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NASSAU COUNTY LEGISLATURE

PETER SCHMITT,  
Presiding Officer

FULL LEGISLATIVE COMMITTEE

PETER SCHMITT,  
Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, March 19, 2012  
1:10 p.m.

REGAL REPORTING SERVICE  
(516) 747-7353

1

2 A P P E A R A N C E S :3 PETER SCHMITT,  
4 Presiding Officer,5 NORMA GONSALVES,  
6 Deputy Presiding Officer7 HOWARD KOPEL, Alternate  
8 Alternate Deputy Presiding Officer

9 DENISE FORD

10 JOSEPH SCANNELL

11 FRANCIS X. BECKER

12 VINCENT MUSCARELLA

13 RICHARD NICOLELLO

14 JUDI BOSWORTH

15 WAYNE WINK

16 ROBERT TROIANO

17 KEVAN ABRAHAMS,  
18 Minority Leader

19 ROSE MARIE WALKER

20 JOSEPH BELESI

21 DENNIS DUNNE (Not present)

22 JUDITH JACOBS

23 DAVID DENENBERG

24 DELIA DERIGGI-WHITTON

25 CARRIE SOLAGES

WILLIAM J. MULLER,  
Clerk of the Legislature

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1 Full Legislature/3-19-12

2 CHAIRMAN SCHMITT: We have a CSEA  
3 hero here today. I would ask that John  
4 Manguel come up to the podium and Jerry  
5 Laricchiuta, the president of the CSEA, to  
6 accompany him.

7 CLERK MULLER: Please do a quick  
8 roll call.

9 CHAIRMAN SCHMITT: I'm sorry.  
10 Yes. Mr. Clerk, would you call the roll?

11 CLERK MULLER: Deputy Presiding  
12 Officer Gonsalves?

13 LEGISLATOR GONSALVES: Present.

14 CLERK MULLER: Alternate Deputy  
15 Presiding Officer Kopel?

16 LEGISLATOR KOPEL: Here.

17 CLERK MULLER: Legislator  
18 Troiano?

19 LEGISLATOR TROIANO: Here.

20 CLERK MULLER: Legislator  
21 Solages?

22 LEGISLATOR SOLAGES: Here.

23 CLERK MULLER: Legislator Ford?

24 LEGISLATOR FORD: Here.

25 CLERK MULLER: Legislator

1 Full Legislature/3-19-12  
2 Scannell?  
3 LEGISLATOR SCANNELL: Here.  
4 CLERK MULLER: Legislator Becker?  
5 LEGISLATOR BECKER: Here.  
6 CLERK MULLER: Legislator  
7 Muscarella?  
8 LEGISLATOR MUSCARELLA: Here.  
9 CLERK MULLER: Legislator  
10 Nicoletto?  
11 LEGISLATOR NICOLELLO: Here.  
12 CLERK MULLER: Legislator  
13 Bosworth?  
14 LEGISLATOR BOSWORTH: Here.  
15 CLERK MULLER: Legislator Wink?  
16 LEGISLATOR WINK: Here.  
17 CLERK MULLER: Legislator Belesi?  
18 LEGISLATOR BELESI: Here.  
19 CLERK MULLER: Legislator Dunne?  
20 LEGISLATOR DUNNE: Here.  
21 CLERK MULLER: Legislator Jacobs?  
22 LEGISLATOR JACOBS: Here.  
23 CLERK MULLER: Legislator Walker?  
24 LEGISLATOR WALKER: Here.  
25 CLERK MULLER: Legislator

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2 DeRiggi-Whitton?

3 LEGISLATOR DERIGGI-WHITTON:

4 Here.

5 CLERK MULLER: Legislator

6 Denenberg?

7 LEGISLATOR DENENBERG: Here.

8 CLERK MULLER: Minority Leader

9 Abrahams?

10 LEGISLATOR ABRAHAMS: Here.

11 CLERK MULLER: Presiding Officer

12 Peter Schmitt?

13 CHAIRMAN SCHMITT: Here.

14 CLERK MULLER: We have a quorum.

15 CHAIRMAN SCHMITT: We have a  
16 quorum. So before we go into our half hour  
17 of public comment, I'm very pleased to say  
18 that we have here a CSEA hero. Is John not  
19 here yet? It's John that we are honoring.  
20 Please, John Manguel, come on up to the  
21 podium with Jerry Laricchiuta, please. Who  
22 is John?

23 MR. MANGUEL: I'm John.

24 CHAIRMAN SCHMITT: John, hi. How  
25 are you? On Sunday August 14, 2011, Nassau

1                   Full Legislature/3-19-12  
2   County Department of Public Works  
3   Commissioner Sheila Shah and Nassau County  
4   Department of Public Works employees were at  
5   Merokee Pond in Bellmore following a  
6   Noreaster that left behind ten inches of  
7   rain. Dangerous flooding caused employee  
8   Gwendolyn Watts to fall into the water and  
9   be swept away by the current into a grate.

10                   John Manguel, without thinking of  
11   his personal safety, jumped in to save her.  
12   Also present were Glenn Allison, Vic  
13   Faletti, Vincent Brown, and William Mahoney,  
14   who helped John to get Gwendolyn out of that  
15   situation and prevent her from drowning.

16                   So for that service above and  
17   beyond, obviously a normal work routine, we  
18   want to take notice of your quick thinking  
19   and selfless actions in saving another  
20   employee. So we salute you, everybody,

21                   MR. MANGUEL: Thank you.

22                   CHAIRMAN SCHMITT: John, we have  
23   a citation for you which I'm very happy to  
24   present on behalf of all of the legislators  
25   as well as citations for the other employees

1 Full Legislature/3-19-12

2 who joined you in this effort.

3 MR. MANGUEL: Thank you all for  
4 the presentation. Also, it was a joint  
5 effort on all of us that did save Gwen. I  
6 was the first initial that was there at her,  
7 but it did take the assistance of all of us  
8 to actually save her.

9 CHAIRMAN SCHMITT: Why don't you  
10 all come up and get citations and we'll take  
11 a photo?

12 Public Works Commissioner Sheila  
13 Shah wants to say a few words. She was  
14 present at the site.

15 MS. SHAH: Yes. On behalf of  
16 Nassau County Executive Ed Mangano and the  
17 Department of Public Works, we wanted to  
18 honor the DPW employees that were there at  
19 the site and were so courageous and  
20 performed such a heroic act. That was  
21 almost an unprecedented rain event, bringing  
22 Nassau County over 10 inches of rainfall  
23 within a 24-hour period. This really easily  
24 could have resulted in tragedy but the staff  
25 pulled together in a very remarkable rescue



1                   Full Legislature/3-19-12  
2       of Gwendolyn. As the presiding officer  
3       said, I was there. It was really something  
4       unexplainable unless you were there to  
5       witness this account.

6                   But we can't say enough of their  
7       quick actions. They heard the scream and  
8       before you knew it they were there and were  
9       already at the aid of Gwendolyn. They acted  
10      quickly and calmly and, as a group, they  
11      were able to save Gwendolyn from the waters  
12      of Merokee Pond.

13                  So, again, County Executive  
14      Mangano, myself, we would like to honor them  
15      and present them with some citations. Thank  
16      you very much.

17                  CHAIRMAN SCHMITT: Thank you.  
18      Now we are going to start with public  
19      comment.

20                  LEGISLATOR DENENBERG: To the  
21      chair.

22                  CHAIRMAN SCHMITT: Go right ahead  
23      and add something. The chair recognizes  
24      Legislator Denenberg.

25                  LEGISLATOR DENENBERG: Thank you.

1 Full Legislature/3-19-12  
2 For the audience, you should know on that  
3 morning in question, about eight inches of  
4 rain had fell in two hours, and in two hours  
5 it was eight inches, ten over the course of  
6 the day, and the commissioner didn't say it  
7 but she herself was there in the pond. I  
8 know I was there with her as well, and you  
9 never saw six guys run quicker to save  
10 someone. I don't know if Vinny is here but  
11 had he not seen Gwendolyn go in, Vinny where  
12 are you? Had he not seen that, we would  
13 have not even known that she had fallen in.  
14 But as soon as he screamed, everyone went  
15 running with a rope and everyone was pulling  
16 her out. So great job, guys, you were  
17 phenomenal. You really were.

18 CHAIRMAN SCHMITT: Did you jump  
19 in the pond too?

20 LEGISLATOR DENENBERG: Yes, I  
21 did. Unfortunately for Mr. Schmitt, I  
22 wasn't washed away.

23 CHAIRMAN SCHMITT: Keep jumping  
24 into ponds, we'll see.

25 Okay, the first speaker for

1 Full Legislature/3-19-12  
2 public comment is Tom Asher from Island  
3 Park.

4 MR. ASHER: Good afternoon and  
5 congratulations to those people. I just  
6 want to start off by just telling everybody  
7 I am a registered Republican and a proud  
8 member of our party.

9 I'm here to speak about the  
10 fracking waste, the possibility of the  
11 fracking waste issue with our sewer  
12 treatment plants. Mr. Nicoletto just  
13 thought, you know, I grew up in Floral Park  
14 my whole life, so I have a lot of ties  
15 there, and I now live on the water, in  
16 Mr. Kopel's area. I've spoken to a lot of  
17 my Republican friends from my old district  
18 and my new district. Everybody is okay with  
19 checking out the options that Mr. Mangano  
20 needs to do for the sewage treatment plants,  
21 they want to see what he comes up with. But  
22 when I tell them about the possibility that  
23 the DEC has slated us for the possibility of  
24 accepting hydraulic fracking waste from  
25 possible upstate New York drilling

1 Full Legislature/3-19-12  
2 operations, it's an absolute no across the  
3 board. This can't happen.

4 In your district, Tulip Avenue,  
5 it's become a major trucking route and part  
6 of the concerns in Floral Park would be that  
7 these trucks come through my old  
8 neighborhood. Accidents happen. It's an  
9 imperfect world. I'm sure there is good  
10 technology out there but accidents happen.  
11 Between the trucking routes to get down to  
12 Bay Park, which I can see from my backyard,  
13 and now my kids wanting to swim in the  
14 waters, this cannot be.

15 We live in an imperfect world and  
16 accidents happen, whether they be on the  
17 roads or plants or pump stations. I get  
18 e-mailed very often about spills at our  
19 plants. This does happen. It's machinery.  
20 Machinery malfunctions and this is hazardous  
21 material. This kind of material is  
22 irreversible. It has radiation in it, it  
23 has shrapnel in it. About 536 chemicals.  
24 We already have a problem with natural toxic  
25 gasses from the abundance of ova and seaweed

1                   Full Legislature/3-19-12  
2       that cause people to be sick. What would  
3       the effects be if the ova soaked up these  
4       toxins after an accident, would it kill us?  
5       We don't know. Do we know that this kind of  
6       stuff will ever happen or never happen? Of  
7       course we don't.

8                   Mr. Walker, I had two meetings  
9       with Mr. Walker, and he had said at our last  
10      meeting "we" will not accept fracking waste  
11      into our treatment plants. I believe him.  
12      But what about the next band of brothers  
13      that comes through the doors in the next few  
14      years. This fracking operation won't happen  
15      for a long time. So this could be ten years  
16      down the road that, following a budget  
17      deficit, that they might look for this  
18      answer to bring down this waste for income.

19                  There is absolutely no reason  
20      why, if we can just separate the two issues  
21      between the wastewater treatment plant and  
22      those issues of looking into what we need to  
23      do and the fracking waste issue like Suffolk  
24      County did. Suffolk County just banned  
25      fracking ways. There is absolutely no

1 Full Legislature/3-19-12  
2 reason why we shouldn't have this  
3 legislation, new legislation to ban fracking  
4 waste from coming into Nassau County.

5 I've talked with the truckers, of  
6 course they all say it's kind of a long haul  
7 and it probably will never happen. I'm in  
8 the solid waste business myself and we ship  
9 out six million tons of municipal solid  
10 waste here every year. So if the trucking  
11 is right and the price is right, we're going  
12 to do it.

13 CLERK MULLER: Your three minutes  
14 have expired.

15 MR. ASHER: All right. Before I  
16 go, and I just want a yes or no, not a long  
17 term rebuttal from anybody, but,  
18 Mr. Abrahams, do you support the ban on  
19 fracking?

20 CHAIRMAN SCHMITT: No, no.  
21 You're not going to poll the legislature.

22 MR. ASHER: All right.

23 LEGISLATOR ABRAHAMS: But, sir, I  
24 will be happy to talk to you one on one. My  
25 office manager might be here, but maybe I'll

1 Full Legislature/3-19-12  
2 come down and we can exchange information.  
3 I will definitely be happy to speak with  
4 you.

5 MR. ASHER: I appreciate that.  
6 Thank you very much.

7 CHAIRMAN SCHMITT: Legislator  
8 Ford.

9 LEGISLATOR FORD: Mr. Asher,  
10 Denise Ford over here. Thank you very much.  
11 I know I was at the meeting over a week ago  
12 and this issue was brought up about hydro  
13 fracking and the waste that comes from it.  
14 I indicated at that meeting, if New York  
15 State does decide to move ahead with  
16 fracking in the upstate area, that it would  
17 be to the best interest of everybody, all  
18 the residents of New York State, that  
19 whatever companies they do choose, they  
20 select to do this fracking, that they  
21 maintain it and keep the waste up where they  
22 generate it. I agree with you there is a  
23 danger with trucking it.

24 We also have to look at, and I  
25 did tell you about the person who does, they

1 Full Legislature/3-19-12  
2 go to the various plants in Pennsylvania  
3 where there is fracking, and some of the  
4 companies are very responsible. They  
5 contain everything so that it's not out in  
6 the environment. There are other smaller  
7 companies that are doing it and the  
8 wastewater seems to be spurting everywhere  
9 and it's getting into, unfortunately, it's  
10 seeping into the groundwater at people's  
11 feet.

12 So this is something that we do  
13 not take lightly and something we will  
14 watch. I agree with you. I think that we  
15 don't need it down here.

16 MR. ASHER: Thank you.

17 CHAIRMAN SCHMITT: Sandra  
18 D'Arcangelo.

19 MS. D'ARCANGELO: Good afternoon,  
20 members of our legislature. My name is  
21 Sandra D'Arcangelo and I'm here on behalf of  
22 the Northside Civic Association. I would  
23 like to speak on the situation with our  
24 sewers.

25 We do not want to sell or lease



1                   Full Legislature/3-19-12  
2     our sewer system and we don't need the  
3     Morgan Stanley's let's-make-a-deal  
4     expertise. The system is part of our vital  
5     infrastructure that we want you to take  
6     responsibility to fix and properly maintain  
7     with necessary funding and staffing.

8                   This is an ongoing responsibility  
9     of our county government to make sure that  
10    we have the right, knowledgeable management  
11    team and employees who can give us a day's  
12    work for a day's pay. If not, they have to  
13    go.

14                  In addition, the safety of these  
15    people and their working conditions are very  
16    important to us. We want you to preserve  
17    this vital asset which could be providing us  
18    with a profit instead of just being revenue  
19    neutral. We are asking you to come together  
20    not as Republicans or Democrats, but as  
21    parents, grandparents, and great  
22    grandparents and do the right thing, take  
23    responsibility for our present and future  
24    sewer system. Thank you.

25                  CHAIRMAN SCHMITT: Thank you.

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2 Joanne Borden.

3 MS. BORDEN: Please enter my  
4 speech in the record. I know scores of  
5 transgender woman who tell a similar story.  
6 At a very early age, we were told boys don't  
7 do that. And we believed it. We kept the  
8 girl a secret buried in the deepest corner  
9 of our soul. We spent our life hoping for a  
10 cure. I prayed a cure would come at nearly  
11 every milestone in my life.

12 As a teenager I tried to force a  
13 cure by throwing away all of my feminine  
14 possessions, possessions acquired at great  
15 peril of exposure. I thought, now I can be  
16 normal, just like every one else. I thought  
17 I would never wear another women's garment,  
18 but I soon violated my vow.

19 It took many decades to realize  
20 there is no such thing. There is no cure.  
21 It is I. It's the way God made me. It  
22 wasn't a sickness, but I was stuck with it.  
23 That girl refused to stay buried so I did  
24 everything I could to express my feminist in  
25 the closet. Discovery was my greatest fear

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2 because of the shame I felt. I became the  
3 best sneak and liar to satisfy a compelling  
4 need secretly. Only my fantasies were safe  
5 to be what I was born to be but couldn't be.

6 I silently cried when comedians  
7 made fun of the transvestite because I  
8 identified with her. The tears run freely  
9 any time I think about this because I  
10 realize how sad it is, that you have to live  
11 trying to satisfy a compelling need that  
12 must be kept a deep, dark secret.

13 What could be more deceptive than  
14 a secret from those that you are closest to  
15 and love? Many trans-people are unhappy to  
16 the point of self destruction even suicide.  
17 I'm lucky in knowing that I could do only  
18 what was possible. I had a happy life. I  
19 loved my spouse, adored my children and was  
20 completely devoted to them. Not everyone  
21 can be so disciplined for very long. My  
22 innovative mind helped appease my compelling  
23 need.

24 Now my wife has passed away and  
25 my children are grown. I'm free to stop

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2 hiding. I'm free at last to be open,  
3 honest, and simply happy about who and what  
4 I am and freely do what God intended, be a  
5 woman.

6 It's now the year 2012. Anyone  
7 who cares can learn that I and every one  
8 like me is a variation at birth, just like  
9 left-handedness. We need protection under  
10 the law against discrimination on that basis  
11 of who and what we are. It's time to give  
12 us quality tea and civil rights by passing  
13 the Gender Definition Law. Thank you.

14 CHAIRMAN SCHMITT: The chair  
15 recognizes Mrs. Jacobs.

16 LEGISLATOR JACOBS: Ms. Borden, I  
17 just want to tell you that I have never  
18 stopped feeling that you have every right,  
19 every right to have the same rights that  
20 everybody does.

21 As I told you once before, when  
22 we passed the Human Rights Bill, it was  
23 probably one of the highlights of my being  
24 presiding officer for eight years because we  
25 thought we had made it very fair in all of

1 Full Legislature/3-19-12  
2 Nassau County to follow whatever anybody's  
3 life leads them to be. You brought  
4 something to our attention here.

5 I checked New York City, we  
6 checked Suffolk, we checked most of the  
7 counties in the state. We realized that a  
8 very benign addition to our comprehensive  
9 law would give you what you're looking for.  
10 You brought it to our attention saying that  
11 we don't have what the city has and what  
12 Suffolk County has and other counties have  
13 in order to give you the same rights that we  
14 thought we had given to everybody.

15 So, last year I didn't have to  
16 resubmit the bill because we were elected  
17 for a two year term, but I'm about to  
18 resubmit the bill again. I really would  
19 hope that every one of my colleagues up here  
20 on both sides of the aisle the simple  
21 sentence I want to put in, and they will  
22 realize the sentence is very benign. You  
23 don't have to embrace anyone else's beliefs  
24 but you have to respect them and respect  
25 their right to believe in them.

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2 It will be brought in again and  
3 hopefully we will see a difference this time  
4 around.

5 MS. BORDEN: 70 percent in the  
6 State of New York are covered with sex laws,  
7 and there's never been any detrimental  
8 effects.

9 LEGISLATOR JACOBS: I just want  
10 to add on, when we drafted our law, we were  
11 so absolutely on both sides of the aisle  
12 careful to literally include everything we  
13 could think of including housing  
14 discrimination, including discrimination  
15 with people who have disabilities, et  
16 cetera, et cetera, that it just really  
17 bothers me that this just slipped through.  
18 I apologize to you and hopefully we will be  
19 able to do something about it this time  
20 around.

21 LEGISLATOR BECKER: Ms. Borden, I  
22 just wanted you to know that I appreciate  
23 the correspondences that you and I have had  
24 and I just want you to know, I think you're  
25 a person of great courage, you know, coming

1 Full Legislature/3-19-12  
2 up here and speaking about your life, and I  
3 appreciate you coming here. Thank you.

4 MS. BORDEN: It shouldn't be  
5 considered courage. It's just a human being  
6 should have human rights, period. What  
7 prevents that? What? I explained to you  
8 that we have two sexes, one outside and one  
9 inside and how the bible tells you that God  
10 wants you to look at the man inside, not  
11 outside. I can't see any objection.  
12 There's never been any reprisals or bad  
13 things that have happened. I can't  
14 understand it. There's only about one class  
15 of person -- no, it's two classes of persons  
16 excluded. It's the transgender person and  
17 people who are not transgendered, who are  
18 straight, not homosexual but don't act like  
19 people who want a woman to act or exactly  
20 like a stereotype of a man should act, and  
21 they experience the same kind of  
22 discrimination that people like me  
23 experience and they need protection and that  
24 protection is also worded in the amendment.

25 CHAIRMAN SCHMITT: Mrs. Jacobs.

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2 LEGISLATOR JACOBS: Ms. Borden,  
3 again I say to you, I will let you know when  
4 it is filed. I assume we will be filing it  
5 within a week.

6 MS. BORDEN: Thank you.

7 CHAIRMAN SCHMITT: Thank you.

8 Timothy Keane,

9 MR. KEANE: Good afternoon.

10 CHAIRMAN SCHMITT: Good  
11 afternoon.

12 MR. KEANE: I would like to speak  
13 also regarding the sewage treatment plant  
14 sales. To me, I think one of the most  
15 important things we do as a community is  
16 take care of our own. And cleaning up after  
17 ourselves is something we teach our kids,  
18 right? Our parents taught us to clean up  
19 after ourselves. We teach our kids to clean  
20 up after ourselves. We shouldn't be  
21 abdicating that responsibility and giving it  
22 away to private industry to do for us. I  
23 don't tell my kid when it's time to clean  
24 up, don't worry, daddy will hire somebody to  
25 do that for you.



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2 It's important that we retain  
3 these plants and we take care of our  
4 community. I feel much more comfortable  
5 with my neighbors running these plants than  
6 I do a for-profit company.

7 I read in the paper this morning  
8 that we're expecting, if we sell these  
9 plants, that the rates are going to not go  
10 up. If by some miracle a private company  
11 can run this plant that much more  
12 efficiently for the same cost, it still  
13 means that they're going to be scraping a  
14 profit out of that, maybe 50 percent. What  
15 did I read? \$120 million about in revenue  
16 from that plant? So that's \$60 million a  
17 year that we're going to take out of our  
18 local economy. It's going to go somewhere  
19 else, to some corporate profit machine.  
20 It's not going to be spent here in our  
21 communities. We're not going to get sales  
22 tax on that money.

23 I think privatization is the  
24 wrong way to go. I don't in any way envy  
25 the responsibility of this legislature in

1 Full Legislature/3-19-12  
2 terms of closing a huge gap in our budget.  
3 I know the pain of the taxes in our  
4 communities. I'm stuck with a property  
5 because of the real estate crash so I own  
6 two, and I pay over \$30,000 in property tax.  
7 I don't want to pay more. There's no doubt  
8 about that. That's a tough decision.

9 But I really think we are better  
10 served when we take care of our own and not  
11 selling this our asset off. We can find a  
12 way. Maybe we can help close the budget gap  
13 by finding a way to use this plant as an  
14 asset rather than just unloading it.

15 We will be in a situation in the  
16 future where we're not going to be able to  
17 have control over this plant. A lot of  
18 people are speaking out against the  
19 possibility of bringing fracking waste down  
20 here. I've grown up enjoying the water on  
21 both shores, on Long Island Sound and on the  
22 south shore. I now live on the south shore  
23 on the canal in Mr. Schmitt's district.

24 I don't want to see those  
25 resources degraded. We've spent a lot of

1                   Full Legislature/3-19-12  
2       times over the last few decades, me  
3       personally as well, working with groups on  
4       the Long Island Sound, studies working on  
5       the south shore estuary reserve program.  
6       Improving the quality of our waterways,  
7       trying to reestablish industries on the  
8       water that we've lost over the years.

9                   If we start putting wastewater  
10      into these systems that have potential  
11      contaminants, some of which we are not even  
12      allowed to know what they are because  
13      they're industrial secrets, I think we're  
14      really getting ourselves into a lot of  
15      trouble.

16                  CLERK MULLER:   Your three minutes  
17      have expired.

18                  MR. KEANE:     Okay.

19                  CHAIRMAN SCHMITT:   Just wrap up.  
20      Continue.

21                  MR. KEANE:     I just think that we  
22      need to be more creative in how we look at  
23      closing this budget gap.   I wouldn't pawn my  
24      refrigerator to pay my electric bill because  
25      then I'm going to be eating out all week.

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2 We're going to end up paying for  
3 it one way or another if we just sell off  
4 this asset. That's really all I have to  
5 say. Thank you.

6 CHAIRMAN SCHMITT: Thank you.  
7 Paula Blum.

8 MS. BLUM: Good afternoon members  
9 of the legislature. My name is Paula Blum.  
10 I'm a board member of the League of Women  
11 Voters of Nassau County.

12 As you know, the league is a  
13 nonpartisan organization which encourages  
14 informed and active participation in  
15 government and influences public policy  
16 through education and advocacy.

17 I'm here to reiterate the strong  
18 request for fair and transparent  
19 redistricting in Nassau County. Before I  
20 list a few things, I would like to ask  
21 Mr. Schmitt when the members of the  
22 Temporary Advisory Commission are going to  
23 be announced, and whether that announcement  
24 will be at Full Legislative hearing?

25 CHAIRMAN SCHMITT: The

1 Full Legislature/3-19-12  
2 appointments are the appointments of the  
3 majority leader, that's me, and the minority  
4 leader, that's Mr. Abrahams. They have to  
5 be made from now -- have to be made in the  
6 calendar period of March 5th to May 5th.

7 So I will be making my  
8 appointments relatively quickly, and you'll  
9 have to ask Mr. Abrahams what his plans are.  
10 It's my understanding that the county  
11 executive will be appointing a chairman of  
12 the commission. Once the commission is  
13 established, then I will be forwarding to  
14 them all of your concerns because they are  
15 an independent body that will -- they have a  
16 budget, and they will run the whole  
17 redistricting process, and we would like --  
18 I personally would like to see -- most of  
19 your suggestions incorporated into their  
20 work, certainly a website, and some of the  
21 other things that you have requested. So as  
22 the process moves forward, we will keep you  
23 appraised.

24 MS. BLUM: Will an announcement  
25 be made of all the members of the commission

1 Full Legislature/3-19-12

2 at some point at the leg?

3 CHAIRMAN SCHMITT: Sure. There  
4 will be a press release, I'm sure, and I  
5 will announce it hereto, absolutely, sure.  
6 I will mail you the appointments if you  
7 want.

8 MS. BLUM: We would love that.

9 CHAIRMAN SCHMITT: At this  
10 address that I have?

11 MS. BLUM: Actually to our league  
12 office if that's possible.

13 CHAIRMAN SCHMITT: What's the  
14 address?

15 MS. BLUM: If you hold on one  
16 second, the address is Post Office Box 539,  
17 Point Lookout, New York 11569.

18 CHAIRMAN SCHMITT: To your  
19 attention?

20 MS. BLUM: Actually to the  
21 attention of the president, that's Nancy  
22 Rosenthal. Sorry, she's the head of our  
23 redistricting committee. The president is  
24 Rachael Krinsky.

25 CHAIRMAN SCHMITT: Okay. I will

1 Full Legislature/3-19-12

2 take care of it.

3 MS. BLUM: Thank you.

4 CHAIRMAN SCHMITT: Go right  
5 ahead.

6 MS. BLUM: They're somewhat  
7 abbreviated. As before, we ask that the  
8 Temporary Advisory Commission hold public  
9 hearings both prior to and subsequent to  
10 committee meetings, post notices for all  
11 meetings at least seven days in advance,  
12 design districts that are contiguous,  
13 reasonably compact, and representative of  
14 communities of interest, and make a  
15 concerted effort to keep cities, towns,  
16 villages and incorporated areas intact,  
17 adhere to the voting rights act and take  
18 into consideration Nassau's minority  
19 populations, and maintain a website which  
20 includes hearing times, locations and dates,  
21 minutes of meetings, all proposed district  
22 maps, and a mechanism for the members of the  
23 public to comment. Thank you.

24 CHAIRMAN SCHMITT: Thank you.

25 LEGISLATOR BECKER: Before you go

1 Full Legislature/3-19-12  
2 any further, presiding officer, we would all  
3 like to congratulate you on becoming a  
4 grandfather recently, so we expect a change  
5 in your warm and fuzzy way you used to be.

6 CHAIRMAN SCHMITT: Thank you. I  
7 have a grandson. I will get warm and fuzzy  
8 around Christmas.

9 LEGISLATOR FORD: Paula, I just  
10 want to thank you very much for the league's  
11 involvement. I also want to thank you for  
12 coming down here and speaking on this and  
13 making it public on the public record and I  
14 thank you for your interest in  
15 redistricting.

16 MS. BLUM: Thank you.

17 CHAIRMAN SCHMITT: Charlene  
18 Obernauer from Hauppauge.

19 MS. OBERNAUER: Hi. Good  
20 afternoon.

21 CHAIRMAN SCHMITT: Good  
22 afternoon.

23 MS. OBERNAUER: I'm here today  
24 with the Long Island Jobs for Justice and  
25 I'm here to speak about the concerns of the



1 Full Legislature/3-19-12  
2 Long Island Bus Rider's Union. We're  
3 gravely concerned with some of the service  
4 cuts being implemented on Easter Sunday,  
5 April 8th. The service adjustment plan is  
6 going to decrease service on 60 percent of  
7 all routes, and weekend and off-peak service  
8 will equal nearly 25 percent service hours  
9 on certain routes.

10 We have cuts to Saturday service  
11 of the N21 in Glen Cove which will leave  
12 about 2,000 riders stranded on Saturdays.  
13 It can also force them to commute for hours  
14 when they navigate transfers between the N23  
15 and N27.

16 We are also going to see weekday  
17 cuts to the N16 that amount to a little bit  
18 over 24 percent of service based on service  
19 hours, and the Saturday cuts to the N22  
20 amount to 22.3 percent reduction in hours.

21 Additionally, some of the service  
22 adjustments include reducing or cutting  
23 service entirely to critical social service  
24 centers like the Nassau County Department of  
25 Social Services at 60 Charles Lindbergh and

1 Full Legislature/3-19-12  
2 we feel like the complete disregard with how  
3 these service cuts are going to impact  
4 riders on the part of Veolia is really  
5 worrisome.

6 Again, I'm going to highlight  
7 four additional cuts that we're seeing.  
8 There's Saturday service on the N45 will  
9 make it pretty much impossible for people  
10 who take the N45 to get to the United  
11 Cerebral Palsy Center. The N16 to the  
12 Nassau County Department of Health, off-peak  
13 and Saturday service will be eliminated on  
14 the N45 to the New Cassell Westbury Health  
15 Center and Freeport Roosevelt Health Center,  
16 and the N24 to the Nassau County Department  
17 of Social Service.

18 And with few doctors already at  
19 some of these public health centers that  
20 service low income populations, it's pretty  
21 critical to have fast, reliable bus service  
22 for people to get there.

23 While the service adjustments  
24 that are on the table don't actually include  
25 a fare hike, some riders are now going to

1                   Full Legislature/3-19-12  
2    have to transfer three times to get to one  
3    location.  It's like a \$2.25 increase in  
4    fares for people who are transferring that  
5    many times to get to one location.  That's  
6    kind of the way that a lot of the service  
7    adjustments have been impacted.  It's so  
8    that riders have to transfer more times, but  
9    if you have to take three buses and you  
10   don't have a monthly MetroCard, you are  
11   going to have to pay that additional fare  
12   increase.  Again, it's not a fare increase,  
13   but it acts as a fare increase.

14                   I'm coming here to you today with  
15   a couple of recommendations based on these  
16   service cuts.  We believe that Veolia  
17   Transportation should bring these cuts to a  
18   vote in the Nassau County Transit Advisory  
19   Committee and we would also like to see it  
20   for a public hearing at the legislature.

21                   So that's what we're  
22   recommending.  We do think that these cuts  
23   are a lot more severe than has initially  
24   been put out there, so we really want a full  
25   vetting of the process, we want to see

1 Full Legislature/3-19-12  
2 transparency down the line and just have  
3 more eyes looking at what's happening there.  
4 That's it. Thank you.

5 CHAIRMAN SCHMITT: Legislator  
6 Jacobs.

7 LEGISLATOR JACOBS: Can I just  
8 ask you something? You're referring to the  
9 cuts that were already the subject of the  
10 open sessions that were held at the Marriot,  
11 am I correct?

12 MS. OBERNAUER: Correct.

13 LEGISLATOR JACOBS: You're just  
14 getting more specific on the effect?

15 MS. OBERNAUER: You know, we've  
16 gotten a chance to do some research  
17 specifically about the lines and the way  
18 that they're going to impact riders and so  
19 that's the data that I'm giving to you guys  
20 today. Unfortunately, we do have some  
21 concerns about the cuts specifically in  
22 regards to health centers and social  
23 services centers. That's what we're trying  
24 to highlight. I have a memo that I will  
25 distribute so all of you can have in your

1 Full Legislature/3-19-12  
2 hands a detailed version of what I'm talking  
3 about.

4 LEGISLATOR JACOBS: I was just  
5 going to ask you for that because, number  
6 one, TAC was not formed yet when those cuts  
7 were announced. But it appeared to be on  
8 the surface. I didn't do the research, you  
9 did, that it appeared to be based on  
10 ridership. Correct me where I'm going wrong  
11 here, and the fact that it appeared that the  
12 ridership was very low on those particular  
13 rates.

14 I don't disagree with you, and it  
15 breaks my heart because I don't care if it's  
16 low, if it doesn't get people who are  
17 disabled to the Cerebral Palsy Center or to  
18 a rehabilitation center, what difference  
19 does it make, expect that obviously there is  
20 the money factor.

21 MS. OBERNAUER: Well, the latest  
22 ridership data that we actually have is from  
23 mid 2010. We asked Veolia publically on  
24 several occasions for ridership impact data  
25 in terms of what is happening currently and

1                   Full Legislature/3-19-12  
2     how many people are riding the buses. We  
3     have not yet gotten that information. We  
4     feel like that's pretty critical in terms of  
5     making a full assessment of impacts of the  
6     cuts.

7                   The only reason I didn't mention  
8     that is because I was specifically  
9     highlighting what we're asking to the  
10    legislature, but that is a big concern for  
11    us that we don't have the ridership impact  
12    data. We've gotten some information in  
13    terms of the service hours and reduction in  
14    service hours. But we would really like to  
15    see, if they've been doing this surveying  
16    for six months, we would really like to see  
17    how it is actually impacting the riders  
18    based on the data.

19                  LEGISLATOR JACOBS: Well, I don't  
20    think it could possibly be a six month  
21    evaluation. It was January 1 and it's now  
22    mid March. So we're not even near six  
23    months. We're very vigilant as far as our  
24    watching this. I would be very interested  
25    in getting a copy of your memo.

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2 MS. OBERNAUER: Absolutely. And  
3 thank you for that.

4 LEGISLATOR JACOBS: Thank you.

5 CHAIRMAN SCHMITT: Thank you.  
6 Ryan Lynch.

7 MR. LYNCH: Good afternoon  
8 everybody. I'm the policy director for the  
9 TriState Transportation Campaign. I'm just  
10 echoing Charlene's comments about her point  
11 of highlighting the three routes, the N16,  
12 the N45, 73, 74. NICE officials were kind  
13 enough to give us information on those  
14 routes. Unfortunately they haven't given us  
15 any information on revenue hours for the 30  
16 or so other routes they are planning on  
17 cutting.

18 Within those three routes, you're  
19 seeing, as Charlene has pointed out, cuts of  
20 upwards to 24 percent. Now, by the letter  
21 of the contract, they're actually abiding by  
22 the contract by not bringing these cuts in  
23 front of the TAC because the cuts don't  
24 equal 25 percent, but I think that the point  
25 that should be made here, these are not just

1 Full Legislature/3-19-12  
2 minor adjustments that are being portrayed,  
3 some of these are actually pretty severe  
4 service cuts that are going to impact a lot  
5 of people. How many people? We don't know  
6 because, again, we requested the information  
7 and haven't been able to get the  
8 information.

9 So since they're not listening to  
10 us, this is why we're coming here to you.  
11 We're hoping that perhaps requests from the  
12 legislature, requests from the county  
13 executive for information, would resonate  
14 more with them than something coming from  
15 riders and public advocates like myself.  
16 We're hoping that's the case. We are  
17 recognizing that they don't have to bring  
18 this in front of TAC. We do think it would  
19 be an act of good faith to bring this in  
20 front of the TAC just to get off on a good  
21 foot. That's all we are really here today  
22 to ask. We really hope that this  
23 legislature works with NICE officials to  
24 mitigate the impacts of these cuts, find the  
25 funding that's necessary to fund the bus



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2 system. The state government has found  
3 another \$4 million to support the bus system  
4 in Governor Cuomo's budget. But there still  
5 needs to be more done to insure that we have  
6 a viable transit system in Nassau County.  
7 So thank you.

8 CHAIRMAN SCHMITT: That concludes  
9 a half hour of public comment. We are going  
10 to go to the legislative calendar and then  
11 we will return at the end of the meeting to  
12 the rest of the speakers.

13 LEGISLATOR ABRAHAMS: I actually  
14 just have a statement I would like to read  
15 into the record.

16 CHAIRMAN SCHMITT: The chair  
17 recognizes Minority Leader Abrahams.

18 LEGISLATOR ABRAHAMS: Thank you  
19 Presiding Officer Schmitt. I would just  
20 like to read a statement into the record.  
21 Claudia, were you part of public comment?

22 CHAIRMAN SCHMITT: I said that  
23 the half hour of public comment has been  
24 concluded. We will have the Full  
25 Legislative meeting now and then we will

1 Full Legislature/3-19-12  
2 return to call the rest of the slips that  
3 weren't called.

4 LEGISLATOR ABRAHAMS: I just  
5 wanted to read a statement into the record  
6 in regards to the mention of the county  
7 executive's threat to raise property taxes  
8 by 13 percent which I believe there's  
9 agreement among this legislative body that  
10 that would not be considered or supported.

11 So, if you can bear with me for a  
12 few seconds. Last week, County Executive Ed  
13 Mangano gave his State of the County  
14 Address. In his remarks, he threatened to  
15 raise property taxes 13 percent if the  
16 Democrats didn't give him the approval to  
17 borrow \$102 million for tax assessment  
18 refunds.

19 The public should know that Mr.  
20 Mangano's threat of 13 percent property tax  
21 increase is nothing more than a scare  
22 tactic. These scare tactics are nothing new  
23 for this county executive.

24 In the last month, he has  
25 publically threatened to raise property

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2 taxes 25 percent, then he threatened 19  
3 percent, and now his threat is 13 percent.  
4 Ed Mangano should know that he has no  
5 authority to raise property taxes to the  
6 tune of those threats.

7 Last year Governor Cuomo signed a  
8 property tax cap into law. That means that  
9 Mr. Mangano cannot raise taxes 13, 19, or 25  
10 unless he has Democratic votes, which he  
11 does not have.

12 Let me be clear, the Democratic  
13 caucus would never support a property tax  
14 increase. It is inconceivable that  
15 Mr. Mangano would take something as  
16 important as the State of the County  
17 Address, the one time a year that he gives  
18 the report on the county to throw out a  
19 ridiculous scare tactic in the public as  
20 best, is just ingenuous, at worst,  
21 dishonest. Either County Executive Ed  
22 Mangano doesn't understand the very  
23 government he leads, or he's playing games  
24 with the public. Either way, that's the  
25 real scare. Thank you.

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2 CHAIRMAN SCHMITT: That's it?

3 LEGISLATOR ABRAHAMS: That's it.

4 CHAIRMAN SCHMITT: Let me just  
5 say for the record that, A, number one,  
6 obviously the county executive, as members  
7 of the legislature are aware, that the  
8 county executive has no authority to raise  
9 property taxes. A property tax increase  
10 would have to be approved by this  
11 legislature.

12 I welcome the Democratic minority  
13 on board after their years of raising  
14 property taxes through the roof while they  
15 were in charge, but, nonetheless, it has  
16 been made clear by myself and other members  
17 of the majority that a property tax increase  
18 at this time will not be approved by the  
19 legislature.

20 Number two, I believe that  
21 reasonable minds would conclude that the  
22 county executive is aware of the property  
23 tax caps since he advocated for it. I think  
24 what he was doing in these various issues  
25 that the minority leader mentioned was that

1                   Full Legislature/3-19-12  
2     he was equating a dollar figure that we had  
3     to come up with in savings. That if we  
4     didn't come up with X number of dollars in  
5     savings, those X millions of dollars  
6     represent a tax increase of whatever percent  
7     it was. It was never a threat to raise  
8     property taxes by that percentage, it's just  
9     pointing out that as the Democratic minority  
10    continues time after time after time to vote  
11    against anything that saves money, that he's  
12    looking outside the box for other  
13    alternatives, and I will state again for the  
14    record that this majority and this county  
15    executive are going to balance this budget  
16    and we're going to do it without raising  
17    property taxes, and we're going to cut  
18    whatever has to be cut in order to achieve  
19    those goals.

20                   So I think it is disingenuous to  
21    try to suggest that the county executive is  
22    somehow running around bug-eyed trying to  
23    raise property taxes when he has no  
24    authority to do so.

25                   So I think it's really time to

1                   Full Legislature/3-19-12  
2     stop the shenanigans and get down to find  
3     solutions to these problems. If you don't  
4     like bonding for property tax refunds that  
5     piled up during the time that you and County  
6     Executive Suozzi were here in power, then  
7     come up with an alternative plan. If you  
8     don't like his plan to close police  
9     precincts, come up with an alternative plan.  
10    I have not heard one alternative plan to  
11    achieve a savings of \$20 million or \$35  
12    million which is -- or whatever the number  
13    might be in a given proposal sent to this  
14    legislature by the county executive. I have  
15    not heard one alternative plan put forward  
16    by the minority. What I have heard time and  
17    time again are a series of no votes.

18                   LEGISLATOR ABRAHAMS: The fact  
19    remains though, Mr. Presiding Officer, that  
20    you had so many ideas when you were in the  
21    minority that they were all implemented  
22    during that time -- I'm guessing that's what  
23    you're indicating, but the bottom line is  
24    very simple. The county executive has taken  
25    the practice of introducing scare tactics so

1 Full Legislature/3-19-12  
2 that he knows full well that tax increases  
3 is the third rail here in Nassau County.

4 We all know our taxes are high  
5 and to play these games constantly, over and  
6 over again, make no mistake, when he  
7 mentions 25 percent, 19 percent, 13 percent,  
8 we know what he's trying to imply. It's not  
9 about equating a dollar number because if he  
10 wanted to do that, he can talk about it from  
11 the expenditure side. He didn't do that  
12 once until I guess he got a call from  
13 Westbury and that call from Westbury told  
14 him to do the opposite.

15 The bottom line is very simple.  
16 From our standpoint, we understand the tax  
17 cap and we understand how the government  
18 works. From our position, for someone to  
19 throw out a comment that indicates that  
20 we're going to have to do a tax increase  
21 knowing full well, I believe your  
22 legislative side as well as ours, do not  
23 support a tax increase, he should really  
24 make his comments more appropriate and more  
25 focused on the expenditure side of the

1                   Full Legislature/3-19-12  
2     budget and not the revenue side of the  
3     budget because that doesn't have a hope of  
4     ever happening.

5                   So our intentions are steadfast  
6     and the fact remains that Mr. Mangano has  
7     decided to once again scare the public into  
8     a tactic which he has no teeth behind to  
9     actually fulfill. Not to remind everyone,  
10    but basically in 2012, for the 2011 budget,  
11    we actually submitted amendments which  
12    weren't supported by the majority and this  
13    legislature, ideas that could very well work  
14    towards closing the gaps in the 2012 budget  
15    and beyond, but they weren't adopted. Thank  
16    you.

17                  CHAIRMAN SCHMITT: Listen, we can  
18    sit and debate this, and I would sincerely  
19    like to do so, but the ideas that you  
20    submitted or the amendments that you  
21    submitted for the budget in October of 2011  
22    were amendments that talked about -- that  
23    required using the fund balance that the  
24    county had in place.

25                  LEGISLATOR ABRAHAMS: Not all of



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2 them, no, not true.

3 CHAIRMAN SCHMITT: We can debate  
4 those things until the cows come home. The  
5 point of the matter is that we have money to  
6 save and we have to make cuts and as the  
7 various proposals come up, the minority  
8 continues to vote against them, and I don't  
9 see any alternative plans being put on the  
10 table.

11 LEGISLATOR ABRAHAMS: Let me ask  
12 you this, Mr. Schmitt. We haven't voted for  
13 incentive yet. How much money did the  
14 police closure save you?

15 CHAIRMAN SCHMITT: You know what  
16 it's projected to save --

17 LEGISLATOR ABRAHAMS: Not going  
18 to save, as of right now --

19 CHAIRMAN SCHMITT: Mr. Abrahams,  
20 how many --

21 LEGISLATOR ABRAHAMS: Mr.  
22 Schmitt, I'm asking you a very important  
23 question.

24 CHAIRMAN SCHMITT: How many  
25 precincts have been closed as of right now?

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2 LEGISLATOR ABRAHAMS: So when the  
3 first precinct gets slated to be closed in  
4 the next 30 plus days, how much money are  
5 you going to save without the incentive?  
6 Tell the public how much we're saving. I  
7 would like to hear that number.

8 CHAIRMAN SCHMITT: So is it your  
9 plan to vote against the incentive too?

10 LEGISLATOR ABRAHAMS: No. Well,  
11 you're talking about you're saving the  
12 county all these millions of dollars.  
13 You're not saving one dime until that  
14 incentive goes through, and let me remind  
15 you, that incentive requires three votes of  
16 this legislative minority.

17 CHAIRMAN SCHMITT: No, it does  
18 not.

19 LEGISLATOR ABRAHAMS: Yes, it  
20 does.

21 CHAIRMAN SCHMITT: No, it does  
22 not.

23 LEGISLATOR ABRAHAMS: The bonding  
24 for that incentive --

25 CHAIRMAN SCHMITT: The bonding --

1 Full Legislature/3-19-12

2 LEGISLATOR ABRAHAMS: Okay.

3 We're going to be technical. The bonding  
4 for that incentive requires three votes of  
5 this legislative minority.

6 CHAIRMAN SCHMITT: And today the  
7 bonding of that incentive would require four  
8 votes because one of the legislators for the  
9 majority is missing.

10 LEGISLATOR ABRAHAMS: And I'm  
11 sorry to hear that, but what I'm saying to  
12 you is, again, how much money would the  
13 precinct plan save, without the incentive  
14 bonding in place, the answer is zero.

15 CHAIRMAN SCHMITT: The answer is,  
16 it will save more money than if we sat here  
17 and did nothing.

18 LEGISLATOR ABRAHAMS: Sure.  
19 We'll save some money by turning off the  
20 lights and boarding up the building.

21 CHAIRMAN SCHMITT: The longest  
22 journey begins with a little step. Okay.  
23 As I indicated, one of the members of the  
24 majority is not present today, Legislator  
25 Dunne is not in his seat. As a result,

1 Full Legislature/3-19-12  
2 there will be some changes to the calendar  
3 and we have a consent calendar which are  
4 items that the minority and the majority  
5 agree upon. I am going to call that first.

6 So the first item, Item Number 6,  
7 Ordinance 42, Item 7, Ordinance 43; Item 8,  
8 Ordinance 44; Item 9, Ordinance 45; Item 11,  
9 Ordinance 47; Item 12, Ordinance 48; Item  
10 13, Ordinance 49; Item 14, Ordinance 50;  
11 Item 16, Resolution Number 46; Item 17,  
12 Resolution Number 47; Item 18, Resolution  
13 Number 48; Item 19, Resolution Number 49;  
14 Item 20, Resolution Number 50; Item 21,  
15 Resolution Number 51. Could I have a  
16 motion, please?

17 LEGISLATOR GONSALVES: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRMAN SCHMITT: Moved by  
20 Legislator Gonsalves, seconded by Legislator  
21 Muscarella. Any public comment on any of  
22 these items?

23 (No verbal response.)

24 All those in favor signify by  
25 saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The items carry unanimously.

6 Next we are going to call Item Number 10  
7 which is an ordinance supplemental to the  
8 annual appropriation ordinance in connection  
9 with the health department. May I have a  
10 motion, please?

11 LEGISLATOR GONSALVES: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRMAN SCHMITT: Moved by  
14 Legislator Gonsalves, seconded by Legislator  
15 Muscarella. Any debate or discussion? The  
16 chair recognizes Legislator Bosworth.

17 LEGISLATOR BOSWORTH: I do have a  
18 question about this and it does relate to  
19 our labs.

20 CHAIRMAN SCHMITT: Is anyone here  
21 from the Health Department?

22 LEGISLATOR BOSWORTH: MaryEllen,  
23 thank you. These questions that I'm asking,  
24 I know you're doing your best to answer  
25 whatever you're able to. That's

1 Full Legislature/3-19-12  
2 appreciated. I know that you cannot tell us  
3 anything about the closure of the clinical  
4 lab because it is in fact in litigation,  
5 but, just for the record, I want to express  
6 my continuing concern about that.

7 I just would like to know again  
8 if there is any sense that this -- that we  
9 also have some concerns about the  
10 environmental lab.

11 MS. LORRAINE: The environmental  
12 lab is in full compliance with the state.  
13 It's currently processing specimens in all  
14 of our programs.

15 LEGISLATOR BOSWORTH: So that was  
16 just a continuing concern as the clinical  
17 lab has some difficulty with staffing and  
18 the director, just want to again make sure  
19 that the environmental lab is fully staffed  
20 and is able to do the testing of the quality  
21 of the water, the contaminants and sewage  
22 that's being discharged and things of that  
23 nature.

24 MS. LORRAINE: It is.

25 LEGISLATOR BOSWORTH: Thank you.

1 Full Legislature/3-19-12  
2 CHAIRMAN SCHMITT: Anybody else?  
3 (No verbal response.)  
4 Any public comment?  
5 (No verbal response.)  
6 All those in favor signify by  
7 saying aye.  
8 (Aye.)  
9 Any opposed?  
10 (No verbal response.)  
11 The item carries unanimously.  
12 That's it except for -- I'm going to take a  
13 15 minute recess and we will return.  
14 (Whereupon, the Full Legislative  
15 Committee recessed at 2:07 p.m. and  
16 reconvened at 7:30 p.m.)  
17 CHAIRMAN SCHMITT: Please take  
18 your seats. It gives me great pleasure to  
19 invite all legislators to please take their  
20 seats. It is 7:30 and all is well. I  
21 think, Mr. Clerk, we have an emergency.  
22 CLERK MULLER: Presiding Officer  
23 Schmitt, we have an emergency. It comes by  
24 way of recommendation from the  
25 administration for the adoption of a

1 Full Legislature/3-19-12  
2 resolution setting for that an emergency  
3 exists for consideration of an immediate  
4 action for Clerk Item Number 116-12. The  
5 emergency resolution Number 6-2012 is as  
6 follows: A resolution declaring an  
7 emergency for immediate action upon a  
8 resolution setting forth that an emergency  
9 exists for consideration of an immediate  
10 action upon Ordinance 50-A-2012.

11 Please entertain a motion to  
12 place this matter before the legislature and  
13 vote on the emergency resolution.

14 LEGISLATOR GONSALVES: So moved.

15 LEGISLATOR NICOLELLO: Second.

16 CHAIRMAN SCHMITT: Moved by  
17 Legislator Gonsalves, seconded by Legislator  
18 Nicolello. Any debate or discussion?

19 (No verbal response.)

20 All those in favor signify by  
21 saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item carries unanimously.



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2 The emergency is established.

3 CLERK MULLER: The underlying  
4 resolution 50-A-2012 is an ordinance  
5 providing for a capital expenditure to  
6 finance the payment of certain payments by  
7 the County of Nassau to employees upon  
8 separation from employment authorizing bonds  
9 not to exceed the amount of \$26,500,000 of  
10 the County of Nassau to finance said  
11 expenditure and making certain  
12 determinations pursuant to the State  
13 Environmental Quality Review Act pursuant to  
14 the Local Finance Law of the New York and  
15 the County Government Law of Nassau County.

16 Please entertain a motion to  
17 place this matter before the Nassau County  
18 Legislature.

19 CHAIRMAN SCHMITT: Do we have a  
20 motion to put this in front of the  
21 legislature?

22 LEGISLATOR GONSALVES: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRMAN SCHMITT: Moved by  
25 Legislator Gonsalves, seconded by Legislator

1 Full Legislature/3-19-12  
2 Nicoletto. Any debate or discussion?

3 (No verbal response.)

4 Before we vote, we have an  
5 amendment in the form of a substitution.  
6 The chair recognizes Minority Leader  
7 Abrahams.

8 LEGISLATOR ABRAHAMS: Thank you,  
9 Presiding Officer Schmitt. Just for  
10 clarification purposes, and I see Mr. Walker  
11 is at the podium, in Section Two, Mr.  
12 Walker, where the actual document talks  
13 about two employees upon separation, section  
14 two, I will read the section from the  
15 beginning, actually.

16 "A capital expenditure for  
17 financing the cost of the payments by the  
18 County of Nassau to employees upon  
19 separation from employment from the county  
20 not to exceed the amount of \$26.5 million."  
21 We would just like to have some  
22 clarification of the unions that are  
23 actually going to be serviced by this  
24 separation.

25 We would like to amend it to

1 Full Legislature/3-19-12  
2 reflect by the County of Nassau, we would  
3 like it to read, "of the County of Nassau to  
4 members of the PBA, SOA and DAI," and if you  
5 need me to say this for me for the record,  
6 what the actual acronyms are, just so we can  
7 be clear -- when we did the CSEA incentive,  
8 we specifically specified it for CSEA. So  
9 you can do it for a collective bargaining  
10 unit, am I mistaken?

11 So if we could make that change,  
12 that would be great. We all know the  
13 intent, the intent is for the unions, the  
14 police unions.

15 MR. WALKER: This was filed with  
16 the intent of the executive and the  
17 legislature for the bonding to be used for  
18 the three unions, employees that are  
19 retiring, leaving the employ of the county  
20 of the three unions, PBA, DAI, SOA. That is  
21 the intent of the legislation.

22 The CSEA has their own, and as  
23 you know there is funding available to pay  
24 for those payments for those CSEA members  
25 that are from the police department.

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2 LEGISLATOR ABRAHAMS: And I think  
3 we all agree with that synopsis and that  
4 intent. I just think right now, Mr. Walker,  
5 what we're talking about is amending an  
6 amendment, and I guess there is some feeling  
7 that we can't do that.

8 It's our position from our legal  
9 counsel that we are amending the amendment  
10 on the floor and we believe we can do it.  
11 Do you have a problem with the terminology  
12 we just used?

13 MR. WALKER: No, again, as long  
14 as it's passed today, we can move forward so  
15 that these members can actually retire. We  
16 know what the intent is. I think all 19  
17 legislators would agree with the intent of  
18 the county executive that it's for those  
19 three unions.

20 LEGISLATOR ABRAHAMS: And that's  
21 generally what we are trying to specify.

22 CHAIRMAN SCHMITT: What we are  
23 going to do here is because an emergency has  
24 been declared, which in effect suspends the  
25 rules, it's been determined that the ability

1 Full Legislature/3-19-12  
2 to amend an amendment on the floor exists  
3 and the chair recognizes Legislator Abrahams  
4 for the purposes of making an amendment to  
5 the amendment.

6 LEGISLATOR ABRAHAMS: Just so  
7 that we're clear, Section 2 currently reads,  
8 "a capital expenditure for financing the  
9 cost of the payments by the County of Nassau  
10 to employees upon separation from employment  
11 from the county not to exceed the amount of  
12 \$26.5 million" and then it goes on.

13 We would like that section to  
14 read, "a capital expenditure for financing  
15 the cost of the payments by the County of  
16 Nassau to PBA, SOA and DAI employees." So  
17 we are inserting PBA, SOA and DAI after "to"  
18 and before "employees." That's our  
19 amendment.

20 CHAIRMAN SCHMITT: You have a  
21 motion.

22 LEGISLATOR JACOBS: Second.

23 CHAIRMAN SCHMITT: Seconded by  
24 Legislator Jacobs. Any debate or discussion  
25 on the motion?

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2 (No verbal response.)

3 All those in favor of the  
4 amendment please signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The amendment carries  
9 unanimously. Now, on the amendment as  
10 amended --

11 LEGISLATOR ABRAHAMS: Before we  
12 vote on the item as amended, I believe -- I  
13 thought Mr. Walker was going to make a  
14 presentation so that we can see the actual  
15 signed MOAs.

16 MR. WALKER: No, we have them  
17 available though if you would like. The  
18 county executive will make them available  
19 upon the passage for everyone.

20 LEGISLATOR ABRAHAMS: Upon the  
21 passage?

22 MR. WALKER: Yes. Because the  
23 PBA still has to ratify it. The unions do  
24 have to have some ratification process. So  
25 they will be signed and made available upon

1 Full Legislature/3-19-12  
2 completion.

3 LEGISLATOR ABRAHAMS: Do you have  
4 them there with you signed?

5 MR. WALKER: No, I don't. Again,  
6 the PBA has to actually have a ratification  
7 of their membership.

8 LEGISLATOR ABRAHAMS: So it was  
9 my understanding that we would have them  
10 signed before we took the vote.

11 MR. WALKER: No. You can  
12 actually have the MOAs. They cannot be  
13 signed. Again, the PBA cannot -- the  
14 president of the PBA literally has to go  
15 back to his board which I'm sure President  
16 Carver will go over them with you, but it  
17 has to be ratified through their processes.  
18 He will have it ratified tomorrow. You have  
19 a signed document but, again, it has be  
20 ratified by his board.

21 LEGISLATOR ABRAHAMS: It needs to  
22 be ratified --

23 MR. WALKER: Tomorrow.

24 LEGISLATOR DENENBERG: Are they  
25 signed by the county executive?

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2 MR. WALKER: Everything is  
3 signed, yes. We're not going to give out  
4 documents that still, one, has to be  
5 ratified by the board. You will have the  
6 documents, and the PBA's case will be  
7 ratified tomorrow.

8 CHAIRMAN SCHMITT: Legislator  
9 Abrahams?

10 LEGISLATOR ABRAHAMS: Yes.

11 CHAIRMAN SCHMITT: Why don't you  
12 just ask the unions if it's okay with them  
13 so we can move forward?

14 LEGISLATOR ABRAHAMS: Okay. I  
15 see Jimmy Carver is here. I don't know -- I  
16 see Gary. Glenn is here.

17 MR. CARVER: Jim Carver, Nassau  
18 PBA.

19 LEGISLATOR ABRAHAMS: Are you  
20 okay with --

21 MR. CARVER: We are okay with  
22 that, and I don't speak for the other two  
23 unions, but we are okay. We have to ratify  
24 tomorrow at 11:30 and if it's a signed copy  
25 that's out there before I ratify it, that's



1 Full Legislature/3-19-12  
2 not good, members seeing something  
3 beforehand.

4 The policy is, to sign it. I  
5 bring it back to my ratification process  
6 which is 11:30 tomorrow, and by noon, 12:30,  
7 and I see no problem with it being passed.

8 LEGISLATOR ABRAHAMS: And all of  
9 you believe that each of your MOAs have been  
10 signed by the county executive?

11 MR. CARVER: Not only do I  
12 believe it, I saw it.

13 LEGISLATOR ABRAHAMS: You saw it.  
14 All right.

15 MR. LEARNED: Our ratification  
16 problem is different than the PBA's. It's  
17 the executive board, and our thing has been  
18 ratified. We have a signed agreement, so we  
19 have no problem at all.

20 LEGISLATOR ABRAHAMS: Okay.

21 MR. CICCONE: And DAI has a  
22 signed agreement, no problem.

23 CHAIRMAN SCHMITT: Can we move  
24 forward? On the amendment as amended, all  
25 those in favor please signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item is amended. Now, on the  
6 bond ordinance as amended which now is in  
7 the amount of \$26,500,000, is there anything  
8 that you have to do, Mr. Muller, before I  
9 call the vote?

10 CLERK MULLER: No.

11 CHAIRMAN SCHMITT: Okay. On the  
12 item as amended, Ordinance number -- what's  
13 the number now?

14 CLERK MULLER: Now it will be  
15 50-A of 2012.

16 CHAIRMAN SCHMITT: Ordinance 50,  
17 any debate or discussion?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 All those in favor please say  
22 aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 The item passes unanimously.

3 Item number four is an ordinance extending a  
4 voluntary separation incentive to certain  
5 officers and employees. May I have a  
6 motion, please?

7 LEGISLATOR GONSALVES: So moved.

8 LEGISLATOR MUSCARELLA: Second.

9 CHAIRMAN SCHMITT: Moved by  
10 Legislator Gonsalves, seconded by Legislator  
11 Muscarella. Any debate or discussion on  
12 this item?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor of Ordinance  
17 Number 40 please say aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item carries unanimously.

22 Ordinance Number 41 is an ordinance  
23 extending a voluntary separation employee  
24 incentive to certain officers and employees.  
25 May I have a motion, please?

1 Full Legislature/3-19-12  
2 LEGISLATOR GONSALVES: So moved.  
3 LEGISLATOR MUSCARELLA: Second.  
4 CHAIRMAN SCHMITT: Moved by  
5 Legislator Gonsalves, seconded by Legislator  
6 Muscarella. Any debate or discussion on  
7 this item?

8 (No verbal response.)  
9 Is there any public comment?

10 (No verbal response.)  
11 All those in favor please say  
12 aye.

13 (Aye.)  
14 Any opposed?

15 (No verbal response.)  
16 The item carries unanimously. I  
17 believe that is all the business that we  
18 have in front of the legislature today.  
19 Mr. Walker, is there anything else that you  
20 want to share with us?

21 MR. WALKER: Thank you for your  
22 patience.

23 CHAIRMAN SCHMITT: We are going  
24 to go back to public comment. We're are  
25 going to call the names. Adam Garfield?

1 Full Legislature/3-19-12  
2 Richard Colera? John Jaronczyk, Sheriff's  
3 Officers?

4 MR. JARONCZYK: Good evening.  
5 I'm very happy that a lot of business got  
6 done today. It was very important business  
7 and it had to get done. I'm happy for my  
8 brothers in the PBA, DAI and SOA and also  
9 CSEA. But there are problems that are still  
10 occurring in this county that we were  
11 prepared to speak about earlier, but it  
12 seems like they're not going away.

13 As every one knows there was an  
14 inmate suicide on February 24th. Correction  
15 officers were forced to perform CPR for 25  
16 minutes while waiting for an ambulance.  
17 They performed it. Not the private medical  
18 care that County Executive Mangano was  
19 touting as saving \$6 million. The  
20 correction officers performed CPR for 25  
21 minutes while they were waiting for an  
22 ambulance.

23 We have a lot of issues with the  
24 medical care inside that facility. Just  
25 last week on the 9th, there was an inmate

1 Full Legislature/3-19-12  
2 medical emergency inside the jail. It was  
3 on the upper tier in the satellite area.  
4 There was a nurse on scene at the time  
5 dispensing medication. She refused to go  
6 upstairs to take care of the problem with  
7 the inmate. Ten minutes later, there was  
8 another medical emergency, a signal put out.  
9 They responded with more additional nurses.

10 The officers were forced on the  
11 advice of the nurse to carry the inmate down  
12 in a blanket, like it was a third-world  
13 country because they responded with no  
14 appropriate medical care and tools. There  
15 was no stretcher. They came with a  
16 wheelchair.

17 A couple of days later there was  
18 an inmate, 6 foot, 340 pounds. That's a big  
19 man. The nurse was afraid to go down the  
20 tier to handle that issue. The officers  
21 wound up going over to the hospital. It was  
22 a three man hospital room because this  
23 inmate was from the behavior management  
24 unit. He was violent and assaultive to  
25 staff and he created a lot of damage inside

1 Full Legislature/3-19-12  
2 the facility. He broke windows inside the  
3 medical area.

4 When he got over to the ICU area,  
5 the sheriff cut the post down to one,  
6 despite numerous reports that this inmate  
7 was assaultive. The next day he became  
8 assaultive to the NUMC staff. The one  
9 officer on the post had to try to restrain  
10 an inmate that was 6 foot, 340 pounds. The  
11 inmate wound up throwing a bed pan of mucus  
12 and blood and other things on the officer.  
13 The officer was able to restrain, he was  
14 able to call for assistance.

15 We have a lot of problems inside  
16 that facility. Just the other day there was  
17 an officer that was choked in the 01 area of  
18 the hospital. That inmate that choked the  
19 officer was in custody because he broke the  
20 jaw of an NUMC nurse over in 01.

21 Now, these problems would not be  
22 occurring if Armor was staffing their closed  
23 prison ward. Because these inmates would be  
24 housed in the closed prison ward. They  
25 wouldn't be on the open posts inside the

1                   Full Legislature/3-19-12  
2   hospital.   That is the problem we are  
3   having.

4                   Yesterday, that same inmate that  
5   tried choking an officer, there was another  
6   use of force with him and two more officers  
7   were injured.   So we have a lot of problems  
8   with the inmate medical care inside there  
9   and it's creating a lot of problems with  
10   public safety throughout the jail and,  
11   Norma, right by the hospital.   I have met  
12   with you before on this.   I met with a lot  
13   of people before on this.

14                  CLERK MULLER:   Your three minutes  
15   have expired.

16                  MR. JARONCZYK:   I know that  
17   everyone is in a rush to get out of here,  
18   but we have a lot of problems inside this  
19   jail.   You cut training, you cut  
20   supervision, and now you're cutting medical  
21   care.   If there was a plan in place that the  
22   department of justice put forward, where  
23   they built a foundation to improve the  
24   conditions inside that jail, and the county  
25   threw it out.   They had the architect.   They



1 Full Legislature/3-19-12  
2 had the plans. The foundation was built and  
3 they through threw it out. So now we're  
4 left with a mess.

5 We have had two inmate deaths so  
6 far inside this facility. That's seven  
7 since 2010. Every day -- even since the  
8 last suicide, you're having more medical  
9 emergencies and they are not responding with  
10 the proper equipment. We have the Armor  
11 contract. It was signed last year, March  
12 19th. I don't know in any of you looked at  
13 it, but you're not getting what you paid  
14 for. They're supposed to respond 24 hour on  
15 call physician, 24 hour nursing coverage,  
16 proficiency in use of first aid jump bags,  
17 oxygen, AED, other rescue equipment. They  
18 are coming with nothing. If we're lucky, we  
19 get a wheelchair. If we're lucky, we get a  
20 bottle of oxygen. They came with smelling  
21 salts one time. The officers are put in a  
22 position where they have to provide the  
23 care. That's not good for anyone. They are  
24 not trained, they cut the in-service  
25 training, they're not providing CPR, not

1 Full Legislature/3-19-12  
2 providing first aid, not providing suicide  
3 awareness. You would think a jail that had  
4 five inmate suicides in the last two years,  
5 they would offer a suicidal awareness class  
6 to staff. No, it's not on the curriculum  
7 this year.

8 So these are our problems that  
9 we're having. I have been here six or seven  
10 times already. It seems like I'm falling on  
11 deaf ears. Like, don't tell me you care and  
12 want to do something about it and not do  
13 anything about it. That's the position we  
14 are in right now.

15 The county's answer, they want to  
16 hire retired, part time correction officers.  
17 Retired part time correction officer. Joe  
18 Belesi, you're a retired police supervisor,  
19 could you come back and work as a correction  
20 officer? Could you control a 6 foot, 340  
21 pound inmate? Well, that's the county's  
22 answer. They want to hire retired  
23 correctional officers part time.

24 This is where we're at. I sat  
25 around here all day. I understand there is

1 Full Legislature/3-19-12  
2 more pressing issues, but this problem is  
3 not going away and it's getting worse. I  
4 know you're getting tired of seeing me, but  
5 I have to keep coming up here.

6 We are asking you as the  
7 legislative body to do something about this.  
8 Thank you.

9 LEGISLATOR GONSALVES: I have a  
10 question, John. You say that the inmates  
11 who require medical care are not being  
12 serviced within the facility?

13 MR. JARONCZYK: Well, not all the  
14 inmates can be seen. Some have to be sent  
15 off to the hospital. But when they are sent  
16 over to the hospital, they are not housed in  
17 the closed prison ward like they used to be  
18 because Armor would have to pay for staffing  
19 in the closed prison wards. So now they're  
20 in 01, which creates a problem. If there is  
21 a medical emergency in 01 or an officer is  
22 getting his butt kicked down there, and we  
23 have to respond, the officers can't get in  
24 right away. They have to wait for someone  
25 to come with a key to open that door for

1 Full Legislature/3-19-12  
2 them. Where, if they were in the prison  
3 ward the officer would be able to respond  
4 easily.

5 LEGISLATOR GONSALVES: That  
6 prison ward is at the hospital; is that  
7 correct?

8 MR. JARONCZYK: Correct. At the  
9 hospital.

10 LEGISLATOR GONSALVES: If the  
11 inmate is transported to the hospital, the  
12 medical company has to pay for the care of  
13 the individual there?

14 MR. JARONCZYK: If they're going  
15 to house inmates in the closed prison ward,  
16 Armor would have to pay for that medical  
17 coverage.

18 LEGISLATOR GONSALVES: And so?

19 MR. JARONCZYK: And they are not  
20 doing that. That's why they're housing them  
21 on the open floor. I have been here before  
22 talking about this, Norma.

23 LEGISLATOR GONSALVES: I'm  
24 listening to you.

25 MR. JARONCZYK: I've been here in

1 Full Legislature/3-19-12  
2 October, November, December, it's a broken  
3 record and we are getting worse.

4 LEGISLATOR GONSALVES: John, in  
5 all fairness, this is the first time you  
6 have said to me and said to us here that the  
7 prisoners were not -- were being brought to  
8 the hospital but not under close  
9 supervision.

10 MR. JARONCZYK: That's not true,  
11 Norma. I have been here before --

12 LEGISLATOR GONSALVES: I'm not  
13 going to argue with you, John. But now I've  
14 heard you and I will check it out as early  
15 as Thursday. I am going to check it out and  
16 report back to the legislature.

17 CHAIRMAN SCHMITT: Deputy  
18 Presiding Officer Gonsalves is going to  
19 check it out and she's going to come back  
20 and report to all of us.

21 LEGISLATOR GONSALVES:  
22 Absolutely.

23 MR. JARONCZYK: Thank you very  
24 much, presiding officer.

25 CHAIRMAN SCHMITT: Legislator

1 Full Legislature/3-19-12

2 Jacobs.

3 LEGISLATOR JACOBS: John, I just  
4 want to talk to you for a second. How are  
5 you?

6 MR. JARONCZYK: I'm good. How  
7 are you?

8 LEGISLATOR JACOBS: I'm really  
9 upset by what you said, but you are very  
10 effective representing your union and the  
11 jail.

12 MR. JARONCZYK: Thank you. I'd  
13 rather not be here, but unfortunately I have  
14 to be.

15 LEGISLATOR JACOBS: I know. I'm  
16 sure you wish you weren't. I appreciate you  
17 coming and I appreciate you letting us know.  
18 As you know, I have been speaking to certain  
19 people who are questioning why a visitor's  
20 board that was originally approved under  
21 Gulotta's years unanimously by the board of  
22 sups has never been instituted. It's not a  
23 political thing because Gulotta, Suozzi and  
24 now Ed, it's never been instituted.

25 I just want to know your thoughts

1 Full Legislature/3-19-12  
2 about that. That if it might be a help to  
3 have that. I know what you're going to say,  
4 that that would not be the purpose. The  
5 purpose would be to address any problems.  
6 What do you think?

7 MR. JARONCZYK: Judy, make no  
8 mistake, I'm not here advocating for the  
9 Board of Visitors. I'm here advocating for  
10 safety in the jail. I shouldn't have to  
11 negotiate for safety inside that jail.

12 Now, when the -- we were under  
13 the Department of Justice mandates, they set  
14 the foundation for safety issues inside that  
15 jail. We didn't have the problems we're  
16 having now. We started having the problems  
17 when the Department of Justice lifted their  
18 mandates and the county ignored all the  
19 suggestions. It doesn't make sense to go to  
20 an architect and have him build a foundation  
21 and then not follow through with the plans.  
22 That's exactly what your county is doing.  
23 That's exactly what they're doing.

24 So I'm here to try to improve the  
25 overall conditions inside that facility, for

1 Full Legislature/3-19-12  
2 the officers, the inmates, and for the  
3 visitors that come there. It's not my  
4 purview to say whether we need a board of  
5 visitors. That's in the county charter. If  
6 there is one, I want it to be fair and  
7 impartial for officers and visitors. But  
8 that's not my say. I can't say whether they  
9 should have it or shouldn't have it. That's  
10 for County Executive Mangano and for you to  
11 say. That's not my call.

12 LEGISLATOR JACOBS: Okay. I  
13 think it would also be helpful to us if you  
14 could give us a list, if you would, when you  
15 have some time, as to certain issues which  
16 you feel -- and I realize the first one is  
17 the hospital and certainly the suicides and  
18 the need for training, et cetera, and if  
19 there's other things you can give us to zero  
20 in on where we might be of some help.

21 MR. JARONCZYK Right.  
22 Unfortunately, Judy, we have so many  
23 problems inside that jail, that 15 minute  
24 recess that Presiding Officer just gave us,  
25 which was five hours, I could fill all that



1 Full Legislature/3-19-12  
2 time talking about the issues at the jail.  
3 CHAIRMAN SCHMITT: Wait a minute.  
4 The recess was caused by their necessity.  
5 MR. JARONCZYK: I'm just saying.  
6 CHAIRMAN SCHMITT: Don't start.  
7 MR. JARONCZYK: You were the one  
8 that said 15 minutes and it turned into five  
9 hours.  
10 CHAIRMAN SCHMITT: I had no idea  
11 while upstairs.  
12 LEGISLATOR JACOBS: Listen,  
13 things happen.  
14 MR. JARONCZYK: I'm glad  
15 everything got worked out. I really am.  
16 LEGISLATOR JACOBS: I will talk  
17 to you. I will give you a call and we will  
18 talk about this.  
19 MR. JARONCZYK: Thank you very  
20 much.  
21 CHAIRMAN SCHMITT: Legislator  
22 Ford.  
23 LEGISLATOR FORD: Thank you.  
24 Good evening. Thank you for waiting so long  
25 and I appreciate the efforts on the part of

1                   Full Legislature/3-19-12  
2   Legislator Gonsalves in trying to find  
3   something out. But just to let you know  
4   that I will wait until she advises me on  
5   Thursday what she has found out, but it's my  
6   intent to go over to the jail myself, and if  
7   I have to I will meet with the health care  
8   provider.

9                   MR. JARONCZYK: You are going to  
10  be surprised in what you see. Because what  
11  you're getting for on paper, I looked  
12  through this, I poured through this more  
13  than people that signed it. Nowhere does it  
14  say that officers have to carry inmates down  
15  in blankets. No where. No where does it  
16  say nurses are refusing to go down a tier or  
17  bring the inmate out. If the guy is 6 foot,  
18  340, and he's laying on the ground, how are  
19  you going to get him out? Are you going to  
20  drag him out? We didn't have these problems  
21  before until they switched over to this  
22  private medical care. I'm pretty sure  
23  President Laricchiuta came here and told you  
24  these problems could happen. Because I know  
25  I have telling you about these problems

1                   Full Legislature/3-19-12  
2     since October. But it seems like we are  
3     falling on deaf ears. And we're there  
4     touting the \$6 million in savings but you  
5     don't know what you're getting. That \$6  
6     million in savings is going to be lost with  
7     lawsuits.

8                   LEGISLATOR FORD: Well, the  
9     concern would be not only with lawsuits but  
10    if officers are getting hurt on the job,  
11    that means then that they're going out  
12    because they're sick, they're hurt. That's  
13    time off. We have to pay for their sick  
14    leave and then it will generate overtime  
15    because other correction officers will have  
16    to do the tours for them, those who are out.  
17    I'm aware of that.

18                  With Armor, I intend to go over  
19    there. Maybe you can take me.

20                  MR. JARONCZYK: I would love to  
21    take you over there. Thank you.

22                  CHAIRMAN SCHMITT: Legislator  
23    Bosworth.

24                  LEGISLATOR BOSWORTH: You know,  
25    you have made some very compelling

1 Full Legislature/3-19-12  
2 statements and I don't think there's a  
3 person up here that's not concerned about  
4 this.

5 MR. JARONCZYK: Well, I wish I  
6 was making them up, but I'm not.

7 LEGISLATOR BOSWORTH: No, no, no.  
8 I think it's quite clear that you're not.  
9 It's one thing to privatize and have the  
10 contract and save the money. It's another  
11 thing to make sure that the contract is  
12 being fulfilled and the services that are  
13 promised are actually delivered.

14 So you're bringing to the  
15 forefront the fact that many of the services  
16 that are indicated in this contract in fact  
17 are not being delivered and Legislator  
18 Gonsalves is going to look into it and  
19 that's appreciated. We need to know exactly  
20 what is happening.

21 My concern is, and this is again  
22 just something that I've heard and I hope  
23 that what I'm hearing is incorrect, that in  
24 terms of the Nassau County lab that's been  
25 closed, that's there is talk of

1 Full Legislature/3-19-12  
2 privatization and there's talk of turning it  
3 over to Armor. So that causes me to have  
4 some great --

5 MR. JARONCZYK: Can I be the  
6 first on record to say that that's probably  
7 not a very good idea. I don't know if  
8 anyone did their due diligence, but Armor  
9 has about four or five pages of lawsuits  
10 pending in the jurisdictions that they're  
11 in.

12 LEGISLATOR BOSWORTH: It's not  
13 something that's been said. It's something  
14 that I heard.

15 CHAIRMAN SCHMITT: That was  
16 brought up with the lawsuit. That was  
17 brought up when the contract was heard and  
18 they got up and they explained that there  
19 were three or four and the rest were all  
20 garbage.

21 MR. JARONCZYK: Well, you have  
22 three or four more and they're not garbage.

23 CHAIRMAN SCHMITT: Let's just not  
24 revisit the old ground.

25 LEGISLATOR BOSWORTH: So, John, I

1 Full Legislature/3-19-12  
2 appreciate your having the tenacity to stay  
3 for all these hours to bring this to us  
4 again and again and again and I'm hoping  
5 that these comments will really be taken  
6 seriously heard and looked into.

7 MR. JARONCZYK: Thank you very  
8 much, Judi.

9 CHAIRMAN SCHMITT: Legislator  
10 Denenberg.

11 LEGISLATOR DENENBERG: Mr.  
12 Jaronczyk, thank you very much for staying  
13 here as long as you did. And I, for one,  
14 would say that you've been here again and  
15 again regarding what you perceive and let's  
16 be sure you perceive these as safety issues  
17 in the jail for your men and the prisoners  
18 alike, correct?

19 MR. JARONCZYK: Absolutely.

20 LEGISLATOR DENENBERG: In terms  
21 of, there was a lot being touted about Armor  
22 and the privatization to save money. Today  
23 we are hearing that maybe in the long run it  
24 will cost us money whether it's through  
25 lawsuits or we're not getting what we're

1 Full Legislature/3-19-12  
2 contracting for, is that what I'm hearing?

3 MR. JARONCZYK: Absolutely.

4 LEGISLATOR DENENBERG: And you  
5 represent your men and it's great that  
6 Legislator Gonsalves and Ford want to go and  
7 see what's going on. Maybe everyone wants  
8 to, but there is a Public Safety Committee.  
9 And when you want to hear from the presiding  
10 officer that we already heard about lawsuits  
11 against Armor, and you're saying that  
12 there's different ones. And you, as  
13 president of the union is saying there are  
14 public safety issues in the jail, it really  
15 cries out that the Public Safety Committee  
16 should hear it. Let everyone come and say  
17 what is going on. Hear all sides if you  
18 will. Get to the bottom of it. It's our  
19 job to make sure that when we have people  
20 warning us about what's going on in the jail  
21 and when we have facts like what has been  
22 going on for the last few years, I, for one,  
23 would say that the public safety should  
24 really be hearing these issues.

25 MR. JARONCZYK: Thank you very

1 Full Legislature/3-19-12  
2 much, Dave. I actually did try that once  
3 and they wouldn't allow me to speak.  
4 Listen, if you don't want to hear the  
5 information, you're going to get what you  
6 get.

7 LEGISLATOR DENENBERG: Otherwise,  
8 we're just all going to go individually and  
9 hear reports back. Obviously Legislator  
10 Gonsalves, it is her district, but there is  
11 a Public Safety Committee which is supposed  
12 to be looking into public safety issues.

13 CHAIRMAN SCHMITT: We are going  
14 to keep the record straight. At that Public  
15 Safety Committee where you came in and tried  
16 to sandbag the head of the committee --

17 LEGISLATOR DENENBERG: You just  
18 interrupted me.

19 CHAIRMAN SCHMITT: You had made  
20 your arrangements with the minority. The  
21 minority doesn't run -- you should have made  
22 them with majority.

23 MR. JARONCZYK: That's absolutely  
24 false. I didn't make arrangements with  
25 anyone.



1 Full Legislature/3-19-12

2 CHAIRMAN SCHMITT: I know.  
3 That's why Denenberg had the list. Never  
4 mind.

5 LEGISLATOR DENENBERG: I didn't  
6 have a list of anything, Mr. Schmitt. What  
7 are you talking about? When Mr. Jaronczyk  
8 came down, he came down to try to bring up  
9 an issue at a Public Safety Committee and he  
10 ws denied the right. I didn't know he was  
11 coming down.

12 CHAIRMAN SCHMITT: I understand  
13 the agenda, Dave. They want their members  
14 back in doing the health care. It's lots of  
15 overtime. It's good for them. It's good  
16 for the union.

17 MR. JARONCZYK: They're not my  
18 members that do the healthcare. I want  
19 safety at that jail.

20 CHAIRMAN SCHMITT: And every  
21 time they send an inmate to the hospital,  
22 you have to send two correction officers  
23 with them.

24 MR. JARONCZYK: Well, what do you  
25 think is happening right now when they send

1 Full Legislature/3-19-12  
2 an inmate to the hospital? They're still  
3 sending two correction officers over there.

4 CHAIRMAN SCHMITT: They're not  
5 sending nearly as many.

6 MR. JARONCZYK: Because they're  
7 dying inside your jail, that's why you're  
8 not sending them over there. Is that what  
9 you want to hear?

10 LEGISLATOR DENENBERG: Mr.  
11 Schmitt, for the record I think this is  
12 something that the Public Safety Committee  
13 of this body should be looking into, period.  
14 The best way to do it is in a hearing.

15 CHAIRMAN SCHMITT: That's noted.  
16 Thank you. Bernard Pollack? Gone. Okay.  
17 Claudia Borecky? Gone. Patricia Maher.  
18 Must have left. Uki Uno? He's gone.  
19 That's it. May I have a motion to adjourn,  
20 please?

21 LEGISLATOR GONSALVES: So moved.

22 LEGISLATOR MUSCARELLA: Second.

23 CHAIRMAN SCHMITT: Moved by  
24 Legislator Gonsalves, seconded by Legislator  
25 Muscarella.

1 Full Legislature/3-19-12  
2 All those in favor of adjourning  
3 please say aye.

4 (Aye.)

5 (Whereupon, the Full Legislative  
6 Committee adjourned at 8:03 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 30th day of March, 2012.

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FRANK GRAY