator

5 DeRiggi-Whitton?

6 LEGISLATOR DERIGGI-WHITTON:

7 Here.

8 CLERK MULLER: Legislator

9 Denenberg?

10 LEGISLATOR DENENBERG: Here.

11 CLERK MULLER: Minority Leader

12 Abrahams?

13 LEGISLATOR ABRAHAMS: Here.

14 CLERK MULLER: Presiding Officer

15 Gonsalves?

16 CHAIRWOMAN GONSALVES: Present.

17 CLERK MULLER: We have a quorum.

18 CHAIRWOMAN GONSALVES: Now I

19 believe that the people in the audience are

20 people who are here to speak on today's

21 agenda.

22 However, before we call today's

23 hearing to order, we will have, as usual, 30

24 minutes of public comment. However, I ask

25 those of you who are here to speak on

1 Full Legislature/3-5-13
2 redistricting to hold your comments until
3 the hearing on the redistricting map has
4 begun.

5 I believe I only have one slip,
6 other than redistricting, and it's Mary-Jo
7 O'Hagan; is that correct? Mary-Jo, please
8 come to the podium.

9 LEGISLATOR DENENBERG: Norma, can
10 I note my presence? I missed the roll call.
11 Legislator Denenberg is here.

12 CHAIRWOMAN GONSALVES: Good
13 morning, Mary-Jo.

14 MS. O'HAGAN: I want to speak to
15 you for a moment on the subject of the
16 county guaranty. Despite two court
17 decisions in the recent past, affirming
18 Nassau County's lawful responsibility for
19 any and all costs and penalties resulting
20 from errors in its assessment practices, the
21 county attempted to unilaterally relieve
22 itself of its obligation to hold school
23 districts harmless for back payments of
24 multi-year tax certiorari settlements.

25 Last week's decision by the

1 Full Legislature/3-5-13
2 Appellate Court was unanimous. Nothing in
3 that decision cries for further review. The
4 ruling is consistent with governing case law
5 and the governing constitutional and
6 municipal home rule provisions.

7 In addition, the Court of Appeals
8 has already commented on the propriety of
9 the county guaranty in prior rulings.

10 I speak for the school districts
11 of Nassau County and ask that the county
12 forego the expense of a fruitless appeal and
13 concentrate on addressing the assessment
14 process.

15 Newsday reported that almost 85
16 percent of homeowners who filed challenges
17 to their assessments won reductions. This
18 represents a quarter of the residential
19 properties in Nassau County. Either a
20 quarter of Nassau's residential assessments
21 are being acknowledged as wrong, or the
22 county is abrogating its responsibility to
23 vet these challenges and simply granting
24 virtually all of them. The result is to
25 reduce the assessment base and drive up the

1 Full Legislature/3-5-13

2 tax rate.

3 The Baldwin School District is
4 composed mostly of working class homeowners
5 and has a limited tax base. If the county
6 were successful in abandoning its
7 responsibility, we would be liable for more
8 than \$900,000 to settle tax grievances that
9 go back as much as ten years at
10 approximately \$250,000 annually going
11 forward.

12 Those of us in education do not
13 forget that dollars represent people and
14 programs, and we in Baldwin are already
15 facing a shortfall of \$6 million if the
16 district is to remain under the
17 state-imposed tax levy cap.

18 It so happens that \$250,000 is
19 the price tag for all extracurricular
20 activities K-12 so that might have to go to
21 cover the certioraris. Or how about cutting
22 staff to eliminate most of our high school
23 elective offerings also tagged at about
24 \$250,000.

25 Like many districts in Nassau

1 Full Legislature/3-5-13
2 County, Baldwin has been reducing staff,
3 closing buildings and cutting programs. We
4 have not received a penny more than we
5 requested in our levy. Errors in assessment
6 have not benefitted us in any way. The
7 court has rendered its judgement. I ask
8 that you accept the decision and move ahead
9 to address a dysfunctional assessment
10 system. Thank you.

11 CHAIRWOMAN GONSALVES: Thank you
12 very much.

13 LEGISLATOR ABRAHAMS: Madam
14 presiding officer, may I?

15 CHAIRWOMAN GONSALVES: Yes, you
16 may.

17 LEGISLATOR ABRAHAMS: Mary-Jo,
18 I'm sorry, if you could come back I would
19 appreciate it.

20 First, I want to thank you
21 Mary-Jo, for coming down. You do tremendous
22 work for the school district. I wanted to
23 make sure, at least from our side, exactly
24 where we stand on this particular issue.

25 As you probably know, our side

1 Full Legislature/3-5-13
2 never voted for the removal of the county
3 guaranty. That was done with my colleagues
4 to the right as well as with the county
5 executive. We plan on strongly urging the
6 county executive as well as my colleagues
7 that seeking outside counsel to go forward
8 with some type of appeal in the near future
9 would be a misguided approach for the
10 county.

11 Passing on the expense of the tax
12 grievance process and the tax certiorari
13 process onto the school district is nothing
14 more than just passing the buck. We said
15 that before.

16 The truer way to create savings
17 for the county is to fix the broken system;
18 not putting blame on when the system was
19 broken. The system has been broken for many
20 years. It goes back for many county
21 executives.

22 So, from that standpoint, the
23 best way to insure savings for the school
24 district, for the town, and for the county
25 is to fix a system that has been broken for

1 Full Legislature/3-5-13
2 decades, just to say it like that so we
3 don't play the blame game.

4 That being said, we are going to
5 strongly urge the county executive to not
6 spend countless dollars on a wasteless
7 appellate division proceeding and, from that
8 standpoint, hopefully it will give you some
9 comfort, because I know you're going through
10 the budgetary process in your own school
11 district --

12 MS. O'HAGAN: We are.

13 LEGISLATOR ABRAHAMS: And I was
14 actually at the PTA breakfast meeting on
15 Saturday and heard some of the reserves that
16 have to be built up in each of the school
17 districts to prepare for that in addition to
18 whatever else is going on with state aid in
19 the county.

20 So, from that standpoint, we
21 truly believe that this is an unnecessary
22 expense that you have to build for a reserve
23 and, from that standpoint, it's going to
24 force you to use more of your property tax
25 cap dollars, if you have to seek property

1 Full Legislature/3-5-13
2 tax cap dollars towards a reserve that
3 hopefully could easily be addressed by the
4 county map going forward with this process.

5 So I just wanted to make sure you
6 understood where we were coming from and
7 what we plan to do and we plan to work with
8 the school districts to ensure that you try
9 to work as best as to try to stabilize
10 property taxes for the taxpayers in Nassau
11 County.

12 MS. O'HAGAN: Thank you. And I
13 think the decision of the courts was clear
14 and that was the point I wanted to make.
15 Thank you.

16 LEGISLATOR SCANNELL: Thank you,
17 Mary-Jo. Mary-Jo, I just wanted to thank
18 you too. Come on back up. You do an
19 amazing job. As a Baldwin resident, life
20 long Baldwin resident, I see the hard work
21 and dedication that you give of your free
22 time, all the school board people that are
23 here. You just give of your time.

24 What we are asking is that the
25 county attorney not pursue an appeal. Six

1 Full Legislature/3-5-13
2 different court cases have come before us
3 and six times the courts have upheld your
4 position, so we're saying don't waste any
5 more of the county attorney's money, and
6 we're saying it has been a waste of money,
7 and we appreciate the fact that every
8 school, especially Baldwin, is in tough
9 tough times. The budgets are tough. So
10 this is another added expense that the
11 people of Baldwin don't need this extra
12 \$900,000.

13 So, in tough times we appreciate
14 you giving your time and, again, we want to
15 thank you again for coming down.

16 MS. O'HAGAN: Thank you.

17 CHAIRWOMAN GONSALVES: Thank you.
18 Legislator Jacobs.

19 LEGISLATOR JACOBS: Hi. I'm Judy
20 Jacobs and I'm from the Syosset Plainview
21 Jericho School Districts. I heard what you
22 said. I feel very strongly about what you
23 said. I happen to agree with both Joe and
24 Kevan in what they just said to you. I
25 think that the confusion that people have in

1 Full Legislature/3-5-13
2 their minds sometimes out there, is that by
3 putting this -- changing the guaranty over
4 to the school districts, somehow in some way
5 saves money for the residents that we're all
6 here to represent.

7 The bottom line is, it's a wash.
8 Except that it cost you, as a school
9 district, with a two percent cap on you, a
10 fortune of money and makes it almost
11 impossible to deliver for early
12 intervention, which I'm very aware of,
13 personally right now, but even before that
14 aware of. I was a teacher. I know what you
15 guys go through. Just getting a regular
16 budget passed.

17 To be very honest with you, this
18 whole thing always disturbed me because I
19 think it gives a false sense to people in
20 the county that somehow if the county puts
21 this off on the school district, people are
22 saving money. Hello? Everybody is still
23 paying. It's taking it from the right
24 pocket and now paying it from the left
25 pocket.

1 Full Legislature/3-5-13

2 We're going to do everything we
3 can as Kevan said to make certain that the
4 county executive sees it the same way and
5 that this should not be appealed.

6 MS. O'HAGAN: Thank you. If we
7 were going forward, I just want to comment
8 on this, if we were going forward, there
9 might be a way to, theoretically, budget for
10 these things. It is the past, the
11 accumulated debt that would be crippling to
12 school districts to suddenly transfer that
13 debt, of ten year old cases, would be
14 crippling.

15 LEGISLATOR JACOBS: Without any
16 question but, the truth of the matter is,
17 even going forward has to be done
18 methodically and well thought it, because
19 otherwise it still puts the school district
20 in a horrible situation with a two percent
21 cap. We all have children and every one in
22 this audience knows, very often people are
23 buying their houses depending on the
24 excellence in that school system.

25 And when you have children with

1 Full Legislature/3-5-13
2 special needs, when you have students that
3 are just brilliant and need the very finest
4 of everything we could offer them to help
5 nurture them, both ends of the spectrum are
6 hurt by this, including the children in the
7 middle also, of course. Thank you for being
8 here.

9 CHAIRWOMAN GONSALVES: Before I
10 call on Legislator Denenberg, we need to --

11 LEGISLATOR MUSCARELLA: Just for
12 the record, the legislation that was passed
13 is not retroactive. It is prospective. So
14 there wouldn't be any responsibility for any
15 back taxes that may have been collected.

16 CHAIRWOMAN GONSALVES: Legislator
17 Denenberg.

18 LEGISLATOR DENENBERG: Thank you.
19 Ms. O'Hagan, if you would you just come back
20 up for a second?

21 I think everybody in the audience
22 should know because I was with you when you
23 went to a number of the different school
24 meetings.

25 Two very important points in

1 Full Legislature/3-5-13
2 terms of what the issue with this county
3 guaranty is. Aside from the fact that the
4 members of the minority said all along that
5 it's illegal to revoke that county guaranty,
6 and that it would cost taxpayers money to
7 fight, not just the schools, two points;

8 Number one, this was every
9 district under Nassau would have had to pay
10 these refunds including not just school
11 districts but the towns, the villages, and
12 the fire districts, no one was exempt.

13 And the point, whether it was
14 retroactive or prospective, how do you
15 budget for something, something like this
16 where you don't know how much refunds would
17 come to your district? The county sets the
18 assessment, the county defends the
19 assessments, the county prosecutes the
20 cases, so if the county can't defend its own
21 assessments and can't handle that it's a
22 legal matter, it's the county's fault.
23 That's why the county and the state law has
24 to pay it.

25 But there been a terrible

1 Full Legislature/3-5-13
2 misnomer that you got to, which even the
3 newspaper put in, that if the schools get
4 money in error, you're not getting anything
5 in error, the schools, the towns, the
6 villages and the fire districts come up with
7 their budget. The county comes up with the
8 assessment, and then the tax rate is set
9 based on that budget. You don't get a cent
10 more than you budget for.

11 So if someone overpaid, someone
12 else underpaid, the district still got the
13 same amount. Where were you going to come
14 up with the money? You don't know how much
15 and you would have had to budget more money
16 within the two percent cap. The bottom line
17 is the taxpayers would have paid anyway.

18 So we just wasted taxpayer money
19 to get back to square one and in that three
20 year period, the county added \$300 million
21 to the backlog because, instead of fixing
22 the system, we were just going to dump the
23 problem on the fire districts, the schools,
24 and the towns. Makes no sense.

25 CHAIRWOMAN GONSALVES: Legislator

1 Full Legislature/3-5-13

2 Bosworth.

3 LEGISLATOR BOSWORTH: Ms.
4 O'Hagan, stay there. Before I became a
5 legislator, I think as long as we are
6 discussing this, you might as well, because
7 otherwise you're going to kind of keep just
8 going back and forth.

9 Before I became a legislator, I
10 was a member of the Great Neck Board of
11 Education for 16 years. So, as these
12 discussions took place, I understood the
13 extraordinary burden that this was going to
14 place on school districts as I think we all
15 did.

16 It certainly is a shifting of the
17 burden from the county to the school
18 districts to the town. But, the bottom line
19 is, it's the taxpayers who pay. What is
20 most frustrating about this is that the only
21 budget that people actually get to vote on
22 is our school budgets. So these budgets are
23 crafted very carefully, I know especially
24 with the two percent cap, there is a great
25 deal of stress on all involved in putting

1 Full Legislature/3-5-13
2 the budget together to make sure that you
3 stay within the cap wherever possible. We
4 always talk about that perfect storm, the
5 elimination of the county guaranty, the two
6 percent cap, the lessening of state aid.

7 But at some point we still have a
8 responsibility to educate our kids whether
9 it's for early intervention or make sure
10 every child in Nassau County has the
11 opportunity to have a wonderful education as
12 in fact most do.

13 So certainly your presence here
14 is greatly appreciated because it gives us
15 the opportunity to have a little bit of a
16 dialogue about this and certainly it would
17 be my great hope that this would not be
18 appealed. So much money has been spent
19 already on court cases for a number of
20 reasons that have not been successful. It
21 will be another burden on our taxpayers.

22 So, again, I thank you so much
23 for coming forward and expressing the view
24 that so many of us here also believe is
25 that, let's now move forward. We appreciate

1 Full Legislature/3-5-13

2 your support.

3 MS. O'HAGAN: Thank you.

4 CHAIRWOMAN GONSALVES: Thank you,
5 Legislator Bosworth and, thank you,
6 Ms. O'Hagen.

7 I don't have any other slips on
8 subjects other than redistricting. Is there
9 anyone who put in a slip that does not speak
10 to redistricting? No one? So the public
11 comment period is over.

12 Now, at this time I would like to
13 call today's hearing to order and ask the
14 clerk to please call the hearing.

15 CLERK MULLER: We have a
16 procedural resolution, a resolution
17 ratifying the actions of the clerk of the
18 legislature to cause to be published a
19 notice of hearing on a proposed local law
20 laid on the desk of the legislators by the
21 clerk of the legislature pursuant to the
22 County Government Law of Nassau County and
23 the Nassau County Administrative Code and
24 the Rules of the Nassau County Legislature.

25 Whereas, the Clerk of the

1 Full Legislature/3-5-13
2 Legislature has laid upon the desk of the
3 legislators a local law entitled the Local
4 Law to amend Annex A of the County
5 Government Law of Nassau County to describe
6 the 19 legislative districts based upon the
7 2010 Federal census data.

8 Please entertain a motion to
9 accept this procedural resolution.

10 CHAIRWOMAN GONSALVES: Deputy
11 Presiding Officer Nicoletto, may I have a
12 motion, please?

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Seconded
16 by Legislator Dunne.

17 CLERK MULLER: You have to vote.

18 CHAIRWOMAN GONSALVES: Yes. All
19 those in favor of opening the hearing
20 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The hearing is now open.

25 On February 25th, this

1 Full Legislature/3-5-13
2 legislature held a hearing on Clerk Item
3 74-13, a proposed local law that would
4 redraw the district lines of the Nassau
5 County Legislature to comply with the legal
6 and constitutional requirements for equal
7 representation in this legislature for the
8 people of Nassau County.

9 At this hearing we received
10 testimony on the merits of the proposed
11 districting plan and heard the comments from
12 the public as well as our fellow
13 legislators. I would ask at this time if we
14 can incorporate the minutes of February 25th
15 into today's hearing.

16 (Whereupon, please refer to the
17 transcript of the Full Legislative Committee
18 hearing dated 2-25-13, pages 107-537
19 pertaining to Clerk Item 74-13.)

20 CHAIRWOMAN GONSALVES: The
21 proposed local law and amendments we are to
22 consider today have been drawn upon my
23 instructions and incorporate many of the
24 comments we received from both the public
25 and members of this body.

1 Full Legislature/3-5-13

2 To present this item, we have
3 once again with us Mr. Frank Moroney. As I
4 stated in the Rules Committee on February
5 11th, and at the hearing on February 25th,
6 Mr. Moroney served as executive director of
7 the Charter Revision Commission in 1995,
8 codirector of the Temporary Districting
9 Advisory Commission in 2003, and most
10 recently the chairperson of the Temporary
11 Redistricting Advisory Committee in 2013.

12 For the purposes of this hearing,
13 I have asked Mr. Moroney to provide an
14 overview of the proposed amendments and then
15 we will open the floor to the public to
16 speak and raise their concerns.

17 And then, of course, with the
18 permission of the minority, then to the
19 legislators, as we did at the February 25th
20 meeting.

21 Mr. Moroney.

22 MR. MORONEY: Good morning, Madam
23 Presiding Officer. The amended local law in
24 front of you does two simple things. First
25 and foremost it adds on to District Number 2

1 Full Legislature/3-5-13
2 a community known as Jericho Gardens, and
3 the second thing it does is it makes an
4 adjustment to District 5 putting certain
5 population from District 5 into District 19
6 in the proposal.

7 The net effect of these changes
8 to the statistics that were put before the
9 legislature on the 25th and on the 11th are
10 minimal. The deviation remains the same at
11 4.85 percent. The change to District 2, for
12 example, lowered the deviation from minus
13 1.7 percent to minus 4/10ths of a percent.

14 And the change to District 19
15 lowered the deviation by less than a 10th of
16 a percent for that district from .05 percent
17 -- pardon me, District 19 increased by a
18 10th of a percent from .05 percent over the
19 optimal number to .6/10ths of a percent over
20 the optimal.

21 Other than that, the map remains
22 essentially in the same form it was in at
23 the February 25th hearing. Thank you.

24 CHAIRWOMAN GONSALVES: Thank you,
25 Mr. Moroney. I'm now going to open the

1 Full Legislature/3-5-13

2 floor to questions from the residents. I
3 ask you to adhere to the three-minute rule.

4 I do have a number of slips here
5 before me and I would like each and every
6 one of you to have an opportunity to speak
7 and, in order to do that, we should adhere
8 to the three-minute rule.

9 If you recall, on February 25th,
10 every one, and we were here until the wee
11 hours of the morning, and I believe it was
12 approximately 1:00 a.m., but everyone who
13 wanted to speak had an opportunity to speak.
14 I would like to see that happen today.

15 So, without any further ado, I'm
16 going to call on Mayor Wayne Hall first. Is
17 Mayor Hall here? No.

18 I have Wilhelminya Funderbyrke,
19 are you here?

20 MS. FUNDERBYRKE: Yes, I am.

21 CHAIRWOMAN GONSALVES: State your
22 name for the record, please.

23 MS. FUNDERBYRKE: Wilhelminya
24 Funderbyrke. Do you need my address?

25 CHAIRWOMAN GONSALVES: Go ahead.

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2 MS. FUNDERBYRKE: I am a resident
3 of Roosevelt. As you know, the
4 redistricting that you are planning to
5 continue with is only a political move to
6 dilute minority voting power.

7 We, in the minority community,
8 have worked and we have gained political
9 power and we do come out and vote. I'm
10 quite sure this is evidence. So, when you
11 start diluting and moving us around, it
12 dilutes our political power. And that does
13 a lot for our community in terms of hurting
14 it.

15 It has a lot to do with the
16 school district. I'm a school board member
17 also. I used to be on the library board
18 and, as you quoted before, we do not get a
19 chance to vote on any of these budgets
20 except the school board.

21 But when it comes to the
22 political area of all of this, we need to
23 stay together like we have been. We do not
24 need you to come in and start dividing us up
25 and diluting us. That's the only way you,

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2 as a group, can make sure that we lessen our
3 by political power by dividing us up. If we
4 have 50, and you divide us up and we have
5 only have ten, it's always noted that people
6 with a group have more power. So, once you
7 dilute us, then you are diluting our power,
8 and we are not going to stand for that.

9 Because, at this particular time,
10 we have to think about our children. They
11 are the most important thing in our lives.
12 And when you start diluting our community
13 you are diluting our children's chance of
14 getting the type of education that they need
15 and everything else that our children need
16 for the future. So you need to go back and
17 you need to understand what you're doing.

18 As a people, we are going to stay
19 together. We are going to make sure that
20 this does not occur in our communities. So
21 that is why we are here. That's what we are
22 fighting for because we all know that
23 politics plays the most important game in
24 our lives. And this is a definite political
25 move that you are making, to dilute our

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2 power in the political scene. Thank you.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Wilhelminya. Juan Vallejo.

5 MR. VALLEJO: Good morning. My
6 name is Juan Vallejo. I'm a naturalized
7 citizen of this country. I'm a Vietnam
8 veteran, a father, and a bragging grandpa.

9 I would like to appeal to you
10 today. The last time I spoke to you from
11 the Latino vote, but I'm thinking more as
12 far as my citizenship rights. As the people
13 have spoken to you before, as far as
14 diluting our power, I am concerned that you
15 are doing that to my vote, and you're going
16 to be dictating who I'm going to be voting
17 for. That is coming close to a third world
18 mentality, which I am not going to go for.

19 Please think of what you're doing
20 and protect the voters, the citizens'
21 rights. Thank you.

22 CHAIRWOMAN GONSALVES: Thank you,
23 Mr. Vallejo. Linda John.

24 MS. JOHN: Good morning,
25 everyone.

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2 CHAIRWOMAN GONSALVES: Good
3 morning, Linda.

4 MS. JOHN: I'm here to make a
5 statement. That statement is, all you guys
6 are voted in by the people for the people.
7 And all we want to do is defend our
8 constitutional right to be able to vote for
9 the people of our choice who makes the
10 decisions for us.

11 That being said, I would like to
12 take a consensus of the room for the people
13 who are opposing the redistricting map of
14 the Republicans. All the people in this
15 room that are opposing the new map that the
16 Republicans are proposing, please give me a
17 resounding aye. All those that are for?

18 There you have it. The people
19 have spoken. Again. You're voted in, for
20 the people, by the people. Now listen to
21 the people. Have a good day.

22 CHAIRWOMAN GONSALVES: Next
23 speaker is Victoria Hill.

24 MS. HILL: Good morning,
25 legislators.

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2 CHAIRWOMAN GONSALVES: Good
3 morning, Victoria.

4 MS. HILL: Thank you for allowing
5 me to speak before you this morning.

6 My name is Victoria Hill;
7 retiree, resident, homeowner in the Village
8 of Hempstead for the last 39 years. My
9 daughter, who is now an adult has a modest
10 ranch around the corner trying to raise her
11 three children working two jobs.

12 I am totally, irrevocably,
13 against the proposed new districting map.
14 What shared interests, needs and values does
15 the moved portion of the Village of
16 Hempstead have with Garden City, or
17 Westbury? The character, population, and
18 infrastructure of each of these areas is
19 different.

20 How can a legislator address the
21 needs of three disparate groups within one
22 contrived district? How will the Village of
23 Hempstead be allocated necessary funds in
24 local, county, and federal levels to meet
25 its needs; such as infrastructure, roads,

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2 school buildings?

3 We know the deal. A certain
4 group is attempting to gerrymander to
5 control the vote. The people are aware of
6 this hidden agenda and we will not stand for
7 it. We are here and we sincerely oppose
8 this contrived redistricting map. Thank
9 you.

10 CHAIRWOMAN GONSALVES: Thank you.
11 Leone Baum.

12 MS. BAUM: Good morning.

13 CHAIRWOMAN GONSALVES: Good
14 morning, Ms. Baum.

15 MS. BAUM: Can you hear me?

16 CHAIRWOMAN GONSALVES: Yes, we
17 can, Ms. Baum.

18 MS. BAUM: Good morning,
19 legislators. Good morning, neighbors. Good
20 morning, residents. I spoke to you before
21 the last time you convened a hearing. I
22 don't know if this is the same hearing just,
23 what do you call it, recessed, or if this is
24 a new event.

25 CHAIRWOMAN GONSALVES: This is a

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2 new hearing.

3 MS. BAUM: I charged you at that
4 time to consider this matter for us, we, the
5 people who elected you. We elected you to
6 consider us. To think about us as you do
7 what you do. You were not elected by either
8 Mr. Mondello or Mr. Jacobs, and we think
9 that we are responsible for your being
10 there.

11 So, if you continue this charade,
12 it's our fault. We put the wrong people up
13 in front of us. You shouldn't be beholding
14 to anyone but us, and we have clearly told
15 you just now with the applause, and you
16 haven't been looking at it, but the Charter
17 Revision Commission who had its one or two
18 hearings, they know how we feel.

19 We think this map is a disgrace.
20 It's silly. I don't even want to comment on
21 the map because it's so silly. It's wrong.

22 Since the last meeting, you made
23 one or two changes. The only one that I
24 could wrap my mind around was that
25 Mr. Denenberg had his house moved, or

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2 doesn't have to move his house. However you
3 want to put it.

4 LEGISLATOR DENENBERG: Just my
5 house.

6 MS. BAUM: I think he, at least,
7 and his constituents think that's a good
8 thing. I can't comment because I don't live
9 there.

10 Very very personally this time
11 I'm going to comment on the map. You have
12 taken my Incorporated Village of Hempstead
13 and divided it -- it's all minority in the
14 schools. We have one or two people like
15 myself who are mostly old who integrate the
16 village, but the village itself in the
17 school districts is minority. It is
18 Hispanic from every country you can think
19 of, and it is African-American. And mostly
20 generationally integrated in that way.

21 We're not new residents moving in and out.

22 So you diced it into at least
23 four pieces that I could find because the
24 maps are almost impossible to read. I know
25 how to read the maps. I have been working

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2 with the census figures since 1960. I know
3 how to read maps and I worked on the first
4 Charter Revision Commission as a proofreader
5 and doing all that kind of stuff.

6 CLERK MULLER: Your three minutes
7 have expired, ma'am.

8 MS. BAUM: Excuse me?

9 CLERK MULLER: Your three minutes
10 have expired.

11 CHAIRWOMAN GONSALVES: In other
12 words, please wrap it up, Ms. Baum.

13 MS. BAUM: Well, it's not written
14 down, so I need a few more minutes.

15 CHAIRWOMAN GONSALVES: You have
16 exactly one minute,

17 MS. BAUM: What you done to my
18 village is run a line north and south down
19 Main Street, if you are familiar at all, if
20 any of you know the village, cutting the
21 village in half east west.

22 The eastern half is connected to
23 Bethpage. Now, if you know the county, you
24 have to hop there to get there because
25 there's no way to get directly to Bethpage

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2 from Hempstead.

3 Now, you ask me why was that
4 done? I'll tell you why I think it was
5 done. The east half that was connected to
6 Bethpage is slated for major, major
7 redevelopment maybe going up into the
8 billions of dollars. Now, here we sit in
9 one district with Bethpage. Why else but
10 for the money would we be connected? That
11 money is supposed to go to Hempstead, but if
12 it goes to district, I think it's 18, who
13 knows what will happen to that money?

14 CLERK MULLER: Your extra minute
15 has expired, ma'am.

16 MS. BAUM: Anyway, I'm finished.
17 Who knows? I beseech you once again. Act
18 like you work for us. Act like you work for
19 us. In this room, you have a room full of
20 voters. We voted for you to do your job for
21 us. So, we're asking you again, do the
22 right thing.

23 CHAIRWOMAN GONSALVES: Thank you,
24 Ms. Baum. Claudia Borecky.

25 MS. BORECKY: I didn't come here

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2 to complain about that. I came here to
3 thank Legislator Denise Ford. Thank you for
4 speaking your conscious and for being brave
5 enough to come out and tell your party
6 leaders that what they were doing to
7 Legislator Denenberg was not fair.

8 We sometimes get a glimpse of the
9 legislature doing the right thing by the
10 people. Legislators Ford and Denenberg have
11 both proved themselves independent voices on
12 the legislature. That's what Democracy
13 should be about, doing the will of the
14 people. When legislators work together
15 government works.

16 Legislator Ford has joined
17 Legislator Denenberg in protecting our
18 environment, stood with Dave Denenberg and
19 said that you did not want the island built
20 off of Long Beach's shores. You stood with
21 Dave and demanded the county stop the sludge
22 from being dumped in Reynolds Channel, and
23 you joined Dave in writing legislation to
24 prevent wastewater from hydro-fracking.

25 Legislators Ford and Denenberg

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2 worked together for years on panels to
3 protect the western bays. Whenever a
4 legislator, either Democrat or Republican
5 acts in the best interests of the people,
6 government works and the people win.

7 But I have one more request. The
8 people of the Merricks want to remain whole.
9 I'm grateful that you gave us back our
10 legislator, but Merrick is still not whole.
11 You can vote on these maps today with
12 adjustments that will draw a line, a
13 straight line on the Meadowbrook Parkway and
14 it will still keep the communities together
15 and will not affect the population
16 differentials between the 5th and 19th
17 legislative districts.

18 So, again, on behalf of my fellow
19 Merrickians, and as the president of the
20 north and central Merrick Civic Association,
21 I ask for one more act of good will, that is
22 to make Merrick whole. Doing so will not
23 affect the district's population lines or
24 politically. It just doesn't make sense at
25 all to cut out a sliver of Merrick. Please

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2 consider noting the adjustment in the record
3 and making a motion to vote to adjust the
4 maps accordingly.

5 CHAIRWOMAN GONSALVES: Thank you,
6 Ms. Borecky. Michelle Ferandino? I believe
7 Ms. Borecky has finished.

8 MS. BORECKY: I do have something
9 else I can say. Good speech, bad speech.

10 CHAIRWOMAN GONSALVES: Excuse me,
11 Ms. Borecky. If Michelle wishes to yield
12 her time to you, what happens then is that
13 everything that had to be said is not going
14 to be said because Michelle doesn't have the
15 opportunity to say it.

16 But, Michelle, are you yielding
17 the time to Claudia?

18 MS. FERANDINO: Yes.

19 CHAIRWOMAN GONSALVES: Go ahead,
20 Claudia.

21 MS. BORECKY: To me, one of the
22 greatest rights I have as a United States
23 citizen is our Freedom of Speech. As a
24 writer and an activist, I cherish the right
25 for a citizen to be able to voice their

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2 opinion even if what they are saying may be
3 against everything I stand for. And I
4 respect that freedom.

5 Last week I witnessed what I
6 think is by far the most despicable act of
7 the legislative majority. You asked your
8 political patronage to come down to the
9 legislature for the sole purpose of taking
10 the seat away from a citizen so that that
11 citizen will not have a voice that day.
12 Each one of you who came down here
13 and stayed --

14 CHAIRWOMAN GONSALVES: Claudia, I
15 think you're bordering on political. So
16 stay on our message and accusing us --
17 excuse me. I chair this meeting and if I
18 deem that it is political in nature, it is
19 political in nature. Excuse me again.

20 If people come to this meeting,
21 they are entitled to come to this meeting no
22 matter for what venue they come from. And
23 if you see fit to accuse us of doing
24 something underhanded, I think that is
25 inexcusable on your part.

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2 MS. BORECKY: Well, then perhaps
3 the ACLU or someone else should look into
4 that because that was a total way of getting
5 people their freedom of speech. It was
6 outright -- your patronage people, I saw
7 them there. I know who they are. They
8 stayed long enough for the crowd to leave
9 and then they left. They did not even stay
10 for the redistricting hearing. They just
11 stayed long so people left. And that, to me
12 was despicable because it's to take away our
13 Freedom of Speech, but preventing the voices
14 of the masses of the single intentional act
15 against our most precious freedom. It's
16 inexcusable as a writer, as an activist, and
17 as an American, I believe that our First
18 Amendment right was violated and I just
19 wanted to put that on the record. Thank
20 you.

21 CHAIRWOMAN GONSALVES: Lorraine
22 Newman.

23 MS. NEWMAN: I yield my time to
24 Barbara Epstein, League of Women Voters.

25 CHAIRWOMAN GONSALVES: Here we

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2 go. By the way, she's not the next speaker
3 so she'll have to wait.

4 The next speaker is Henry Boitel.

5 MR. BOITEL: Good morning. Henry
6 Boitel, Rockville Center.

7 CHAIRWOMAN GONSALVES: Good
8 morning, Mr. Boitel.

9 MR. BOITEL: I have previously
10 raised an objection with you concerning the
11 commission process and how I think it is
12 fatal to everything that has occurred since,
13 since it failed to abide by the requirements
14 of the Court of Appeals that there be an
15 actual commission proceeding. It was in
16 fact a sham.

17 I think that anything that has
18 happened since that time has compounded the
19 problem by the activities of this
20 legislature.

21 I would like to read something to
22 you from the Election Law of the State of
23 New York. In Article 4, Section 100:

24 The State of New York shall be
25 divided into election districts which shall

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2 be the basic political subdivision for
3 purposes of registration and voting as
4 provided in this chapter.

5 Then Subsection 3A says, each
6 election district shall be compact in form
7 and may not be partly within and partly
8 without a ward, town, city, village, which
9 has 5,000 or more inhabitants and is wholly
10 within a town, or county legislative
11 assembly, senatorial or congressional
12 district.

13 It goes on, but, I tell you, I
14 looked through everything this legislature
15 has posted, everything the commission has
16 filed, we know that the commission filed
17 very few of the papers for background
18 information concerning how it came to its
19 decisions.

20 But there's no reference to
21 present election districts as compared to
22 what the election districts would be under
23 this plan. In fact, we have been provided
24 with maps that I, at least, find making a
25 good faith effort to try to figure out

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2 what's what, I can't figure it out. There
3 are no streets there that you can look at.
4 In effect, the way this has been done, has
5 made it almost impossible for the average
6 person, and I suspect for most of you, to
7 really know what's going on.

8 What you have in front of you is
9 a resolution which is a meets and bounds
10 description that runs for about 150 pages.
11 I can't imagine that any of you have
12 actually read that description and
13 understand what it means.

14 Then you give us a map, which,
15 inadequately, here we are in this age of
16 technology where people, weather men can get
17 up and point to things and do all kinds of
18 things and we get junk. The maps that you
19 produced are junk.

20 I would like to talk for a bit
21 about Rockville Centre. Just as Hempstead
22 has been inappropriately divided, Rockville
23 Centre has been inappropriately divided into
24 three parts.

25 The total population of Rockville

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2 Centre is only 25,000. You say, or both
3 sides say, that the proper average
4 legislative district size is something like
5 70,000. Rockville Centre could easily fit
6 into one election district.

7 Take a look at the Election Law
8 concerning election districts and you see
9 what the policy is of the state, which you
10 are bound by. The policy of the state tries
11 to make an effort to keep political
12 subdivisions whole for voting purposes. How
13 could that be when Rockville Centre, which
14 has only 25,000 residents, and I don't mean
15 voting residents, I mean residents,
16 including little children, is only 25,000
17 and you divide it up into three parts.

18 CLERK MULLER: Mr. Boitel, your
19 three minutes have expired.

20 MR. BOITEL: I have not heard one
21 explanation from the commission or this
22 legislature as to why Rockville Centre has
23 been divided up. We were told through the
24 commission proceedings --

25 CLERK MULLER: Your three minutes

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2 have expired.

3 CHAIRWOMAN GONSALVES: Please
4 wrap it up, Mr. Boitel.

5 MR. BOITEL: If I may have a
6 moment. We were told during the commission
7 that when a map was produced we would have
8 an opportunity to comment about that map
9 before the commission and that they would be
10 going around Nassau County. Just like a
11 number of other places did. We were given
12 five day's notice on a map that nobody could
13 understand and it was quickly shoved
14 through. This is not the way to run a
15 county.

16 CHAIRWOMAN GONSALVES: Lisa
17 Tyson.

18 MS. TYSON: Good morning. So
19 this has been a very long process. And,
20 unfortunately, very little has changed from
21 the very first map that we saw. And I know
22 that a lot of people -- I know I felt after
23 the last hearing there were some major
24 changes to the map and there was a positive
25 movement.

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2 But, unfortunately -- saving
3 Dave, which is great, we like Dave, we do,
4 but that was not enough. The map is still
5 terrible. It separates minority
6 communities. Period. That is an atrocity
7 in today when we live in the most segregated
8 area in the country. It continues that.
9 When this goes to court, the judge will
10 review your action and they will see right
11 through this because this hurts communities.

12 Now why is it important for
13 minority communities to stay together? We
14 focus on education funding, okay? And right
15 now we are in a huge battle, state wide and
16 federally, to make sure that schools have
17 the resources they need to succeed. Early
18 childhood programs, after school programs.
19 If communities are not together, do not have
20 a legislator up here that can go to Albany
21 with us and fight with us, fight for their
22 district, when it's just a little piece of
23 your district, it's not the same thing.

24 When you represent, and you get
25 many letters, and people are saying, we need

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2 you to help us with education funding on the
3 state level, that is why this is important.

4 This has been a horrible
5 situation for people here, back here
6 watching this process. It's embarrassing,
7 but there is still time to change it. There
8 is still time to vote your conscious. The
9 vote that you do today, and I know you will
10 do one today, unfortunately, because this is
11 the deadline, will determine how you are
12 looked upon by the residents in your
13 districts and across Nassau County for the
14 next decade.

15 Splitting minority communities,
16 splitting the Five Towns is horrible. You
17 will be remembered if you vote for that
18 today. There is still time to change.

19 Sometimes we need to look to see
20 what the word courage is. The word courage
21 is to vote against your party when it's
22 necessary. Courage is to stand up when
23 people don't like what you're saying. I
24 have had to do that many of times where
25 people are booing and hissing at me and

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2 speaking and fighting for affordable housing
3 and doing the things that are necessary to
4 make communities whole. We need you on this
5 side to have courage.

6 We need you to stand up for every
7 constituent in the county, not just yours,
8 because maybe your district is held whole.
9 This idea of making Democrats primary is
10 horrible, the state redistricting plan of
11 the Republicans was the same plan, I think
12 it had the same map makers, the same
13 strategist. It's horrible.

14 CLERK MULLER: Ms. Tyson, your
15 three minutes have expired.

16 MS. TYSON: There's nothing more
17 to say. You need to vote no.

18 CHAIRWOMAN GONSALVES: Thank
19 you, Lisa. Anthony Cacioppo?

20 MR. CACIOPPO: Good morning,
21 everyone.

22 CHAIRWOMAN GONSALVES: Good
23 morning, Mr. Cacioppo. I'm proud to be a
24 part of this community and I hope that all
25 of you are as proud to be a part of this

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2 community.

3 I come from New Hyde Park. I
4 spent 20 years in Great Neck before I chose
5 to move south into a more diverse
6 neighborhood so that my children could grow
7 up with people that didn't look like them.

8 Eventually this whole community
9 will be integrated and you will have no way
10 of gerrymandering. But that day is in the
11 future of this young person here who has
12 been trying to voice his voice or her voice.

13 But as representatives of New
14 York State and public servants, your
15 decision should protect the public trust.
16 In the case of redistricting, this public
17 trust has been violated. We should be
18 drawing a map that protects interests and
19 ensures the representation not weakens it.

20 Instead of putting political
21 advantage ahead of public good, Nassau
22 County residents deserve fair and equal
23 representation.

24 This new map represents proposed
25 districts that have been manipulated for

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2 political gain by carving out absurdly
3 shaped districts as every one here has
4 testified.

5 We should focus on areas that we
6 are more alike rather than our differences.
7 We share communities that include our
8 schools, our places of worship, and our
9 children. These communities should be
10 respected and protected, rather than
11 diluting the community spirit by dividing
12 and weakening their voice.

13 Therefore, I urge all you
14 legislators to reject this proposed map and
15 employ a nonpartisan panel to oversee
16 redistricting.

17 CHAIRWOMAN GONSALVES: Nancy
18 Kemper.

19 MS. KEMPER: Good morning.
20 Excuse my sunglasses, I left my other ones
21 home.

22 I came here this morning really
23 with no intention of speaking. But I grew
24 up on Long Island. My parents came here in
25 1945. I believe what is happening now is

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2 that we are setting a terrible example for
3 our children.

4 When I moved here in 1945, Nassau
5 County was really a very heavily Republican
6 county. Over the years, it's gone back and
7 forth. All votes had value. I've always
8 voted and I want my vote and the votes of
9 the people around me to continue to have
10 value.

11 I'm worried about the example
12 that's being set for our children. Fewer
13 and fewer of the young people that I meet
14 and talk with vote. When they see what's
15 happening here, fewer and fewer of them are
16 going to vote. Because they're going to
17 grow up knowing that their votes don't have
18 the power that their individual vote should
19 have. This whole redistricting is a ploy of
20 a weakened political party. And that's not
21 what it should be.

22 CHAIRWOMAN GONSALVES: Adele
23 Novack.

24 MS. NOVACK: Good morning.

25 CHAIRWOMAN GONSALVES: Good

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2 morning, Ms. Novack.

3 MS. NOVACK: My name is Adele
4 Novack and I'm a resident of Rockville
5 Centre for the last 46 years.

6 I would like to start out this
7 morning by commending the residents of
8 Merrick for speaking out last week regarding
9 the very strange removal of Legislator
10 Denenberg's home from his election district.
11 The Republicans were shamed by what they did
12 to Denenberg when the deed was put into
13 public view.

14 The excision of this legislator
15 was so blatantly wrong, that the Republicans
16 had no choice but to place him back into his
17 long-standing district. So,
18 congratulations, Merrick, for keeping the
19 legislator you want in that seat.

20 I am here today to speak about
21 Rockville Centre and to question the value
22 of splitting up my village into three
23 districts. What do our are residents gain
24 by this baffling move? In my opinion,
25 absolutely nothing. What it does is dilute

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2 the voting power of a community to the
3 extent that our voices will no longer be
4 effective.

5 To cite just one example, the
6 Village of South Hempstead with whom we have
7 so much in common, as we share a school
8 district, shopping areas, a post office,
9 common roads, telephone exchanges, for some
10 reason is no longer in our election
11 district.

12 Every indication of community is
13 shared with South Hempstead. What sense of
14 community was thought to be preserved when a
15 significant portion of Rockville Centre was
16 extended into the Five Towns? Why was this
17 done?

18 What is even more perplexing is
19 that our current legislator, Joe Scannell
20 has not uttered a single word during these
21 entire hearings regarding this Republican
22 plan. Other legislators monitored the
23 hearing and spoke out vigorously while Mr.
24 Scannell never showed up at any of these
25 meetings. Is this a way to represent your

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2 constituency, Mr. Scannell?

3 In conclusion, I would like to
4 say that no one from the commission or
5 legislature has adequately explained this
6 new redistricting plan to us. We are, at
7 the very least, we need, at the very least,
8 a map that clearly spells out the boundaries
9 street by street of the new districts so
10 that we, the voters, actually know in which
11 district we belong.

12 Thank you for your time.

13 CHAIRWOMAN GONSALVES: Thank you,
14 Ms. Novack.

15 LEGISLATOR SCANNELL: Just want
16 to thank you for coming down, even though
17 you had some critical comments, I'm very
18 very proud of the fact that a representative
19 of Rockville Centre delivered literally
20 millions and millions of dollars in CRP
21 money for the Rockville Centre Rec Center,
22 Rockville Centre Senior Centre, Rockville
23 Centre Parks Department, literally we got
24 about \$500,000 just recently for bricks for
25 Rockville Centre as well. I'm really really

1 Full Legislature/3-5-13
2 proud of the community meetings we have had
3 as well. We've had over 100 community
4 meetings in Rockville Centre over the 13
5 years, free meetings for people who can come
6 down and learn about county issues. I'm
7 just proud of the fact that I've worked hard
8 for free, services for the people of
9 Rockville Centre, hard constituent work, and
10 a lot of good CRP money. Thanks. And
11 Rockville Centre should not be part of what
12 is going on here. I do not agree with the
13 fact that it's being split into three. That
14 is wrong. Completely, completely wrong.

15 MS. NOVACK: I'm happy to hear
16 that, Mr. Scannell. It's the first time I
17 heard it from you. Thank you.

18 CHAIRWOMAN GONSALVES: Carol
19 Blumenthal.

20 MS. BLUMENTHAL: Thank you.
21 Hello. I represent LICAN, Long Island
22 Congregation Associations and Neighborhoods.
23 I'm a resident of Nassau County since 1965,
24 living 46 of them in Roslyn.

25 On behalf of those not able to be

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2 here today, I protest adamantly the harm you
3 are proposing for us in our town. Ask
4 residents where they live and we say Roslyn.
5 We don't say East Hills, or the Heights, or
6 the Village or the Harbor or the Estates.

7 The strength of Nassau County
8 lies in its communities, not in arbitrary
9 divisions. It is unimaginable that Roslyn
10 will be broken into four legislative
11 districts. Four. The flawed process of two
12 political parties playing with our lives is
13 irresponsible. This is not a game.

14 We need to have one legislator to
15 remain to have one legislator who knows our
16 town, who knows our needs, and who has our
17 interests in mind.

18 As one example, when Super Storm
19 Sandy struck, we turned to our one
20 legislator for information and support. The
21 LIPA Oversight Committee talks about the
22 significant role legislators need to play in
23 future preparedness and response. It is
24 fool hardy to break Roslyn apart in a power
25 play between two political parties. We have

1 Full Legislature/3-5-13
2 worked too hard to form and maintain Roslyn
3 as an entity to have you tear it apart. We
4 deserve better and we expect better from
5 you.

6 Are you listening? Are you
7 listening to any of the people here? Please
8 consider this plea and other pleas that
9 you've heard today.

10 LEGISLATOR WINK: Carol, if I
11 could, I just want to thank you for coming
12 down here today.

13 The Roslyn community is about
14 30,000 people. As you know, it's about
15 30,000 people, all of whom are in the same
16 school district, a school district that was
17 wracked by scandal within the last decade,
18 and really I think many of the scars that
19 exist throughout the Roslyn community are
20 only now healing as a result of that
21 scandal. It really in some ways, the
22 recriminations pitied community against
23 community in Roslyn.

24 Unfortunately, this will not help
25 that situation one bit. I agree with you

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2 completely. I had an occasion to be with
3 Joseph Gargone, the assistant superintendent
4 for the Roslyn Schools on Saturday who, as
5 we all know, was kind of the voice of Roslyn
6 when it came to providing information and
7 details to so much of our community that was
8 without power, that was without heat, or
9 really was without information. Were it not
10 for people like that and people like myself
11 and others in the community who really made
12 the effort to reach out.

13 If we divide up the Roslyn
14 community into four pieces, not one part of
15 Roslyn will be more than ten percent of any
16 legislative district. Right now Roslyn
17 makes up almost 40 percent of my district.

18 If Roslyn is divided up the way
19 the Republicans on this legislature propose,
20 Roslyn will, in fact, be no more than about
21 10 percent of any legislative district.
22 That makes them relatively insignificant to
23 the people who will sit up here in a year
24 from now.

25 So I thank you for coming down

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2 here. I look forward to continuing with
3 this fight as we go forward, and I want to,
4 again, thank you for representing Roslyn and
5 really espousing the views that I and a
6 number of other people e-mailed and written
7 and called this legislature have sought to
8 impart to this legislature.

9 MS. BLUMENTHAL: Since I didn't
10 take my three minutes, I appreciate what you
11 said and you bring to mind the fights we had
12 so many years ago that I was involved with
13 30 years ago to help the minority kids in
14 Roslyn Heights to become more integrated
15 within the community.

16 We, in the rest of Roslyn, have
17 worked so hard together in so many many
18 issues, and by dividing us into four
19 sections you -- somebody before spoke so
20 wonderfully about state law and keeping
21 communities together, and time after time
22 people hear are talking about the division
23 within their only communities. I don't get
24 that. Those of us who have worked for
25 school districts or library districts or the

1 Full Legislature/3-5-13
2 community in general are proud of being part
3 of our community and want to remain proud of
4 being part of Nassau County. Please listen
5 to what is going on here and do something
6 about it. Thank you.

7 LEGISLATOR WINK: Thank you,
8 again, Carol.

9 CHAIRWOMAN GONSALVES: Legislator
10 Jacobs.

11 LEGISLATOR JACOBS: Carol, it's
12 Judy Jacobs. Hi. I didn't know that you
13 were going to be speaking. But I feel it
14 would be remiss for me not to say something
15 to you because you spoke eloquently about
16 Roslyn.

17 I used to be presiding officer
18 here for many years. I really pride myself
19 on knowing a lot about Nassau County as a
20 whole. I was able to learn about everything
21 in Nassau County just by putting my mind to
22 it and by doing the right thing. I'm one of
23 those four that's going to be getting Roslyn
24 Heights. I just felt you should meet me and
25 know that, really, I'm losing some of my

1 Full Legislature/3-5-13
2 area, including the school district I live
3 in, is being cut in half in my district.
4 Exactly in half. Anything south of Jericho
5 Turnpike is still with me, everything north
6 of Jericho Turnpike is not.

7 But I want to reassure you, it
8 just so happens, don't ask how, I live in
9 Woodbury, but I do have part of -- I have
10 all of Roslyn Heights. But I know Roslyn
11 Heights. I'm very close friends with the
12 guy sitting next to me, who I know you know.
13 I'm aware of those problems.

14 I want to reassure you that if
15 this map stands the way it is, as much as I
16 agree with you that communities, to the best
17 of our ability, should always be kept
18 together, certainly whether it could be
19 school districts would be the best.

20 Even if it can't, at least by
21 name only, it would be for a community
22 that's named something to be together in
23 everything. It doesn't always work that way
24 in redistricting but I just wanted to
25 reassure you. I wanted you to meet me and I

1 Full Legislature/3-5-13
2 know that I understand. And I will bend
3 over backwards, if it does come to pass that
4 this is the map, to make you feel that
5 you're represented.

6 MS. BLUMENTHAL: I don't live in
7 Roslyn Heights.

8 LEGISLATOR JACOBS: Even if you
9 don't --

10 MS. BLUMENTHAL: In fact, Roslyn
11 Heights is being divided in two sections.
12 So it's not that you're going to represent
13 all of Roslyn Heights. Part of Roslyn
14 Heights is going to be represented with East
15 Hills. So somebody said before, did you
16 read this map? Do all you people
17 understand, did you read the 100 and
18 whatever pages?

19 LEGISLATOR JACOBS: We read
20 nothing else. Believe me when I tell you --

21 MS. BLUMENTHAL: I'm sure you
22 did.

23 LEGISLATOR JACOBS: All 19 of us
24 have read nothing else. We all have
25 different opinions as to what could happen.

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2 Truthfully the census changed very little in
3 all of Nassau County, but this is the
4 redistricting process as we have gone it
5 three times already in a very short life as
6 a legislature. It's not easy. It's not
7 always comfortable. And it can break your
8 heart and, in many cases, it's not fair.

9 But my only reason for wanting to
10 talk to you was so you can see a face that
11 somebody is going to be representing part of
12 your area.

13 MS. BLUMENTHAL: All right.

14 LEGISLATOR WINK: If I could just
15 clarify the record, Roslyn Heights is
16 actually being divided into three districts.
17 The third part is actually part of that
18 orange district which appears to be a
19 pack-man type district, seems to be chewing
20 up the neighboring district to the west.
21 Part of Roslyn Heights actually ends up in
22 that that district as well.

23 So it just goes to show you there
24 really never was any plan for cohesiveness
25 within the Roslyn community. I suspect,

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2 quite frankly, if everybody takes a deep
3 breath and you take in a whiff of this room,
4 you're going to smell fear, and that fear is
5 coming from my colleagues on the republican
6 side of the aisle.

7 It may be -- it may be fear of
8 me, or Delia DeRiggi-Whitton, because we are
9 the two legislators who will be combined
10 into one district, but I don't think that
11 that's the fear we're really smelling here.

12 I think there's a fear of a
13 united Roslyn, and I think there's a fear of
14 the united Five Towns. The fact that those
15 two communities are being broken up the way
16 they are, literally drawn and quartered, is
17 a show of that fear.

18 But the biggest fear you're
19 smelling right now is the fear of the tide
20 and the trend and the demographics of this
21 county changing. And if Mr. Becker would
22 give a little bit of respect in this, he
23 would hear what I'm about to say. What
24 you're smelling is the tide of change taking
25 place in Nassau County. What you're

1 Full Legislature/3-5-13
2 smelling are my Republican colleagues trying
3 to beat back that tide at all costs. At the
4 cost of their self-respect, at the cost of
5 their integrity, and at the cost of this
6 county's taxpayers.

7 That's what you're smelling here
8 today. We are going to see that play out in
9 this vote this afternoon. That's what we
10 are all about here today and I want to thank
11 you for being here because, quite frankly,
12 we are here to make sure that that fear
13 persists in them. Thank you.

14 CHAIRWOMAN GONSALVES: Legislator
15 Muscarella, please.

16 LEGISLATOR MUSCARELLA: I would
17 just like to point out that this map keeps
18 99 of 135 identifiable communities together.
19 Your proposal, the Democratic proposal does
20 not perform as well. I would take issue
21 with a number and the location of the splits
22 that your caucus has proposed. Your map
23 would have split Levittown into three
24 districts and I can go on and see your map
25 splitting a number of districts that we

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2 don't.

3 You may be offended by the choice
4 made with respect to Roslyn, but I am
5 offended by the proposed choices with
6 respect to Levittown and other communities
7 that your caucus has proposed.

8 The reality is that it's
9 impossible, it is impossible to draw up a
10 map that keeps whole every community, and
11 each one of us, legitimately and rightly,
12 wants to see our communities kept whole.

13 As we've always been reminded in
14 the past, the location of lines are policy
15 choices. Policy choices, those are your
16 words, from ten years ago. You don't like
17 those proposed policy changes. You don't
18 like those proposed policy choices. And it's
19 your prerogative then to vote against the
20 map. Thank you.

21 LEGISLATOR WINK: And,
22 Mr. Muscarella -- I would like to retort.
23 He specifically referred to the policy
24 choices that --

25 CHAIRWOMAN GONSALVES: You have

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2 not been recognized, Legislator Wink.

3 LEGISLATOR WINK: I'm asking you
4 to recognize me, Madam Presiding Officer.

5 CHAIRWOMAN GONSALVES: Then wait
6 your turn. There are people in this
7 audience who would like to speak as well,
8 Legislator Wink, and I don't want them to
9 leave before they have an opportunity to do
10 so.

11 Excuse me. You have a choice.
12 You have a choice. I am the presiding
13 officer. I will run this meeting. If need
14 be, if need be, like we did in the past, we
15 can take a recess. I'd rather not do that.

16 And, Mr. Wink, stay out of the
17 campaign mode.

18 LEGISLATOR WINK: Excuse me,
19 Madam Presiding Officer, what you are doing
20 is taking two legislators and putting them
21 into one district, so, excuse me if I'm
22 talking about the situation here. It is not
23 campaign mode, quite frankly, it is survival
24 mode for some of us on this legislature and,
25 you, for one, should appreciate that fact,

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2 Madam Presiding Officer.

3 The fact of the matter is, the
4 Roslyn community was combined and kept whole
5 for 18 years in this legislature by
6 Republicans and by Democrats. The fact that
7 it's being changed now is only because there
8 is fear on the side of the Republicans that
9 they are going to lose control of this
10 county sooner or later and they're trying to
11 hold on for as long as they can.

12 There is no disinfectant, there
13 is no deodorant that covers up the smell of
14 fear that we're seeing here today.

15 CHAIRWOMAN GONSALVES: The next
16 speaker is Michael Turi.

17 MR. TURI: Good morning,
18 Presiding Officer, legislators, residents.

19 CHAIRWOMAN GONSALVES: Good
20 morning, Michael.

21 MR. TURI: Thank you for coming.
22 This is the third one of these meetings that
23 I've attended, and I can't seem to speak
24 enough about how the Five Towns is being
25 split up. I'm a third generation Lawrence

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2 High School graduate. My grandparents and
3 my family raised their children in the Five
4 Towns and they did so because it's a
5 community.

6 Now, I've learned a lot about the
7 process, and one of the precepts that's so
8 important is keeping communities of interest
9 together. I look at this map and I see
10 three of the Hewlett towns, three towns with
11 the name of Hewlett in them being split up.
12 Lawrence is with Oceanside, Woodmere and
13 Cedarhurst are with Rockville Centre, and
14 Inwood has been egregiously cut up to be
15 with Elmont, I think I have to buy a rowboat
16 to get from one to the other because they're
17 separated by a body of water.

18 I don't understand why you would
19 want to split up the Hewlett High School
20 District into three legislative districts,
21 the Lawrence School District is being split
22 up into four legislative districts. And,
23 unfortunately, I don't see any action coming
24 from my legislator to prevent this from
25 happening.

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2 Legislator Kopel, I have come to
3 these meetings and, much like the speaker
4 said earlier, I haven't heard you say a
5 word. I'm wondering which district you are
6 going to have to run in. I wonder which new
7 community you're going to have to
8 reintroduce yourself to because you are
9 certainly not running in the combined five
10 town district that you've had the luxury of
11 running in.

12 I know for a fact that there is a
13 strong Orthodox Jewish community who relies
14 on their legislator to represent their
15 issues. That community is being split apart
16 by these districts. I wish there was some
17 way that this map could be blown up so
18 people can have a better idea.

19 The real thing that bothers me
20 the most is, that minorities that live in
21 our district are going to be deprived the
22 opportunity to have a legislator of their
23 choice.

24 The Inwood community has been
25 joined with Elmont. I don't know if those

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2 two communities have any interaction
3 whatsoever. I don't know if the legislator
4 who currently represents Elmont has any
5 history in the Five Towns or in Inwood.

6 I urge you, Mr. Kopel, you have
7 the power to do this today. I urge you to
8 make a motion to rejoin these Five Towns to
9 one whole. I'm curious as to your thoughts.

10 LEGISLATOR KOPEL: You know,
11 there are some very good reasons for making
12 certain choices, some very good reasons for
13 proposing certain choices, including maybe
14 keeping more of the Five Towns together.
15 Unfortunately, you haven't mentioned any of
16 them. Let me tell you my thoughts over
17 here.

18 I would prefer to keep the Five
19 Towns together. I live there in Lawrence.
20 The Five Towns, the 7th Legislative District
21 is not only comprised of the Five Towns, it
22 is also comprised of a number of other
23 neighborhoods, which, by the way, don't have
24 significant intecoast with the Five Towns
25 but that doesn't seem to bother anyone on

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2 either side.

3 But, beyond that, East Rockaway
4 is divided now, Island Park is divided now,
5 Oceanside is divided now. Those
6 neighborhoods will be put back together.

7 As much as I would like to keep
8 the Five Towns together, I don't think the
9 Five Towns are necessarily more worthy than
10 some of those other neighborhoods that I've
11 mentioned that are being recombined.

12 Also, I think that perhaps people
13 are making more of it than it needs to be.
14 The Five Towns right now have, let's see,
15 two town councilmen, a number of villages,
16 several library districts, two school
17 districts. I would say that the Far
18 Rockaway neighborhood is part of New York
19 City but it's really part of the Five Towns
20 functionally. People in Far Rockaway, at
21 least the eastern part of it shop and have
22 their friends in Lawrence. It's just a
23 fact.

24 Nonetheless, despite all this
25 supposed separation, it's still the Five

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2 Towns. Nobody's said it's been split up.
3 This doesn't change the character of the
4 neighborhood. People will still be where
5 they want and shop where they want and do
6 what they want and have the same friends
7 that they've had.

8 I prefer to keep the Five Towns
9 together, but they're going to be some
10 choices made. I'm sorry, this microphone
11 doesn't seem to be working very well, I
12 apologize.

13 You mentioned also, by the way,
14 one more thing that I would like to respond
15 to. You mentioned the Orthodox vote. I
16 have to take a little exception to that.
17 The Orthodox vote is not monolithic. It
18 never has been. It never will be, I don't
19 believe, and it shouldn't be. I never ran
20 as the Orthodox representative. I ran as a
21 representative who happens to be Orthodox.
22 I don't think that that should make any
23 difference. I've always said that over here
24 and I said it when I campaigned. I really
25 believe that every one of us, no matter what

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2 the denomination is, is fully capable of
3 representing somebody else.

4 Finally, what I would like to say
5 is, a line doesn't matter. We've made
6 friends over the years. And if my friend
7 happens to live across a line, it's still
8 going to be my friend. And, if somebody
9 needs help who happens to live across a
10 line, you're still going to get help.

11 MR. TURI: Well, I hope that the
12 legislator speaking does not affect my time
13 to respond. I would like to say that no one
14 is suggesting that the Orthodox Jewish
15 community is monolithic. Just being at the
16 Lawrence Middle School meeting last week
17 might beg someone to differ, but I would
18 just say that lines do matter.

19 Representation does matter. Being able to
20 have the people that you want to respond for
21 you. You represent a community. This
22 community is no longer whole.

23 You have the power to change
24 this.

25 CLERK MULLER: Sir, your three

1 Full Legislature/3-5-13
2 minutes have expired excluding Mr. Kopel's
3 comments from your times.

4 MR. TURI: So maybe another
5 moment or two. You have the power to change
6 this. You can make the motion. You can
7 change this map. You can return these Five
8 Towns to one whole. And you can go back to
9 them and say I did this. I kept your
10 community together. I urge you to do this
11 and I urge you to vote down this map. Thank
12 you very much.

13 CHAIRWOMAN GONSALVES: I would
14 like to know if Mayor Hall has come into the
15 chambers? No. The next speaker is Ida
16 Grainger.

17 CLERK MULLER: She yields to Ms.
18 Garone.

19 CHAIRWOMAN GONSALVES: Okay. She
20 yields to Bonnie Garone. Next is Judy Beck.

21 MS. BECK: Good morning. My name
22 is Judy Beck and I live in Floral Park.

23 CHAIRWOMAN GONSALVES: Good
24 morning, Judy.

25 MS. BECK: Since 2008. Once

1 Full Legislature/3-5-13
2 again, I'm doing this even though I hate
3 talking in front of a lot of people because
4 it's such an outrage. Just that a thing
5 called the Republican map exists, speaks
6 volumes. And I don't know Nassau County
7 that well because I'm not living there that
8 long. So I'll read one of the questions
9 that nobody has asked yet, I don't think,
10 and I would appreciate an answer.

11 Presiding Officer Gonsalves,
12 after staying until 1:00 a.m. last week,
13 because of community outrage over the plan,
14 why do you continue to ignore the voices of
15 Hempstead, Elmont, and Roslyn who ask to be
16 put back together again? Why does this map
17 continue to divide the Five Towns? I'd
18 appreciate an answer.

19 CHAIRWOMAN GONSALVES: We are
20 here to listen to you.

21 MS. BECK: I asked a question, I
22 didn't get an answer.

23 CHAIRWOMAN GONSALVES: Till 1
24 o'clock hour, the voices were heard
25 throughout the entire testimony that day,

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2 and we did come up with changes that could
3 be made in a timely fashion. I'm sorry it
4 doesn't satisfy, Judy.

5 MS. BECK: It doesn't satisfy
6 anyone in this room.

7 CHAIRWOMAN GONSALVES: I believe
8 that it does.

9 MS. BECK: I'm finished.

10 CHAIRWOMAN GONSALVES: We have
11 Barbara Epstein and I believe that Lorraine
12 yielded to Barbara, so, Barbara, you have
13 six minutes.

14 CLERK MULLER: Is this a total of
15 six minutes?

16 CHAIRWOMAN GONSALVES: Yes. Good
17 morning, Barbara.

18 MS. EPSTEIN: Good morning,
19 Presiding Officer Gonsalves and members of
20 the legislature.

21 My name is a Barbara Epstein and
22 I'm a member of the League of Women Voters.
23 Today I address you on behalf of the Nassau
24 County United Redistricting Coalition, a
25 nonpartisan civic engagement initiative,

1 Full Legislature/3-5-13
2 supporting an inclusive balanced and fair
3 Nassau County Legislature redistricting
4 process.

5 We have participated in the
6 hearings of both the Temporary Districting
7 Advisory Commission and this legislative
8 body, engaged the public through outreach
9 and community forums and education, and
10 drafted and proposed a nonpartisan
11 redistricting plan.

12 We are here today again to demand
13 that you vote no on this map and give the
14 residents of Nassau County what they
15 deserve, a proposal, the results from a
16 transparent, fair, cooperative, and truly
17 nonpartisan process. The voters of Nassau
18 County did not elect you to play partisan
19 games, they elected you to lead, now do it.

20 The proposed map before us today
21 is infected with the disease of naked
22 partisan gerrymandering. It is conceived of
23 and produced by a process driven by the
24 desire of one political party to retain
25 control of this body for the next decade.

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2 With all of the critical issues
3 facing Nassau County, from taxes and budget
4 concerns, rapidly changing racial and ethnic
5 demographics, an ever-present concern for
6 how to grow the next generation of leaders
7 and citizens, the last thing we need is an
8 ideological in transit legislature full of
9 politicians who fail to realize the essence
10 of democracy has flexibility and comprise.
11 The symptoms of the gerrymandering disease
12 are well documented and, today, largely
13 unaddressed.

14 After nearly nine hours of
15 testimony last Monday, only two changes were
16 made to the map. Legislator David
17 Denenberg's residence was returned to
18 District 19. Although the community of
19 Merrick remains divided, as it is currently,
20 between District 19 and District 5.

21 Also, the community of Jericho
22 Gardens was returned to District 2 where
23 they can join neighbors with similar
24 concerns and values and elect a candidate of
25 their choice. Many more symptoms remain.

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2 The proposed plan needlessly
3 moves a staggering number of residents, more
4 than 350,000 into new legislative districts.
5 The Five Towns and the Roslyn areas both
6 remain cracked into four districts
7 destroying its legislative cores and
8 significantly reducing the collective impact
9 of these communities in county politics.

10 The still forces Inwood into
11 District 3 based in Elmont and Valley
12 Stream, a bizarre combination of completely
13 different communities of interest. The plan
14 still divides the Village of Hempstead into
15 three districts, with more than 7,600
16 village residents removed to the proposed
17 District 14 based in Garden City and
18 extending all the way to Bethpage in a shape
19 that bears no relation to community
20 interests.

21 We have asked time and time again
22 for a reconsideration of the process by
23 which this map and a similar proposal by the
24 Republican delegation to the commission was
25 created. Many of these issues remain

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2 unaddressed because there has been no
3 evidence that you or the delegates of the
4 commission, that you appointed, have made an
5 effort to work together to do what is best
6 for the county.

7 The chairman of the commission,
8 Mr. Moroney, testified last week that the
9 two sides of the commission worked
10 completely separate, hiring their own staff
11 and failing to even meet to discuss the
12 process. How can you expect to collaborate
13 and collectively represent the interests of
14 the entire county when you start from such a
15 place of division?

16 Now we are at a critical point.
17 We cannot fix the process by treating the
18 symptoms of the map; symptoms you have
19 either failed to recognize or consciously
20 ignored. You must start again from a place
21 of cooperation and fidelity to the
22 constitutional and policy imperatives of
23 redistricting and not from the objectives of
24 hoarding power for the next ten years.

25 The revisions that you have made

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2 today are merely cosmetic and insufficient
3 to cure the map of its core failures. The
4 coalition map reflects community input, and
5 is both nonpartisan and incumbent blind.

6 Legislators elected to represent
7 districts based on our map would enjoy the
8 confidence of knowing that their
9 constituents were able to elect as a true
10 community and not simply as a member of a
11 political party.

12 This is your last chance. Do the
13 right thing and vote no on this proposed
14 map. Thank you very much for your time.

15 CHAIRWOMAN GONSALVES: Thank you,
16 Ms. Epstein.

17 LEGISLATOR DENENBERG: First of
18 all, Barbara, thank you. I just want to
19 state on the record and I know a lot of
20 people from Merrick and Bellmore are here
21 again, but I'm in total agreement with you
22 that these changes are cosmetic, and while
23 I'm glad to be back into the 19th District,
24 my neighbors are not. A sliver of central
25 Merrick is still in the 5th instead of the

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2 19th, and putting it back in would not at
3 all change the population deviation. It's
4 all just a desperate attempt to carve 12
5 republican districts out of 19 in a county
6 that is less than a third of republican at
7 this point. That's all it is.

8 So if I was going to be moved
9 back, and I'm thankful, all of Merrick
10 should be put back together.

11 CHAIRWOMAN GONSALVES: Thank you
12 again, Ms. Epstein. George Alexander? Ruby
13 Arnold?

14 MS. ARNOLD: Good morning,
15 everybody.

16 CHAIRWOMAN GONSALVES: Good
17 morning, Ruby.

18 MS. ARNOLD: I was hoping Fred
19 would be here. I was going to yield my time
20 to him.

21 What I would like to say is,
22 three years ago I was here and a lot of
23 things happen since then, but we still have
24 the same problems. I would hope before the
25 day is out that something positive would

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2 come from this, that maybe we would come to
3 a decision that is bigger than all of us.
4 Because none of us are everything, but we
5 all come together to make good decisions I
6 hope.

7 So today I'm hoping that happens.
8 Thank you for your time.

9 CHAIRWOMAN GONSALVES: Thank you,
10 Ruby, for coming down. Terry Panica.

11 MS. PANICA: Good morning. My
12 name is Terry Panica. I'm a resident of
13 Levittown. I have nothing really more
14 persuasive to add to the wonderful arguments
15 that have been presented to you over the
16 course of the last few weeks.

17 But I do want to say that I
18 believe the adoption of this map is an
19 insult to democracy, to justice, to
20 fairness. In my opinion, it will not serve
21 the common good. Isn't that what good
22 government should be all about, serving the
23 common good?

24 CHAIRWOMAN GONSALVES: Elizabeth
25 Oldendorp.

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2 MS. OLDENDORP: Hi. My name is
3 Elizabeth Oldendorp and I'm a lifelong
4 resident of Nassau County. I have taught in
5 the public schools here for the past 30
6 years. I'm also an organizer for
7 moveon.org.

8 Today, however, I'm here to speak
9 for the people of Nassau County. I don't
10 have to say any more about all the towns
11 that are being split up and all the school
12 districts that are being unnecessarily split
13 up. We've already talked about the absurdly
14 shaped districts that were carved out.

15 Hundreds of residents have made
16 it abundantly clear by their statements at
17 these public meetings that they oppose the
18 map. The people of Nassau County want a
19 fair map that maintains communities of
20 interest and we deserve no less.

21 However, today I'm also speaking
22 as a former teacher of English as a second
23 language. For nearly 30 years I have taught
24 immigrants. Immigrant children from grades
25 kindergarten through 12th grade about

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2 America and Democracy. I've taught them US
3 History, that in America we have the freedom
4 to vote and our vote matters.

5 I've also taught 12th graders
6 about US government and the Supreme Court
7 decisions. I have watched many of my
8 students become American citizens. What you
9 have done with this proposed map is an
10 affront to our democracy and our right to
11 vote.

12 I have another petition here, it
13 is an extension of last week's petition. We
14 now have 2,178 signatures on it of people
15 who oppose this map. We urge the
16 legislators, all of you, to reject this map
17 and, if you pass it today, we also urge
18 County Executive Mangano to reject the map.
19 Thank you very much. I would like to enter
20 this into the minutes.

21 CHAIRWOMAN GONSALVES: Please do,
22 Elizabeth. Thank you. John Moore.

23 MR. MOORE: You just saw my
24 cohort over there, Lisa Oldendorp. I'm also
25 with moveon.org and I'm actually -- I think

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2 this map stinks, the republican map, but I'm
3 going to be a little more technical about
4 it.

5 What I was saying, I've been
6 listening to what the other people have been
7 saying and that a number of places have been
8 split and, while they have been talking, I
9 have been studying the other two maps; the
10 democratic map and the coalition map.

11 If both cases, those maps seem to
12 not have those splits. They seem to be more
13 coherent than the Republican map. So even
14 if you don't consider those two maps, you
15 can get a better map because those other two
16 maps, the coalition map, and the Democratic
17 map both seem to be more coherent to me,
18 despite what Frank Moroney says, much more
19 coherent than the Republican map.

20 As my cohort has said, we have a
21 petition going out with over 2,000 people,
22 it's verified. Basically, the other
23 question I have is, with the Skyline
24 demographers. I'm not asking it as a
25 question. I question them because my wife

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2 is a librarian and we tried to look up where
3 they were in Schenectady and we couldn't
4 find them. I was wondering how verifiable
5 they are because, again, I'm going back to
6 Frank Moroney's testimony, he said to some
7 questions, says, don't blame me, go to
8 Skyline Demographers. I'm saying, Where in
9 the world are they?

10 The last point I want to make,
11 again, going back to what Frank Moroney
12 says. He says that this proceeding, the way
13 they process this map is like working with a
14 bowl of Jell-O. I think the whole process
15 is like working with a bowl of Jell-O.
16 That's what I would like to say.

17 CHAIRWOMAN GONSALVES: I believe
18 Mayor Hall entered the chambers. Mayor
19 Hall. Good morning, Mayor.

20 MAYOR HALL: Good morning, I'm
21 sorry I'm late, but in the middle of a
22 campaign. Again, I'm here asking for you
23 not to dissect my Village of Hempstead, and
24 have us have three legislators.

25 The part of Hempstead that you're

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2 going to put with Garden City and put with,
3 I think it's Bethpage. I'm sure whoever
4 that legislator will be has no idea about
5 the Village of Hempstead and its residents.

6 So, again, please come to your
7 senses and hear what the people are saying
8 because I was on the commission, and just
9 about everybody that came there, was against
10 the Republican map.

11 So I know this is the last hour,
12 the last day, and you're not going to really
13 change anything, but I'm sure that you're
14 just going to waste the county's money and
15 end up in court battles and so forth.

16 Again, please come to your
17 senses, please. Thank you.

18 CHAIRWOMAN GONSALVES: Thank you,
19 Mayor Hall. James Jacobs.

20 MR. JACOBS: Good morning,
21 legislators. Congrats, I was here till 8:00
22 last night, the last meeting.

23 I'm hear to voice my opinion as a
24 consensus for Uniondale, over 20 years, that
25 I am against redistricting. And the lady,

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2 Elizabeth Oldendorp, with the petition, I
3 like what she stated from the last meeting,
4 she wanted a fair community based on
5 continuous -- let me catch my breath,
6 continuing community of interest together.
7 Also, community of common interest together.
8 She stated, from her petition stated, the
9 way it looks, every ten years throughout the
10 majority party, gets to redistrict the
11 districts of the -- sorry -- let me stop for
12 a second.

13 Every ten years, when they do the
14 census of the 19 districts based on the
15 county charter, they have to be divided up,
16 most times when you have, not with the
17 democrat, but when certain party is in
18 there, they seem to try gerrymander, trying
19 to create a super majority of this map from
20 the way I look at it.

21 Now, when I look in the article
22 in Newsday on Tuesday and Wednesday, they
23 spoke about, if you are an objective person
24 and look at it from -- somebody who has no
25 outside agenda, looks like the county is

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2 trying, to me, to form a segregation. That
3 they are putting all the apples in one
4 basket and all the oranges in another and
5 they're trying to dilute my vote as a
6 citizen, as a taxpayer.

7 That's why I'm concerned because,
8 like the other lady, I'm not always
9 comfortable speaking in public because my
10 thing is, that if something doesn't seem
11 right, doesn't smell right, it tends not to
12 be right. The way I look at it, they made
13 the change for Merrick which I'm happy for
14 because, like himself, you want your
15 legislator to advocate your interests as a
16 citizen, this is why you pay your taxes, why
17 you pay your property taxes, why you pay
18 your school taxes.

19 But when you see someone that
20 doesn't look like you, not have a common
21 interest that you have and you were carved
22 to live here, because Nassau County is a
23 beautiful county, that's why I moved here
24 from the city, because of the school system
25 and the neighbors that are concern about

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2 everyday activities, that you get to the
3 point, why be bothered? Because my whole
4 thing is like, I look on the counsel now,
5 and I see maybe about three or four people
6 that I could relate to me as a man, but I
7 only see a few people who can relate to me
8 as a man of color.

9 I'm now saying, how come the
10 districts don't seem to reflect the same
11 thing? They seem to dilute the people of
12 color for my Jewish brother, my Italian
13 brother, and my other brothers, they happen
14 to vote a certain way of their philosophy,
15 because my whole thing is that, my right as
16 a voter should not be diluted because you
17 guys are scared you can't win an argument
18 off of merit. That what I'm speaking about.

19 I appreciate the other guy, Mr.
20 Abrahams, the guy from District 2, when you
21 go to them, what I like about them is their
22 frankness, they let you know exactly what's
23 going on, why it's happening. So you might
24 think, because if you going to take tax
25 money from me, you have to explain

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2 something. You just don't kiss me and take
3 my money.

4 CLERK MULLER: Your three minutes
5 have expired.

6 MR. JACOBS: It's the famous
7 saying, I respectfully disagree to what you
8 speaking to, I have the right to disagree on
9 it. But don't dilute my vote because we
10 happen to be of different philosophy.

11 Because the beauty of this
12 country, as they say in the Constitution, no
13 government shall form the right to
14 disenfranchise as a citizen. That's why we
15 had the Civil War, that's why the Civil
16 Rights Movement, and, if need be, whatever
17 happened with the Supreme Court for the
18 Section 2, Section 5 for the US
19 Constitution? If this illegal, there would
20 be a new Civil Right movement. Why, because
21 people don't mind coming out to protect
22 their rights because, to me, people who put
23 their lives on the line for color, non
24 color, for to us have the right to vote for
25 the people we want in office.

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2 If you don't want to support me,
3 next election put your true colors out there
4 and see if you win off of merit. Simple as
5 that. Thank you for entertaining me and,
6 like I said, God bless you. Hopefully, you
7 guys, I know you're going to vote today.
8 Hopefully you'll vote your conscious and at
9 least make it a fair fight. But if you do
10 gerry-ing where one party becomes the
11 dominant party, I just hope that you have
12 you're a-game, because hopefully these
13 people have long memories and the next
14 election, which will be this November, I
15 pray to God you don't forget.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Mr. Jacobs. Inocencio Pedomo?

18 MR. PEDOMO: Good morning. My
19 name is Inocencio Pedomo, and to the members
20 of this legislation. This my first time
21 being in this chamber. The major reason I
22 came by here today was to ask, why they
23 dividing our district? Obviously there are
24 a thousand answers. Still I believe
25 something positive could possibly come out

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2 of this. People like me, not really 100
3 percent motivated political to be more than
4 this, we come in out of the wars and to be
5 put in this place. I know to be motivated
6 to be -- there's so much time and work to be
7 here. Like me, there are a thousand people
8 who looking to you to see how you going to
9 vote today. I brought my son, my friends.
10 It's like to sort of a fighter, sort of
11 fight something. English is my second
12 language, as you know, this communities and
13 the village, everybody, it's a lot of people
14 who speak the language and a lot of people
15 becoming United States citizen, and a lot of
16 peoples going to vote and they're looking at
17 the way you are going to vote today. So
18 that's all I have to say. Thank you.

19 CHAIRWOMAN GONSALVES: Thank you.
20 Jane Thomas.

21 MS. THOMAS: Good morning, my
22 name is Jane Thomas, and I'm the
23 co-president of the League of Women Voters
24 of Nassau County.

25 As most of you know, and we have

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2 said here repeatedly throughout this long
3 and arduous process, the League is a
4 non-partisan organization and works
5 diligently to carry out it's primary
6 founding purpose, to encourage the informed
7 and active participation of citizens in
8 government.

9 It is March 5th and the
10 legislature is at the county's charter
11 deadline for voting on the map that will
12 create new legislative districts in Nassau
13 County.

14 While the League appreciates the
15 efforts this week to try to make this a
16 somewhat more fair and less onerous map than
17 was discussed at the Rules Committee on
18 February 11th and at the meeting on February
19 25th, this new map, as several have already
20 said, makes cosmetic changes and still
21 appears to be a partisan and gerrymandered
22 map that packs and cracks districts to the
23 benefit of the majority party of this
24 legislature.

25 We would urge you to vote no on

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2 this map but, given the charter deadline
3 today, what real options do we have before
4 us?

5 So, here we are. However, the
6 process taken to get to this vote today is
7 what is now relevant. A history that some
8 here might not know. The Temporary Advisory
9 Districting Commission was formed in March
10 2012. It's first meeting was held on May
11 31st and the second on June 28th, 2012.

12 The next meeting did not take
13 place until September 5th, 2012, leaving a
14 three-month gap, during which time no
15 meetings at the commission took place
16 whatsoever. This was a crucial period
17 considering in hindsight what could have
18 been accomplished to arrive at this, at a
19 truly "incumbent" blind map, and in light of
20 the unforeseen circumstances of the untimely
21 passing of Peter Schmitt and the disruption
22 caused by Hurricane Sandy. Public
23 countywide hearings promised by Mr. Moroney,
24 chair of the commission, after the maps were
25 put forth never occurred.

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2 Added to these circumstances is
3 the fact, now, very clear, that the two
4 sides of the Temporary Advisory Districting
5 Committee never actually worked together,
6 thereby, leaving the impression that the
7 entire process for this commission's work
8 was nothing but a sham and a waste of a half
9 a million dollars.

10 In fact, Mr. Moroney, the
11 non-voting chair of the commission, actually
12 delivered the Republican commissioner's
13 report at the January 3rd meeting again
14 leaving the impression that the commission
15 was made up of a six member Republican
16 majority versus a five member democratic
17 minority.

18 His own testimony on February
19 25th --

20 CLERK MULLER: Your three minutes
21 have expired.

22 MS. THOMAS: Thank you. I'm
23 almost finished. That there was no real
24 goal of creating a map that both sides of
25 this commission could put forward. This is

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2 why a truly nonpartisan commission is
3 necessary in a fair and transparent process
4 for redistricting ever to occur.

5 Redistricting should not be left
6 to career politicians. A redistricting plan
7 must be put forth ahead of politicians, the
8 voters must be put forth. Every time we
9 hear this from you guys that you will work
10 together and then, when the time comes,
11 those promises are forgotten.

12 The League will work together
13 toward creating charter changes so that in
14 the next drawing of the district lines in
15 2020, it will allow citizens to choose their
16 elected officials rather than the other way
17 around. Thank you.

18 CHAIRWOMAN GONSALVES: Thank you,
19 Ms. Thomas. Adam Haber.

20 MR. HABER: Hi everybody. Adam
21 Haber, and I'm a democratic candidate for
22 Nassau County Executive. I just here to
23 speak about the redistricting and a few
24 thoughts that I want to share with you.

25 I was at the Nordstrom Gardens

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2 Civic Association meeting last night to
3 discuss a host of issues and, when
4 redistricting came up, people were very,
5 very angry. I'm on the Roslyn school board,
6 when that issue came up during a board
7 meeting, the residents were very, very
8 angry. As I seen in Hempstead, the Five
9 Towns, and everywhere else communities are
10 being drawn and quartered. There is a
11 reason that residents are suspicious of
12 elected officials, and policies that are
13 clearly not in the best interests of
14 residents only further disenchant them.

15 The prevailing view in Nassau
16 from what I've been seeing is that the
17 government isn't working for them. As we
18 learn from crisis to crisis, without a
19 forward thinking plan, I'm reminded of a
20 saying that is commonly used in finance.
21 It's, when you have something really good
22 and you ruin it, it's called turning gold
23 into silver. With this redistricting, I
24 unfortunately feel we are turning gold int
25 led. Thank you.

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2 CHAIRWOMAN GONSALVES: Thank you,
3 Mr. Haber. Joyce Stowe.

4 MS. STOWE: Good morning.

5 CHAIRWOMAN GONSALVES: Good
6 afternoon, Ms. Stowe.

7 MS. STOWE: My name is Joyce
8 Stowe from the Elmont community. I'm here
9 for about the fifth time in this legislature
10 on this subject. I believe in a strong
11 democracy, ladies and gentleman, governed by
12 the people which this country is a beacon in
13 the world. You have taken the Elmont
14 community, cutting it up, and now joining it
15 with Inwood which is miles away, jumping
16 over communities. We, the people, have
17 patiently asked that the community of Elmont
18 be compact and contiguous. It is now not
19 so.

20 My protest today might be useless
21 but I'm sure there will be a judicial
22 redress based on the US Constitution and its
23 amendment on minority voter rights. Thank
24 you.

25 CHAIRWOMAN GONSALVES: Thank you,

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2 Ms. Stowe.

3 LEGISLATOR SOLAGES: Madam Chair?

4 CHAIRWOMAN GONSALVES: Legislator
5 Solages.

6 LEGISLATOR SOLAGES: Ms. Stowe, I
7 just wanted to say thank you very much for
8 coming to all of the hearings and that your
9 testimony and your participation was not
10 done in vain. That inspires others, just
11 like myself, to fight another day on this
12 issue. So I want to thank you very much for
13 all of your hard work.

14 CHAIRWOMAN GONSALVES: Ella
15 Gibbs? Fred Chandler?

16 MR. CHANDLER: Madam Chair,
17 Honorable Legislators. My name is Fred S.
18 Chandler, a lifelong resident of Nassau
19 County. I used to live across the street
20 from where Dave lives now. So I know
21 only got half a knuckle of the finger of
22 District 5.

23 My understanding is that the
24 present map, although last week a statement
25 was made that it had some gerrymandering in

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2 favor of the Dems, had ten competitive
3 districts, with the other nine split between
4 the Dems and the Republicans.

5 The map presented today
6 apparently has four competitive districts
7 with the other 15 safe majority of the other
8 15 to the Republicans. To say that this
9 happened without a plan would be less than
10 candid. Communities will be divided
11 unnecessarily. Merrick still is, Rockville
12 Centre, Roslyn, Five Towns.

13 Would the legislature please
14 consider the coalition map or draw a new
15 fair map? If you can't win by playing
16 fairly, well, Machiavelli would be proud of
17 your disingenuous methods. Please vote no
18 on the map. The whole world is watching.

19 And, just as an aside, the
20 legislative calendar, the paper is very,
21 very thick. It would be less
22 environmentally objectionable to use thinner
23 paper. Thank you very much.

24 CHAIRWOMAN GONSALVES: Thank you,
25 Mr. Chandler. James Broach.

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2 MR. BROACH: Good morning,
3 Presiding Supervisor. My legislator,
4 Mr. Abrahams, and the rest of you, good
5 morning.

6 CHAIRWOMAN GONSALVES: Good
7 morning to you to.

8 MR. BROACH: I represent myself
9 today plus the 350,000 people who are
10 affected that feel as I do. I hope that I
11 speak for them also. It was mentioned by
12 one of the legislators that to matter how
13 you slice and dice this map, lines will be
14 drawn between communities and that is true.
15 One of the main differences though is
16 intent. That makes the difference. And
17 according to my understanding, the intent of
18 the lines that have been drawn on this map
19 is not working in my favor. It is not
20 working in the favor of most of the 350,000
21 people affected. It puts minority people at
22 a disadvantage.

23 As a direct result of that
24 disadvantage, I'm of the mind that that map
25 is racist. If I were to ask to poll the 19

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2 members of this legislature as to whether or
3 not they are racist, I doubt that anyone
4 would raise their hand and say, I am racist.
5 I think everybody thinks of themselves as
6 being fair and honest.

7 According to my understanding of
8 racism, the meaning of racism, and there is
9 a big difference between racism and
10 prejudice. Racism, according to my
11 understanding, it's where the normal and the
12 actions of a majority people that's in
13 power, uses that power to put a minority
14 group at a disadvantage. This map puts a
15 majority people at a disadvantage.

16 Not only does it put it at a
17 disadvantage, it's at a disadvantage for 10
18 years, which allows the power to stand back
19 and say, no, I am not a racist, but this
20 document is carrying out your job.

21 I want you to understand that the
22 people who come here at this podium to
23 speak, my hat is off to them, because it
24 takes a great deal of courage to stand here
25 and speak truth to power. It really does.

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2 Most people that come here,
3 they're very nervous to come here and tell
4 you how they feel and my hat goes off to
5 them. And I'm one of those people.

6 I implore you to take courage and
7 have courage of your own and say no to this
8 map. In the long run, this county will be
9 the beneficiary. Thank you.

10 LEGISLATOR KOPEL: Mr. Broach,
11 you have to rethink your position over here.
12 I said, you have to start thinking a little
13 bit harder before you start calling people
14 racist. You're going to listen now.

15 In fact, I'm sure that none of
16 the people here are. Not in my opinion, but
17 I'm sure it's a fact. Now I will go a
18 little further. What you're doing is,
19 you've depreciated, I have said it before, I
20 said it in public before, and I will say it
21 as often as it takes. Any time you start
22 calling people racist because they disagree
23 with you is, what you have done is
24 completely cheapened the entire concept of
25 racism. What you're doing is, any time

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2 somebody disagrees with you, if everything
3 is racism, then nothing is racism, and
4 that's one thing I'll tell you.

5 The people who sacrificed
6 tremendously in the name of eradicating
7 racism are -- they sacrificed and they
8 deserve better than to have somebody just
9 come up here and stand and say that a map
10 with which they don't agree is necessarily
11 racist.

12 The fact is, the map I'm will be
13 tested in the courts and I'm fairly
14 confident, whether or not I happen to agree
15 with some aspects of the map, I suspect that
16 there will be no problem in the map being
17 held to be constitutionally valid. You need
18 to be more careful.

19 MR. BROACH: May I respond to
20 that, please?

21 LEGISLATOR KOPEL: Of course.

22 MR. BROACH: I don't think I
23 called you a racist, I think I started my
24 conversation off, if I poll interviewed,
25 that no one would say that I'm racist.

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2 LEGISLATOR KOPEL: You said that
3 the map was racially motivated.

4 MR. BROACH: I did not say that.
5 What I said was, that the intent of drawing
6 those lines is very insidious, the intent.
7 And the intent puts a minority people at a
8 disadvantage.

9 As a result -- and this is the
10 normal thinking of the power, I mean, you're
11 not intending to be racist, but you have the
12 power and the decisions that you make
13 honestly, without even being aware of this
14 effect on minority people are honest from
15 your point of view. You can't see it.

16 LEGISLATOR KOPEL: I would
17 respectfully disagree with you. I think the
18 affect is perfectly fine. I think it
19 preserves and enhances some of the minority
20 areas.

21 I'll tell you something else. I
22 don't intend to get into a long debate with
23 you, but I want to leave you with one
24 thought. You want to go ahead and call us
25 dirty rotten politicians, that's within

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2 bounds, sometimes I might even agree. But
3 when you start calling people racist, and
4 that is what you did, that isn't fair, okay?

5 LEGISLATOR ABRAHAMS: May I
6 respond to that?

7 CHAIRWOMAN GONSALVES: You may
8 speak.

9 LEGISLATOR ABRAHAMS: If I may,
10 Kevan Abrahams. Let me try to clarify. How
11 are -- you and I have been friendly and I
12 consider you a friend. I think you're
13 interpreting what Mr. Broach said, I don't
14 believe he ever called anyone on this body,
15 I didn't interpret, and you know that I've
16 stood up and I've spoke out when I've heard
17 stuff that made people feel very
18 uncomfortable on this legislature. From
19 that standpoint, I didn't see anything that
20 he had said that called anybody on this dais
21 a racist at all, from that standpoint.

22 Before we go back and forth,
23 Mr. Broach has been a very patron
24 constituent to, not just my district but to
25 Nassau County, before I hear comments that

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2 bring down his character, I want to make
3 sure that it's clear on what he was saying.
4 And if you take what he said out of context
5 you could try to spin it, but that's not
6 what he meant and that's not what he said.

7 LEGISLATOR TROIANO: Kevan, we'll
8 just agree to call it a misunderstanding
9 then. Let's leave it at that.

10 CHAIRWOMAN GONSALVES: Mr.
11 Broach, let's leave it at that.

12 MR. BROACH: The other point I
13 want to make. Let's look at what has
14 happened since this discussion has been
15 going on for the last few months. One point
16 I want to make out. Out of everything that
17 has been said here, two changes have been
18 made to that document. Look at who's
19 affected mostly by those two changes. And
20 those two changes were good. I'm not saying
21 they were bad. Who was affected mostly?
22 What two districts were changed?

23 CHAIRWOMAN GONSALVES: Legislator
24 Troiano's, Legislative District 2, and
25 Legislative District 19.

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2 MR. BROACH: And the majority of
3 those people are what; minority or --

4 CHAIRWOMAN GONSALVES:
5 Legislative District 2 is a
6 majority/minority district.

7 MR. BROACH: Yes.

8 CHAIRWOMAN GONSALVES: And it
9 what is called, what is designated as a
10 minority district; one, two and three.

11 MR. BROACH: Most of the people
12 that were affected was white, but the basic
13 district lines, the whole document, still
14 affect mostly minority people. That's where
15 the intent comes in. So when you draw those
16 lines with the intentions of reducing the
17 power, unfortunately, some of the majority
18 will get caught up in that.

19 CHAIRWOMAN GONSALVES: Mr.
20 Broach, we have heard you and I thank you
21 for your comments. Scottie Coads.

22 MS. COADS: I would have you know
23 that he is the youngest life member of the
24 NAACP in my family.

25 Good afternoon, legislators. I

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2 have come this way, maybe this is the
3 seventh or eighth time since 2010, or 2009,
4 '10. Nothing has changed. It has gotten
5 progressively worse to the point where we're
6 not even allowed to ask questions. February
7 11th I asked questions. No answers.
8 February 25th, questions, not just me. No
9 answers.

10 And before I say who I represent,
11 I'm going to ask this question. Mr. Moroney
12 explained that certain groups of people were
13 moved from District 2. What did he move by
14 certain groups of people. That's almost
15 like the you people kind of syndrome. Do
16 you know what he meant by certain groups of
17 people being moved from District 2? Is he
18 available to answer that question? Can you
19 answer, Ms. Gonsalves?

20 CHAIRWOMAN GONSALVES: It's not a
21 question directed to me, and the Legislator
22 who it is directed to wishes not to comment.
23 Thank you very much.

24 What we said, Scottie, is that
25 this is a listening session, not a question

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2 and answer session.

3 MS. COADS: I never heard of such
4 a thing. I really never heard of it. You
5 made your own rules to make us speak but not
6 to ask questions. I really would like an
7 answer to what did he mean? It's your group
8 that drew the map. So what did he mean by
9 moving certain people from District 2? Who
10 are the certain people? Somebody must be
11 able to answer that.

12 Anyway, let me just go and use my
13 three minutes. I'm Scottie Coads. I'm
14 chair of Civic Engagement representing that
15 103 year old organization, the NAACP, chair
16 the Civic Engagement, New York State. I
17 come before you as I said before, this is
18 about the seventh or eighth time.

19 We should not have to fight with
20 you to work our way through this maze of
21 democracy the way we have over the past
22 three years. It's horrible what you have
23 done. You have insulted. You have been
24 very arrogant, and just been downright
25 disrespectful to the people who have come

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2 before you.

3 Now you're at the point of not
4 answering the questions. Guess what? We're
5 going to get our answers.

6 CLERK MULLER: Ms. Coads, your
7 three minutes have expired.

8 MS. COADS: Somebody give me some
9 more minutes. I would like for everybody to
10 hold those yellow bags up that I gave you.
11 It's about the NAACP. We have to fight
12 this. Hold your bags up NAACP'ers. You
13 know, one of the worst things that could
14 happen --

15 CLERK MULLER: I don't know
16 seeded their time.

17 MS. COADS: I hear so many people
18 talk about 10 years we will be
19 disenfranchised. Guess what? We're going
20 to be disenfranchised for 40 years as we
21 were before. It took us 40 years, 50 years
22 before people began to realize what
23 redistricting was about and what you were
24 doing. Ten years. No. It doesn't stop
25 there when you vote on this map.

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2 The worst thing that can happen,
3 we are going to fight it in court, but the
4 worst thing that can happen is that we begin
5 to vote in your disenfranchised
6 gerrymandered map, and people are beginning
7 to vote in it, it makes it even harder for
8 these people to be well represented.

9 Any time you vote on a map, and
10 you know what you're doing, you made the
11 map, where we have to vote in it, if we
12 don't win in court, and you would have won.
13 Because how do you go back to court ten
14 years later and say it didn't work? That's
15 the problem.

16 But you know what? There's some
17 people that we supported that went to law
18 school. One Fred Brewington is waiting. We
19 support him and he's a God fearing person.
20 He's going to take this where it needs to
21 go.

22 Ms. Gonsalves, I owe you an
23 apology. I'm not sure if it was February
24 25th or February 11th that I asked you a
25 question about what the Voting Rights Act

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2 meant to you. You did not answer. And I
3 asked you, why wouldn't you answer because
4 you're a minority. I take that back. The
5 minorities sitting out here and the
6 minorities that we represent and the
7 minorities that we are fighting for are
8 courageous people. They fight for the right
9 and the fair representation of all people.
10 I apologize for assuming that you were a
11 minority because it takes courage to do the
12 right thing by its people.

13 You know what? The NAACP has a
14 think that we say, courage, Lisa Tyson, they
15 don't have it. But the NAACP says, courage
16 will not skip this generation, that
17 generation, none of the people behind us.
18 That includes you too. Thank you very much.

19 Before I leave, I want to say
20 this. I want to read this to you. Many
21 have died for my votes so I have to respect
22 it. You won't take it away because I'll
23 fight to protect it. I'll push for my
24 issues no matter who is elected because when
25 we all participate, our Democracy is

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2 perfected. This is my voice, this is my
3 power, and this is my vote, and we will see
4 you in court.

5 CHAIRWOMAN GONSALVES: Stephen
6 Emers.

7 MR. EMERS: Good afternoon, Madam
8 Chairperson and members of the legislature.
9 Thank you for the opportunity to speak
10 again.

11 One question I have in my mind
12 is, I don't understand why everybody is
13 fighting so much to keep control of a broke
14 county whose financial picture looks like
15 it's going to get even worse.

16 But there are two things that I
17 did want to address today. One is, the
18 shape of the districts, and I'm not arguing
19 that the democratic map doesn't gerrymander,
20 or the previous map that's currently in
21 effect wasn't gerrymandering, but the shapes
22 had more of a contiguousness, a resemblance
23 to some kind of geometric shape. The map
24 that I look at here that's proposed, it
25 looks like something, when my grandkids were

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2 three years old and they used to scribble
3 with crayons, might have drawn.

4 The other thing, Mr. Moroney
5 talked a lot about transparency. I didn't
6 see any transparency. I didn't check but
7 I'm willing to bet it still takes seven
8 clicks to get to the map on the county
9 website and either you hired an incompetent
10 web master or web designer, or there must
11 have been some kind of ulterior motive.

12 I mean, I'm getting paranoid,
13 because I went to park in a visitor parking
14 lot and half the spots were taken up by
15 county vehicles and I'm questioning already,
16 was there an ulterior motive to that also?
17 I don't know.

18 In terms of the financial
19 situation, just the cost of the lawsuits
20 that the county is going to have to take up
21 with this map. My recommendation is, if
22 you're going to take a vote, at least vote
23 for the coalition map and I'm going to --
24 hopefully any legislators that get -- that
25 lose their seats, will get at least the same

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2 deal that former Legislator Ciotti got.

3 In closing, I would like to use
4 the words I believe it was Lincoln, I may
5 misquote it. "Fool me once, shame on me.
6 Fool me twice, shame on you."

7 CHAIRWOMAN GONSALVES: Thank you,
8 Mr. Emers for coming. Jeff Friedman.

9 MR. FRIEDMAN: Hi. Thank you for
10 letting me speak this morning, this
11 afternoon. I have actually come for several
12 of your meetings although, unfortunately,
13 could not stay the duration of the meetings
14 to actually speak. So I'm glad on the third
15 try I'm actually here.

16 We heard a lot about the map
17 itself and I don't want to go into details
18 about the map but we have some serious
19 problems here on Long Island, right?
20 Highest foreclosure rate is Nassau County,
21 our jobs, you know, we have a great governor
22 bringing back jobs to New York State, but
23 when you look at New York State, the
24 downstate region, it's the slowest rate of
25 growth out of all of the regions. This is a

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2 problem.

3 In the process of all of that, we
4 have some of the most disenfranchised
5 citizenry here in New York State. You look
6 at our voting record, we sit at the bottom
7 three in terms of actual voters
8 participating and coming to vote the day of
9 an election. That's appalling. We have
10 issues here that other places don't have.
11 We have more governments, I swear, than any
12 other place. I'm going tonight to my school
13 board meeting, that's \$100 million plus
14 budget that we are working on there. I got
15 my village of Rockville Centre that, I don't
16 know how it stays intact.

17 In addition to that, my town
18 government and then county, state, like so
19 many other people we have two and three jobs
20 just to make ends meet. You are not making
21 it any easier. Here I am in Rockville
22 Centre this morning. I work up I was in one
23 district. I drove my son to his fourth
24 grade class. I'm in another district.

25 Then I went, I had to get eggs

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2 today, so I went to King Kullen in town in
3 Rockville Centre and that's a third
4 district. Now, God forbid, something
5 happened on the way, who do I go to? We
6 have all these governments, I have no idea
7 any more.

8 There is as something wrong here.
9 Your job is to help us. Come along. So
10 maybe we are not in the bottom three when
11 it's time to vote, maybe we are in the top
12 three. Maybe in the top half. But at least
13 we have to know where we are going and why.
14 You have given us no answers on why you
15 changed the map the way you did. You gave
16 us opportunities to speak but no reflection
17 on what we said. Are you listening? I'm
18 not sure anymore.

19 It's time you do something. I
20 hope you vote on a map that's more just than
21 this. Not just what's accurate, or what's
22 legally possible. We've seen legally
23 possible maps up if Albany just last year.
24 Every single state senate seat here on Long
25 Island has 30,000 more people in the

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2 population than the upstate senate districts
3 do. That was legal. But 270,000 people
4 aren't getting a voice up in Albany now and
5 we're calling that good. But more than just
6 what the law says, it's time to start
7 putting the people first and making sure
8 they understand, and getting them involved
9 in the process of government, not scaring
10 them off. Thank you for your time.

11 CHAIRWOMAN GONSALVES: Thank you,
12 Mr. Friedman. Beatrice Witherspoon.

13 MS. WITHERSPOON: Good afternoon
14 everybody. As was said, my name is
15 Denetrice and I am not only a member of the
16 Hempstead community, I'm also a member of
17 the New Hempstead Democratic Committee.

18 I wasn't planning on speaking,
19 but I sat here all morning listening to a
20 lot of people speak. I am from Hempstead
21 originally. You cut me, I bleed Hempstead.
22 Nobody was thinking about Hempstead. It
23 wasn't until Hempstead was able to get the
24 voice and we came together. Now that
25 Hempstead is on the map, whether it's good

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2 or bad, and we have the support of the
3 people who speaks for the ordinary every day
4 people, you all want to come in and take it
5 away from us.

6 But you all haven't learned where
7 there's numbers, there's support. We have
8 the members, the people, to support us.
9 Just as much as you all know, and everybody
10 out here in the audience know, you all made
11 up your mind already. You are going to do
12 what you want to do. This is for show.
13 But, come November, we get to respond to
14 what you're going to do.

15 Because there is incidents when
16 there was going to be -- not even redistrict
17 -- whatever you want to call it, rezoning
18 Hempstead into Garden City. No. You didn't
19 want to hear that. Taxes was going to go
20 down in Garden City because of Hempstead.
21 But now it's a whole different story. Like,
22 they said, who in their right mind is going
23 to put Hempstead in Bethpage? It doesn't
24 take a rocket scientist to realize it's
25 unbelievable, and I never realized how dirty

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2 politics can get.

3 I just got involved in politics a
4 couple of years ago. I couldn't even deal
5 with the school board. I rather go back to
6 the school board because you all could sit
7 here, and we can vote for whoever we voted
8 for, but you all fail to forget who put you
9 in that seat. So you all can sit up there
10 and tell us our three minutes are up, but
11 when November comes, let's see whose minutes
12 will be up then?

13 CHAIRWOMAN GONSALVES: Barbara
14 Kaplowitz.

15 MS. KAPLOWITZ: Good afternoon.
16 They're not ignoring me, they're just not
17 here.

18 CHAIRWOMAN GONSALVES: There are
19 conference rooms on both sides and we can
20 hear you in the conference room.

21 MS. KAPLOWITZ: Sure they're not
22 out at lunch or something? Naked partisan
23 gerrymandering, a sham. No evidence that
24 any of you on the Republican side have
25 listened to us. An attempt at hoarding

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2 power. Insult to democracy. Will not serve
3 common good. Will split up school
4 districts. This is what I have been hearing
5 this morning. Legislator Kopel was nice
6 enough to respond this morning. The only
7 Republican that I can remember responding to
8 anybody. He made it very clear that he
9 hasn't thought this through. I wish the
10 rest of the Republicans would also reveal
11 themselves so we would know where you were
12 coming from.

13 I just learned something, and we
14 were talking previously about racially
15 motivated. I found out through this process
16 that Jewish people are considered a
17 protected group as well. It's obvious that
18 they have been divided as well.

19 From what I hear, there will be
20 12 Republican districts out of 19. I think
21 what you are doing would be considered voter
22 suppression and what I want to say is that
23 you have awakened a sleeping giant. You are
24 counting on an apathetic constituency. We
25 are not apathetic. We will work very hard.

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2 You will feel the backlash come November.

3 I ask you, if you are here, to
4 vote no on this map in order to protect your
5 jobs. Thank you.

6 CHAIRWOMAN GONSALVES: Regis
7 Thomas Lawrence? Bessy Cox? Yielding to
8 Dolores Malloy? She's right there. Dolores
9 you're next.

10 MS. MALLOY: This is about my f
11 fifth time here. I usually get here in the
12 morning. I think by now they probably have
13 a parking space for me.

14 But, anyway, I'm going to speak
15 on behalf of myself. I'm a 66 year old
16 African American woman in my skin. So if I
17 say something that may sound a little
18 inappropriate, that's why I preface my
19 remark the way I did.

20 One of the things I wanted to
21 mention to this body is why many of us
22 seated here why we keep coming and coming
23 and coming. Particularly those of us of a
24 certain age and from a certain region. I
25 wasn't born in New York. I was born in

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2 Virginia which happens to be the birth place
3 of the Confederacy. Growing up and spending
4 18 years there, there are certain things I
5 wanted to share with you.

6 This process of redistricting and
7 gerrymandering is like rubbing salt on a
8 wound. The reason for that is, sadly, we've
9 been down this road once before. This past
10 Sunday, as some of you may or may not know,
11 marked over 45 years of the passage of the
12 Voting Rights Act. You're probably saying,
13 well, what does this have to do with us?
14 What does this have to do with this whole
15 process?

16 As I said, for many of us here,
17 it's like salt on a wound. Voting was
18 something that wasn't always afforded to a
19 lot of people in my ethnic group.

20 The right to vote was paid for
21 with a high price. People marched. People
22 and children marched. People and children
23 were beaten. People and children died. We
24 endured poll taxes, voter registration, and
25 now here comes the term again,

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2 gerrymandering, which is a really a back
3 door approach to diluting our right to vote
4 and it's a back-door approach to further
5 disenfranchise many of us.

6 So here we are again, almost 50
7 years later, having to fight and defend
8 something that's granted to us in a
9 constitution. It's not a privilege, people,
10 it's a right. It's a right that you cannot
11 take from us. There are no fire hoses. No
12 cross burnings on the front lawn, no dogs,
13 and, pardon me, there are no people standing
14 on the steps in white sheets and hoods. But
15 this process that you're trying -- and, yes,
16 Jim Crow, Esquire now has a three piece
17 suit.

18 But this process that you're
19 trying to push through after two years of
20 Nassau County residents telling you we don't
21 want this, despite the fact that a high
22 court two years said you can not do this,
23 despite the fact that Nassau County claims
24 it's broke, you're going to court again and
25 fight a lawsuit you can not afford to fight.

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2 It's money wasted. Despite the fact that
3 you've already spent a half a million
4 dollars to draw up something I refuse to
5 look at again. I can't look at it again.

6 We will not sit idly by. You
7 continue to put salt on the wound but we are
8 aware. We won't go away. To further add
9 salt on the wound, we have a current county
10 executive who refuses to come out of hiding
11 and tells us where he stands on this issue.

12 We know he has the authority to
13 vote your map which you intend to pass. I
14 know you intend to do it. But you know
15 what? We'll be in Central Islip or Islip,
16 where ever this case has to go.

17 The same group of people you see
18 here, we'll meet you there.

19 CHAIRWOMAN GONSALVES: Cecile
20 Ward.

21 MS. WARD: Good afternoon.

22 CHAIRWOMAN GONSALVES: Good
23 afternoon.

24 MS. WARD: My name is Cecile Ward
25 and I'm a resident of Westbury. I'm also

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2 chairperson of the NAACP, Civic Engagement
3 Committee.

4 I've attended several, maybe
5 more, of these such meetings for several
6 months. Hot weather, cold weather, and it's
7 still hot and cold in here. You have
8 insisted on making decisions that will
9 create another period of suffering for at
10 least 10 years for our communities, unless
11 there is a change of your heart.

12 You've made up your minds to
13 exclude the voices that are saying no.
14 We're not taking your decision. It is
15 unfair to gerrymander and play with our
16 lives by assuming that we are puppets. We
17 move around.

18 You are spending your time on
19 maps that are destructive. What happened to
20 our vote? The map that you have drawn up
21 which was divided when you showed it to us,
22 because you split it from the Democrats to
23 Republicans by not cooperating. What
24 happened to your integrity? You evidently
25 had an untrue platform when you ran for

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2 office.

3 We will watch each one of you as
4 you become actors in serious matters. You
5 think we can't, yes, we can. Don't act in
6 our position when we are asking you to
7 listen to our communities. We are united
8 and we carry a united front. Where you hurt
9 my finger, you hurt somebody's else's mind,
10 heart, including children, adults, and
11 senior citizens. We shall overcome your
12 gerrymandering. You're disenfranchising and
13 diluting our communities. Thank you.

14 CHAIRWOMAN GONSALVES: Is there a
15 Marty Lilly? Eileen was crossed out, but I
16 guess it's Marty? Okay. Thank you.

17 MR. LILLY: Thank you for
18 allowing me to speak. I will try to be
19 brief. I'm not always successful. I did
20 not intend to speak, but one of the
21 legislators on my left earlier referred to
22 someone to his left, meaning to my right, as
23 an idiot. So it was loud enough for me to
24 hear, so I suspect many people in the room
25 heard it. I thought it was uncalled,

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2 unconscionable, and it caused me to come up
3 here and have a few words.

4 So many things since I wrote my
5 notes have already been stated and that are
6 in my notes, I will try to skim through.
7 But I have to tell you, and you, that I am
8 impressed. I have been retired almost three
9 years now. I had a wonderful career as an
10 air traffic controller and air traffic
11 controller related jobs. In fact, if it
12 wasn't for my job, I would have never met my
13 wife. It brought me from New Jersey to
14 New York and I came kicking and screaming
15 because I thought I was coming to the big
16 city which I wanted no part of. I was from
17 central Jersey.

18 Well, I was so blessed and
19 honored to have been a citizen and a voter
20 in New York, Nassau County, Long Beach.
21 We're very pleased with our representation
22 in Long Beach for 40 something years now.
23 42 years now I feel blessed and honor as
24 each of you should.

25 You've been given the opportunity

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2 to cast votes if our name. Voting. I have
3 been voting for about 48 years now. I lied
4 on my first -- I was only five years old
5 when I first voted. Just kidding. But I
6 must tell you that I never doubted my vote's
7 value. After the last six, seven, eight
8 months, however long I've been coming to
9 these meetings, there are people here who do
10 doubt the value of their vote and they
11 shouldn't. They shouldn't have to, I should
12 say.

13 Someone mentioned maps. Maps? I
14 won't talk about the maps, there's been
15 enough said, except to say the last 18 years
16 of my career I built maps for air space, for
17 air traffic control zones, for all sorts of
18 things. I go back to the day when we did it
19 with a pencil, X-Y coordinates and a
20 T-square. Many of you don't know what I'm
21 speaking about when I say T-square. We did
22 it for safety, for efficiency, and for
23 orderly flow. That's what this map should
24 do. At a minimum, it should be efficient
25 and safe for the citizens.

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2 CLERK MULLER: Sir, your three
3 minutes have expired.

4 MR. LILLY: Three minutes is up?
5 Just give me like another minute. I wanted
6 to say that, I met this gentleman,
7 Mr. Moroney, a couple of times. I can tell
8 he's a nice man. But he said something last
9 week or tried to say something last week, or
10 two weeks ago, February 25, I believe
11 indicating the value of this map and how it
12 was developed.

13 Mr. Moroney, I have to say, I
14 wasn't convinced that you bought it. You
15 are like a car salesman who didn't believe
16 in his product. I'm not trying to be
17 disparaging, just the way I feel.

18 Also, the only thing I learned
19 was, there is no record of how this map was
20 developed if I read the testimony right. I
21 was sitting out here for 12 hours. I know
22 that people who make these kinds of maps
23 keep a record of everything, so there's
24 record out there by the company that did
25 this. I can only assume that someone, or

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2 some group, does not want a record to exist
3 for later on when they have to testify
4 towards that end.

5 So I know I'm over and I
6 apologize. I will just say thank you again,
7 and I have no doubt -- and, by the way,
8 Mr. Kopel, me thinks you protest too much.
9 That's all I want to say.

10 CHAIRWOMAN GONSALVES: Thank you.

11 MR. LILLY: The other thing is --

12 CHAIRWOMAN GONSALVES: You said
13 that was it.

14 MR. LILLY: Thank you so much. I
15 appreciate it.

16 CHAIRWOMAN GONSALVES: Now, I
17 believe Ms. Regis Thompson Lawrence was out
18 of the room at the time and I understand
19 she's back.

20 MS. LAWRENCE: Good afternoon,
21 legislators. I'm happy to be here today. I
22 missed last week's session.

23 My name is Regis Thompson
24 Lawrence. I'm a resident of the Village of
25 Hempstead. I'm really very disturbed how

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2 we've been diced and sliced, as you heard
3 from everyone earlier today, and for me to
4 repeat all of what's been said, is not
5 necessary, but I would like to hear from my
6 representative, Kevan Abrahams, exactly how
7 he feels, I would like for it to go on the
8 record so he can express his concerns about
9 his constituents and how it's going to
10 affect our area.

11 Can I ask that question of you?

12 LEGISLATOR ABRAHAMS: How are
13 you, Regis?

14 MS. LAWRENCE: I'm wonderful.
15 I'm standing here today because God has
16 blessed me to even speak because I was very
17 sick last week, but when I look at all these
18 representatives of people, I'm a little bit
19 disturbed. So I would like to hear from you
20 because I have some serious concerns.

21 LEGISLATOR ABRAHAMS: Over the
22 last few weeks, we tried to make it clear
23 our position on the map. I'm going to give
24 you a general overview of where we see
25 things as they are. But, generally, the

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2 7,000 plus people that are being moved out
3 of the village of Hempstead, we feel is
4 totally wrong, will disenfranchise that
5 population of folks.

6 The splits that we're seeing in
7 Elmont, we truly believe from a voter
8 right's position, that that district, the
9 3rd District, was becoming more minority
10 majority and elected already. My colleague
11 that you know already, Carrie Solages,
12 elected a minority candidate already. From
13 that standpoint, from natural progression,
14 and from that district as it changes, will
15 continue to elect whether it be a minority
16 candidate or a candidate of their choosing,
17 whoever that may be, it's already
18 demonstrating that, it's trending that way.

19 Also, if you take the populations
20 in moving away from a minority perspective
21 but the areas of Roslyn, obviously the areas
22 of Hicksville, I truly believe, even though
23 I know it's not recognized as a minority
24 population, but the Jewish population in the
25 Five Towns is being split dramatically.

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2 All these things we have
3 demonstrated that are wrong for Nassau
4 County, wrong in the direction that we have
5 gone in. We have put forth a map that
6 basically moves a little over 20,000 people.
7 This map moves over I believe 360,000
8 people. So from that standpoint, why change
9 something that doesn't require it to be
10 changed?

11 The reason why we have to go
12 through redistricting is that the census
13 demands, based off the population shifts
14 throughout the county, that we need to
15 change the lines. Legislator of District 2,
16 which is represented by Legislator Robert
17 Troiano had an overage. Which, basically,
18 that district was violating the charter.
19 From that standpoint it was very easy to
20 make that correction.

21 Our map demonstrated how you can
22 make that correct, move only 22,000 people
23 out of 1.3 million while at the same time
24 maintain the same level of representation
25 that you have always demanded and expected

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2 and have gotten for the last ten years prior
3 to that.

4 From our standpoint, we didn't
5 see a reason to upheaval hundreds of
6 thousands of people in the name of those
7 that are claiming in the name of Democracy
8 but really it's in the name of political
9 expedience.

10 MS. THOMPSON: Thank you very
11 much. I appreciate you making that clear to
12 me. I believe all the people in this room
13 understand exactly what has been going on.

14 It truly is a disgrace and I'm
15 surprised at many of you and I don't really
16 know what you were thinking because what you
17 are doing right now, you really are dividing
18 our county. It has been divided before, but
19 it's sliced and diced to the point of no
20 return. I don't believe the people in our
21 county will continue to let this go on.
22 What you are doing is, you're starting a
23 fight. That's not going to be a good fight
24 because the people are upset and angry.

25 So today I have to look at the

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2 first word in the bible. In the beginning,
3 God created the heaven and earth and the
4 earth was without form and void, and
5 darkness was upon us in the face of the
6 deep. And the spirit of the good moved upon
7 the face of the water. God said, "Let there
8 be light and there was light." As you can
9 see today in this room there's light. Can
10 you see this light?

11 We will be fighting whether you
12 want to us fight or not. The fight will
13 happen because you have forced our hand. No
14 matter what you said today, and I heard from
15 several people what you said about the word
16 R, and I know that we have some serious
17 issues in our community, because Nassau
18 County has been one of the most segregated
19 counties in the United States of America, so
20 if it means that we have to fight, we will
21 fight.

22 I didn't ask Robert Troiano, our
23 legislator, if he would like to share with
24 me so I'm just clear on with what Kevan
25 Abrahams has said, so I really can

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2 understand because I got confused by the
3 map. I just need another point of
4 reference, and that means you, and my
5 legislator, Kevan Abrahams, you guys are
6 going to be fighting, is that what that
7 means? Are you and Kevan Abrahams, are you
8 all going to be fighting with your
9 legislative districts being sliced and
10 diced? I mean, I don't know what that
11 really means.

12 LEGISLATOR TROIANO: We are
13 fighting together against our districts
14 being cut up, yes.

15 MS. THOMPSON: Yes, that's what I
16 mean.

17 LEGISLATOR TROIANO: Yes. And
18 thanks for the opportunity to speak about
19 this matter. Last Monday we had a very
20 lengthy hearing that went on till one
21 o'clock. I had the period roughly from
22 10:30 till a little after 11:00 in a rather
23 testy exchange with Mr. Moroney.

24 We had a discussion about whether
25 or not District 2 was really a

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2 minority/majority district or not, and the
3 fact that it could have been even more so
4 and they could have made an effort to
5 protect some of our citizens more.

6 Mr. Kopel, you may want to listen
7 here because you took umbrage at Mr.
8 Broach's comment because he called you --
9 I'm sorry, you thought he was alluding to
10 some of the people on this legislature being
11 racist. That was not his intent at all. I
12 want to give you an example of that.

13 Someone mentioned earlier that we
14 are celebrating the 45th Anniversary of the
15 Voting Rights Act. We are also this week
16 celebrating the 48th Anniversary of the
17 March of Montgomery.

18 The police sheriff from
19 Montgomery, Alabama gave over his badge to
20 Congressman John Lewis for the wrong that
21 was done to him by the Montgomery Police
22 Department some 48 years ago. Vice
23 President Biden also lent his apologies. He
24 was not there. And that's what he
25 apologized for. For not being there. For

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2 remaining silent in the face of what was
3 extreme racism.

4 Mr. Kopel, no one is suggesting
5 that you are a racist in the sense that you
6 would ever deny somebody a job, a position
7 in college, in any way, because of their
8 skin color, because of their religion in any
9 sense.

10 But, like Mr. Biden, there is an
11 opportunity, an obligation, on all of us as
12 leaders to do more than remain silent.
13 There is an obligation when we see something
14 wrong to right it and to speak up for it.

15 MS. THOMPSON: Yes. And thank
16 you.

17 LEGISLATOR TROIANO: We are here
18 as elected representatives and we take
19 comments from people, and we should take it
20 in and listen to that, and not -- the only
21 comment you had to make, virtually, is when
22 you felt a personal assault. But when the
23 community of Hempstead is assaulted by this
24 map, you remain silent, and that is what I
25 think Mr. Broach was talking about.

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2 MS. LAWRENCE: Yes.

3 LEGISLATOR TROIANO: And,
4 Mr. Kopel, we have heard a lot about Jell-O
5 and that if you move one piece of a line, it
6 causes the line in some other area to be
7 disjointed. That's not the case with
8 Hempstead. Part of Hempstead, there are
9 5,000 people there. It was lifted up and
10 annexed to a district that now includes
11 Garden City, Carle Place, Old Westbury,
12 Hicksville and Bethpage.

13 It's very difficult for those,
14 for me, people that are sitting out there,
15 to understand where the demographic
16 commonalities are between that part of
17 Hempstead and the district that it's now
18 being put into. It would have been easy to
19 fix without destroying the Jell-O mold.

20 District 14, where it's been put
21 into, the new District 14, has an over
22 abundance of people. District 2 is under
23 what the ideal limit is.

24 It would be simple to take that
25 section of North Main Street and put it back

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2 into LD 2, all these parts of it, without
3 disenfranchising that population of
4 Hempstead and without cutting Hempstead into
5 three legislative districts.

6 So, by way of answering your
7 question, I've given you a long winded,
8 lengthy answer and I tried to incorporate
9 and tried to reconcile for Mr. Kopel,
10 Mr. Broach's comment. That Mr. Kopel and
11 some of the others of you that are here,
12 this is the time to not remain silent in the
13 face of wrong and when you're going against
14 the law.

15 I would expect you to say, you
16 know, you're right. Those people have been
17 put into a district where they don't belong.
18 The racial mix isn't the same. The economic
19 mix isn't the same. The educational mix
20 isn't the same. They don't belong in that
21 district. I'm left to wonder. And they're
22 left to wonder why, and, perhaps more
23 importantly, why you remain silent.

24 MS. LAWRENCE: Thank you very
25 much for helping me out.

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2 LEGISLATOR KOPEL: Mr. Troiano,
3 you were kind enough to explain some things
4 and I'm going to respond, if you don't mind.

5 First of all, I believe that the
6 coming lawsuit will determine in fact
7 whether or not this is, the particular map
8 that was drawn here, is racially
9 impermissible or permissible, we're going to
10 find out. If it passes, then your just
11 simply wrong. That's not a value judgement
12 that's going to be a legal judgement, as you
13 know.

14 Secondly, in terms of Mr. Broach,
15 I'm perfectly willing to accept your
16 explanation. However, not so much with some
17 of the other people who have spoken here
18 today. If you're trying to win hearts and
19 minds, some of the people here have got a
20 very, very strange way of doing it. You're
21 not going to win hearts and minds by hurling
22 insults and accusing people of wanting to
23 wear hoods and sheets. I'm sorry, that is
24 just plain despicable. I'm not going to
25 back off from something like that.

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2 What's going on with respect to
3 whether or not we're doing the right thing,
4 I think what you're doing, with all due
5 respect, is you're transforming a policy
6 difference and, by saying that, I'm using
7 the words of the former presiding officer of
8 ten years ago, you're trying to transform
9 that into a rational preference. That's
10 just not the case. It's just not the case
11 and that's what you're trying to do and it's
12 not right. We simply disagree with your
13 premise.

14 I, personally, am not delighted
15 with some of the choices that have been made
16 with respect to this map. My disagreements
17 though are political. They are not based on
18 the fact that, or a suggestion, that there
19 are racial preferences going on over here
20 and I absolutely reject that.

21 As far as your other premise, and
22 that is that racial groups and religious
23 groups shouldn't be split, you're going to
24 always have some splits. Number one and
25 number two, I think that the intent of the

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2 Voting Rights Act is not to increase
3 segregation, it is to increase integration.
4 And sometimes, if you have some -- as long
5 as we are not prejudicing the rights of
6 people to elect representatives, it's
7 certainly not intending to increase and
8 enhance segregation of neighborhoods. The
9 way you are describing it, that's certainly
10 what you're suggesting it should do. I
11 don't accept that either.

12 LEGISLATOR TROIANO: Norma, I
13 just got to respond to that. Because it's a
14 real mistake, Mr. Kopel, to hide behind
15 legalisms. That is what so many people in
16 the south did when it came to enforcing the
17 poll tax. I'm sorry, that's the law.
18 That's not sufficient, okay? I would ask
19 you not to lead with your head, but to lead
20 with your heart. You do have a good heart.
21 Please understand, please understand that
22 there is, and Mr. Muscarella said it
23 earlier, there are some cases that the
24 Jell-O mold will be broken. There is
25 nothing you can do about that, all right?

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2 But he also said that 99 out of 135
3 districts weren't moved. I'm not quite sure
4 what he meant by that, but I think he meant
5 census districts. I think that's what he
6 was referring to.

7 What I'm saying to you, Mr.
8 Kopel, is that you could have taken three
9 more of those census districts that were
10 moved into Garden City and retained them in
11 District 2, my district, and moved that
12 number from 99 up to 102, and it would not
13 have impacted the Jell-O mold and we
14 wouldn't be having this argument. And I
15 would like to see you do, you know, Mr.
16 Kopel, I want to take that under advisement.
17 Mr. Troiano made a good point there,
18 dividing the Voting Rights Act which is not
19 meant to promote integration. The Voting
20 Rights Act is to make sure that minorities
21 have a vote. That's the point of it.

22 Can I please finish? So the
23 intent of the Voting Rights Act as you
24 stated was a misstatement, and all I'm
25 asking you to do, Mr. Kopel is say yes,

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2 let's take that segment of Hempstead and
3 let's put it back in it's proper place in
4 District 2 before we take a vote on this
5 map.

6 CHAIRWOMAN GONSALVES: Excuse me,
7 I'm sorry, but Legislator Nicoletto would
8 like to respond. And I'll go back to you
9 Ms. Thompson.

10 LEGISLATOR NICOLELLO: Just to
11 add some perspective to this, LD 2, which is
12 the district we're talking about at the
13 moment, on the Republican map, it's going to
14 be 55.9 percent Black, and that's the term
15 that's used in census data, it's African
16 Americans and other groups.

17 Now, under the Democrat map, it's
18 proposed to be 56 percent. So when
19 Legislator Troiano is saying, you're
20 remaining silent, it's a terrible thing. We
21 are talking about miniscule differences
22 between the two districts, number one.

23 Number two, LD 2 has been a
24 minority district for 20 years. It's still
25 a minority district. It looks remarkably

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2 the same overall those years. It's not
3 appreciably changed, nor is LD 1, and, quite
4 frankly, nor is LD 3. The changes we have
5 here are basically changes that have
6 developed over time in the populous that
7 these maps simply recognize what already
8 exists. Again, what he's talking about,
9 you're going to remain silent, and the
10 changes to LD number 2, we're talking about
11 a miniscule difference between what the
12 Democrats themselves proposed and what we
13 are proposing. Just some perspective on
14 this.

15 LEGISLATOR TROIANO: Can I
16 respond to that? Mr. Nicoletto is entitled
17 to his opinion but not to his own facts.
18 What he said was, that the CVAP, the citizen
19 voting age population was 55 percent Black,
20 and that is accurate. Then he goes on to
21 say, to legitimize it, that that's a census
22 approved designation, in fact -- let me
23 finish, Rich, and that, in fact, is not the
24 case. And I'm looking for the testimony
25 now, but last Monday, you may have

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2 forgotten, it was about 11:00 and we were
3 all very tired at that point. I read from
4 the county attorney's expert witness from
5 the case that went to court two years ago
6 that in fact the census does not accept
7 census CVAP, citizen voting age population.
8 You just cannot hide behind that and give it
9 legitimacy. It's not the case. It's not
10 true.

11 And, Rich, this map may be better
12 than the Democratic map, it might be better
13 than the coalition map, not the point right
14 now. We are only discussing one map.
15 That's the Republican map that's in front of
16 us today.

17 All I'm suggesting to you today
18 is that we should all be looking for as much
19 perfection as we can. We may not be able to
20 achieve that but I'm putting forward to you
21 a simple fix. Take three, just three, okay,
22 of the census districts that were in LD 2
23 for the last 16 years, okay, 17 years, and
24 are now in Garden City where they clearly do
25 not belong and move them back into LD 2 and

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2 make this map more perfect than what it is
3 today.

4 LEGISLATOR NICOLELLO: If we did
5 that, and we talked about this concept and
6 all that stuff, and here's to give it some
7 substance, if we do that, LD 14 is then
8 underpopulated.

9 LEGISLATOR TROIANO: That's
10 simply not true. So we can make sure we're
11 talking about the same thing, Mr. Moroney,
12 I'm guessing it came from you, if you took
13 all what I'm calling the north Main Street
14 area, if you took every one of the, and
15 there's roughly 5,000 people in that area,
16 and you took them all and they're all in LD
17 2, if you took them all, took them out of 14
18 and put them back in LD 2, it would cause LD
19 2 to have too many people.

20 What I'm suggesting to you is,
21 don't take all of that section, but give us
22 just enough people to keep LD 2 in balance
23 and keep LD 14 in balance. It still won't
24 be perfect, but it will be better than what
25 it is today.

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2 LEGISLATOR NICOLELLO: So we keep
3 Hempstead divided. So it's if we divide it
4 to some extent but not as much I --

5 LEGISLATOR TROIANO: Rich, I
6 acknowledge that we are not going to get
7 perfection, but we can move to something
8 better than what we got today is my point.

9 CHAIRWOMAN GONSALVES: Ms.
10 Thompson, do you have something else you
11 would like to add?

12 MS. LAWRENCE: I got clear
13 clarification on what needs to happen. I
14 think you just need to vote no today and it
15 will satisfy the public at this time. Thank
16 you, Robert Troiano and Kevan Abrahams for
17 explaining to me clearly what the map is
18 doing, and we know what it should be and we
19 have to come to an agreement, but it seems
20 as if the other party does not want to come
21 to a logical agreement. I'm a citizen from
22 the village of Hempstead and it's still very
23 confusing to me and when I go back to talk
24 to my friends who live in Massapequa or
25 Bethpage and let them know exactly what's

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2 been taking place because they don't know
3 because they're working two and three jobs,
4 I got clear clarification today and I really
5 do appreciate that.

6 I will be taking it back to the
7 streets and we will continue the fight that
8 we have and thank you for your time that you
9 have given me here today.

10 CHAIRWOMAN GONSALVES: Jackie
11 Murphy? Gave time to Scottie. Elaine
12 Peters? Bonnie Garone.

13 CLERK MULLER: I believe Ms.
14 Garone is six minutes, somebody seeded to
15 you.

16 CHAIRWOMAN GONSALVES: Yes. Ida
17 Grainger yielded her time.

18 MS. GARONE: My name is Bonnie
19 Garone, good afternoon.

20 CHAIRWOMAN GONSALVES: Good
21 afternoon, Bonnie.

22 MS. GARONE: Let's see how it
23 goes. You know, so many eloquent people
24 have spoken today and spoken from the heart
25 that there's not a lot that I can add.

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2 Then, the other hand, like everybody sitting
3 out here, I'm not going to go down without a
4 fight.

5 So, what I would say, I guess,
6 is, I know you all pride yourselves on being
7 public servants. But public servants listen
8 to the public. There's no question that the
9 vast vast majority of the people, the
10 residents of this county, don't want this
11 map. But you're not listening.

12 So then I ask myself, why are you
13 doing this? Well, it seems to me that if
14 there was a sound public spirited reason for
15 doing this you would tell us, and you
16 haven't told us.

17 So I think, to me, you're doing
18 it for the reasons that many people have
19 mentioned. Clearly, the Republican
20 enrollment in this county is dwindling, and
21 by drawing these districts you hope to stay
22 in power, when the people otherwise might
23 not want you in power. That's one reason.

24 I think you want to make the
25 two-party system in this county disappear

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2 again. Like it was years and years ago when
3 the Republican party held every position.
4 The people don't want that. That's one of
5 the reasons they don't want this map.

6 The only other reason I can think
7 of as to why you would be doing this is
8 because you're being told to. You report to
9 a higher authority and an authority higher
10 than the residents of this county. So maybe
11 that's why you're doing this.

12 Because if there was a sound,
13 public-spirited reason, you would tell us,
14 and you haven't. So I think you should at
15 least tell the people the truth about why
16 you're ignoring them and going forward with
17 this map.

18 Now, we've heard at the hearing
19 and at the Rules Committee, we've heard your
20 spokesman give a very polished presentation
21 with lots and lots of statistics and
22 acronyms and words that were told come from
23 the census that that's why we have to do
24 this. This makes for a great map. We've
25 heard your spokesman speak to us full of

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2 moral outrage about why he made the
3 commission into a sham. None of that is
4 true. You should at least be honest with
5 the public about why we are where we are
6 today.

7 As far as the commission, we were
8 told that we didn't have working sessions
9 because there was a concern about the Open
10 Meetings Law. That's absurd. There was
11 never even discussion about that, and, what
12 we wanted, by the way, were public working
13 sessions which is exactly what the Open
14 Meetings Law calls for. That's ridiculous.
15 That's not why you're doing this. That's
16 not why the commission was ignored.

17 We're told that the chair was
18 insulted by some behavior. Did we call the
19 chair out for calling public input
20 gratuitous. That happened. That's a fact.
21 Did we call them out on it. Did we actually
22 even poke a little fun at him for it? Yes,
23 we did. And, you know what, that's part of
24 being in the public eye and a true leader
25 can deal with that. I'm not saying, taking

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2 my bat and ball and going, oh, we're going
3 to play anymore.

4 The bottom line is that the
5 commissioners themselves participated not at
6 all, and I think they did that by direction.
7 We were not even allowed to talk to them.
8 You know what, it wasn't because I brought a
9 picture to a meeting that showed the secret
10 room from 2012 -- 2011. The secret basement
11 room that everybody talked about. I did
12 bring a picture, and it shows that there was
13 paper taped over every window of that
14 basement room so that nobody could peer in.
15 So, honestly, I can't think of a better
16 metaphor for this process.

17 Yes, I brought that picture and I
18 think that picture was worth a thousand
19 words, as they say. But are those good
20 reasons for not having a commission process?
21 I don't think so. That's not why we didn't
22 have a commission process. Didn't want it.
23 Was taking orders from somebody. Didn't
24 have a commission process. And that will
25 have consequences.

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2 So why else are we here today?

3 Why else are you voting for this map? Well,
4 you know, the chair told us lots of numbers.
5 The deviation is better. Your map has a
6 better deviation than ours, we have to vote
7 for it. Well, the chair knows darn well and
8 those of you who are lawyers know darn well
9 that the United States Supreme Court has
10 said that any deviation, any deviation below
11 ten percent is absolutely fine. In fact,
12 the Supreme Court has said, it's not even an
13 issue. It's a minor deviation.

14 It's only a problem if you were
15 saying that we had a higher deviation than
16 your map because we were engaging in some
17 kind of discrimination, and there's
18 certainly been no allegation that the
19 Democratic map is engaging in some kind of
20 discrimination. So, the numbers sounded
21 great, they were glib, very impressive for
22 someone who isn't a lawyer, and doesn't know
23 the background, but those of you who are
24 lawyers know, and who have been briefed by
25 your lawyers know that your deviation and

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2 the deviation of the Democratic map,
3 legally, are exactly the same. So that's
4 not the reason that you're doing it. It's
5 not because you have a better deviation.

6 So, what else, well, we heard
7 about the CVAP numbers, and that was just
8 alluded to. We were told that CVAP, citizen
9 voting age population, is very important.
10 It's a census designated -- census created
11 designation, is what we were told, so we
12 have to go by the CVAP. That's not true.
13 That's not true. Like has been said, you
14 are entitled to your opinion but not your
15 facts.

16 What you ignored and, those of
17 you who are lawyers know this, or your
18 lawyers told you this, that even the census
19 bureau says that this CVAP standard is an
20 estimate. It's an estimate. It's not even
21 a real statistics. You told us that you got
22 your numbers from the Legislative Task
23 Force. That's the right place to get the
24 numbers, that's correct, that's where we got
25 our numbers too. But are you telling me you

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2 didn't read that task force website where it
3 says that CVAP data comes from a sample, and
4 that consequently all figures are estimates?
5 So this isn't real. You're not doing this
6 because you had better CVAP numbers.
7 They're not even numbers.

8 CLERK MULLER: You're at seven
9 minutes.

10 MS. GARONE: I'll take my extra
11 minutes. So then you tell us, not only --

12 CHAIRWOMAN GONSALVES: I don't
13 mean interrupt you, but you had six minutes
14 and it's now seven. Mr. Lewis -- I did not
15 have a slip for that person. What is your
16 name? Okay. Diane Lewis, fine.

17 Now you have two more minutes, Ms
18 Garone.

19 MS. GARONE: So not only do you
20 want us to believe that you had to pass this
21 map, had to because all of the numbers and
22 statistics, but then you want us to
23 congratulate you because you have created a
24 historic 3rd District.

25 In fact, you wrote to Newsday.

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2 It's not good enough that you are going to
3 pass your map, but we ought to be
4 congratulating you. It's a historic 3rd
5 minority/majority district.

6 As a matter of fact, right now,
7 right now the 3rd District, without any help
8 from the Republicans on the legislature is a
9 minority/majority district. Not only did
10 they elect a minority legislator, the
11 representative of their choice, but if you
12 look at the real numbers, the actual census
13 numbers, not the CVAP, which is an estimate
14 with a margin of error, right now it's
15 already over 50 percent when you put
16 together the voting age Black population and
17 Hispanic population.

18 So don't tell the people that you
19 are doing this to create a historic district
20 because that's not true. In fact, you've
21 taken a district that's already legally
22 sufficient and that the people want, and
23 you've extended it over six miles to the
24 bottom of Inwood.

25 Now, no one even mentioned that

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2 you can't travel from Elmont to Inwood and
3 stay in the district. If you're going on a
4 road, which is the way most people travel,
5 you have to either go into Queens or go out
6 of the district, or you have to put your
7 waders on and go through the swamp.

8 So it's not even contiguous. You
9 have taken something that existed and the
10 people wanted and you've changed to
11 something else. You can do it, you have the
12 votes, but don't try to tell the people that
13 you're doing something different. That's
14 not what public servants do.

15 So when it comes down to it, we
16 know you don't have to do this. We know the
17 figures don't support you having to do this.
18 You just want to do it. So you want to
19 split Hempstead in half and then, for good
20 measure, take some of the population and put
21 it in a district with Garden City. You have
22 the votes, you can do it. You want to take
23 Rockville Centre, which is pretty much a
24 good Republican district. I live there. I
25 don't know why you are even doing it, but

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2 you want to take a village and cut it in
3 thirds. You can do it, you have the votes.

4 You want to take Merrick and get
5 a lot of points for slicing off three blocks
6 to put Mr. Denenberg in his district, and
7 I'm glad you did it, and he should be in his
8 district, and that's the right thing to do.
9 But it stops at his corner, so he's not even
10 with his neighbors. You don't have to do
11 that, but you have the votes so you can do
12 it.

13 The Five Towns. The Five Towns,
14 for the most part, people don't want to be
15 divided. I don't know where Mr. Kopel is,
16 but even he has said he's not real happy
17 with it. Well, if you're not real happy
18 with it, don't do it. Because a public
19 servant would listen to the public and not
20 do it.

21 CLERK MULLER: Ms. Garone, you're
22 at 11 minutes.

23 MS. GARONE: Okay. I'm wrapping
24 up. All it takes, you do think of
25 yourselves as good public servants and, for

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2 the most part, most the years, you are. But
3 you're not being good public servants now.
4 All it takes is for one of you, just one of
5 you, maybe somebody who is not planning to
6 run again, maybe somebody who wants to stand
7 up and say, yeah, maybe some of my votes in
8 the past I regret I would do them
9 differently, but I have the chance to stand
10 up for the people now.

11 All it takes is for one of you to
12 remember why you ran for office and why you
13 consider yourself a public servant, why you
14 chose to do this in the first place. Just
15 one of you to stand up for the people, and
16 you'll be a hero. You'll be a hero.
17 Because public servants wouldn't pass this
18 map, and I'm hoping one of you will actually
19 stand up and say no to whoever is telling
20 you you have to do this. There is too good
21 reasons.

22 Stand up for the people and vote
23 no and the people will show their
24 appreciation.

25 CHAIRWOMAN GONSALVES: Thank you.

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2 Barbara Jones? Douglas Mayers?

3 MR. MAYERS: Good afternoon,
4 ladies and gentlemen on the legislature.
5 I'm no stranger to legislature from its
6 inception. But I'm here today and I'm not
7 going to go over what my counterparts,
8 Scottie Coads, Civic Engagement -- By the
9 way, let me introduce myself again.

10 Doug Mayers from the Freeport
11 Roosevelt NAACP, also the Long Island
12 Caribbean American Association. We have a
13 very a heavy Caribbean presence and every
14 one of these districts here, the 1st, the
15 2nd and the 3rd. We come out and we vote.

16 But let me say something about
17 this map. This is the first time I'm seeing
18 this one. I see others. I know as
19 ex-military man from the British army, from
20 my company commander, allowed for me one of
21 these maps as a platoon leader, I think I
22 would get as lost as hell where that's
23 concerned.

24 It might be, American commander
25 might use it, but I'm telling you, you won't

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2 find a British army commander using this
3 bloody map. So I don't like it and I would
4 like to know who is this chap, Mr. Moroney,
5 is he an elected official? Is he elected,
6 anyone will answer me? Elected, Mr.
7 Moroney?

8 CHAIRWOMAN GONSALVES: No, he's
9 not an elected official.

10 MR. MAYERS: I wonder if he's one
11 of Rooney brother? The guy from 60 minutes.
12 But I think what I saw here and what I
13 heard, especially here in this district, and
14 I know at one point there was some folks
15 want to draw out district. I feel
16 comfortable in my representation I get from
17 Legislator Abrahams and also from Dave
18 Denenberg. I understand that, Dave, they
19 want to draw your house outside your
20 district, and that is very, very naughty I
21 might say.

22 And there is a fantastic
23 legislator in this legislative body, don't
24 represent me, but I've seen much work over
25 the years. I can call on Dave's office like

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2 I call on Legislator Abrahams' office and I

3 will get results as same for Dave Denenberg.

4 He not cling to just his constituency, and I

5 think if you guys have really have a good

6 bloody heart, that you will look at all of

7 this. You all elected by the folks sitting

8 here today as representatives. I don't know

9 if you are really take the word

10 representative really seriously, all

11 representing a cross section of the

12 electorates here in Nassau County. It's not

13 Republican, Democrat, and all the other

14 bloody mess that we looked at all the bloody

15 time, but it's representing the

16 constituency. I know everybody want to be

17 freer. I got good Republicans on this side,

18 Legislator Dunne, Legislator Becker, another

19 good chap, as far as I know, all right?

20 Even the county executive, but we should

21 hear the leader of this county and that is

22 the county executive himself. We need to

23 hear from Mr. Mangano. He's coming up for

24 election next year, nobody can answer it

25 like him. You can't speak for the county

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2 executive, you're supposed to speak for the
3 district who elected you.

4 From what I'm hearing today, I
5 think all this gerrymandering going on here
6 is not good. Believe you me, this
7 legislature, if the Democrat was doing such
8 foolishness, I would come up and here blast
9 the Democrats also. But it's you handling
10 this here now. If the 19 legislators, if
11 you have to move a couple of numbers that I
12 hear Legislator Nicoletto saying that there
13 are some numbers that have to be moved, but
14 at the same time you don't need to chop up
15 these legislative districts from where they
16 are to that. Because, believe you me,
17 Garden City has nothing in common with the
18 folks in Hempstead, and putting Troiano into
19 Garden City, Kevan into Garden City, white
20 folks are not going to do all right in
21 Garden City, I can tell you that.

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

24 MR. MAYERS: I was sitting here
25 all morning, so I think if I can allow two

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2 minutes from somebody I think it would work.
3 So we need to look at this in a human
4 content and not in a political content and
5 leave the bloody legislators as they are
6 right now. No need to move things all over
7 the bloody place. Thank you for listening
8 to me.

9 CHAIRWOMAN GONSALVES: Henry
10 Porzio?

11 MR. MAYERS: Wait, this man
12 offering me his minutes. Thank you, sir.

13 I think this county, especially
14 knowing the reputation of this county here,
15 I think you all can agree that we want
16 Nassau County to look as it should be
17 looking as a diverse county and stop every
18 news, you hear Nassau County is one of the
19 most race segregated counties in the United
20 States. We need to get rid of that and
21 don't let it start by it by this here
22 foolishness and gerrymandering, cannot be
23 this way. Let us stay as we are.

24 Everybody appreciate everybody in
25 this chamber. I think it should look even a

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2 little more diverse because I would like to
3 see an African-American on the Republican
4 side. I know we got a lot of African
5 American Republicans in this county that can
6 be elected as a Republican. You know,
7 something, why not draw a district for
8 another African American on your side so we
9 can have a little more diversity on this one
10 here in this county legislature? I think
11 that's for Nassau County than trying to
12 split these bloody districts up. Thank you.

13 CHAIRWOMAN GONSALVES: Henry
14 Porzio.

15 MR. PORZIO: Henry Porzio,
16 District 17, Rosemarie Walker.

17 I spoke at the previous meeting.
18 I was not going to speak today. I wanted to
19 hear all these quality presentations that
20 you people gave was fantastic. I don't want
21 to dilute from that but you had a great
22 motivator on your panel over here, and it
23 just got to me. It reminded me of Romney
24 and the 47 percent speech he made.
25 Mr. Kopel has a knack for that. Especially

1 Full Legislature/3-5-13
2 when you try to defend something that's not
3 right. Things just blurt out, and during
4 his first comments, and he's not here to
5 defend himself --

6 CHAIRWOMAN GONSALVES: He's
7 listening.

8 MR. PORZIO: He said, "you people
9 are making a big deal of it." That could be
10 an attitude of what is going on over there.
11 And that is not right for a legislator to
12 make that inappropriate comment. In fact,
13 it's borderline stupidity for a legislator.
14 For Ms. Walker, you ought to distance
15 yourself from this dominant figure in the
16 Republican party. He apparently is moving
17 us backward, and we have been moving
18 forward. This is a terrible thing.

19 So one of the reasons you guys
20 aren't listening, but also we are making a
21 big deal of it, that apparently you are not
22 listening to everything that took place
23 today. I hope the media that came late
24 doesn't turn this into a racist meeting.
25 That's another either stupidity remark that

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2 he brought to the surface which motivated a
3 lot of people unnecessarily. Maybe it was a
4 sign of brilliance, who knows, maybe he
5 wanted to bring this to a racist meeting.
6 That's something.

7 Rose Walker, if you look at the
8 petition, and I did, I went to about 300 on
9 the petition, and in Hicksville along it
10 came to about 25 percent. Your district is
11 there. Your map, I tried to interpret it.
12 I came up to either eight, nine, maybe ten
13 areas that are combined.

14 Why don't you post that on your
15 website, something about it? That you're
16 happy to have this great plan for District
17 17? I don't know if you are happy about it,
18 but somebody ought to post some good
19 comments. The only thing we heard today was
20 Kopel with a lot of gobbly gook, okay?

21 So, with that, I won't take any
22 more of your time. I think you really
23 should vote no.

24 CHAIRWOMAN GONSALVES: Josie
25 Green, are you here?

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2 MS. GREEN: Good afternoon,
3 legislators. I'm Josie Green. I'm a
4 resident of Hempstead. I'm a southern girl
5 who has been living in Nassau County for the
6 last 53 years.

7 I just want to say to you, I was
8 sitting there thinking and listening to each
9 person that came up and listening to the
10 legislators that were responding to their
11 constituents. I was thinking about our
12 politicians in Washington D.C., which we all
13 have a problem with them not being
14 bipartisan. I was thinking, what has
15 happened to the politicians; the Democrats,
16 the Republicans?

17 You know, I'm ignorant to
18 politics. I always thought that you could
19 -- you sat down and you worked together.
20 You talked and you worked things out. And I
21 thought that when the constituents had a
22 problem and they came to you that you
23 listened to them and took it back to your
24 meetings and discussed it and tried to work
25 it out for the betterment of the people.

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2 But I don't see that happening
3 here. I don't know why we keep having these
4 meetings, wasting taxpayer's money. Money
5 that the county does not have, repeating the
6 same thing over and over.

7 And the people who are supposed
8 to be representing us don't even listen. I
9 thought that politicians listened and that
10 they cared about our cares. I guess I'm too
11 old to understand.

12 It bothers me when I see your
13 indifference of you sitting there. I see
14 the people here talking to you explaining
15 their heart, soul and mind to you about what
16 they want and what they don't want. And I
17 see your indifference.

18 I'm not here to vent because I
19 don't have words. I feel sad. I feel very
20 sad for being in a great county as Nassau
21 County where people are privileged, we have
22 a good educational system, and all of you
23 have a decent job, home, family. And,
24 apparently, you're doing what you want to do
25 because you ran for the office.

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2 But something has happened to
3 you. You're not happy doing what you're
4 doing. I say, if this causes this kind of
5 stress on you, maybe you're in the wrong
6 position. Or maybe you don't have your
7 constituents at heart. Or maybe you're just
8 too full of yourself.

9 CLERK MULLER: Your three minutes
10 have expired, ma'am.

11 MS. GREEN: But I hope and I pray
12 that each one of you remember why you ran
13 and I hope that was for a good reason. I
14 hope each one of you, I'm not on any side,
15 I'm talking to you as individuals, listen to
16 people. That's why you were elected. Thank
17 you.

18 CHAIRWOMAN GONSALVES: I have one
19 more speaker and then after that speaker
20 we're going to recess for about a half hour.
21 Is it Kearyn Rubio?

22 MS. RUBIO: First I want to give
23 honor to God for waking me up this morning.
24 All my elected officials that are here, both
25 Republican and Democrat, Independent, I

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2 would like give you greetings in peace.

3 I won't stand before you too
4 long. I also wanted to thank all the
5 chairpersons who are here and local
6 community residents, I think we should give
7 them a round of applause for their support
8 in this Democratic process.

9 You know, something that just
10 comes to my mind is that our founding
11 fathers had a problem against tiriney. When
12 you were trusted in good faith with an
13 allocated budget of \$500,000, this was to go
14 on both sides, both Republican and
15 Democratic for a Democratic process to be
16 taking place before our eyes.

17 Chairperson Gonsalves, I was in
18 the meeting when you publicly stated, you
19 refused to put the Democratic version of the
20 map on the floor for a vote. I find that to
21 be appalling. I find it to be appalling
22 that we are in 2013 and there is some type
23 of attitude that we are in 1923 with horse
24 and buggies that we pulled up outside.

25 It's a new day and the people

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2 here are speaking on one accord. We're not
3 here to sit in a sandbox. We are not here
4 to build sand castles, we're here to trust
5 you with what we have worked hard for and
6 that's democracy on both sides.

7 We know that the entire Long
8 Island won't be blue, that one side of Long
9 Island won't be all red. We know that it's
10 going to be diverse people from diverse
11 crowds who are here to be represented fairly
12 and equally.

13 So I will leave this with you for
14 your consideration, that you will take the
15 time, go back to the drawing board, and
16 consider the Democratic version along with
17 your version. There shouldn't be a reason
18 why there's only one version that is up for
19 a vote. That is not why the money was
20 trusted to both sides for one version to be
21 heard as a vote.

22 So I thank you for your time and
23 consideration. I thank you for being here.
24 But, at the same time, please give us
25 respect as we are giving you respect as

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2 well. It's not a one-sided conversation.

3 Thank you.

4 CHAIRWOMAN GONSALVES: Thank you
5 for coming.

6 LEGISLATOR ABRAHAMS: I know we
7 are getting ready to break into a recess but
8 I think I would be remiss and I think I
9 speak for, even though I know you guys have
10 pretty much vented most of your concerns to
11 my colleagues to the right, but I truly
12 believe that this process from when it began
13 for us, going back 18 months, but, more
14 importantly, some of you just became engaged
15 in the month of February with this process,
16 or January, that it has come to the steps of
17 the legislature, I want to thank each and
18 every one of you for coming down.

19 I think everyone up here should
20 feel, regardless of whether you agree or
21 disagree, this is Democracy, this is how our
22 country should work. Unfortunately, we're
23 not seeing that being resinated with the map
24 but you should have an opportunity to
25 fulfill the needs and express your concerns

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2 and, at the same time, in a perfect world,
3 you should have the opportunity to actually
4 see some differences and changes based on
5 what your words command. That's not the
6 case, but I do want to take the opportunity
7 because each of you, I know I've talked to
8 you before and after this meeting, a lot of
9 have taken off from work. A lot of you have
10 children here. I know I've seen Scottie
11 Coads who was here with her grandson
12 multiple times.

13 So I just want to thank each and
14 every one of you for participating, for
15 being a part of this process. I know it
16 wasn't easy to come down here on Mondays,
17 sometimes in the morning, or in the
18 afternoon, and stay here until 12 o'clock, 1
19 o'clock at night, but you did it, and we're
20 thankful. So thank you and God bless you
21 all.

22 CHAIRWOMAN GONSALVES: We are now
23 in recess for approximately 40 minutes, 45
24 minutes. I would say it's now 10 to 2:00
25 according to the clock back there.

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2 Approximately 2:30.

3 (Whereupon, the Full Legislative
4 Committee recessed at 1:50 p.m. and
5 reconvened at 2:50 p.m.)

6 CHAIRWOMAN GONSALVES: At this
7 time, ladies and gentlemen, fellow
8 legislators, prior to the recess, or at the
9 beginning of the hearing, we chose to allow
10 the public to speak first and then have the
11 legislators ask questions of Mr. Moroney.

12 At this time I believe there are
13 a few legislators who have some questions of
14 Mr. Moroney. I think Mr. Moroney is right
15 here somewhere. I'm going to begin with
16 legislator, Deputy Presiding Officer Richard
17 Nicolello.

18 LEGISLATOR NICOLELLO: Mr.
19 Moroney, there were some questions and
20 answers at the last hearing and this issue
21 has come up again with respect to the use of
22 this CVAP, citizen voting age population.

23 Could you briefly just clarify
24 again its use?

25 MR. MORONEY: Sure. Every

1 Full Legislature/3-5-13
2 district is drawn the same way, whether it's
3 minority/majority or a regular district --
4 every district is drawn the same way. The
5 first thing you want to do is, you need the
6 right population. Then you look at voting
7 age population to see what the ethnic
8 makeup, the demographic makeup of the
9 district is.

10 CVAP is citizens voting age
11 population is a standard that is used to
12 measure the functionality of a minority
13 district.

14 For example, the discussion last
15 week was over 43 percent in LD number 2 of
16 voting age population, but the CVAP in
17 District 2 was 55.9 percent of non-Hispanic
18 Black population. CVAP is a standard to
19 measure the functionality of the minority
20 district.

21 LEGISLATOR NICOLELLO: Is it used
22 by the Department of Justice?

23 MR. MORONEY: Yes, it is.

24 LEGISLATOR NICOLELLO: So it's a
25 legitimate use of that data, is that what

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2 you're saying?

3 MR. MORONEY: Yes, it's a
4 legitimate use and it's also a preferred use
5 and it is based upon estimates. It's not
6 based upon actual numbers because you can't
7 necessarily measure it in every instance.

8 LEGISLATOR NICOLELLO: Well,
9 you'll be glad to know that there are
10 experts who agree with your position, and,
11 in particular, I would like to read from the
12 Full Legislature of May 16, 2011.

13 "Legislator Ciotti, this is
14 important to understand with regard to
15 District 3, which is I think where you
16 currently oversee and deal with as a
17 legislator. CVAP was never mentioned by the
18 county attorney or anyone else. That's how
19 you do a proper evaluation to see if a map,
20 see if your districts are in compliance with
21 the Voting Rights Act. You look at CVAP."

22 Let me read that again because
23 there was a little bit of confusion about
24 this.

25 "CVAP was never mentioned by the

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2 county attorney or anyone else. That's how
3 you do a proper evaluation to see if a map,
4 to see if your districts are in compliance
5 with the Voting Rights Act. You look at
6 CVAP."

7 That was from Fred Brewington's
8 testimony on May 16th, 2011. So, again,
9 there is support for what your position and
10 the use of CVAP in this analysis. Thank
11 you.

12 CHAIRWOMAN GONSALVES: At this
13 time, I think there are three members of the
14 minority who would like to address
15 Mr. Moroney. We will begin with Legislator
16 Troiano.

17 LEGISLATOR TROIANO: Thank you.
18 And Mr. Nicoletto for reading that into the
19 record. I'm a little surprised that you
20 would have chosen to do that though. That
21 you would have chose to cite Fred Brewington
22 who I consider to be a legend, but is that
23 the same Fred Brewington that this past
24 Monday you accused of being underhanded?

25 LEGISLATOR NICOLELLO: Well, if

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2 you want to discuss what it was that we were
3 talking about, but Mr. Brewington was asking
4 the presiding officer about specific Supreme
5 Court questions, of cases, of holdings, and
6 maybe underhanded was the wrong word, but I
7 didn't think it was fair, particularly for a
8 layperson, never mind an attorney who
9 doesn't practice in the area of
10 constitutional law to start asking questions
11 about the holdings of particular Supreme
12 Court cases that nobody else in this room
13 can answer. So I thought that was a little
14 bit unfair. But you have him supporting the
15 position that CVAP is what you use to
16 evaluate the Voting Rights Act.

17 LEGISLATOR TROIANO: Well, I'm
18 glad you have taken back the assertion that
19 he's underhanded because that surely is not
20 an appropriate way to characterize --

21 LEGISLATOR NICOLELLO: As I said,
22 it was for the benefit of --

23 LEGISLATOR TROIANO: And I'm
24 happy that you have chosen to uplift him by
25 citing his testimony. Let me also cite

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2 testimony by Dr. Thomas Hofeller who was
3 hired by your county attorney in 2011 in the
4 case brought by one of our citizens,
5 Mr. Boone, in which he says that:

6 "The ACS, which is a mechanism
7 used to determine CVAP," and, by the way, he
8 was paid \$300 an hour for this opinion.
9 "The ACS was not designed for redistricting
10 use." Not designed for redistricting use,
11 an expert attorney paid for and brought to
12 us by the county attorney. And so I'm left
13 still wondering why we would place such
14 reliance on CVAP.

15 Let's get into what CVAP is.
16 It's a mistake to take the ACS and apply it
17 to individual legislative districts. Are
18 you familiar with how ACS works, how they do
19 their sampling, how they do their surveying?

20 MR. MORONEY: With the
21 methodology, no, I don't know the
22 methodology, but I understand that what they
23 do is, they come up with estimates based
24 upon statistical models.

25 LEGISLATOR TROIANO: Right. They

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2 come up with estimates based on entire
3 regions of the country. Then they take all
4 of Long Island to develop a citizen
5 estimate. What they don't do, they don't
6 look at District 2 and determine what the
7 citizen population is of District 2. Nor
8 do they apply that to District 3, nor to
9 District 1, nor to District 19, nor to
10 District 14. They never get into that kind
11 of nitty gritty.

12 So it's an offense for you to
13 come here and present that District 2, CVAP,
14 is 55 percent, or earlier, Mr. Nicoletto was
15 going to contest whether it was 56 percent
16 or 55 percent, it is not that refined a tool
17 that we should lend reliance on the ACS.

18 MR. MORONEY: Can I go back and
19 start with the question that you started
20 with which was, or your assertion whichever
21 it was, that CVAP is not a proper tool in
22 redistricting?

23 LEGISLATOR TROIANO: Sorry. That
24 was not my assertion. That was Dr.
25 Hofeller's assertion. And just so everybody

1 Full Legislature/3-5-13
2 heard me, Dr. Hofeller was paid by the
3 county attorney, by the taxpayers in this
4 room right now, \$300 an hour, for that that
5 expert testimony. That was his assertion.

6 MR. MORONEY: CVAP is attached at
7 the point at which the district has been
8 drawn to look at it, to determine if the
9 district as drawn functions properly as a
10 minority/majority district.

11 You don't draw a map around CVAP,
12 but it is a standard against which the
13 functionality of that potential
14 minority/majority district is measured. And
15 it is that which the federal government, the
16 Department of Justice, looks at if this gets
17 that far. It is certainly a standard that
18 is used to determine if what you have
19 constitutes what you asserted is.

20 In this instance, in this
21 instance being Nassau County, three existing
22 minority/majority districts. They existed
23 before the mapping took place. They exist
24 still.

25 What happens is that, when you

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2 look at the demographic makeup and look at
3 all these different things, you try to draw
4 it in a way that is meaningful. In the
5 context of the Voting Rights Act, in the
6 context the districting standards,
7 population, Voting Rights Act, and
8 traditional standard of districting, it is a
9 composite standard not a single standard.

10 LEGISLATOR TROIANO: It's an
11 estimate?

12 MR. MORONEY: Yes. CVAP is an
13 estimate, right. But drawing the district
14 is a multi-tiered process, the result you
15 look at is, okay, I have this, now is it
16 going to function as a minority/majority
17 district. That's one of the things you look
18 at is CVAP because if you are not a citizen,
19 you don't vote. So they have, "they" being
20 the districting demographers, have to come
21 up with an estimate as to who will vote and
22 the numbers. That's why the numbers seem to
23 vary so much. Because more, for example,
24 more non-Hispanic Black are citizens than
25 Hispanic population are citizens. That's

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2 why the numbers seem to escalate when you
3 talk about non-Hispanic Black population
4 because more Blacks are citizens.

5 LEGISLATOR TROIANO: You know, I
6 hadn't intended to get into this area again,
7 since Mr. Nicolello brought it up I wanted
8 to respond to it.

9 MR. MORONEY: Sure.

10 LEGISLATOR TROIANO: So everybody
11 knows that, I don't want to say there is a
12 controversy, but there's a disagreement on
13 just applicable it is and about the
14 methodology that they use. So we all know
15 that we shouldn't hide behind it being a
16 census designated requirement, or that it
17 has precision to it, because we all
18 acknowledge, I think, that it doesn't, and
19 there could be experts on each side of the
20 fence who would disagree on its relevancy in
21 a particular case.

22 MR. MORONEY: It does have
23 sufficient accuracy for it to be the
24 standard applied by the Department of
25 Justice.

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2 LEGISLATOR TROIANO: Well, you
3 can't really speak to that because you're
4 not even quite sure what the methodology is.

5 MR. MORONEY: I'm not -- I
6 couldn't tell you how it was calculated,
7 that's correct.

8 LEGISLATOR TROIANO: Here is what
9 I really wanted to talk about. Earlier when
10 you were sitting in the back, Scottie Coads
11 from my district, asked the question about
12 what it was that you meant at our hearing on
13 February 25th when you said that certain
14 groups of people in LD 2 had to be moved out
15 from LD 2 into LD 14, she didn't get a
16 chance to get a response -- I'm sorry, the
17 presiding officer chose not to respond to
18 that question and you weren't here at that
19 time and you were in the back room, weren't
20 at the podium.

21 Could you now respond to that
22 question?

23 MR. MORONEY: Do you have the
24 quote, because I don't recall using those
25 words. If you have the quote, I'll respond

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2 to the quote. I'm not going to respond to
3 the characterization of what I might or
4 might not have said. I generally don't talk
5 that way.

6 I probably said, without seeing
7 the quote, that District 2 was
8 over-populated and, as a result, population
9 had to be moved out of the district. Since
10 it was in District Number 2 -- for example,
11 in District Number 2, to use the Democratic
12 proposal as an example, Lakeview was moved
13 out of the district as a means of bringing
14 the district into compliance with the
15 population requirements. So that happened.
16 That was one way of doing it.

17 This was another way of doing it.
18 It left intact the Lakeview piece of LD
19 number 2 which has been the subject of
20 controversy over the years of pulling it out
21 and attaching it to District 5 and up.

22 So it was over-populated and it
23 needed to be put into compliance with the
24 constitutional standard of One Person One
25 Vote. I don't believe I used those words

1 Full Legislature/3-5-13
2 because I don't generally talk that way,
3 but, if I did, give me the quote and I'll be
4 happy to address it.

5 LEGISLATOR TROIANO: Unfortunately
6 I don't have a copy of the transcript, and I
7 do recollect those words being said, but I
8 can't read it back to you verbatim to say
9 you actually said exactly those words.

10 You are right, there are
11 decisions that have to be made and we heard
12 in your testimony given at the hearing on
13 the 25th and heard it a number of times and
14 you and I discussed that late that night,
15 that you gave the response in answer to the
16 question many times, why was this line put
17 here, and why was the line put there?

18 Your response was, it was based
19 upon policy decisions and policy choices and
20 in at least one case you said from the
21 county legislature. You and I went back and
22 forth on what that actually meant and I
23 think, in the end, you acknowledged that
24 there really wasn't anything from the county
25 legislature, as even a body, but that there

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2 was a letter from the presiding officer who
3 maybe you felt was speaking for the entire
4 legislature as the chair of this committee.

5 But I just want to point out to
6 you, I asked for a copy of the letter which
7 I didn't get until this morning but I do
8 have it now. And it's amazing to me in its
9 brevity given that this is something that we
10 will live with for the next ten years. That
11 the only -- she really didn't speak about
12 policy decisions or policy choices. In
13 fact, she really didn't speak about anything
14 except to say that there was a redistricting
15 committee that was set up, they didn't come
16 forward with a recommendation, the county
17 charter requires us to vote by March 5th.

18 Would you please, asking this of
19 Michael Kiernan, would you please consult
20 with, and only one person, she asked to
21 consult with only one person, not a
22 bipartisan panel, not the majority counsel,
23 not the minority council. She simply says,
24 I asked to consult with majority counsel and
25 policy advisor Christopher O'Stuney so that

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2 appropriate legislation may be drafted.

3 And some of you here today wonder
4 why the people there feel like this is a
5 kangaroo court. It's because when something
6 as important as this, that will impact
7 Nassau County for the next ten years, there
8 are no policy decisions given here. No
9 policy choices given here. Simply a
10 direction from Matt Kiernan, for those of
11 you who don't know, who is the co-executive
12 director of the commission, simply a request
13 that he contact majority counsel.

14 That's why we all feel like we
15 are being asked now to vote for something.
16 People are being asked to accept, a vote
17 that will be for the next ten years, and
18 there's no public record of what policy
19 decisions, what policy choices you were
20 being asked to hold yourself to when you
21 developed this map.

22 In fact, you said at the hearing
23 that there was nothing put in paper between
24 you, and I guess another co-executive
25 director of the commission, is that --

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2 MR. MORONEY: No, the title was,
3 the civil service title that had been held
4 over from ten years ago when the first
5 redistricting commission was, they had two
6 different co-executors, one was myself at
7 the time from the Republicans, and the other
8 one was, I can't remember her first name,
9 last name was Butler, who was the
10 co-executive director for the Democratic
11 commissioners.

12 LEGISLATOR TROIANO: This wasn't
13 my problem though regardless of what your
14 title is, there is no communication from the
15 presiding officer with any specifics as to
16 how she wanted you to go about drawing the
17 map.

18 There is also nothing written
19 between you and Skyline demographics?

20 MR. MORONEY: Correct.

21 LEGISLATOR TROIANO: About what
22 you wanted them to do in terms of drawing a
23 map. So there is nothing here for us to
24 analyze and understand the basic building
25 blocks that were used to develop this map

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2 except that once we get it all spun around
3 and it comes out, we find out that there
4 were policy decisions and policy choices
5 that were used to make those decisions about
6 where the lines should be drawn, we have
7 nothing to say, well, yeah, Mr. Moroney did
8 exactly what he was asked to do because it's
9 all just a blank slate.

10 MR. MORONEY: Well, I was not in
11 that chain of instructions. I'm here to
12 explain the map as it exists. I wasn't in
13 the chain of instructions between the
14 presiding officer and Matt Kiernan.

15 LEGISLATOR TROIANO: That's even
16 more confusing to me that that presiding
17 officer gives Mr. Kiernan direction, and
18 then you give Skyline demographics
19 direction. There's a little disconnect in
20 that chain, isn't there?

21 MR. MORONEY: No, no. With
22 respect to drawing district lines, my
23 contact with Skyline ceased on January 5th.
24 Subsequent to that, it was between the
25 presiding officer or her designee, and Matt

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2 Kiernan.

3 LEGISLATOR TROIANO: Then let me
4 ask you again then, in your testimony at the
5 February 25th hearing, you said that lines
6 were drawn based upon policy decisions and
7 policy choices from the legislature.

8 MR. MORONEY: That's correct.

9 LEGISLATOR TROIANO: There is no
10 sitting body here that gave you those
11 directions. Something may have come from
12 the presiding officer, and that may be in
13 her authority, but it's not reflected in
14 this letter.

15 So, if in fact it came from the
16 county legislature, what instrument was it
17 that gave you that direction?

18 MR. MORONEY: I wasn't given any
19 of those directions. I wasn't in that chain
20 of communication.

21 LEGISLATOR TROIANO: I'm not
22 asking you -- forget about that chain, all
23 right? I'm asking about your testimony,
24 what you said, that the lines were drawn
25 based on policy choices and policy decisions

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2 from the county legislature.

3 MR. MORONEY: Well, that was
4 based upon the discussions in preparation
5 for my testimony.

6 LEGISLATOR TROIANO: With who?

7 MR. MORONEY: With Matt Kiernan.

8 LEGISLATOR TROIANO: So
9 Mr. Kiernan I would presume reflected to you
10 the comparable letter that he got from the
11 presiding officer?

12 MR. MORONEY: No. In explaining
13 the map -- Mr. Rosenthal, whose testified at
14 these hearings on behalf of the League of
15 Women Voters and also the NURC, at the
16 hearing in Elmont, asked a question about
17 how each individual line is drawn. I can
18 tell you how each individual line is drawn,
19 but why they're drawn and where the lines
20 go, that is a policy choice that's made by
21 the people who are in charge of the process
22 itself. The mechanics of it, you are
23 limited by census geography. You can go off
24 of census geography if you want to pair it
25 back and take a house out here or a house

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2 out there, if that's what your pleasure is.
3 But you're limited by census
4 geography. That census geography is
5 computer targerfile (phonetic) driven.
6 That's the how. That's the mechanics of it.
7 Why a district is configured the
8 way it is or isn't is the policy choices
9 that the artists, if you will, the
10 cartographers, if you want to us a more
11 technical phrase, that's their province to
12 determine.

13 LEGISLATOR TROIANO: Mr. Moroney,
14 you are an extremely good witness for your
15 position, you are also very good at
16 deflecting. I asked you about your direct
17 testimony, and you deflected to a hearing in
18 Elmont. Please, sir. And I'm going to drop
19 this, okay? But you've acknowledged that
20 you said during the hearing that the lines
21 were drawn based on policy decisions and
22 policy choices of the county legislature.
23 That's all I wanted to say. We'll move on.

24 MR. MORONEY: I have said that.
25 I said that. And I will stand by whatever

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2 the testimony is that I gave.

3 LEGISLATOR TROIANO: So all I
4 want to say is, that that direction, just
5 for the record, and if we go to court, that
6 direction did not come from the minority
7 caucus of the county legislature.

8 MR. MORONEY: That's true.

9 LEGISLATOR TROIANO: Now you were
10 indirectly part of an exchange between Mr.
11 Nicolello and I and you were whispering over
12 his shoulder which is your right, and he
13 should take guidance from his staff, but I
14 want to give you an opportunity to respond
15 to some of the questions that I asking, some
16 of them rhetorically but I really do would
17 like to have an answer to.

18 MR. MORONEY: And we understand
19 -- and you've made the characterization to
20 drawing a map to being like a Jell-O mold,
21 and that if you move something, the Jell-O
22 kind of falls apart, so if you move one line
23 in one district, that might case the shape
24 in another district to change in a way that
25 it would no longer abide by the Voting

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2 Rights Act. So you have to be really
3 careful about that, I understand that.

4 But we should also be seeking, to
5 the extent we can, perfection, if we can
6 achieve that. We will never achieve
7 perfection, but Abraham Lincoln said we
8 should be striving for a more perfect union.
9 So we should be striving for a more perfect
10 map here if we can.

11 And one of the tenants of the
12 Voting Rights Act as it has been applied to
13 Nassau County is that the minority community
14 remain intact and in whole, that it
15 shouldn't be cracked without also being
16 packed.

17 So District 2 along those
18 guidelines has been pretty much the way it
19 is today for the last 16 years that the
20 county legislature has been in effect. With
21 the exception that, what I'm going to call
22 the north Main Street area, which is
23 actually a section of Hempstead that's
24 larger than just north Main Street, but for
25 the ease of conversation, I will call it the

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2 north Main Street area. That's a population
3 of some 5,000, approximately, which consists
4 of roughly six census districts.

5 It seems -- and now I'm going to
6 ask you, it seems to me that we could have
7 taken, for example, one more census
8 district, which is about 1,000 people, and
9 kept that in LD 2, and not put it in LD 14,
10 so at least though 1,000 people, those
11 approximate numbers, would not see their
12 vote disenfranchised, not see their vote
13 diluted. They would not be disenfranchised.

14 And you might have edged a little
15 closer and gone on and, let's say, let's
16 take one more census district and let's see
17 where we wind up against the ideal
18 population. And maybe you might have taken
19 even a third census district and apply that
20 same standard. Maybe you got to the point
21 where you said, oops, LD 14 now is too few
22 people, LD 2 has too many people. What you
23 could have done then is, taken LD 1, which
24 is under-populated, moved that line a little
25 bit into LD 2, and balance out LD 2 again,

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2 and brought some more people in from the
3 north Main Street area in order to maintain
4 a more perfect map. I understand it
5 wouldn't be perfect, but there was an
6 opportunity there to do that.

7 These people behind you wouldn't
8 be alleging Voting Rights Act violations had
9 you taken a little bit more time to be
10 considerate of that possibility.

11 So let me just ask you, and I
12 said this before, you are very button down,
13 you are very precise, you give a great deal
14 of thought to everything you do, I have
15 known you for 10 years now, I know that to
16 be a fact. But, in this case, you chose
17 what I'm going to call, a rush to judgement
18 to disenfranchise that part of Hempstead and
19 to create a third legislator representing
20 that part of the community, putting them in
21 a district that they don't share any
22 demographics with.

23 MR. MORONEY: In order to make a
24 determination as to whether or not
25 population is moved in and moved out of an

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2 area, the first standard is One Person One
3 Vote. The perfect world would be a zero
4 deviation. Each district would have exactly
5 70,573 people in it.

6 In determining where particular
7 lines go, and I can't speak to that
8 particular line, I don't know why it was put
9 there, but the first thing you would want to
10 do, before you would draw the conclusion
11 that you've just drawn, is to do an analysis
12 of that district to make sure that it was
13 populated primarily with people who qualify
14 as minorities for minority Voting Rights Act
15 protection. I don't know the answer to that
16 seminal question. It may be that it is. It
17 may also be that it isn't. That's number
18 one.

19 Your question presupposes that
20 that population, that 5,000 population, and
21 the other \$2,600 which is in an area just,
22 I believe, west of there, is that kind of
23 population. The kind of population that
24 falls into the category of a protected
25 Voting Rights Act minority.

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2 Again, I don't know that that's
3 the case. But you still have to go towards
4 the ideal number. It is that which you look
5 towards. I'm not sure that 5,000 people
6 being taken out of District Number 14
7 doesn't create a constitutional issue
8 because, if you take 5,000 people out of
9 District 14 you now are, at the very best,
10 at the outer edge of an under-populated
11 district.

12 You can't just take from one
13 without looking at the consequences of the
14 other, therefore, Jell-O. It has a
15 consequence. You have to measure the
16 consequence. Then you have to figure out
17 where you're going to get that population
18 from. That's where the effect, and I also
19 call it the balloon effect, because when
20 you're pushing one side, it goes out the
21 other side. That's where you have to
22 measure the effect. That's the abstract
23 answer.

24 The specific answer, again,
25 without evaluating the population of that

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2 area, I couldn't tell you if it was
3 worthwhile doing that, or if not doing it
4 constitutes a Voting Rights Act violation.
5 I think the voting rights standard that
6 needs to be met is one that relates to the
7 population as a whole. It may very well be
8 the opposite of cracking is packing.
9 Somebody might be making that argument today
10 if that had been done that other way. I
11 don't know that. Again, you have to
12 evaluate that specific or specific census
13 blocks to determine what the census shows.
14 I think in that you might find a solution,
15 but, again, without doing that, I can't
16 really address it except in the abstract.

17 LEGISLATOR TROIANO: Mr. Moroney,
18 as I said, you are a very good witness in
19 your position and very good at deflecting
20 what is one question into another question.
21 I was being very clear. I'm giving you --
22 I'm acknowledging that keeping this Jell-O
23 mold is hard to do.

24 I was very clear, I thought, and
25 I thought I was going on too long by giving

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2 you an example. Do take census track by
3 census track. Not all 5,000 people take one
4 track at a time and let's see -- let's put
5 that back in LD 2 and let's see what that
6 does to our numbers. You haven't addressed
7 that question. That's what I'm asking you.

8 As for a constitutional issue,
9 maybe, but that area is putting LD 2 by a
10 federal judge concerned only about
11 constitutional issues in 1996.

12 MR. MORONEY: No.

13 LEGISLATOR TROIANO: Let me
14 finish, please. And now you come to us and
15 say, you said this yourself, just now,
16 without knowing, without doing any analysis,
17 which is offensive to me that you're coming
18 here carrying water for this map, that you
19 don't know the answer, because why are you
20 here if you can't answer basic questions
21 about how the map was drawn.

22 And so if there is somebody else
23 that prepared the map and can answer those
24 questions, let's have them come down now and
25 answer that question.

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2 MR. MORONEY: Let me just go back
3 and say one thing. First off, this district
4 was not drawn by a federal judge or federal
5 magistrate in 1996.

6 This map was drawn by the
7 Commission on Government Revision. It
8 approved it. It was approved by the County
9 Board of Legislators. They put it out for
10 referendum and it was approved by the people
11 of Nassau County. This was not a court
12 imposed map. This was a court driven
13 process to collect a One Person One Vote
14 violation with respect to the weighted
15 voting of the board of supervisors. That's
16 number one.

17 Number two, I'm here to explain
18 what the map is, what it does. And,
19 respectfully, I'm not here to redraw the map
20 on the fly from the floor of the legislative
21 chamber and explain to you why other people
22 didn't do the kind of analysis that you did
23 which may or may not have occurred.

24 We go back to the basic premise,
25 you have a map, again, you have a district

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2 that is perfectly legitimate
3 minority/majority district by every standard
4 available. And it will, I believe, it will
5 be sustained as when a lawsuit is commenced.

6 I think the same is true about
7 Districts 1 and 3. The Village of Hempstead
8 was always split in two. We know that. It
9 was split twice in the first map. The
10 districts are virtually the same as they
11 were in the first map.

12 A choice was paid to balance
13 population. In the Democratic map, the
14 choice was made to take Lakeview out of the
15 district and put it into District 5 for
16 policy reasons I assume, and the decision
17 here was made to put Lakeview back in, but
18 to do that, you now had to excise other
19 population from a different area. That's
20 the way this process works.

21 LEGISLATOR TROIANO: I'm going to
22 end now, but, again, you deflected from the
23 map we are being asked to vote on, to a
24 Democratic map that is not even part of this
25 proceeding, and I'm not sure how we even got

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2 into this discussion.

3 I'm just going to say that I
4 think I provided another way that this could
5 have been done and could still be done,
6 which would be to try to incorporate as much
7 of that north Main Street area as we
8 possibly could, as it's been for the last 16
9 years, 17 years, of the county legislature,
10 and that could have been done and maintained
11 a population balance in District 1, District
12 2, and District 14. So I just wanted to put
13 that on the record that that could have been
14 done. Thank you.

15 MR. MORONEY: Thank you.

16 CHAIRWOMAN GONSALVES: Legislator
17 Jacobs.

18 LEGISLATOR JACOBS: I have one
19 question and one statement.

20 MR. MORONEY: Sure.

21 LEGISLATOR JACOBS: Did any
22 experts, the experts that drew up the map
23 originally, or others, did any experts at
24 all review the changes that have been made
25 to the map, and, if so, what was their

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2 response?

3 MR. MORONEY: I'm not sure that's
4 a question of privilege or not, but, as I
5 understand it, everybody who has been
6 involved in this process has asserted that
7 it meets all the standards necessary to
8 muster or to stand up to a constitutional or
9 Voting Rights Act challenge.

10 LEGISLATOR JACOBS: So you're not
11 going to go into specifics as to who weighed
12 in on it; like Jones Day, for example, or I
13 forgot their name --

14 MR. MORONEY: I've already
15 testified that Jones Day looked at the map.

16 LEGISLATOR JACOBS: I'm just
17 asking because I know changes were made and
18 some, obviously, very good, some -- I just
19 wonder with the questions that have just
20 been asked, did anyone weigh in on these
21 changes that are before us today that we are
22 voting on?

23 MR. MORONEY: Yes.

24 LEGISLATOR JACOBS: Was it Jones
25 Day again?

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2 MR. MORONEY: Jones Day gave an
3 opinion as to what they thought of the
4 mapping process and the statistics that were
5 provided to them, and in response to
6 Mr. Klein's next question, though, it was
7 not in writing.

8 LEGISLATOR JACOBS: Okay. But it
9 was since -- and obviously I'm going to
10 guess something and please correct me if I'm
11 wrong, it was between the last hearing we
12 had and this hearing, because the changes
13 just happened?

14 MR. MORONEY: No. Absolutely
15 not. I have not spoken to Jones Day since
16 December.

17 LEGISLATOR JACOBS: All right.
18 So let me just ask you another question.
19 Let me amend the answer because I think I
20 answered a different question than you asked
21 me.

22 LEGISLATOR JACOBS: Maybe.

23 MR. MORONEY: I have not spoken
24 with anybody, or have been told by anyone,
25 other than the demographers, that this map

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2 meets all the standards necessary. And I
3 have not spoken to Jones Day about it at all
4 subsequent to those December conversations.

5 LEGISLATOR JACOBS: So how would
6 you explain these changes, based on the
7 input of that hearing, the last hearing?
8 It's so hard to remember which hearing. The
9 last hearing on this map.

10 MR. MORONEY: You mean Jericho
11 Gardens, and Legislator Denenberg's --

12 LEGISLATOR JACOBS: Yes.

13 MR. MORONEY: That was a
14 direction from the chair to take a look at
15 -- to go in and see if it could be done and
16 keep within the deviation and accomplish the
17 two goals that were set out by the presiding
18 officer.

19 LEGISLATOR JACOBS: So, now, let
20 me just share something. I don't expect you
21 to respond, but I would just like to say
22 this on the record.

23 In 1995, when the legislature was
24 first formed, there was a map that became
25 the map of the legislature that obviously

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2 was slanted in a certain way, and, low and
3 behold, within those lines the majority
4 changed in the legislature.

5 MR. MORONEY: Correct.

6 LEGISLATOR JACOBS: In 2003,
7 another map was created. And, again, the
8 first map was created by a majority of the
9 Republicans. The second map by a majority
10 of Democrats. And, in both cases, the
11 representation from those two maps changed
12 somewhere in the midstream. That, to me, is
13 fair fight districts, right?

14 Now, here we are with this map,
15 and no one has any idea what's going to
16 happen in the next ten years. For all we
17 know, this map can change very easily for
18 whatever happens in November to, let's say,
19 five years from then.

20 I, actually, believe that if
21 there's anything good that comes from this
22 whole process, I believe in a bipartisan
23 way, and I really mean this from the bottom
24 of my heart, somehow we should join the
25 municipalities out there that deviate

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2 completely away from the political drawing
3 of the map, and go to a redistricting
4 process that's really, by partisan
5 agreement, in the hands of the good
6 government groups.

7 We have to pass something. We
8 have time. We have to pass something that
9 renders it legal and binding. And I realize
10 that sometimes it means a magistrate ends up
11 drawing those lines, but I think it would
12 remove it from the sense of -- I don't want
13 to use anything too strong, but I
14 understand, I'm listening to people for many
15 days of meetings.

16 I think if we remove the distrust
17 that people sense as to why something or
18 something else is being done in a certain
19 way, and I actually think for both our
20 houses, it would be refreshing for the
21 public out there to feel that we could find
22 that agreement able to be done. It might
23 even require us to -- I think it would, an
24 amendment to our charter to allow for it,
25 but grab it out of the political arena

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2 completely. And I'm not talking today's,
3 I'm talking about -- I'm looking forward to
4 ten years from now. Because those ten years
5 go by in a flash.

6 I could see -- I hate what I see
7 when I heard people today. And I know the
8 distrust that people feel. Look, as a
9 legislator, of course I'm happy to have a
10 district, but I lose half of Syosset, half
11 of Woodbury where I live. I think every
12 legislator up here can tell you something
13 that happened to them, that is really right
14 to the core of what their district is about.

15 I think -- I actually believe
16 that's something we could do that would
17 render it out of this arena, or even that
18 commission which I'm sure all of you, you,
19 Bonnie, and the commission members worked
20 very hard on, would have much more -- where
21 this would be much more meaningful than the
22 exercise you went through which, in fact,
23 ends up, I believe, in every case causing
24 some distrust when there's people that don't
25 agree with what has been done. It's just a

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2 statement. I don't even know if you agree
3 with me or not, or if you even think it
4 could be done. But I think it's worth
5 looking at.

6 We are growing up. 1995 now
7 seems ages away. It was really less than 20
8 years away, but the truth of the matter is,
9 it could be something that we could finally
10 find something to grab us together and do it
11 right.

12 MR. MORONEY: As to the substance
13 of your proposal, I won't comment. But I
14 will tell you that at the very first
15 business meeting of the commission, I went
16 out of my way to admonish everybody that
17 these districts of this size are very
18 sensitive to public policy choices, and
19 pointed out, as you just did, that both
20 maps, designed one way and designed the
21 other way, yielded majorities in both
22 parties. You know, the prediction of how
23 these districts will function is a very
24 suspect science.

25 LEGISLATOR JACOBS: Absolutely.

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2 I agree with you. And that's why I'm saying
3 this. Because I think if that same
4 beginning of ten years from now on a
5 bipartisan non-political group, would not be
6 looked at with such distrust from the
7 beginning, because it would be removed from
8 the political arena.

9 I don't know if it could be done,
10 I don't know if logically it can be done.
11 Someone has got to put people on this
12 committee, but I know it's been done
13 successfully throughout the country in
14 different areas and I think it's a
15 worthwhile exercise to investigate and see
16 if everyone would agree to try it because, I
17 don't know, this does not make anyone feel
18 good when you hear what's gone on.

19 I'm sure, whether I agree
20 completely with everything you say, or you
21 agree with me, no one likes this. Nobody
22 likes to hear people feeling so distrustful
23 of what we've done and what has been
24 accomplished, and I think there might be
25 ways to fix it. I think it behooves us to

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2 try to be part of a change for the good.
3 That's all.

4 MR. MORONEY: Thank you.

5 LEGISLATOR JACOBS: Thank you.

6 CHAIRWOMAN GONSALVES: Thank you,
7 Legislator Jacobs. Legislator Denenberg.

8 LEGISLATOR DENENBERG: Mr.
9 Moroney, I'm going to pick up where I left
10 off when you and I spoke last week, and I
11 appreciate what you just said, but also I
12 understand that the presiding officer and,
13 particularly, also, Legislator Ford had
14 pointed out that these lines were literally
15 drawn extremely close to my house, and that
16 putting me back into the 19th District was
17 something that could and should be done.

18 But I was extremely concerned
19 that communities of interest should, where
20 possible, be kept together and you agreed
21 with me, correct?

22 MR. MORONEY: Yes.

23 LEGISLATOR DENENBERG: I also
24 thought that we should be blind, as you've
25 always said, to incumbency whether we

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2 shouldn't favor it, and we certainly
3 shouldn't draw a line to try to grab someone
4 out either, we should be blind to
5 incumbency, and you agreed, right?

6 MR. MORONEY: Yes. And also grab
7 somebody in.

8 LEGISLATOR DENENBERG: Correct.
9 So what would seem to me to make the most
10 sense is keep all of Merrick together,
11 without regard to where my house is, as
12 opposed to taking out just a very small,
13 less than half mile square area, east of the
14 Meadowbrook Parkway, west of Merrick Avenue,
15 north of Merrick Road, and south of Sunrise
16 Highway, for that to be taken out of the
17 Merrick community in a way that I thought
18 was really to pull me out of it, I thought
19 was wrong, and that, to correct it, why not
20 put all of that community of interest back
21 together which would not leave the 5th
22 District less than the acceptable population
23 deviation from the mean, nor make the 19th
24 grow out of that acceptable population
25 deviation.

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2 So where I'm appreciative that my
3 house is now in Merrick, which it always was
4 in my district, which it had been for, you
5 know, since even before I was a legislator,
6 why can't we just put that small area of
7 Merrick back into the 19th so that a
8 community of interest be kept together?

9 MR. MORONEY: That direction was
10 not given to the demographer to do.

11 LEGISLATOR DENENBERG: I don't
12 really get that because, you and I, that was
13 the line of my questioning was really
14 questioning that a community of interest,
15 and in this case, Merrick, could be kept
16 together without, as Legislator Troiano
17 pointed out, without that Jell-O mold being
18 pushed in any different direction.

19 I'm sure, and I've counted it
20 again and again, that the 19th would be
21 within the population deviation, and the 5th
22 would be within the population deviation, if
23 that small area, which is really less than
24 where, at most, two election districts, are
25 just put back into the 19th District. And

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2 those two districts -- I'm sorry, that small
3 area has always been in the 19th District,
4 since 1995.

5 MR. MORONEY: As I understand it,
6 that choice has been made and the map is as
7 it appears.

8 LEGISLATOR DENENBERG: You know
9 what, a lot was made and I appreciate all
10 the people from Merrick, Bellmore, Wantagh
11 that came down. And, if I was understanding
12 them correct, they didn't want myself
13 targeted to be taken out of the 19th, were
14 appreciative that I was put back in, but,
15 just as important, the concept was to keep
16 Merrick, the community, whole, and not
17 needlessly split.

18 I know that we haven't achieved
19 that goal. I'm showing you a community of
20 interest that could be together without
21 anything changing.

22 MR. MORONEY: I don't believe
23 there are going to be any other changes to
24 this map.

25 LEGISLATOR DENENBERG: I guess I

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2 can count -- we know that. I'm just
3 expressing my disappointment. Because
4 Merrick can be kept together and, to me, I
5 wasn't just fighting for where I live. I
6 was fighting for my neighbors too. And I'm
7 in a funny -- forget about my situation. My
8 block, I'm the only one on my block who is
9 back in the 19th, literally, the only one on
10 my block, McCord Avenue that is going to be
11 in the 19th, in that half a square mile
12 area, it's population wouldn't change a
13 thing. The 19th would be within an
14 acceptable deviation, and the 5th will, and
15 we can just do the right thing.

16 That's your answer to doing the
17 right thing, making a face?

18 MR. MORONEY: Please. You're
19 unhappy. There is plenty of people in this
20 process that are unhappy.

21 LEGISLATOR DENENBERG: Seems like
22 every one is unhappy except for maybe 11
23 people in this room.

24 MR. MORONEY: The map, as it is
25 laid out in front of you, is the subject of

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2 an amendment, and there are no other
3 amendments pending or planned. I can stand
4 here and maybe deflect it a bit, but that's
5 just the plain truth.

6 LEGISLATOR DENENBERG: You know
7 what, let me just ask you one question and
8 then I will sum it up.

9 But you said since December you
10 haven't consulted with counsel regarding the
11 map; is that correct?

12 MR. MORONEY: That's correct.

13 LEGISLATOR DENENBERG: So we had
14 revisions twice since then, the revisions
15 last week, and the revisions prior to the
16 meeting of February 26th, correct?

17 MR. MORONEY: Correct.

18 LEGISLATOR DENENBERG: So in both
19 those changes, you didn't find it necessary
20 to consult with counsel?

21 MR. MORONEY: On both of those
22 changes, I was not a part of that, that was
23 with the presiding officer and her
24 designees. Did I? No. Did they? That may
25 or may not have occurred.

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2 LEGISLATOR DENENBERG: Let me sum
3 up -- I think that we can sum up the attempt
4 here, and, again, while I appreciate
5 Legislators Gonsalves and Ford on a personal
6 level, if we could move two blocks and one
7 house on McCord Avenue in Merrick, back into
8 Merrick, we could have moved that little
9 area, that finger, or knuckle, as someone
10 said, that was taken out of Merrick, and the
11 19th back in, and I'm very unhappy that my
12 community, which could have been kept whole
13 is not whole, and there was no reason to do
14 it but partisan politics.

15 You're right, what Scottie just
16 said, I would think it wasn't too late, but,
17 that's it, I don't have any further points.

18 CHAIRWOMAN GONSALVES: Legislator
19 Bosworth, please.

20 LEGISLATOR BOSWORTH: Thank you.

21 So the last time when we met I
22 spoke about process and procedure. I'm
23 sitting here today and I'm frankly very
24 perplexed.

25 This is a hearing and we had

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2 people from the public, and we appreciate
3 all of you who came out here today, who came
4 to speak and to ask questions and once again
5 they were told they were going to be heard
6 but their questions would not be answered.

7 I don't understand how people
8 come and have questions asked on a day
9 where, in fact, it probably -- there's
10 clearly going to be a vote taken and they
11 still don't have the opportunity to have
12 those questions answered. When are their
13 questions answered?

14 MR. MORONEY: I'm not sure which
15 question you are referring to, but --

16 LEGISLATOR BOSWORTH: There were
17 many. I'm sorry, go ahead.

18 MR. MORONEY: That's okay. I
19 understand. Look, I'm understanding as to
20 what this process is about. Every
21 districting, every districting, makes some
22 people happy and some people unhappy.

23 You cannot, try as you might, to
24 be perfect, come up with a map that makes
25 everybody happy. It's impossible.

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2 Perfection is not a standard, it's a goal.
3 The standards are the standards that are set
4 by the law. In this instance, this map
5 beats those standards. And it's being
6 criticized for beating them a lot.

7 That needs to be said because
8 this is not somebody who found, or some
9 process that's found the absolute edge of
10 the law and is walking right along that
11 line. This is a situation where lots of
12 things were done to try to achieve that
13 perfection.

14 The problem with anything you do
15 is you create problems every time you change
16 something. Those things press the edge of
17 legality. Ten percent is not a goal. Ten
18 percent is a limit.

19 The goal is to get below ten
20 percent, not to be at it. Unless there is
21 some exigent circumstances, some strange
22 circumstances, you have to be able to defend
23 a larger deviation. So there's lots of stuff
24 here to make people happy. There's lots of
25 stuff here to make people unhappy.

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2 For example, Legislator
3 Muscarella mentioned dividing Levittown into
4 three areas. There's a proposal to divide
5 the barrier island, but, yet, the people
6 from the barrier island wanted to be kept
7 together. There was a proposal to put Great
8 Neck back together, one, that I know is dear
9 to you, that has consequences.

10 Everything you do moves through
11 the map. It's like a sound wave, it just
12 continues to move, better than Jell-O. And
13 I think that's what has to be understood,
14 even if it doesn't make people happy.
15 Nobody is here, nobody is here to cause
16 consternation and unhappiness.

17 I know that lots of people
18 believe that, but that's just the simple
19 reality of it.

20 LEGISLATOR BOSWORTH: And,
21 Mr. Moroney, I understand what you're
22 saying. Some people are going to be happy,
23 some people aren't going to be happy, but
24 that really wasn't what I was asking.

25 I was saying that people came

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2 here today with questions, and whether the
3 answers to the questions were going to make
4 them happy or not, they were told their
5 questions would not be answered. That's
6 what I take issue with.

7 Again, the answers may not have
8 made everybody happy, may not have made
9 anybody happy, but, yet, it would seem to me
10 that if people take the time to come to this
11 august chamber and spend the entire day
12 here, and ask a question, they are entitled
13 to get an answer.

14 MR. MORONEY: I respect that
15 objection.

16 LEGISLATOR BOSWORTH: The other
17 thing that was difficult was that, we, as a
18 legislature, were never really given the
19 opportunity to ask questions of those who
20 drew the maps. We weren't able to ask
21 questions of those who were setting the
22 policy, to even find out what those policy
23 decisions were.

24 We've been told again and again,
25 these are policy decisions, but, I must tell

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2 you, I don't know what those policy
3 decisions were.

4 So that is a question, you've
5 been asked that. You've not been in a
6 position to answer that since this is the
7 last time we have the opportunity to ask
8 questions, who would be in a position to
9 answer that question?

10 MR. MORONEY: Sorry. I always
11 pay attention when Bill yells at me.

12 LEGISLATOR BOSWORTH: As do I.

13 MR. MORONEY: I would defer that
14 to the members of the majority. I don't
15 know that I an answer for you.

16 LEGISLATOR BOSWORTH: So,
17 presiding officer, since we've not had an
18 opportunity to ask that question --

19 CHAIRWOMAN GONSALVES: I believe
20 at one point in the hearing, if it was not
21 last week it was at the Rules Committee,
22 that question was asked of me. I said that
23 the policy decisions were based upon the
24 constitutional ramifications that
25 redistricting takes into consideration. The

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2 equal representation of the districts. The
3 preservation of the principle of One Person
4 One Vote. And, of course, that each
5 district should be equally -- have equal
6 representation.

7 LEGISLATOR BOSWORTH: So,
8 although I'm not on the Rules Committee, I
9 did come to the session because I wanted to
10 have the benefit of the discussion that took
11 place. So you'll forgive me if I say that
12 those are very generalized statements, but,
13 yet, we've not had the opportunity to ask
14 about any of the individual decisions that
15 were made, and perhaps it would have been
16 helpful to have the people who drew the map,
17 or to find out what instructions they were
18 given other than to follow that.

19 It would seem when you have a
20 situation of one of the areas in my
21 district, Manhasset, that now has three
22 legislators, or Roslyn, that now has four
23 legislators, or Hempstead, that -- you know,
24 all these different areas that were in fact
25 split up, was there some philosophy that

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2 went behind choosing these particular areas.
3 I think those are legitimate questions to
4 ask.

5 CHAIRWOMAN GONSALVES: Let me say
6 something to you and I don't want to
7 resurrect the past because I'm not that
8 comfortable with it. But ten years ago it
9 was a policy decision that was made and,
10 where the lines are drawn, are based on
11 those principles I just mentioned. That's
12 the reason why you see what you have.

13 I can tell you that, as
14 Mr. Moroney said, we are not all happy. My
15 district was also divided. And ten years
16 ago it was divided even more. But we live
17 with it. Based upon the fact that if the
18 policy is based on the Constitution and the
19 Voting Rights Law, then I think that we owe
20 it to the residents to make sure that the
21 lines that are drawn are lines that
22 certainly keep those principles in mind.

23 I know that many of you have been
24 here for three sessions of the rules, full
25 leg last week, and, again, today. We have

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2 tried, to the best of our ability, to make
3 sure that this is the best map that we can
4 offer for the residents of Nassau County.

5 I know you're not going to agree
6 with me, and I know that you have legitimate
7 concerns. I was very willing to listen and
8 we listened intently for the last three
9 sessions.

10 But, remember one thing, that all
11 of us and many of you out there have said
12 this time and time again, we may represent a
13 district, but we also represent Nassau
14 County. I, for one, and I'm going to tell
15 you right now, I have an area in my East
16 Meadow School District that calls itself
17 Salisbury. Ten years ago, Salisbury was not
18 part of my district. I was very upset that
19 it was not part of any district. Did I
20 serve Salisbury? I damn well did. Because
21 it's important to me that if people address
22 me as a legislator, that I try to help them
23 in whatever way I can.

24 Also, ten years ago, ten years
25 ago, and the lines were drawn the way they

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2 were supposedly, based upon policy, half of
3 north Bellmore was taken away from my
4 district. And the other part of my
5 district, which was Wantagh, was also
6 removed.

7 So you know what? I wasn't happy
8 then. I wasn't completely happy with the
9 way things go all the time, but I'm a
10 legislator. You have to remember one thing
11 out there. That each and every one has an
12 obligation to address the concerns of every
13 resident in this county. Every.

14 I'm sorry, but I have the floor
15 right now, and I think that I have been very
16 quiet, and there has never been a time when
17 residents of this district called my office
18 and I would tell them call your legislator.

19 So, again, Legislator Bosworth,
20 this is the way it happened. The lines were
21 drawn based upon that policy and,
22 unfortunately, we were not able to make
23 those other changes. We listened to
24 Legislator Troiano last week and the
25 residents of Merrick regarding Legislator

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2 Denenberg, and we were able to, in a timely
3 fashion, make the amendments to this map.

4 So, like I said, there are some
5 people who will be happy, and there's going
6 to be some people who will not be happy. I
7 just want to believe that we did the right
8 thing.

9 LEGISLATOR BOSWORTH: Thank you.
10 And I appreciate what you're saying. It's
11 just that I know you refer to ten years ago
12 and there were many of us who weren't here
13 ten years ago. But it just seems to me as
14 we progress as a society, and as we progress
15 in our Democratic world, there is a desire
16 on the part of all our residents for greater
17 transparency to have a sense of what is
18 happening and why it's happening.

19 So I'm perplexed that there was
20 not ever a representative from Skyline here
21 to answer questions. I think the goal
22 always is to have as much transparency as
23 possible and that something was lacking in
24 this process. Thank you.

25 LEGISLATOR DENENBERG: Norma,

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2 since you just stated how you went out of
3 your way to put me back in my district, and
4 I did thank you and Legislator Ford, I would
5 just implore you before you vote, to put all
6 of Merrick together would not be hard, and
7 you and I both shared North Bellmore, and
8 I'm not starting up with the fact that I
9 would be losing it all together, but to the
10 extent we can keep communities together
11 without affecting the population deviation
12 for the districts, we should. That's all
13 I'm saying. And we can do that for Merrick.
14 Thank you.

15 CHAIRWOMAN GONSALVES: Legislator
16 Wink.

17 LEGISLATOR WINK: Madam Presiding
18 Officer, with all due respect to your hand
19 ringing about not getting to represent the
20 communities of your choosing, the fact of
21 the matter is, this redistricting, for the
22 first time, in an unprecedented fashion,
23 puts two incumbents in the same district
24 together. So one of us, either Delia
25 DeRiggi-Whitton or myself, will not be here

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2 next year, so all the talk of, not getting
3 to represent all the people you want, and
4 not turning down people, even though that's
5 not your district, will not apply to one of
6 us.

7 At the end of the day, that's the
8 unprecedented action that this legislature
9 is looking to take today, to make one of us
10 a former legislator without regard to who,
11 what constituency is, or is not being
12 represented. So let's not make this
13 something it's not. We all have represented
14 communities or not have the chance to
15 represent communities of our choosing. But,
16 at the end of the day, one of the two of us
17 will not be here in January, and one of the
18 two of us will not get to represent the
19 constituency that we have served diligently,
20 in Delia's case for the last two years, or
21 in my case for the last six plus years.

22 CHAIRWOMAN GONSALVES: Legislator
23 Kevan Abrahams.

24 LEGISLATOR ABRAHAMS: Thank you,
25 Madam Presiding Officer.

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2 Mr. Moroney, I don't have any
3 questions. I think my side of the aisle
4 went through all the questions, so thank you
5 very much.

6 I just want to talk a couple of
7 things about where we have been coming from
8 to where we are today. Obviously my points
9 are more tailored to the process and then
10 obviously the issues that the community and
11 the residents of Nassau County have
12 expressed which, from our standpoint, tie
13 into the disenfranchisement of Elmont,
14 Hempstead, Five Towns, what we are seeing in
15 Roslyn, throughout this entire map of it not
16 being contiguous.

17 But, generally, our points have
18 been made from the beginning. All of you in
19 this room, I'm willing to bet, were part of
20 this process since May or June of 2011 when
21 this affront began with this particular
22 event.

23 From that standpoint alone, I
24 think every one up here has to understand
25 that there was a level of distrust from that

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2 distrust from that standpoint. We are
3 starting at a negative, folks, not at a
4 positive.

5 The bottom line is, when you
6 start at that negative, we're starting at a
7 point where we have to earn the folks in
8 that audience's trust.

9 This process from the get-go
10 talked about having hearings, having
11 hearings in the community, but also having
12 hearings in the community with this map.
13 This map was delivered a few days after the
14 Christmas holiday. It had one hearing on
15 January 3rd, and then, from there, did not
16 receive the necessary votes to move forward,
17 kind of fell flat on its face, and I say
18 "this map" meaning this process. The map
19 that's before us obviously was amended to
20 reflect the changes to include Legislator
21 Denenberg as well as the changes for Jericho
22 Gardens in Legislative District 2.

23 But this process has only had a
24 fair hearing, a fair airing, for the last
25 eight weeks. Something that will impact you

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2 for the next ten years, has only had an --
3 you've only had an impact on it for the last
4 eight weeks. There is something that seems
5 to be wrong with that process in 2013 in
6 this country where we like to promote as
7 much as we can, transparency as well as
8 democracy. It just seems to be something
9 glaringly wrong.

10 But not to regurgitate, we know
11 the issues. Elmont, and I said this before,
12 Elmont basically has a community within LD 3
13 that has elected a candidate of their
14 choosing, Carrie A. Solages, coming from the
15 minority community, the Haitian population
16 in that area, has already been elected.

17 By stretching Elmont down through
18 Inwood is a constitutional, we believe, a
19 constitutional violation, because basically
20 what you're doing is, you're taking a
21 district that's already trending towards
22 electing a candidate of their choosing no
23 matter what, it's already done that, and
24 you're doing that strictly based on race.
25 You are making it more of a minority

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2 community strictly based on race when it's
3 already trending in that direction already.
4 That's number one.

5 Number two, the issues with the
6 Village of Hempstead, and I don't know what
7 else we need to see. The mayor of the
8 village of Hempstead testified that
9 basically he would like to see his community
10 whole. I think it speaks to the fact also
11 that I believe when other complaints were
12 made, whether they be in Great Neck or
13 talked about, the other changes that were
14 made throughout the map that I believe came
15 up, I think some issues with Hempstead and
16 then Lakeview, Baldwin, those changes were
17 made but the changes specifically in regards
18 to these 7,600 people have not been changed.
19 So I would like to think that the mayor of
20 the largest village of the State of New York
21 would have some rank, some say in order to
22 be able to do that. I think Legislator
23 Troiano said it best, could you shift all
24 the people from the 7,600 that we truly
25 believe have been disenfranchised into LD

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2 14, can you shift them back all in without
3 changing numbers? No. You would probably
4 have to move some people back into the 14th,
5 and you probably would have to move some
6 people from the LD 2 to LD 1.

7 It's not a perfect scenario, but
8 you can do a better map than what we have
9 today. Rather than taking 7,600 people who
10 are traditionally seen their issues, and
11 addressed their issues through the
12 legislator who represented them through LD
13 2, now you have a community that's basically
14 going to be right across the street from
15 each other saying, one, I'm going to
16 advocate to my legislator who is LD 14,
17 whoever that will be, and the other person
18 advocating to Legislator Troiano, and if you
19 live on the southern eastern portion,
20 they're going to advocate to me. I think
21 for the largest village of the State of New
22 York, that's wrong.

23 I still can't understand for the
24 life of me where an area as traditional as
25 the Five Towns can be split into so many

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2 areas.

3 I was listening to my good
4 friend, Howard Kopel, talk about the fact
5 that there are two council persons and tons
6 of trustees and so on and so forth. I
7 understand that.

8 But, this is an area that, since
9 1995, since the creation of this
10 legislature, has been intact. I couldn't
11 understand for the life of me, maybe if you
12 wanted to split it into two, maybe three,
13 but the fact that it's been split into four
14 separate areas, one of which when you take
15 Elmont and connect it to Inwood, I just
16 truly believe it's wrong.

17 I don't know if it's been
18 conveyed to the folks of the Five Towns of
19 what exactly they're about to endure, but
20 trying to imagine, I couldn't imagine trying
21 to explain to somebody who could be from
22 Woodmere or Lawrence or Cedarhurst, who is
23 their legislator.

24 Generally, in the past, it always
25 became easy. It was Legislator Toback,

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2 before that Legislator Blakeman, and now
3 it's my good friend, Legislator Kopel. Now,
4 trying to go through that mishmash to try to
5 explain which legislator represents that
6 area is a disgrace. And the folks in the
7 Five Towns should be upset because of it.

8 And last thing but not least, and
9 I think Legislator Wink said it best, to
10 take the area of Roslyn and split it into
11 four parts, and, look, we understand, and I
12 know, I heard Rich Nicoletto talk about,
13 Legislator Nicoletto talk about, well, maybe
14 it was Vinny, Legislator Muscarella talk
15 about it, that our map split Levittown into
16 three different sections. Our map did this
17 and our map did that. Granted, you know
18 what? Was our map a perfect map in 2003?
19 Maybe, maybe not.

20 But I don't know how, when you
21 guys are saying that, you're saying it
22 because we did something wrong and you guys
23 are trying to score and make it even, but
24 that's the way it's coming off. That we did
25 this to an area which Levittown is

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2 represented, and I would truly believe,
3 represented by Dennis Dunne, to the best of
4 his abilities, and it sounded like to me, we
5 were take taking that particular stance,
6 based on what I heard earlier today, and
7 saying, you know what? You're splitting
8 Levittown, you're splitting Levittown ten
9 years ago, therefore, it's fair enough to
10 split Roslyn four ways this time around. It
11 almost sounded like pay back.

12 I got to tell you, from our
13 standpoint, when we took the leadership role
14 in 2003, and you guys can say what you want
15 to say, but when we took the leadership role
16 in 2003, we never imagined something to the
17 magnitude of pay back, to pay you back for
18 what we perceived you might have done in
19 1995, that's not what leaders do. We never
20 took the position in 2003 that we are going
21 to take some of our colleagues, though I
22 know it could be considered a policy
23 decision, but take some of our colleagues
24 that we've served with, and I truly believe
25 the 19 people up here truly believe and

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2 serve their constituencies to the best of
3 their abilities.

4 But we never thought of in a
5 million years in 2003, say, you know what,
6 let's put Peter Schmitt, and at that time,
7 our good friend, Sal Pontillo in the same
8 district. Let's take the presiding officer
9 and Dennis Dunne and put them in the same
10 district. I mean, the level of -- it's not
11 even disrespect, it's beyond that. It just
12 seems to me that it looks to be more
13 chutzpah. The Jewish in me came out a
14 little bit. As an aside, my grandfather
15 migrated from Syria, was Jewish, and I guess
16 the Jewish in me didn't quite come out quite
17 right.

18 LEGISLATOR DENENBERG: We all
19 always thought you looked Jewish.

20 LEGISLATOR ABRAHAMS: That said,
21 I pretty much, I guess I could end on that
22 note. Not too much more to say.

23 I just want to close and say
24 that, we saw and we heard from hundreds and
25 hundreds of people throughout this county,

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2 and other than, I believe, Mr. Budnick, from
3 Massapequa, correct me if I'm wrong, and
4 maybe one other person, it was a lady also
5 from Norma's district, the other hundred
6 something, hundreds and thousands of e-mails
7 and letters have pretty much said that they
8 wanted this map to not be approved. I just
9 think we will be speaking one totally
10 against democracy, but then more, two, the
11 fact that this process has failed these
12 people, will be even be a greater slap in
13 the face to vote for this map, and I'm going
14 to strongly suggest to our side that we
15 resoundingly vote no. Thank you.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Legislator Abrahams. With regard to
18 Legislator Abrahams' allegations that this
19 map constitutes a racial gerrymand, we heard
20 from Mr. Moroney. The goals of this
21 redistricting were to minimize the overall
22 population deviations so as to guarantee the
23 constitutional protection of One Person One
24 Vote which I mentioned to you before; keep
25 communities of interest together, and we

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2 did. 99 of 134 census designated places are
3 kept entirely whole, as our 53 villages and
4 with limited town splits as well. We've
5 kept districts compact and contiguous. And,
6 as we heard from Mr. Moroney, there existed
7 three majority/minority districts before the
8 2010 census, and there exists today three
9 majority/minority districts under the
10 proposed amendment.

11 As for Mr. Moroney testifying
12 each of these three districts maintains its
13 core communities under the proposed
14 amendment, and at this point I will ask that
15 a motion be taken to close this hearing.

16 LEGISLATOR NICOLELLO: So moved.

17 LEGISLATOR MUSCARELLA: Second.

18 CHAIRWOMAN GONSALVES: Made by
19 Legislator Nicolello, and seconded by
20 Legislator Muscarella. All those in favor
21 of closing the hearing?

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The hearing is now closed. It

1 Full Legislature/3-5-13
2 has been requested that we take a 15 minute
3 recess. I did not request it. The minority
4 requested it.

5 LEGISLATOR ABRAHAMS: To be fair
6 to the presiding officer, the request was
7 made on behalf of the minority where we were
8 going to discuss obviously what is being
9 discussed out here today, I mean, it's not
10 going to change our vote by any standard,
11 but obviously we wanted to make sure we
12 discussed it thoroughly. So it shouldn't be
13 directed -- it should be directed towards
14 us.

15 CHAIRWOMAN GONSALVES: I will
16 tell you this. It is now five after 4:00.
17 They will be back at 4:20.

18 (Whereupon, the Full Legislative
19 Committee recessed at 4:05 p.m. and
20 reconvened at 4:20 p.m.)

21 CHAIRWOMAN GONSALVES: At this
22 time I will ask Clerk Muller to read the
23 item that's before us. Item Number Two on
24 the calendar, special meeting is a vote on
25 proposed local law of 2013, a local law to

1 Full Legislature/3-5-13
2 amend Annex A of the County Government Law
3 of Nassau County that describes the 19
4 legislative district based upon the 2010
5 federal census data. May I please have a
6 motion?

7 LEGISLATOR NICOLELLO: So moved.

8 LEGISLATOR MUSCARELLA: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Nicolello, seconded by Legislator
11 Muscarella.

12 As we have discussed during the
13 hearings, there were changes to the map and
14 at this time I would ask for a motion to
15 support an amendment in the nature of a
16 substitution.

17 LEGISLATOR BELESI: So moved.

18 LEGISLATOR DUNNE: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Belesi, seconded by Legislator
21 Dunne. All those in favor of the amendment
22 in the nature of a substitution signify by
23 saying aye?

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The vote is unanimous. Now we
4 are going to the amendment itself. I'm just
5 going to present the amendment, just let you
6 know what the amendment is.

7 The amendment makes the minor
8 changes to the map as discussed in previous
9 hearings. You still can't hear me. Those
10 changes were to Legislative District 2 and
11 Legislative District 19.

12 I know that at this point in
13 time, there may be a discussion on this
14 amendment and if there is anyone who wants
15 to speak to this amendment? Legislator
16 Kevan Abrahams.

17 LEGISLATOR ABRAHAMS: Just really
18 briefly, and I appreciate your indulgence in
19 this matter. We had the caucus to discuss
20 the amendment at hand. Some of you,
21 obviously you realize the fact that we are
22 still in opposition to the map that's before
23 us.

24 However, the amendment that is
25 before us is two measures that two of our

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2 legislators -- actually all of us have
3 fought for. The first measure is including
4 an area which is, historically, always been
5 a part of Legislative District Number 2 and
6 Jericho Gardens, that is something that
7 Legislator Troiano fought for. Some of you
8 that were here, that was part of his debate
9 and discussion with Mr. Moroney late into
10 the wee hours of last week, Monday, and that
11 is something that is a measure that we would
12 like to see in that and we support that's a
13 part of the Republican amendment.

14 The other measure as most of you
15 can probably decipher is the fact that
16 Legislator Denenberg is put back into his
17 district. We always felt that him being put
18 into the same district with Legislator
19 Scannell was unfair. We would like and
20 appreciate the sentiments from Legislator
21 Ford as well as her colleagues that
22 supported her on this measure, we truly
23 believe that was a strong gesture and a step
24 in the right direction.

25 However, we wanted to see more.

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2 We would have like to have seen Merrick
3 altogether. We would have liked to have
4 seen not as many changes to Elmont. We
5 would have liked to have seen Hempstead not
6 be separated into three districts or Roslyn
7 being separated into four. But from that
8 matter, we truly believe that the gesture
9 that the Republicans have made on the
10 amendment is a fair one and one we can
11 support.

12 On the Full Legislature vote, in
13 terms of what we see here and how we got to
14 this, we still will vote on the opposition
15 in the affirmative of no. But on the
16 amendment as is, in regards to the gesture
17 that has been made, we will support the
18 amendment because that speaks to two
19 particular things that we fought for and
20 we're glad to see it will be incorporated
21 though into a map that we believe is flawed,
22 will be incorporated into the map, and thank
23 you.

24 CHAIRWOMAN GONSALVES: Any other
25 comments regarding the amendment?

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2 (No verbal response.)

3 There being none, all those in
4 favor of the amendment signify by saying
5 aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The amendment passes unanimously.
10 Now we have to vote on the item as amended.
11 Motion, please.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR NICOLELLO: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Muscarella, seconded by
16 Legislator Nicolello. Now, before we vote
17 on the item as amended, I have received a
18 request to do a roll call. That request
19 will be honored. So, at this time, since
20 all of the discussion on the item and the
21 amendment has been made, it is in order for
22 us to take a vote. So we will begin -- hold
23 on. I was just advised that, is there any
24 other public comment or any others who wish
25 to be heard? You may come up.

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2 MS. RUBIO: For the record, my
3 name again is Kearyn Rubio. I'm not sure if
4 I'm missing something. Why is there a vote
5 to go forth when there is no Democratic
6 version of the map on the floor for
7 discussion? Why?

8 CHAIRWOMAN GONSALVES: Because
9 this is the map that has been presented at
10 the hearings. Any other map that may have
11 existed was not really filed in a timely
12 fashion and, therefore, Ms. Rubio --

13 MS. RUBIO: So this whole entire
14 issue needs to be pulled for a vote and you
15 have to start over again.

16 CHAIRWOMAN GONSALVES: Ms. Rubio,
17 the item before us is the only item that's
18 on the agenda, and, therefore, this is why
19 we are voting on this particular map as
20 amended.

21 MS. RUBIO: So when are you
22 voting for the Democratic version?

23 CHAIRWOMAN GONSALVES: We're not.

24 MS. RUBIO: Why?

25 CHAIRWOMAN GONSALVES: Primarily

1 Full Legislature/3-5-13
2 because this is the only item before us
3 today.

4 MS. RUBIO: So you do realize
5 that you just retracted your statement?

6 CHAIRWOMAN GONSALVES: No. I'm
7 saying to you that this map is the only item
8 on --

9 MS. RUBIO: Okay. So if this is
10 the only item, that means that there should
11 have been only \$250,000 allocated to your
12 board to make one map, so why is there
13 \$500,000 for two maps?

14 CHAIRWOMAN GONSALVES: You may
15 speak to your heart's content, but I will
16 tell you right now, this is the map that's
17 on the floor right now. Okay?

18 MS. RUBIO: You haven't answered
19 the question.

20 CHAIRWOMAN GONSALVES: This is
21 not the map that came out of the commission.
22 All right?

23 MS. RUBIO: So why was \$500,000
24 allocated for two maps and there's only one.
25 It's very simple. It's a very simple

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2 question.

3 CHAIRWOMAN GONSALVES: I'm giving
4 a very simple answer. The Temporary
5 Advisory Redistricting Commission is not
6 part of this body.

7 MS. RUBIO: I didn't get that.

8 CHAIRWOMAN GONSALVES: They were
9 commissioned to do what the charter tells
10 them -- advises them to do. That was to
11 come up with a map. Unfortunately, they
12 were not able to agree on a map, all right?
13 Therefore, the Charter Revision Commission
14 did not produce a map for this body to vote
15 on.

16 MS. RUBIO: So if they weren't
17 able to agree, that still has nothing to do
18 with you saying from the previous meeting
19 that you would not allow for the Democratic
20 version to even make it to the floor,
21 whether they agreed or didn't agree, you
22 said that, you said you would not allow for
23 that map to get to the floor for a vote.

24 So I don't see how come this is
25 going like, you know, it's okay for whatever

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2 to be amended when that's not the process.
3 This is not a Democratic process that's
4 going forth at all. It is very distasteful.
5 The Constitution was put together to avert
6 things like this. It was. Yes, it was.
7 I'm not -- we have rights. It was put
8 together not for tiriney not for one group
9 to run the show. It's that simple.

10 \$500,000 was allocated. You all
11 here. We're all adults. Whatever time it
12 took for the map to make the floor, it never
13 even made it to floor to the public, only
14 your version of what you wanted. How is
15 that fair?

16 CHAIRWOMAN GONSALVES: Thank you
17 very much, Ms. Rubio.

18 MS. RUBIO: I'm hoping that I can
19 get an answer. How is it fair? \$500,000 of
20 taxpayer's money that went to this board is
21 not going through, how is it fair? How?

22 CHAIRWOMAN GONSALVES: Name,
23 please.

24 MS. MIRADAY: My name is Mida J.
25 Miraday, I'm a member of the Baldwin Oaks

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2 Civic Association, high property tax payer
3 of Nassau County. I just want to return,
4 hopefully this discussion, to the issue of
5 the body that sits before me, is a result of
6 a bipartisan group that came together to
7 break a significant power block in Nassau
8 County and, sadly, it looks like we're going
9 back to that, and to have a discussion that
10 is dividing lines, not party lines, but
11 we're talking about people here. We are
12 talking about residents. We are talking
13 about taxpayers, and we're talking about
14 citizens whose voices have not been heard.

15 My constitutional rights are
16 being violated here. My property rights are
17 being violated here. The civil rights that
18 were outlined for me, not by the
19 Constitution, or the Bill of Rights, but the
20 Civil Rights Act of 1948, as well as 1967,
21 and '64 are being violated here.

22 So I just want all of those that
23 had any aspirations to further their
24 careers, let it be known that your names and
25 your information and your roll call vote

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2 today will be documented and will be
3 remembered in our community. Think on that.
4 Thank you.

5 CHAIRWOMAN GONSALVES: Any other
6 comment from the audience? Yes.

7 MR. LILLY: My name is Martin
8 Lilly, Long Beach, New York. You don't want
9 my age, do you? I told you that earlier.
10 You remembered. Thank you.

11 I just want, I don't know if it's
12 for the record or not, but I did notice at a
13 number of the hearings I went to that no one
14 from the audience or the commission or the
15 legislature spoke in favor of this map.

16 Some of the comments that were
17 made today, and I'm trying to remember on
18 February 25th, I may be correct at that time
19 also, a couple of members on my left, your
20 right, did contradict and ridicule some of
21 the speakers. I think that's wrong.

22 But I also want to note that not
23 only did no one speak in favor of this map,
24 no one really had too much in the form of
25 comments. I also remember for the second

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2 time today, and, again, I like Mr. Moroney,
3 but he, again, today did not answer to my
4 satisfaction the questions that were posted
5 to him. I don't think he believes in this
6 map himself. But, again, I don't want to
7 put words in his mouth, so I just wanted to
8 say that for the record and I know there
9 will be a majority today who will do the
10 right thing.

11 CHAIRWOMAN GONSALVES: Thank you,
12 Mr. Lilly. Scottie.

13 MS. COADS: I'm Scottie Coads,
14 and today I wore black because -- I wear
15 black all the time, but especially today
16 because I knew it would be a sad day. And
17 we, at NAACP, when we lose a freedom
18 fighter, we always send out e-mails saying
19 sad news. And, so, this woman from
20 Charleston, South Carolina who saw and
21 witnessed as a kid what it was like to have
22 to hide under beds because the night riders
23 in white sheets were out, it's not easy to
24 sit back and watch some of you try to
25 destroy the Democracy that we worked so hard

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2 for through the years to get to where we
3 are.

4 I'm very sad today that I know
5 you're going to make this vote that's going
6 to tear communities apart, not just in the
7 minority communities, but in the communities
8 that, as I made my point on February 25th,
9 where Chaney, Goodman, Schwerner --
10 Schwerner & Goodman representing New York,
11 how they fought for us to have some
12 minorities sitting in front of us to
13 represent their communities. You're taking
14 this apart. Taking it away from us.

15 You're taking -- you tore up the
16 Jewish community, in the Five Towns, and,
17 again, I go back to what I started to say.
18 I wore black today and I actually was going
19 to distribute black ribbons to everybody
20 today because I knew it was going to be a
21 sad day.

22 I pity you. I pity all of you
23 who do not understand what it is to fight
24 for freedom and fight for fairness and fair
25 representation at the poles.

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2 I don't go into parties when I'm
3 representing the NAACP. I will say this,
4 you conservatives tried to take it away from
5 us in 2012 at the poles across the country.
6 We're not going to stand idly by. I promise
7 you, eight months from now, this whole group
8 and more will be at somebody's polling site
9 making sure that you are challenged in every
10 way possible.

11 CLERK MULLER: Your three minutes
12 have expired, Ms. Coads.

13 MS. COADS: I very tired --

14 CLERK MULLER: Ms. Coads, your
15 three minutes have expired.

16 MS. COADS: It's okay. It's
17 okay. I don't need any more minutes to tell
18 you how disappointed we are. Thank you very
19 much.

20 CHAIRWOMAN GONSALVES: Is there
21 anyone else who wishes to speak? There
22 being none --

23 LEGISLATOR NICOLELLO: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRWOMAN GONSALVES: Motion by

1 Full Legislature/3-5-13
2 Legislator Nicoletto, seconded by Legislator
3 Muscarella. And it's time for a vote. As
4 it was requested, it will be a roll call
5 vote.

6 CLERK MULLER: Deputy Presiding
7 Officer Nicoletto?

8 LEGISLATOR NICOLELLO: Yes.

9 CLERK MULLER: Alternate Deputy
10 Presiding Officer Kopel?

11 LEGISLATOR KOPEL: I'm voting for
12 it reluctantly. I will say that because --
13 I want to make it very clear. It's not for
14 some of the reasons that I've expressed.

15 I don't believe there is any
16 racism involved. I don't believe the Five
17 Towns somehow will go flying apart as a
18 result of this vote. It's simply that I
19 feel badly that a lot of the people who I
20 work very hard to represent are going to be
21 in another district.

22 I understand that there are some
23 legal necessities for it, and I will
24 continue to work with my friends on both
25 sides of the line as well as all legislators

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2 on either side of any lines.

3 CLERK MULLER: Is that yes, Mr.
4 Kopel?

5 LEGISLATOR KOPEL: I said yes.

6 CLERK MULLER: I'm sorry, I
7 wasn't sure. Legislator Troiano.

8 LEGISLATOR TROIANO: I'm not sure
9 that after multi-months, multi-hearings,
10 hours of testimony, hundreds of people
11 coming and talking to the legislature that
12 there is much left that hasn't been said.

13 But I want to congratulate you
14 all for coming out today despite the fact
15 you knew when you got up this morning that
16 it was a fate accompli. That the decision
17 had already been made. I'm not saying that
18 because of partisan politics and bickering.
19 I'm saying it because of the process.
20 Because today is March 5th and the county
21 charter requires us to vote today.

22 So no matter what you said today,
23 and many of you made very compelling
24 arguments, and I believe that my colleagues
25 are people of good will, and that they hear

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2 you, that they hear you, that they like more
3 time to give consideration to what you have
4 to say, but we are simply up against the
5 wall and a vote has to be taken today.

6 But I do want to say that it
7 didn't have to be this way. On January 3rd,
8 the commission could not reach a decision as
9 to which map to put forward. It was 11 days
10 later before the presiding officer asked the
11 codirector of the commission to begin
12 developing a new map. 11 vital days were
13 lost and, now, we're left having, at the
14 last minute, to take comments from you and
15 cast a vote today.

16 There is no opportunity for us to
17 amend the map any further. It would be a
18 violation of the way the charter was
19 constructed. So that's a shame that it
20 occurred that way.

21 But I want to, again,
22 congratulate you and thank you for being
23 here and I do what I love to do. I love
24 being an elected official. I want to thank
25 you for the support that many of you have

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2 shown to me at the election booth. I want
3 to thank you for the support that you've
4 shown today, and for the many hearings that
5 we have gone through together to stand by
6 and be a witness to history. And in many
7 cases, to be among those who speak truth to
8 power.

9 I'm very pleased, very happy, I
10 am honored to represent not just those of
11 you in my district, but all of you who are
12 in the county, because you're all my
13 constituents. Because of the sentiments
14 you've expressed, because of your fortitude
15 and perseverance, I am proud to cast a loud,
16 emphatic, and resounding no.

17 CLERK MULLER: Legislator
18 Solages?

19 LEGISLATOR SOLAGES: I would also
20 like to express deep gratitude to all those
21 who took the time out of your busy schedule
22 to come down to this building and to provide
23 testimony. Your patriotism was courageous
24 and it was inspirational. And I thank
25 everyone who provided testimony.

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2 I thank all those who helped
3 educate neighbors and their community
4 members as to the great injustice that is
5 about to occur here today. In 2011, the 3rd
6 Legislative District, truly Republicans,
7 Democrats, people from all backgrounds, they
8 made history by electing a young man who
9 truly believed in change. I thank you for
10 that. I think the 3rd District is only one
11 of the very few districts that we have seen
12 elections that can be swayed either to
13 Democrats or to Republicans under each map.

14 I have great concerns for the map
15 presented by the majority and Mr. Moroney
16 here today. This map, clearly, as it
17 relates to the 3rd Legislative District,
18 violates the Equal Protection Clause. Truly
19 to have a district go from one shape, if
20 you're talking about Jell-O, you are using
21 the stencil of a shape of Texas, and also
22 made changes to a stencil of a shape of a
23 Lockness Monster. The courts have clearly
24 said and as we know in other cases that that
25 is suspect at best.

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2 Mr. Moroney, his testimony was at
3 best convenient. He admitted to broken
4 promises that he made at a hearing in Elmont
5 which he promised that Elmont will remain
6 under one legislator, and that is not the
7 case.

8 Legislator Muscarella, your
9 previous testimony was not truthful. Yes,
10 the Elmont district has been split in two,
11 but not to the extent that we see under the
12 new map.

13 As one person, and we share
14 something in common, because our communities
15 love us so much that not only have they
16 voted for us, but also our families. So as
17 one favorite son of Elmont to another, it is
18 a disgrace if you vote for this map. It is
19 a disgrace. The same way you voted to close
20 our police precinct, the same way you are
21 going to vote to create another injustice in
22 our community. I may not be the legislator
23 of those in the eastern part of Elmont
24 anymore under this new map, but I will be
25 sure to let them know of your voting record.

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2 I will be sure to do that.

3 Furthermore, I really thank,
4 again, everyone who provided testimony and
5 please continue to believe in God and
6 continue to believe in justice. Thank you.

7 CLERK MULLER: Legislator Ford.

8 LEGISLATOR FORD: It has been
9 commented during legislators during these
10 hearings that not everyone is --

11 LEGISLATOR SOLAGES: Just to be
12 clear, I vote no for the map.

13 LEGISLATOR FORD: -- 100 percent
14 happy with this proposed map and I'm one of
15 them. As this is the map that is before us,
16 I must make a vote either for or against it,
17 so the choice is for me, it's either this
18 map or the default map which is the map from
19 2011, which at that time I did not support.

20 I know that by voting no, the
21 2011 will go into effect for this election
22 cycle, and I know that regardless of what
23 map is chosen, the issue will wind up in
24 court.

25 I just want to make a comment and

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2 I think Legislator Kopel touched upon that,
3 that as we all sit up here and we have our
4 distinct legislative districts, not one of
5 us actually serves in a vacuum, that those
6 of us that have -- share communities, do
7 work together. And in many instances on
8 many issues, we go across party lines and
9 across the boundaries into other districts
10 and work well together.

11 You had heard testimony that both
12 Legislator Denenberg and I have worked
13 together for the Western Bays amongst
14 others. We all work together to fight for
15 our water rights to protect our aquifers.

16 I've even had the honor and
17 opportunity to stand on the steps of the
18 Hempstead Village Hall when we fought for
19 rent stabilized apartments to make sure that
20 they did not get unjustly increases to their
21 rents.

22 So I think that regardless of who
23 and how many parts that a district may be or
24 an area may be chopped up, which is not
25 always the best thing, but it is something

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2 that happens, it's happened in other
3 communities before, some are being put
4 together and some are being torn apart. But
5 I think that all of us, we do work together
6 and we will continue, hopefully, to work
7 together for the benefit of everybody.

8 And I also want to say at this
9 point, Judy, that you bring up a great point
10 that we better start working together for
11 the next map that must be drawn in ten
12 years. But I have to say that I am
13 gratified that this commission did listen to
14 the residents in my area by keeping the
15 barrier island whole and putting Island Park
16 back together and keeping this area in
17 Legislative District 4. I vote yes.

18 CLERK MULLER: Legislator
19 Scannell.

20 LEGISLATOR SCANNELL: I just
21 wanted to thank everybody also who came down
22 at the multiple hearings at the legislature.
23 In my 13 years, I've never ever ever seen
24 anything like the 12 hour hearing that we
25 had, all the people, 99.9 percent of them

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2 were against it literally, 12 hours. In my
3 13 years, I've never ever seen such a long
4 session with people who were so upset and
5 disgusted about something.

6 And Judy was talking about this
7 earlier about some of the older budget
8 sessions that we have had. We were here
9 early early in the morning and they were
10 long, but I think that one was by far the
11 longest and the people spoke and, again, I
12 want to thank everybody for coming down for
13 that 12-hour hearing and, again, for coming
14 down today.

15 I don't support the map. I vote
16 no.

17 CLERK MULLER: Legislator Becker.

18 LEGISLATOR BECKER: I take this
19 vote very seriously. The last four years
20 I've had the opportunity to work a great
21 deal in the minority community, visiting
22 churches and doing things that help people
23 in that community and I continue to hope to
24 do that in the future. After this vote
25 today, and these maps, three people I know;

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2 Legislator Solages, Legislator Troiano, and
3 Legislator Abrahams, will likely continue to
4 represent those communities since they do a
5 great job and I respect them greatly.

6 In looking at the breakdown and
7 to satisfy my own conscious, I look at --
8 first of all, the communities of Roosevelt
9 remain 100 percent intact. The communities
10 of Uniondale remain 100 together. The
11 community of Hempstead, yes, is slightly
12 broken up, and prior it was 85 percent -- 15
13 percent divided between two legislative
14 districts. Currently now it will be, with
15 the new map, 57 percent, 29 percent, and
16 then 14 percent in District 14. But 86
17 percent of Hempstead is going to continue to
18 be represented in Districts 1 and 2, and I'm
19 sure that everybody in that community will
20 be benefitted from those legislators in
21 Districts 1 and 2, as well as the Legislator
22 from District 14.

23 Freeport is currently 10 percent
24 in one legislative district, 73 percent in
25 another, and 17 percent in another. I don't

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2 know who those are, but those three
3 districts will be now 34, 39 and 27, not
4 really a significant change in my opinion.

5 And, finally, Elmont, which has
6 been greatly discussed, at least the
7 percentage is currently 94 percent and 6
8 percent between two legislative districts,
9 and now will be 76 percent and 24 percent
10 between two legislative districts. Not,
11 once again, in my opinion a great difference
12 with the understanding that everybody, all
13 19 of us, care a great deal about every
14 community no matter what legislative
15 district it would be in.

16 So with this understanding and
17 it's just disappointing to me, as a person
18 of faith to hear so much discussion about
19 race and minorities because I don't believe
20 God created minorities, he created us all
21 equal, he created us all his children, no
22 matter what our race, color, creed.

23 So, with that understanding, I
24 vote yes.

25 CLERK MULLER: Legislator

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2 Muscarella.

3 LEGISLATOR MUSCARELLA: Yes.

4 CLERK MULLER: Legislator

5 Bosworth.

6 LEGISLATOR BOSWORTH: It is so
7 important that you came down today and you
8 must not be discouraged because we have to
9 keep up the fight. When there are issues
10 that need to be spoken out against, we must
11 be there to speak out against them.

12 I would at this point just like
13 to thank the League of Women Voters and
14 various coalition groups who worked so hard
15 to put together yet even a third map that
16 was a nonpartisan map and, unfortunately, as
17 we didn't get to consider the Democratic
18 map, we didn't get to consider that third
19 nonpartisan map as well.

20 But we appreciate the great
21 efforts that you made to formulate that map,
22 to go to so many different civic
23 associations and community groups to speak
24 about the map. It was important that our
25 civic associations who worked so hard and

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2 they did, at least made sure that the
3 residents of our communities, whether they
4 agreed with the map or didn't agree with the
5 map made sure that people understood what
6 the new map was, that they were educated,
7 and that they were informed, and so that at
8 some point we can all make that very
9 informed decision. The informed decision
10 that I'm making on this map is no.

11 CLERK MULLER: Legislator Wink.

12 LEGISLATOR WINK: You know, as I
13 sit here, I've heard a lot of hand wringing,
14 a lot of crocodile tears, and I've heard a
15 lot of very nebulous, unspecified and vague
16 concerns about the map from my colleagues on
17 the other side of the aisle. Nothing
18 specific. Nothing involving real details
19 and nothing certainly that would have
20 dissuaded them from voting the way they
21 voted.

22 To that end, I'm kind of reminded
23 of the joke that when it comes to breakfast,
24 there are a lot of people involved, there is
25 the chicken that makes the eggs, but there

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2 are people that are committed, and the pig
3 is committed to that breakfast. For a lot
4 of us in this room, many of you out there
5 and a few of us up here, many of us are
6 committed while the rest of them are
7 involved.

8 So here we are today looking at
9 the reality that I think most of us and
10 probably all of us in this room knew was
11 coming which was that, no matter what the
12 crocodile tears, no matter what the hand
13 wringing that took place on the other side
14 of the aisle, we knew that this was going to
15 be the outcome from the very beginning. So
16 here we are, and let's have at it, and I
17 vote no.

18 CLERK MULLER: Legislator
19 Venditto.

20 LEGISLATOR VENDITTO: Just very
21 briefly, Mr. Clerk, I don't want any one
22 legislator to corner the market on
23 thankfulness to the residents. We are all
24 very thankful. I think I speak on behalf of
25 everybody who is part of this chamber, we

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2 are all very thankful that you came down
3 here to voice your opinions. While we may
4 not agree on every issue, we still see what
5 you said, that you're exercising your right
6 to have your voice heard.

7 With that being said, I will vote
8 yes on the map.

9 CLERK MULLER: Legislator Belesi.

10 LEGISLATOR BELESI: Yes.

11 CLERK MULLER: Legislator Dunne.

12 LEGISLATOR DUNNE: I'm not going
13 to talk about crocodiles or chickens or
14 pigs, but I'm going to vote yes.

15 CLERK MULLER: Legislator Jacobs.

16 LEGISLATOR WINK: How about
17 elephants?

18 LEGISLATOR JACOBS: Hi. In the
19 first place, I've been on this legislature
20 for 18 years. I'm extremely thankful for
21 that confidence that has been shown me
22 through these 18 years. I have seen a lot
23 of things. I really have. And I have been
24 through up and downs on the legislature,
25 some very sad ones, really sad ones, meaning

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2 someone's life, but also very good ones and
3 things we have accomplished.

4 I'm personally heartbroken right
5 now to lose part of my district that I've
6 had for 18 years, and that part of course is
7 where I live. Some of it is just gone and
8 will be gone.

9 A good note to say to everybody,
10 you now heard Legislator Ford join with my
11 sentiments why we don't have enough time, in
12 ten year's time, to change the way we
13 redistrict in Nassau County. Let's be out
14 there. Let's make history. Let's show
15 people there is a way to do this that
16 wouldn't leave you with the feelings that
17 you expressed so beautifully today of
18 distrust and feeling that we weren't doing
19 our jobs to represent you the right way.
20 Because, honestly, I can tell you that
21 nothing is further from the truth. I speak
22 for myself, when I say that to you, but,
23 unfortunately, this is the system we right
24 now have to redistrict under.

25 We can change it. I think you've

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2 got one person on one side of the aisle, one
3 on the other, and we have the League of
4 Women Voters, really, who really broke their
5 back so to speak to try to make this a
6 change. Let's get it together. We can do
7 it.

8 So I just want to say thank you
9 to all of you and I'm going to vote no.

10 CLERK MULLER: Legislator Walker.

11 LEGISLATOR WALKER: I, too, would
12 like to thank everyone who has come over the
13 many weeks that we've had hearings here. I,
14 too, as you look, I'm in the Hicksville
15 Bethpage area. My area has also been split
16 up. I can tell you one thing which is what
17 I say to all my residents all the time. I
18 work very, very hard in my district and I
19 work hard for all the residents of Nassau
20 County because, although, as I say to the
21 kids in my school district, you all don't
22 live in my house, but you're all my kids.

23 So when we do things, we do it
24 for a whole. When I'm working for something
25 in Hicksville or Bethpage, it doesn't stop

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2 at Duffy Avenue or Spindle Road or whatever,
3 it's for the entire district, the entire
4 community. I'm also pretty lucky in the
5 fact that I am still very involved with our
6 school district. I do a lot with our
7 athletic teams. I get to spend time in many
8 of your other communities.

9 I know people in your
10 communities. I know some of the issues in
11 your communities because I'm with them, they
12 talk about them, and I always give them my
13 card when I leave and I say, look, I know
14 I'm not your legislator but always feel free
15 to reach out to me also.

16 I can tell you, no matter who
17 calls my office, no matter where they live
18 in Nassau County, I'm sure sometimes my
19 assistant doesn't always appreciate it, I
20 don't pass them off to someone else. We try
21 to address their issues. I always remind
22 them, I'm not your legislator, so and so is,
23 but if we can rectify your problem,
24 especially if it's a problem that deals with
25 another department or anything, why do they

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2 have to go and be shuffled off to someone
3 else, not that I'm thinking I'm shuffling
4 them or their legislator won't help them,
5 but they're speaking to us, let's get them
6 addressed right away.

7 So I think it's time, as I have
8 had the pleasure of working often with
9 Legislator Jacobs, we do many things
10 together because our districts work
11 together. I chaired with Legislator
12 Troiano. I do a lot with the area around
13 Jericho Gardens, and they're in the
14 Hicksville School District, although they're
15 in Legislator Troiano's legislative
16 district.

17 So, again, not just in what
18 you've said before, but I think we all have
19 to learn that we all have to work together
20 up here as far as the communities. So I
21 vote yes.

22 CLERK MULLER: Legislator Walker.
23 Legislator Walker votes yes. Legislator
24 DeRiggi-Whitton, now it's your turn.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Thank you, I concur with Judy Jacobs and
3 many of the other people up here saying that
4 there has to be a better process. I think
5 the residents of Nassau County deserve
6 transparency and honesty. And whether it's
7 finances or public safety or redistricting,
8 we really do owe that to all of you.

9 I want to thank on our side, we
10 have Lauren Corcoran and Bonnie Garone for
11 making every effort to have the meetings. I
12 really wish that this was done even the way
13 our charter describes today and tried to
14 come up with something -- it almost started
15 to happen here give and take. It would have
16 been -- really, that's what we really wanted
17 to have seen, however, since that has not
18 happened, and I am not satisfied, I do vote
19 no.

20 CLERK MULLER: Legislator
21 Denenberg.

22 LEGISLATOR DENENBERG: First, for
23 obvious reasons, I want to thank for coming.
24 I have to say it's been very humbling and
25 gratifying to see so many people come out to

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2 speak on my behalf, but, also, more
3 importantly, to speak on all of our behalf,
4 because that's what it's about. All of us,
5 we, the people here of Nassau County.

6 I think it's clear that this has
7 been a desperate attempt to carve 12
8 majority Republican districts in a county
9 that's no longer Republican.

10 The result is a dilution of the
11 minority community that should be obvious to
12 everyone.

13 The result is District 14 that,
14 look at it, it really does, it looks like a
15 snake with its head disjointed. It's just
16 ridiculous.

17 The Five Towns have become the
18 1.25 towns. In Roslyn, I defy anyone to
19 know who their legislator is going to be
20 because it's so split up.

21 And then, finally, my home
22 community of Merrick literally had a sliver.
23 Some people called it a finger, someone
24 today said it was so small it couldn't be
25 more than a knuckle taken out just to get me

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2 out. And though I'm very, very thankful
3 that I was put back in, none of my neighbors
4 were put back in, and that little area of
5 Merrick could have been put back in without
6 any change in population. That's just
7 wrong. It's absolutely wrong on political
8 reasons, on One Man One Vote reasons, on
9 reasons that are not just important to
10 Merrick, Roslyn, the Five Towns, or the
11 minority community, on reasons that should
12 be important to all of us. I vote no.

13 CLERK MULLER: Minority Leader
14 Abrahams.

15 LEGISLATOR ABRAHAMS: Thank you,
16 Mr. Muller.

17 One of the beauties of being able
18 to vote right before the presiding officer
19 is I get to see how the vote is going. When
20 you do a roll call vote, you can count the
21 votes, and I'm sure those of you in the
22 audience, I notice everyone to my right has
23 voted yes, and everyone to my left has
24 pretty much voted no.

25 So I kind of get the sense that

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2 this is going down party lines and I know
3 some of you in the audience could start to
4 feel that this process is in vain. Granted,
5 that feeling may be somewhat true, this
6 fight is not over. This fight has two more
7 steps in my opinion before it's over.

8 So if you got to go home and eat
9 your Wheaties, take your vitamins, eat your
10 Centrum, go home and do it. This fight,
11 though we fought for fair redistricting, and
12 just got gerrymandering redistricting, this
13 fight, after it passes today, goes up to the
14 fourth floor, or upstairs, to the county
15 executive.

16 The county executive will have
17 the opportunity to veto this map and stamp
18 of approval will indicate your vindication
19 that this process has been flawed. That's
20 his opportunity to say that he has heard the
21 countless hours of testimony that have been
22 given by you, the sacrifice of losing,
23 whether it be time on the job, time away
24 from your families, that will be his
25 opportunity to say to you thank you, Nassau

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2 County taxpayers, for coming up and down to
3 this process.

4 So don't mistake the fact that
5 you may feel defeated based on this vote
6 today, but the county executive, yes, our
7 goal now must be shifted to upstairs and
8 flood the county executive's e-mail, flood
9 him with letters before he tries to pass
10 this.

11 My interpretation would be that
12 he probably has the pen and the paper
13 waiting to sign it right after this meeting
14 tonight, so it wouldn't behoove us to be
15 able to go upstairs to express our opinion
16 on how this process has been unfolded.

17 That being said, I resoundingly
18 vote no against this map.

19 CLERK MULLER: Before I call
20 Presiding Officer Gonsalves, all 18 members
21 I believe have voted so, Presiding Officer
22 Gonsalves, you're last.

23 CHAIRWOMAN GONSALVES: Thank you
24 very much, Mr. Muller.

25 First of all, I think you should

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be commended for taking the time and the energy to attend all of the hearings. I know that you're disappointed with the vote that's being taken today, but I truly believe that you have done your part in the Democratic process by having your voices listened to, and, if not to the point where you would have liked to hear them completely heard, you were here and you did your job as the residents of Nassau County.

I have to say thank you to my colleagues on both sides of the aisle. I think there is a great deal of stress involved in an item such as this one, something that is of extreme importance and like some of us have alluded to, that will affect us for possibly ten years.

Changes could be made along the way to change the process, but right now we have a map that is going to truly be voted for in a partisan way, because this is the way you believe, but I think all of us, all of us took a look at this map and, let me say from the beginning, from the very

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2 beginning, there were areas outside of
3 Jericho Gardens, outside of District 19,
4 Great Neck, Plainview, Glen Cove, the
5 barrier islands. Amendments were made, or
6 changes, I should say, were made to this
7 map.

8 So there was testimony given at
9 the various meetings of the commission that
10 alluded to the need to make those areas
11 whole. I think we did as best we could
12 under the circumstances.

13 I, for one, know that you were
14 not completely happy with the way things
15 turned out. But if it follows the law, it
16 makes me happy and, therefore, I vote yes.
17 Thank you.

18 CLERK MULLER: By a vote of 10
19 ayes, and 9 nos, the local law passes.

20 CHAIRWOMAN GONSALVES: May I have
21 a motion to adjourn?

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR BELESI: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Walker, seconded by Legislator

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Belesi. All those in favor of adjourning,
please indicate by saying aye.

(Aye.)

The committee is adjourned.

(Whereupon, the Full Legislative
Committee adjourned at 5:10 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 21st day of March, 2013.

FRANK GRAY