

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, November 25, 2013
1:31 P.M.

1

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

3

4 NORMA GONSALVES,
Presiding Officer

5

6 RICHARD NICOLELLO,
Deputy Presiding Officer

6

7 HOWARD KOPEL,
Alternate Deputy Presiding Officer

8

MICHAEL VENDITTO

9

DENISE FORD

10

JOSEPH SCANNELL

11

FRANCIS X. BECKER

12

VINCENT MUSCARELLA

13

JUDI BOSWORTH

14

WAYNE WINK

15

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

LEGISLATOR JOSEPH SCANNELL.....4

SISTER EVELYN LAMOUREUX.....11

GINGER LIEBERMAN, public comment.....14

JOANNE BORDEN, public comment.....21

PAT BOYLE, public comment.....23

JONATHAN RUBIN, public comment.....27

JERRY ROTHMAN, public comment.....28

EVY ROTHMAN, public comment.....29

CAROL MESCHKOW, public comment.....32

ALAN MILLER, public comment.....35

STEPHANIE NELKENS, public comment.....39

BARBARA EPSTEIN, public comment.....40

GREG MAY, County Executive's Office.....46

DAN VALENTINO, deputy county attorney,
Nassau County Department of Assessment...46

MAURICE CHALMERS, Budget Review.....56

ADAM HABER, public comment.....114

1 Full Legislature/11-25-13

2 CHAIRWOMAN GONSALVES: Everyone
3 should be in their seats, those who are here
4 anyway. I am very very privileged today to
5 have Legislator Scannell invite the scouts
6 here, and, in particular, the young man is
7 an Eagle at the age of 13.

8 LEGISLATOR SCANNELL: Yes.

9 CHAIRWOMAN GONSALVES: So, if you
10 go on the other side so you can face the
11 flags here, would you introduce them for us,
12 Legislator Scannell?

13 LEGISLATOR SCANNELL: Sure.
14 Christopher is with us. He is the actual
15 Eagle Scout, just a couple of weeks ago.
16 Christopher Kirchner. He had literally over
17 60 badges, which is amazing, as you guys
18 know. You've been to so many of these. You
19 only need 21 to become a scout. Christopher
20 is just an amazing young man, at 13 he
21 became an Eagle Scout. I have been going to
22 them for 24 years as an ADA, I was just
23 telling the guys, as an ADA, and as a
24 legislator, and as an Eagle Scout, Norma,
25 I've got to tell you, this kid is just

1 Full Legislature/11-25-13
2 amazing. He's had the most badges at the
3 youngest age of any anybody that I've been
4 to in 24 years of going to these things.
5 Christopher, you are an incredible person,
6 and your mom is here too, Nicole Kirchner,
7 she's with our committee chair too. Nicole.

8 So, what we are going to do,
9 Thomas is here too, Thomas Seeman is here
10 and Francesco. They are also here, Norma,
11 for the same thing. A couple of weeks ago
12 they had to come as part of their
13 citizenship in the community badge.

14 So, what they are here for,
15 Francesco and Thomas, and his mom is here
16 too, Mrs. Seeman is here too, Susan is in
17 the back, an amazing active person in our
18 troop as well, but they are here too also
19 because, as part of the citizenship in the
20 community badge, as part of the requirement
21 for Eagle Scout, is come to a legislative
22 session and listen and talk.

23 So we were able to do that today.
24 Norma, I really want to thank you so so much
25 because I'm extremely honored that not only

1 Full Legislature/11-25-13
2 are we going to do a point of personal
3 privilege but you are going to honor the
4 boys with allowing them to lead us in the
5 Pledge of Allegiance. It's something that
6 we do, guys, before every single session,
7 every time the legislators do it. This is
8 one of the few times that the scouts are
9 going to do. I'm so happy and privileged,
10 Norma, that you are going to allow the kids
11 to do it. So, thank you.

12 CHAIRWOMAN GONSALVES: Believe
13 me, it is my privilege. I've attended at
14 least 150 Eagle Courts of Honor and never
15 did I attend one of an Eagle who was 13
16 years of age.

17 The youngest I think I have gone
18 to was maybe 16. So, congratulations, and
19 he is an inspiration to the other two that
20 are standing by his side, correct? So,
21 Christopher, please lead us in the pledge.
22 Everyone, stand.

23 (Whereupon, the Pledge of
24 Allegiance was recited.)

25 CHAIRWOMAN GONSALVES: Thank you

1 Full Legislature/11-25-13

2 very much. Do you have anything else that
3 you would like to add?

4 LEGISLATOR SCANNELL: No. That
5 was it. We caught everything, and we were
6 able to do a quick photo, and I want to
7 thank Kevan Abrahams, our majority leader,
8 for that and the time of our legislators as
9 well, and the boys are here for the badge
10 and I also just want to say that Nicky is an
11 amazing amazing person to be able to get
12 your son, you are amazing. You are a great
13 person, you're so active with the troop, and
14 we are also going to do a certificate as
15 well for you to thank you for being so
16 active in our troop. We're so impressed and
17 grateful for everything that you do. You're
18 amazing. Thank you.

19 CHAIRWOMAN GONSALVES: They're
20 going to sit through the entire legislative
21 meeting?

22 LEGISLATOR SCANNELL: They're
23 going to stay for like an hour. We don't
24 want to do that to them. We don't want to
25 turn them off. Sometimes, guys, it can be

1 Full Legislature/11-25-13
2 long and boring and winded. So you can just
3 stay as long as you guys want to stay.

4 CHAIRWOMAN GONSALVES: Clerk,
5 call the roll, please.

6 CLERK MULLER: Deputy Presiding
7 Officer Nicoletto?

8 LEGISLATOR NICOLELLO: Here.

9 CLERK MULLER: Alternate Deputy
10 Presiding Officer Kopel?

11 LEGISLATOR KOPEL: Here.

12 CLERK MULLER: Legislator
13 Troiano?

14 LEGISLATOR TROIANO: Here.

15 CLERK MULLER: Legislator
16 Solages?

17 LEGISLATOR SOLAGES: Here.

18 CLERK MULLER: Legislator Ford?

19 LEGISLATOR FORD: Here.

20 CLERK MULLER: Legislator
21 Scannell?

22 LEGISLATOR SCANNELL: Here.

23 CLERK MULLER: Legislator Becker?

24 LEGISLATOR BECKER: Here.

25 CLERK MULLER: Legislator

1 Full Legislature/11-25-13

2 Muscarella?

3 LEGISLATOR MUSCARELLA: Here.

4 CLERK MULLER: Legislator

5 Bosworth?

6 (No verbal response.)

7 CLERK MULLER: Legislator Wink?

8 LEGISLATOR WINK: Here.

9 CLERK MULLER: Legislator

10 Venditto?

11 LEGISLATOR VENDITTO: Here.

12 CLERK MULLER: Legislator Belesi?

13 LEGISLATOR BELESI: Here.

14 CLERK MULLER: Legislator Dunne?

15 LEGISLATOR DUNNE: Here.

16 CLERK MULLER: Legislator Jacobs?

17 LEGISLATOR JACOBS: Here.

18 CLERK MULLER: Legislator Walker?

19 LEGISLATOR WALKER: Here.

20 CLERK MULLER: Legislator

21 DeRiggi-Whitton?

22 LEGISLATOR DERIGGI-WHITTON:

23 Here.

24 CLERK MULLER: Legislator

25 Denenberg?

1 Full Legislature/11-25-13

2 LEGISLATOR DENENBERG: Here.

3 CLERK MULLER: Minority Leader

4 Abrahams?

5 (No verbal response.)

6 CLERK MULLER: Presiding Officer

7 Gonsalves?

8 CHAIRWOMAN GONSALVES: Present.

9 CLERK MULLER: And Legislator

10 Bosworth is here.

11 CHAIRWOMAN GONSALVES: We have

12 another point of personal privilege.

13 Legislator Judy Jacobs, would you please?

14 LEGISLATOR JACOBS: I would like

15 to tell all of you something that I don't

16 think anyone up here will get very excited

17 about yet until you hear from them yourself,

18 but I happen to have met the Zonta Club

19 people many many years ago. They are a

20 wonderful wonderful group which is devoted

21 to empowering women worldwide and for doing

22 wonderful wonderful things for people. It's

23 a worldwide nonprofit organization of

24 executives and professionals who share a

25 commitment to service. There are over

1 Full Legislature/11-25-13
2 30,000 members in 1,200 clubs in over 70
3 countries.

4 If you listen to them for a few
5 minutes you are going to realize the things
6 they do. I asked them to join us today
7 because today marks the beginning of a 16
8 day period which I'm going to allow Sister
9 Evelyn to speak about who is the president
10 of the club and she will explain to you why
11 this is so important. You will be extremely
12 extremely interested in hearing what they
13 do, who they help, and how much they help
14 others. Sister Evelyn, why don't you come
15 up?

16 CLERK MULLER: Minority Leader
17 Abrahams is here.

18 CHAIRWOMAN GONSALVES: Nice to
19 see you again, Sister.

20 SISTER EVELYN LAMOUREUX: Thanks,
21 Norma, it's nice to be here on a happy
22 occasion. I'm Sister Evelyn Lamoureux and
23 I'm president of the Zonta Club of Long
24 Island. I reside in Oceanside and I'm
25 accompanied here today by members of the

1 Full Legislature/11-25-13
2 Zonta Club of Long Island. Maybe just raise
3 your hands and indicate who you are.

4 Zonta International is affiliated
5 with the United Nations as an NGO and our
6 objective is to improve the status of women
7 and to promote justice and universal respect
8 for human rights.

9 Today we want to draw your
10 attention to the Campaign to End Violence
11 Against Women and Girls. You should have in
12 front of you a card which says "Zonta Says
13 No." We are wearing orange ribbons. We
14 will wear them for the 16 days during the
15 Campaign Against Violence Against Women.

16 I don't know if you realize but
17 one out of every three women will experience
18 physical and/or sexual violence by a partner
19 or sexual violence by a non-partner in her
20 lifetime. That's a terrible statistic. We
21 need to draw attention to violence against
22 women.

23 So the campaign is sponsored by
24 Zonta International. It's a campaign to
25 raise awareness of and increase actions to

1 Full Legislature/11-25-13
2 end violence against women and girls around
3 the world.

4 The campaign began November 2012
5 and it will continue through December 2013.
6 It will feature the service and advocacy
7 action of Zonta Clubs and districts to
8 prevent and end violence against women and
9 girls in their local communities.

10 We bring it here to your
11 attention and hope that you will do what you
12 can to raise the consciousness of all people
13 about the violence against women. We thank
14 you.

15 LEGISLATOR JACOBS: We just want
16 to thank you because it is really a life
17 changing experience to go to one of their
18 meetings or events and realize the wonderful
19 things that are done for people. My hat
20 goes off to you. It's great to have a group
21 like this and I said to someone the other
22 night, when I saw all of you, it's probably
23 one of the best kept secrets but it really
24 stands for so much good and I appreciate you
25 coming down. Thank you very much.

1 Full Legislature/11-25-13

2 SISTER EVELYN LAMOUREUX: Thank
3 you very much.

4 CHAIRWOMAN GONSALVES: Thank you,
5 Sister Evelyn. Now we have set aside 30
6 minutes for public comment and the first
7 speaker is Ginger Lieberman.

8 MS. LIEBERMAN: Good afternoon
9 everyone. I'm here representing Plainview
10 Old Bethpage in the capacity of President of
11 the Board of Education. I'm going to be
12 speaking about casino gambling at the Race
13 Palace on Old Country Road.

14 The Board of Education passed a
15 resolution two meetings ago in which we
16 really stated our concerns about the safety,
17 health and welfare of all of our students
18 and our community as a whole.

19 I don't know how many of you are
20 aware, but there's going to be development
21 within a quarter of a mile of this proposed
22 casino and it's the Beechwood Development
23 bringing in between 8 and 900 homes which
24 would be 1800 cars, a super Shoprite, which
25 would probably bring in another 1,000 cars

1 Full Legislature/11-25-13
2 and the proposed 1,000 slot machines at the
3 casino, let alone the regular horse racing
4 that goes on. Our concern is for the
5 welfare of our students, the safety of our
6 families and the welfare of our community as
7 a whole. The school district represents the
8 community. We are the elected officials and
9 that's our responsibility.

10 In our resolution, we understand
11 that there are dire needs of money, every
12 school board member in the state knows the
13 capital we are facing. However, when we
14 talk about something of this magnitude, you
15 will never move on Old Country Road ever
16 again. We have families that live in the
17 hamlet and the only way they can get there
18 is to go over Old Country Road and the
19 service road of the expressway on the west
20 side. They will never ever get to their
21 homes again.

22 So I have copies of our
23 resolutions. But, as you begin to consider
24 a Race Palace with casino gambling, 1,000
25 slots, we ask you to visit our area, see how

1 Full Legislature/11-25-13
2 the traffic is already bottleneck, and
3 imagine another two to 3,000 cars there on a
4 day. I'm only going to read part of our
5 resolution:

6 Whereas, while the Plainview Old
7 Bethpage School Board of Education takes no
8 position with respect to gambling and our
9 casino activities, the Board of Education is
10 extremely concerned regarding the potential
11 for a dramatic negative impact on the school
12 community from a proposed video lottery
13 casino with 1,000 video lottery terminals at
14 the current Race Palace;

15 Whereas, the proposed casino is
16 within two miles of the Old Bethpage
17 Elementary School which houses 351
18 elementary school aged children. The
19 Mattlin Middle School which houses 774
20 children, and the POB JFK High School which
21 houses 1,482 students, and it also crosses
22 the road from community athletic fields
23 where hundreds of district's children and
24 children from visiting communities play and
25 practice;

1 Full Legislature/11-25-13

2 Whereas, the casino will likely
3 bring additional traffic that could impact
4 the -- impose a risk to the safety and the
5 efficiency of travel for all of our
6 students, staff and school buses, especially
7 the patrons if they leave the area drunk on
8 a weekend.

9 Our concern is for a quality of
10 life for all of Plainview Old Bethpage. Our
11 concern is for our students, for the
12 residents, and more also to respect what we
13 do as a community.

14 Our taxes are exceptionally high
15 in Plainview Old Bethpage; people paying
16 anywhere from 14 to 24 to \$48,000. People
17 moved there for a reason. We didn't move
18 there to become the area where we are going
19 to have casino gambling.

20 CLERK MULLER: Your three minutes
21 have expired, ma'am.

22 MS. LIEBERMAN: Thank you very
23 much. I'm going to leave copies of the
24 petition with you.

25 CLERK MULLER: Is there enough

1 Full Legislature/11-25-13

2 for all the legislators?

3 MS. LIEBERMAN: Yes.

4 CHAIRWOMAN GONSALVES: Legislator
5 Jacobs.

6 LEGISLATOR JACOBS: I just wanted
7 you to know, Ginger, that knowing from you
8 and other leaders in the community that the
9 reaction that has occurred over the last two
10 or three weeks, I did write a letter today
11 to Joe Cairo, the president of OTB in Nassau
12 County, and to County Executive Edward
13 Mangano because I felt it was only right and
14 positive to let them know what this would do
15 and what the community is really upset
16 about.

17 I think I worded it pretty well
18 as far as the various different uses of land
19 as you mentioned, you didn't mention the RXR
20 building which has an egress onto Round
21 Swamp Road, and you didn't mention the fact
22 that Canon just opened, also a tremendous
23 amount of traffic.

24 Now, there's no question along
25 the expressway there is always traffic, but

1 Full Legislature/11-25-13
2 this is called almost an overkill and if the
3 144 acres of county land which had been sold
4 to Charles Wang stays dormant, and it
5 doesn't have a builder, that would be a
6 tragedy for our community because the
7 housing, the multi-use housing that was
8 projected and the uses there are something
9 that is good for a community, brings in a
10 lot of revenue, and it's about to be heard
11 at Oyster Bay town hall. So I think all of
12 that, I just wanted to make -- people that
13 are not living in the area aware of what the
14 concerns are.

15 Also, I will take one more
16 minute. The fact a we are getting 1,000
17 VLTs and Suffolk is getting 1,000 VLTs, and
18 in the newspaper it said that Suffolk is
19 very close to -- deciding on the 110
20 Corridor, I cannot explain to people in the
21 audience who don't live there, the 110
22 Corridor, for example, through this whole
23 place here, would be equivalent to being
24 here and the Race Palace is here. I wonder
25 and I made this suggestion to both

1 Full Legislature/11-25-13
2 Mr. Mangano and Mr. Cairo that maybe it
3 would be smarter for Long Island to put all
4 2,000 together if the 110 Corridor can
5 accept it and live with that, share the
6 proceeds right down the middle so that each
7 county would still get their revenue, and at
8 the same time it would be a more controlled
9 traffic setting.

10 So I'm not advocating for
11 something for Suffolk County, but I'm just
12 saying, considering the close proximity, it
13 might be something to consider. The Race
14 Palace for many many reasons is not right
15 now able to accept this kind of influx of
16 heavy machinery and 1500 parking spaces.

17 I think it's important that
18 everyone here understands that it's not a
19 matter of not recognizing the value of the
20 VLTs monetarily throughout the state, it's
21 the point of placing them in a position in a
22 placement that geographically can absorb it
23 and live with it. That's what this is all
24 about.

25 CHAIRWOMAN GONSALVES: Thank you,

1 Full Legislature/11-25-13
2 Legislator Jacobs. Thank you, Ginger. Next
3 speaker is Joanne Borden.

4 MS. BORDEN: Good afternoon.

5 Transgender people are found on
6 every continent, in every culture, and
7 during every period of history. We appeared
8 on Pacific islands that had no contact with
9 the rest of the world. Only a natural
10 phenomenon, a birth variation, can act that
11 way. Stoning, burning, and torturing us did
12 not stop transgender people from appearing
13 throughout the ages because transgenderism
14 is not voluntary. We are born that way.

15 Ladies and gentlemen, the mind is
16 like a parachute. It only functions when
17 open. Open your mind and permit your
18 ideology to give way at least in this near
19 term to what is right, fair, and humane.

20 Think about it. Will this single
21 law that screams of Americanism really
22 damage or even delay your ultimate goal?
23 Does it really add up to a single vote or
24 meaningful support two years from now? We
25 are talking human rights. Do you really

1 Full Legislature/11-25-13
2 believe I am evil, unworthy, shameful,
3 because I was born with the wrong sex in
4 body or in mind? The most immoral act of my
5 life was lying to hide my real identity. I
6 thought society gave me no alternative but
7 to lie and appear to fit in at all costs, as
8 thousands of other Nassau county transgender
9 residents do. We are wrong because society
10 must see and know transgender people and
11 learn we are not evil. We are good people.

12 I am now true to myself and loved
13 ones. So I fight unfair discrimination
14 instead of continuing to fight myself.

15 Transgender people have no
16 purpose, no scheme, and no agenda. We want
17 nothing more than to be honest regarding who
18 we are without fear of harming our families
19 and ourselves.

20 By not passing the Gender
21 Definition Law you are negatively affecting
22 people's lives. Most of us have obligations
23 and commitments so we feel forced to hide
24 from employers, landlords, shopkeepers,
25 health care providers, and we even hide from

1 Full Legislature/11-25-13
2 our loved ones. There is nothing more
3 damaging than deceiving those you are
4 closest to and love.

5 Pass the Gender Definition Law.
6 It will start the process of erasing the
7 injustice of discrimination and our fear of
8 it. Thank you for listening.

9 CHAIRWOMAN GONSALVES: Thank you,
10 Joanne. Pat Boyle.

11 MR. BOYLE: Hello everyone. I
12 just looked at my calendar and I realized I
13 couldn't be here on December 16th so there
14 are some of you who are going to be leaving
15 the legislature, and I wanted to say thank
16 you to all of you who are going to be
17 leaving the legislature.

18 We have had a long and sometimes
19 rocky, sometimes not so rocky, sometimes
20 great road, but I did want to acknowledge
21 the fact that I really do appreciate
22 everything that you have done while you've
23 been here. And I appreciate everyone who is
24 up there and what you do. But the fact that
25 you are leaving now kind of -- there's going

1 Full Legislature/11-25-13
2 to be something missing because you are not
3 going to be there anymore.

4 So, Legislator Bosworth,
5 Legislator Scannell, Legislator Wink and
6 Legislator Belesi, I believe I've called you
7 all, thank you for everything that you have
8 done. Thank you for what you will be doing
9 in the future and other places, and if our
10 paths ever cross, I look forward to saying
11 hello to you again when that time comes.
12 Take care.

13 CHAIRWOMAN GONSALVES: Thank you
14 very much.

15 LEGISLATOR SCANNELL: Thank you,
16 Pat. Thank you very much. I really really
17 appreciate that. That means a lot to me.
18 I've spent 14 years actually here in tough
19 districts and it's been great, it's been
20 fun, because literally you can help people
21 on a daily basis. I want to thank you
22 because, honestly, you are an amazing
23 advocate for what you do. You help people.
24 You help young people, and that's what you
25 have done as your job. I have done my job

1 Full Legislature/11-25-13
2 for 14 years to try to help people in youth
3 services, and you have done an amazing job
4 in delivering for your community.

5 So for you to come here today and
6 say thank you, I have to tell you, what
7 happens is, you always get the calls where
8 people are upset. That's part of the
9 constituent work. That's literally the
10 toughest job, as you know, is when people
11 call and are upset.

12 But when you come down here today
13 and take time, I want too thank you and I
14 don't know if Judy or the rest of you guys
15 want to say something, but, Pat, thank you
16 very much.

17 CHAIRWOMAN GONSALVES: Legislator
18 Bosworth.

19 LEGISLATOR BOSWORTH: Pat, I
20 think Joe really said it all. It means a
21 great deal to all of us. You have been an
22 amazing advocate for the youth agencies and
23 we all recognize that and appreciate that
24 and I think we all look forward to staying
25 in touch, so thank so much.

1 Full Legislature/11-25-13

2 CHAIRWOMAN GONSALVES: Legislator
3 Wink.

4 LEGISLATOR WINK: Pat, I want to
5 thank you very much for those words. The
6 almost seven years I have been here, many of
7 them have been tumultuous times. I would
8 hate to think it was because of me but who
9 knows? But during that time I think you
10 have been a staunch advocate for Elmont and
11 for your organization and, even when we
12 didn't see eye to eye on everything, I knew
13 where you were coming from and always
14 appreciated your comments. Thanks.

15 CHAIRWOMAN GONSALVES:
16 Legislator Belesi.

17 LEGISLATOR BELESI: Pat, I want
18 to thank you for all your hard work over the
19 years. You've been a friend, a mentor, and
20 always filling us in on information that we
21 didn't have before. I want to thank you and
22 it's been a long time here, like Joe says, I
23 have only been here since 1968. I got lost
24 and, between the police department and this,
25 it's been a great run. Thank you very much,

1 Full Legislature/11-25-13

2 Pat.

3 CHAIRWOMAN GONSALVES: The next
4 speaker is Jonathan Rubin, I believe, is
5 that correct?

6 MR. RUBIN: Jonathan Rubin, yes.
7 I'm just here as a citizen of Plainview, the
8 Plainview Old Bethpage community, just in
9 support of what was said by our board
10 president and also in support of what Judy
11 Jacobs said. This is the idea of having the
12 VLT terminals over at the particular Race
13 Palace. It's an incredibly congested
14 intersection. The RXR building, the
15 multi-impact entranceway, the Mobil station,
16 the entrance to the Four Points Hotel. We
17 have got the other hotel on the other side
18 of the street. That area incredibly backs
19 up and it could just only get worse. I
20 would just shudder to think the number of --
21 already, there are constantly traffic
22 accidents there all times of the day,
23 especially around the rush hour time. It's
24 going to back up and back up.

25 Whatever revenue we can get from

1 Full Legislature/11-25-13
2 a little bit more gaming activity, it's
3 going to be offset by the loss of public
4 services dealing with more traffic accidents
5 and more backups. So I would implore this
6 body to use whatever ability it has to try
7 to halt the growth of this project. Thank
8 you.

9 CHAIRWOMAN GONSALVES: Thank you
10 very much, Jonathan. Jerry Rothman.

11 MR. ROTHMAN: Good afternoon.
12 I'm also a resident of Plainview and here in
13 support of my constituents to protest and
14 suggest that another location be reviewed
15 for the purpose of a racino.

16 As others have said, this
17 proposed site is within a mile walking
18 distance of our middle schools, our high
19 school, temples, churches. There is no
20 reason, no common sense solution to putting
21 this particular racino in this spot.

22 If it is approved, I would
23 consider it an assault on my quality of life
24 and my family's. I would consider it an
25 attack on our home values, and I would be --

1 Full Legislature/11-25-13
2 consider myself derelict of my
3 responsibilities to my family not to protect
4 us. I think it would be a horrible decision
5 to put this racino in a residential
6 community, any residential community on Long
7 Island. It's not what we bought when we
8 came here. It's not what we want. Thank
9 you.

10 CHAIRWOMAN GONSALVES: Thank you
11 Mr. Rothman. Evy Rothman.

12 MS. ROTHMAN: Good afternoon.
13 Evy Rothman, 11 Robin Lane, Plainview. I'm
14 also a trustee on the Plainview Old Bethpage
15 School Board for the past 20 years.

16 Allow me to provide you with
17 concerns and proven evidence why a casino is
18 incompatible with the life-style of our
19 community and will change the face of
20 Plainview Old Bethpage forever.

21 Casinos are counterproductive to
22 the local businesses. Studies indicate that
23 casinos actually drain money from a
24 community and compete with local businesses
25 for disposable income. Every dollar fed

1 Full Legislature/11-25-13
2 into a slot machine is a dollar not spent in
3 local business community. Local
4 restaurants, for example, are no match for
5 rock bottom costs at a casino and free
6 drinks at gambling establishments.

7 In Atlantic City, for example, 66
8 percent of the local restaurants have gone
9 out of business and one third of the local
10 retailers have closed.

11 The Rockefeller Institute of
12 Government has indicated that casinos are a
13 declining industry. It examined gambling
14 revenues from 1998 to 2012 in all 50 states
15 and have shown that gambling does not
16 provide states with long term budget
17 stability. Then why would you do this to
18 Plainview Old Bethpage?

19 Casinos introduce new social
20 problems to combat. The number of new
21 problem gamblers in a region increases as
22 much as five percent. Conservative figures
23 show addiction as much as two to five
24 percent. The impact of legalized slot
25 casino gambling is not limited to adults.

1 Full Legislature/11-25-13

2 The youth gambling survey that was recently
3 done in Connecticut revealed that out of
4 4,500 high school students, nine percent
5 committed illegal acts related to gambling,
6 17 percent gambled on slot machines, six
7 percent at least underage. The study also
8 indicated that teen gambling encourages more
9 smoking, binge drinking, drug usage and
10 illegal activities.

11 Baylor University has recently
12 demonstrated that serious crimes such as
13 robberies and violent assaults is increased
14 by at least ten percent with legalized video
15 slot machines.

16 Legislature, perhaps the noted
17 economist John Maynard Keynes said it best,
18 when the capital development of a country
19 becomes the bi-product of the activities of
20 a casino, the job, whatever job that may be,
21 is likely to be ill done.

22 Don't degrade or destroy the
23 place we all call home, Plainview Old
24 Bethpage. Please find a more suitable,
25 appropriate commercial site for the casino.

1 Full Legislature/11-25-13

2 Thank you for your time.

3 CHAIRWOMAN GONSALVES: Thank you,
4 Mrs. Rothman. Carol Meschkow.

5 MS. MESCHKOW: Thank you. Good
6 afternoon, members of the legislature. I'm
7 the president of the concerned citizens of
8 the Plainview Old Bethpage community. Our
9 grassroots organization has been serving
10 Plainview for nearly two decades and
11 includes a solid cross section of
12 established residents active in our schools,
13 sports, religious affiliations, service
14 organizations, young graduates, senior
15 citizens, and more, and today we are trying
16 to give you a flair of the sentiments.

17 Further, we would like to thank
18 our esteemed Legislator Jacobs who shares
19 our deep concerns for her kind invitation
20 today.

21 We are gravely concerned about
22 the cumulative impact and deterioration of
23 our quality of life related to the proposed
24 addition of video gaming at the existing
25 Race Palace OTB facility in Plainview.

1 Full Legislature/11-25-13

2 In response, Friday night,
3 November 22nd, our organization began a
4 petition to the attention of Mr. Joseph
5 Cairo, Nassau OTB president.

6 As of this morning, we already
7 collected over 296 signatures. The
8 concerned citizens are not here today to
9 oppose video gambling or pass judgement on
10 any other community who might embrace or
11 object to the introduction of this proposal.
12 We would just like to voice a united
13 resounding no to considering this proposal
14 for the Race Palace in Plainview for the
15 many reasons my neighbors had mentioned.

16 We understand that during the
17 feasibility studies, that Nassau County will
18 be collecting community input which will be
19 given great merit and consideration, and, to
20 that end, we would like to leave a copy of
21 the petition to date, including comments for
22 your perusal to see the strong ground swell
23 of negative sentiment growing in our
24 community, our suburban community.

25 The petition reads, to his

1 Full Legislature/11-25-13
2 attention: "We, the undersigned, join the
3 concerned citizens of the Plainview Old
4 Bethpage community in voicing our deep
5 concerns regarding the consideration of
6 adding video gaming to the Race Palace in
7 Plainview.

8 Further, we understand, as part
9 of the process, to determine feasibility
10 there will be opportunity for public review.
11 To that end, we are united in requesting
12 that you do not proceed any further in your
13 deliberations until you have immediately
14 removed the Race Palace location from
15 consideration.

16 POB is a suburban community and
17 is not an appropriate location for video
18 gaming and gambling. This proposal is
19 inconsistent with our treasured family
20 values for which we have all settled in POB
21 to raise our children and certainly will
22 jeopardize the health, safety, and welfare
23 of our families.

24 Respectfully, the undersigned."
25 Again, I don't want to repeat

1 Full Legislature/11-25-13
2 what everybody is going to say. I would
3 just also be remiss if I didn't wish our
4 Legislator Joe Belesi the best of luck and
5 thank him for serving us in the Old Bethpage
6 community and beyond and to our other
7 esteemed legislators who are moving on to
8 other opportunities. I wish you the best of
9 luck in retirement.

10 I thank you so much for your time
11 and attention to all of us and I wish you a
12 very happy holiday.

13 Before I leave, may I leave the
14 petition with the county clerk?

15 CHAIRWOMAN GONSALVES: Yes.

16 MS. MESCHKOW: When it's
17 completed, we will turn in the final copy.
18 Thank you for your time.

19 CHAIRWOMAN GONSALVES: Next is
20 Alan Miller.

21 MR. MILLER: Presiding Officer
22 Gonsalves and members of the legislature.

23 I want to thank you first for
24 giving us this opportunity to express our
25 opposition to the video lottery terminals on

1 Full Legislature/11-25-13
2 Round Swamp Road. I'm sort of going to edit
3 on the fly because I don't want to repeat
4 what other people have said.

5 Clearly, the issue that we have,
6 the traffic increasing in that area, with
7 the thousands of transients every week
8 coming to our community to gamble, there
9 will be security issues, and ultimately our
10 home values being devalued as a result of
11 all this.

12 Now, the traffic, people have
13 spoken about the issues there, but there are
14 two issues they haven't brought up. One is,
15 in order to manage the access and the egress
16 from this racino, additional traffic
17 controls would need to be put in place which
18 would further delay traffic up and down Old
19 Country Road and near the LIE area.

20 Furthermore, those of you that
21 drive know that when you reach a bottleneck,
22 what do you do, you go around it. So what
23 you would have is an increase of traffic
24 getting off of the LIE on Sunnyside
25 Boulevard and Manetto Hill Road, and driving

1 Full Legislature/11-25-13
2 through the community increasing the traffic
3 patters in all parts of Plainview and Old
4 Bethpage.

5 Now, in a different area, whether
6 you support or oppose what going on with
7 land that's owned by Charles Wang, it's
8 there. And establishing a racino with 1,000
9 VLTs would destroy any possibility of
10 resident sites going up. Nobody would buy a
11 house in that area.

12 Now, whether you want it to be a
13 large scale or a small scale, the only thing
14 that could be built there would be office
15 buildings. That would further exacerbate
16 all the traffic issues that we're talking
17 about here.

18 Let's look at our neighbors in
19 Syosset. There was an issue with Talbin,
20 they wanted to build a mall. At least they
21 had some rationale that it would bring jobs
22 to the community, construction jobs, retail
23 jobs, Syosset ultimately rejected that.
24 This doesn't even have a semblance of
25 credibility about what it would bring to

1 Full Legislature/11-25-13
2 Plainview Old Bethpage. All that it has is
3 downside. There is no positive impact you
4 could make.

5 I understand the revenue that it
6 can bring in, but it's not enough to just
7 find a place to put a racino. You need to
8 find one that, at best, will add some value
9 to the location you put it into, and, at
10 worst, will follow the position's creed, "do
11 no harm."

12 So I ask that you outright reject
13 the thought of placing these VTRs in our
14 community and look for a more remote
15 location similar to the race tracks, similar
16 to the areas upstate where they have open
17 space. Quite frankly, as much as we all
18 need the revenue, if you can't find a
19 location that doesn't have an adverse impact
20 on an existing community, maybe it's just
21 not the right thing for Nassau County.

22 Thank you all very much for your
23 time.

24 CHAIRWOMAN GONSALVES: We have
25 reached the half hour of public

1 Full Legislature/11-25-13
2 participation. However, I do have two
3 additional speakers and, Mr. Miller, we are
4 going to proceed with the two additional
5 speakers.

6 We have Stephanie Nelkens.

7 MS. NELKENS: Hi. My name is
8 Stephanie Nelkens. I'm a Plainview
9 resident. A very happy resident for 13 and
10 a half years. I'm also the vice-chairperson
11 of the Plainview Old Bethpage Public
12 Library.

13 I'm here to talk about the
14 negative impact that the gaming racino would
15 bring to the lovely hamlet of Plainview Old
16 Bethpage and it's already been very nicely
17 spoken of by other community members,
18 Ginger, thank you, and Judy Jacobs as well.

19 A project like this basically
20 would just endanger our children, impact
21 traffic, impact the quality of life in our
22 community and drive our property values
23 down.

24 I'm very much in support and
25 thankful that the Board of Ed took it upon

1 Full Legislature/11-25-13
2 themselves to create a document, a
3 resolution against this. I'm also very
4 fortunate and happy that the Concerned
5 Citizens Group is circulating an online
6 petition which, I know Carol mentioned I
7 think about 290, and just checking on
8 Facebook recently, it's up to 340. That's
9 just in a couple of hours.

10 So people are getting the
11 concern. It's growing, the knowledge. And
12 as that's growing, the support against this
13 is growing as well.

14 This racino, I don't know if
15 anyone has mentioned, is in walking distance
16 to residential homes and, for that reason
17 alone, it doesn't belong in this location.

18 I thank you for your time.

19 CHAIRWOMAN GONSALVES: Thank you,
20 Stephanie. The last speaker I have is
21 Barbara Epstein.

22 MS. EPSTEIN: Good afternoon.
23 I'm here this afternoon on behalf of The
24 League of Women Voters of Nassau County. To
25 those of you who have been reelected, we

1 Full Legislature/11-25-13
2 would like to offer our best wishes. For
3 those of who are moving on, Ms. Bosworth and
4 Mr. Wink to North Hempstead, we also wish
5 you much success there, and also to our
6 retirees, Mr. Scannell and Mr. Belesi, we
7 wish you all the best on your future
8 endeavors.

9 The League of Women Voters is
10 looking forward to working with all of you
11 and also to the new legislators in the year
12 ahead and we thank you and we wish you a
13 very happy Thanksgiving and happy holidays.

14 CHAIRWOMAN GONSALVES: Same to
15 you, Barbara. That ends the public
16 participation.

17 Now we will proceed to the
18 calendar. Before I do, the minority has
19 agreed to a consent calendar and we call
20 those items first and then proceed to those
21 that are not on the consent calendar.

22 I'm going to begin, and I believe
23 all of these items have been vetted in the
24 committees. So the testimony could probably
25 be incorporated into today's calendar.

1 Full Legislature/11-25-13
2 The first item we have is Item 4,
3 Ordinance Number 167; Item 6, Ordinance
4 Number 169; Item 7, Ordinance Number 170;
5 Item 8, Ordinance Number 171; Item 9,
6 Ordinance Number 172; Item 10, Ordinance
7 Number 173; Item 11, Ordinance Number 174;
8 Item 12, Ordinance Number 175; Item 13,
9 Ordinance Number 176; Item 14, Ordinance
10 Number 177; Item 15, Ordinance Number 178;
11 Item 16, Ordinance Number 179; Item 17,
12 Ordinance Number 180; Item 18, Ordinance
13 Number 181; Item 19, Ordinance Number 182;
14 I believe it's entered, 19,
15 Ordinance 182; Item 20, Ordinance Number
16 183; and now Item 21, Ordinance Number 184,
17 Legislator Jacobs and I believe Minority
18 Leader Kevan Abrahams need to recuse
19 themselves. Not calling Item 21. Item 22,
20 Ordinance Number 185; Item 23, Ordinance
21 Number 186; Item 24, Resolution 208; Item
22 25, Resolution 209; Item 26, Resolution 210;
23 Item 27, Resolution 211; Item 28,
24 Resolution 212; Item 29, Resolution 213;
25 Item 30, Resolution 214; Item 31, Resolution

1 Full Legislature/11-25-13
2 215; Item 32, Resolution 216; Item 33,
3 Resolution 217; Item 34, Resolution 218;
4 Item 35, Resolution 219; Item 36, Resolution
5 220; Item 37, Resolution 221; Item 38,
6 Resolution 222; Item 39, Resolution 223;
7 Item 40, Resolution 224; Item 41, Resolution
8 225; Item 42, Resolution 226; Item 43,
9 Resolution 227; Item 44, Resolution 228;
10 Item 45, Resolution 229; Item 46, Resolution
11 230; Item 47, Resolution 231; Item 48,
12 Resolution 232; Item 49, Resolution 233;
13 Item 50, Resolution 234; Item 51, Resolution
14 235; Item 52, Resolution 236; Item 53,
15 Resolution 237; Item 54, Resolution 238;
16 Item 55, Resolution 239; Item 56, Resolution
17 240; Item 57, Resolution 241; Item 58,
18 Resolution 242;

19 And that is all for the Calendar
20 Year 2013.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Walker. Any comments regarding these items?

1 Full Legislature/11-25-13

2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of the items called signify by saying
7 aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The items pass unanimously.

12 Going back to Item 21, so Legislator Jacobs
13 and Minority Leader Abrahams may recuse
14 themselves.

15 Item 21, Ordinance 184-13, that's
16 the ordinance supplemental to the annual
17 appropriation ordinance in connection with
18 the Department of Human Services.

19 A motion, please.

20 LEGISLATOR WALKER: So moved.

21 LEGISLATOR DUNNE: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Walker, seconded by Legislator
24 Dunne. Any comments regarding that item?

25 (No verbal response.)

1 Full Legislature/11-25-13

2 Is there any public comment?

3 (No verbal response.)

4 There being none, all those in
5 favor signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously. I'm
10 going to say unanimously with the recusal of
11 Jacobs and Abrahams. Please call Legislator
12 Jacobs and Minority Leader Abrahams back to
13 the chamber.

14 At this time we have a hearing on
15 Proposed Local Law Item Number 1 and that's
16 a local law to adopt the Superstorm Sandy
17 Assessment Relief Act.

18 I need a motion to open the
19 hearing.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Muscarella, seconded by Deputy
24 Presiding Officer Nicolello.

25 The hearing is open. All those

1 Full Legislature/11-25-13
2 in favor of opening the hearing on the
3 proposed local law signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The hearing is now open. Mr.
8 May.

9 MR. MAY: We have Mr. Dan
10 Valentino, he's on loan to the assessor's
11 office from the county attorney's office.

12 MR. VALENTINO: Dan Valentino,
13 deputy county attorney, assigned to the
14 Nassau County Department of Assessment.

15 As we discussed in committees,
16 this bill would provide a measure of real
17 property tax relief to homes that were
18 damaged by Superstorm Sandy, it covers the
19 through assessment years. It covers the
20 '12-'13 and the '13-'14. A local law must
21 be passed by December 6th in order for us to
22 opt into this bill. Are there any
23 questions?

24 LEGISLATOR DENENBERG: The
25 '12-'13 and the '13-'14 years would be what

1 Full Legislature/11-25-13
2 we set in the tentative roll in '11 that was
3 finalized April 2012, and then the roll that
4 was finalized April 2013, correct?

5 MR. VALENTINO: Correct.

6 LEGISLATOR DENENBERG: Now, for
7 the roll that was finalized in 2012 under
8 Nassau County law because of the casualty
9 loss, the storm happening in late October
10 2012, you would have had until, with our
11 extension, April, to put in a request for
12 reduction of assessment due to the casualty,
13 correct?

14 MR. VALENTINO: Are you talking
15 about the '12-'13?

16 LEGISLATOR DENENBERG: Yes.

17 MR. VALENTINO: The storm didn't
18 hit until October '12.

19 LEGISLATOR DENENBERG: That's
20 what I said.

21 MR. VALENTINO: But you said you
22 had until April to put in --

23 LEGISLATOR DENENBERG: Let me
24 start over. I don't think you listened but
25 maybe I said it wrong, so I might have

1 Full Legislature/11-25-13

2 confused you, so let me start over.

3 MR. VALENTINO: Okay.

4 LEGISLATOR DENENBERG: We're

5 talking about the '12-'13 year and the

6 '13-'14 year; is that correct?

7 MR. VALENTINO: That's correct.

8 LEGISLATOR DENENBERG: The

9 '12-'13 year would have been a roll that was

10 finalized April 2012; is that correct?

11 MR. VALENTINO: That's correct.

12 LEGISLATOR DENENBERG: The storm

13 happened October 2012, correct?

14 MR. VALENTINO: That's correct.

15 LEGISLATOR DENENBERG: Under

16 state law, if someone has a loss even after

17 the roll was set -- I'm sorry for 2012, even

18 under state law, no one could have put in

19 any kind of challenge because the incident

20 happened after the roll was set, correct?

21 MR. VALENTINO: Correct. It's

22 January 2nd every year, that's the day you

23 are supposed to look at the property's used

24 condition and ownership.

25 LEGISLATOR DENENBERG: So what

1 Full Legislature/11-25-13
2 you could have challenged after October 2012
3 was the roll that was going final April
4 2013?

5 MR. VALENTINO: That's correct.
6 There was a provision put in administrative
7 code pursuant to state law that allowed
8 homeowners to file for destruction that was
9 caused between January 2nd of each year,
10 there's a two-year lag.

11 LEGISLATOR DENENBERG: So they
12 would have, our residents would have had
13 until January 2nd to put in for the
14 casualty, January 2nd, 2013, but we extended
15 that, we extended that to April 2013,
16 correct?

17 MR. VALENTINO: That's correct.

18 LEGISLATOR DENENBERG: This now
19 is allowing people to challenge what we
20 extended which would have been for the
21 '13-'14 roll, but even to challenge or to
22 try to get a reduction for the '12-'13 roll
23 so it would be both those years, correct?

24 MR. VALENTINO: That's correct.

25 LEGISLATOR DENENBERG: But the

1 Full Legislature/11-25-13
2 assessment for both of those years, one year
3 has been collected already, it's '12-'13,
4 and the other year, '13-'14, we are already
5 in the '13-'14 school year, aren't we?

6 MR. VALENTINO: Yes, we are in
7 the '13-'14 school year.

8 LEGISLATOR DENENBERG: So anyone
9 who gets a reduction pursuant to this act as
10 we pass this act, would be getting a refund,
11 would they not?

12 MR. VALENTINO: The people that
13 applied in April, we were able to get it on
14 their tax bills, so they already received a
15 reduction in the assessed value. So theirs
16 is already taken care of. It would be those
17 homeowners who have 90 days from when the
18 governor signed the bill on October 22nd
19 which brings us to January 21st to fill out
20 a form and let us know that they want to opt
21 in.

22 LEGISLATOR DENENBERG: So anyone
23 going under this Superstorm Sandy Assessment
24 Relief Act, which we are voting on right
25 now?

1 Full Legislature/11-25-13

2 MR. VALENTINO: That's correct.

3 LEGISLATOR DENENBERG: Let's get
4 to the question. The question is, anyone
5 using the Superstorm Sandy Assessment Relief
6 Act in my district to get a reduction now
7 would be getting a refund?

8 MR. VALENTINO: If they applied
9 now, yes.

10 LEGISLATOR DENENBERG: The
11 Superstorm Sandy Assessment Relief Act is to
12 apply now?

13 MR. VALENTINO: Correct.

14 LEGISLATOR DENENBERG: It's from
15 when the governor passed this or from
16 October 22nd, the earliest could have been
17 October 22nd, most counties or towns are
18 opting in right now, so you have until
19 January 21st.

20 MR. VALENTINO: That's correct.

21 LEGISLATOR DENENBERG: So if a
22 homeowner applies for relief under this act,
23 that would a refund, right, because the
24 rolls were already finalized?

25 MR. VALENTINO: It wouldn't

1 Full Legislature/11-25-13
2 really be a refund because we're expecting
3 full reimbursement from the federal
4 government through the state action plan, so
5 you can call it a refund, but when it's full
6 reimbursement --

7 LEGISLATOR DENENBERG: We're
8 hoping the reimbursement would be from the
9 state?

10 MR. VALENTINO: It's through the
11 state action plan. It's going to be under
12 the Community Development Block Grant
13 Disaster Relief Loans. We have earmarked
14 \$25 million and it's up to \$50 million. It
15 is a refund in a sense but not really since
16 it's going to be fully funded.

17 LEGISLATOR DENENBERG: Well,
18 we're going to refund the money. Is the
19 county going to give people who apply their
20 refund and then the county is going to get
21 that money back from the federal government
22 through the state or are we just going to --
23 or is the state going to give them the
24 money? Who is giving the people the money?

25 MR. VALENTINO: We're going to

1 Full Legislature/11-25-13
2 give them the money pursuant to the money we
3 receive from the Community Development Block
4 Grant.

5 LEGISLATOR DENENBERG: What about
6 the portion, when someone overpays and then
7 gets an assessment reduction, if it's a
8 refund stage, which we are in now because
9 the roll was already final, the assessment
10 reduction for someone lives, say, in
11 Merrick, or Seaford, unincorporated area,
12 the refund would be the county portion of
13 your tax, the town portion of your tax, and
14 at least the school district portion of your
15 tax, correct?

16 MR. VALENTINO: That's correct.

17 LEGISLATOR DENENBERG: Is the
18 county going to pay all three or are we
19 going to have an issue with the County
20 Guaranty and not pay the schools?

21 MR. VALENTINO: The County
22 Guaranty is only invoked when there's a
23 deficiency. There's going to be full
24 reimbursement from the federal government
25 pursuant to the state action plan.

1 Full Legislature/11-25-13

2 LEGISLATOR DENENBERG: Did you
3 see the report issued to Legislators
4 Gonsalves, Abrahams, as well as all of us,
5 from Maurice Chalmers?

6 MR. VALENTINO: Yes, I did.

7 LEGISLATOR DENENBERG: It says,
8 "that the administration believes that due
9 to the county's legal obligation to
10 guarantee underlying municipality's property
11 tax levy, the stipulation will not apply to
12 the county," which is a stipulation that
13 requires each municipality to formally opt
14 in to benefit from the block grants. The
15 issue there was because here the county does
16 the assessment.

17 MR. VALENTINO: Correct.

18 LEGISLATOR DENENBERG: So does
19 that mean that each municipality still has
20 to opt in? Mr. Chalmers is concerned that
21 the stipulation in the bill won't apply to
22 the county. So that in the event that the
23 law is enforced as written -- I'm reading
24 from Mr. Chalmers:

25 "In the event the law is enforced

1 Full Legislature/11-25-13
2 as it is written, the approximate \$13
3 million in relation to school district
4 property tax levy for both years may not be
5 eligible for reimbursement. Each individual
6 school district would need to formally opt
7 in to the act for the county to recoup these
8 costs. It would best serve the county to
9 ensure these matters are definitely resolved
10 prior to issuing property tax refunds
11 related to the 2012-13 property tax year."

12 So although the county of Nassau
13 does the assessment, the way this law was
14 written, each municipality that uses the
15 assessed value that's being affected would
16 have to opt in in order to get
17 reimbursement.

18 But, because our municipality is
19 below us, don't do assessment, they can't
20 get the money back. So that's -- Mr.
21 Chalmers, do you want to come up and speak
22 on this? I'm concerned that we have to do
23 something in this legislation.

24 CHAIRWOMAN GONSALVES: If you
25 would permit me to call Mr. Chalmers, I will

1 Full Legislature/11-25-13

2 call him. Mr. Chalmers.

3 LEGISLATOR DENENBERG: I'm
4 afraid, the chair, that what Mr. Chalmers is
5 saying is that the state law doesn't address
6 the unique assessment system that we have.

7 MR. CHALMERS: Maurice Chalmers,
8 budget review. Our understanding, in
9 talking to the assessment department is,
10 just because of the way we do, we have the
11 County Guaranty, they should still be able
12 to apply on behalf of the school districts.
13 That was our understanding of it. We had
14 the concern but they explained it.

15 CHAIRWOMAN GONSALVES: Does that
16 answer your question, Mr. Denenberg?

17 LEGISLATOR DENENBERG: No, it
18 doesn't because Mr. Valentino says under --
19 last week we all, and today, we all approved
20 corrections of assessment because there had
21 been a mistake. Then we just approved
22 correcting values and giving people refunds.
23 And we take the position that because it's a
24 correction after the fact, that there was a
25 case that you site, Mr. Valentino, saying

1 Full Legislature/11-25-13
2 that the County Guaranty does not apply to
3 those corrections. We voted on that today,
4 correct?

5 MR. VALENTINO: Correct.

6 LEGISLATOR DENENBERG: So this is
7 a correction after the assessed value was
8 set. This is the state saying that you can
9 allow people to apply to get a reduction
10 even though the assessed value for '12-'13,
11 and the assessed value for '13-'14 have long
12 been set or had been set by six months or by
13 a year and six months, and year and seven
14 months. That makes it a correction which,
15 under the case that you keep citing, which
16 say, according to you, and I disagree with
17 you, that the County Guaranty does not
18 apply.

19 So what commitment do I have that
20 we're not going to say that the County
21 Guaranty doesn't apply so, when a refund is
22 owed, we make the Merrick School District,
23 the Seaford School District, the Long Beach
24 School District, the Wantagh School
25 District, the Bellmore School District pay

1 Full Legislature/11-25-13
2 out of their pocket for money that they
3 couldn't possibly have budgeted because the
4 tax rate is already set, and the money they
5 collected is already set.

6 MR. VALENTINO: Can I go? What
7 you are referring to are correction of error
8 petitions. It's a specialized procedure
9 under the Real Property Tax Law. This was a
10 chapter bill that was passed. In form it
11 has correction of error; in substance, it's
12 not. You notice the assessor sends out a
13 determination and they then can grieve
14 through ARC, they can then file an RPTL
15 Article 7 petition. That has the look and
16 feel of everything that has the County
17 Guaranty applied, which was cited in that
18 2010 decision. You just referenced the
19 notes that the County Guaranty applies to
20 judicial decisions and the normal grievance
21 process.

22 Also, look at Section 6 of the
23 bill it says, school districts held
24 harmless. There was an intention here to
25 make the school districts whole.

1 Full Legislature/11-25-13

2 These legislators, when they
3 drafted this bill were familiar with the
4 County Guaranty and they knew the County
5 Guaranty would apply if it had to be
6 invoked.

7 Once again, we don't anticipate
8 the County Guaranty being invoked. It says
9 school districts held harmless. It's
10 attached to the bill.

11 LEGISLATOR DENENBERG: The
12 Section 6, I read Section 6. The schools
13 are held harmless for purposes of state aid.

14 MR. VALENTINO: Correct.

15 LEGISLATOR DENENBERG: They are
16 not held harmless for purposes of the Nassau
17 County Guaranty and, indeed, under this
18 administration, the whole guaranty issue
19 right now is in court, and the county has
20 brought it to the highest court in the
21 state.

22 So I'm going to put in and make
23 part of this record an e-mail that I have
24 from Dominic Palma, P-A-L-M-A. Dr. Palma is
25 the superintendent of schools for Merrick.

1 Full Legislature/11-25-13
2 His e-mail says, "it's my understanding that
3 the Nassau County Legislature may be
4 reviewing passage of a local law today
5 related to Superstorm Sandy Assessment
6 Relief Act. This is of significant
7 importance to the Merrick School District
8 community as approximately 180 properties
9 may already be eligible for assessment
10 relief. Others may likely submit
11 applications by the January deadline.

12 My office worked with your office
13 to advise as many people as possible to
14 apply for reduction by the April 1st, 2013
15 deadline set by Nassau County for the
16 '13-'14 roll. This is the first opportunity
17 anyone has to seek assessment relief for the
18 '12-'13 roll due to Sandy.

19 However, Merrick Union Free
20 School District would like to opt in to the
21 relief act as well. One reservation is that
22 the school district can not absorb the loss
23 of revenue. The acting county assessor has
24 indicated that school districts would be
25 held harmless under the County Guaranty.

1 Full Legislature/11-25-13

2 Of course, with a pending appeal
3 of the guaranty, this is of obvious concern
4 to the Merrick Union Free School District as
5 well as each school district that I've been
6 in contact with including Bellmore, Wantagh,
7 Seaford, and Long Beach.

8 I would respectfully submit that
9 a provision be written into the Superstorm
10 Sandy Relief Act Local County Law that
11 explicitly holds harmless school districts
12 for any lost property revenue related to
13 participation in this worthwhile effort to
14 relieve the burden on our local property tax
15 owners who suffered storm damage."

16 So, let me ask you, the acting
17 county assessor has indicated that the
18 school districts would be held harmless, do
19 you agree with that?

20 MR. VALENTINO: That's correct.

21 LEGISLATOR DENENBERG: You are
22 saying right now that the school districts
23 would be held harmless, the county would pay
24 the refund, and then seek reimbursement from
25 Community Development Block Grants?

1 Full Legislature/11-25-13

2 MR. VALENTINO: The reimbursement
3 is on its way. The county will pay it out
4 and the county will seek the Community
5 Development Block Grant Disaster Relief Act
6 which I'm told is \$25 million earmarked and
7 \$50 million total.

8 LEGISLATOR DENENBERG: My
9 question wasn't whether the Community
10 Development Block Grant money was on its
11 way. My question was, will the county lay
12 out the money and hold the schools harmless?

13 MR. VALENTINO: Yes.

14 LEGISLATOR DENENBERG: So, then,
15 if we put this in the act, or put it as --
16 if I make an amendment just like Dr. Palma
17 said, and simply add that the county will
18 hold harmless school districts for any lost
19 property tax revenue related to
20 participation in this act, if I just add
21 that sentence, what I just said, we should
22 have no problem.

23 MR. VALENTINO: It has to be in
24 final form for seven days so you have a
25 problem with the Nassau County Charter.

1 Full Legislature/11-25-13

2 LEGISLATOR DENENBERG: You know
3 what, we have to do this by December 6th, we
4 can do it by emergency. You know what, this
5 whole thing we are doing very, very quickly.
6 The first hearing on this was only a week
7 ago. That was in committee.

8 MR. VALENTINO: The governor only
9 signed the bill on October 22nd.

10 LEGISLATOR DENENBERG: So we need
11 to move quickly?

12 MR. VALENTINO: We need to move
13 quickly. That's correct.

14 LEGISLATOR DENENBERG: So I would
15 make a motion that we add the language I
16 just stated. We have amended bills and
17 passed it that day many times.

18 LEGISLATOR BOSWORTH: Second.

19 CHAIRWOMAN GONSALVES: May I ask
20 a question, Mr. Valentino?

21 LEGISLATOR DENENBERG: I have a
22 motion that's been seconded.

23 CHAIRWOMAN GONSALVES: Just hold
24 on a minute.

25 LEGISLATOR DENENBERG: I have a

1 Full Legislature/11-25-13

2 motion that was seconded.

3 CHAIRWOMAN GONSALVES: Just hold
4 on a minute. You had all your questions. I
5 have one question. This is a state piece of
6 legislation; is that correct?

7 MR. VALENTINO: That's correct.

8 CHAIRWOMAN GONSALVES: Do we have
9 the authority here to amend that piece of
10 legislation?

11 MR. VALENTINO: All we have the
12 authority to do is to opt into it which is
13 what's presented to you right now.

14 CHAIRWOMAN GONSALVES: And so?

15 LEGISLATOR DENENBERG: Yes, but
16 it's our local law. This is our local law,
17 correct?

18 CHAIRWOMAN GONSALVES: Okay.
19 Now, in your opinion --

20 MR. VALENTINO: Correct.

21 LEGISLATOR DENENBERG: So if it's
22 our local law, we are adopting the state
23 act, and --

24 LEGISLATOR DENENBERG: I'm asking
25 us, in our local law --

1 Full Legislature/11-25-13

2 CHAIRWOMAN GONSALVES: Excuse me,
3 Mr. Denenberg.

4 LEGISLATOR DENENBERG: I have a
5 motion to the presiding officer that's been
6 seconded.

7 CHAIRWOMAN GONSALVES: And, guess
8 what, you're out of order.

9 LEGISLATOR DENENBERG: I don't
10 know why you wouldn't want to vote to
11 protect our school districts. I really
12 don't.

13 CHAIRWOMAN GONSALVES: I'm
14 asking you, Mr. Valentino --

15 LEGISLATOR DENENBERG: Chris, I
16 understand that Dave Denenberg made the
17 motion, but it's a good motion. The problem
18 that you guys can only have is that a
19 democrat is making the motion. You heard
20 that they want to protect the school
21 districts.

22 Our legislative job is oversight,
23 a check and balance. We are just doing what
24 the administration said, but I would make it
25 part of the local law so it's in the local

1 Full Legislature/11-25-13
2 law. We are not changing the State
3 Assessment Review Act at all. Our local law
4 adopting it would simply say that we will
5 hold the school districts harmless.

6 The only reason to have a problem
7 with this is that it's coming from the left
8 side of the aisle and that's just wrong.

9 CHAIRWOMAN GONSALVES: First of
10 all, do you think at this point in time that
11 it is beneficial for us to even consider
12 opting into the amendment, or that -- if
13 this is a state piece of legislation, I
14 believe, and I'm not an attorney, that it is
15 not our prerogative to amend that piece of
16 legislation? We are really voting to opt in
17 into the Relief Act, is that correct?

18 MR. VALENTINO: That's correct.

19 CHAIRWOMAN GONSALVES: And, so,
20 to table it at this point, to amend it when
21 we don't have the ability to do this would
22 be futile and not in the best interests of
23 our school districts and the residents of
24 Nassau County who are afflicted with
25 Superstorm Sandy. So this is where we're at

1 Full Legislature/11-25-13

2 right now.

3 Do you agree, Mr. Valentino?

4 LEGISLATOR DENENBERG: Talking
5 about leading questions. So, you know what,
6 I have a motion that simply says, ads to the
7 local law, a resolution that we will hold
8 the schools harmless. That's been seconded.
9 Let's vote on it. I understand that a
10 democrat moved it, so it's not likely to get
11 votes from the Republican side. This is our
12 local law.

13 LEGISLATOR MUSCARELLA: Through
14 the chair.

15 CHAIRWOMAN GONSALVES: There are
16 other people up here, David. Legislator
17 Muscarella.

18 LEGISLATOR MUSCARELLA: First of
19 all, I take offense at that, David. Let's
20 go on. Let's not be political about this.

21 LEGISLATOR DENENBERG: So let's
22 protect the schools.

23 LEGISLATOR MUSCARELLA: You have
24 a motion and a second. Are we allowed to
25 have discussion on it?

1 Full Legislature/11-25-13

2 LEGISLATOR DENENBERG: Sure.

3 LEGISLATOR MUSCARELLA: Oh, thank
4 you. Let me run through this and see if I
5 have it correct.

6 There is a state law that's been
7 passed that allows us to opt in to a
8 particular program; is that correct?

9 MR. VALENTINO: That's correct.

10 LEGISLATOR MUSCARELLA: What
11 would happen, and I don't know the answer to
12 this, if we opt in with amendments to it?

13 LEGISLATOR DENENBERG: We are not
14 amending the state law. Our local law will
15 say -- no. He has my motion wrong. It's my
16 motion. I'm not amending the state law.
17 I'm amending our local law which our home
18 rule message, if you will, which adopts the
19 state law, but there's a -- you guys have to
20 understand. There is a weird thing in
21 Nassau, unlike other districts, we have a
22 County Guaranty situation. So our local law
23 should say that we hold the schools
24 harmless.

25 LEGISLATOR NICOLELLO: Can we get

1 Full Legislature/11-25-13

2 an answer, please?

3 CHAIRWOMAN GONSALVES: Mr.
4 Denenberg, do me a favor, please, don't
5 interrupt Mr. Muscarella, otherwise I will
6 have to interrupt you.

7 CHAIRMAN MUSCARELLA: I
8 understand what David said. The state
9 allows us to opt into a state law. That's
10 correct, right, we can opt in?

11 MR. VALENTINO: That's correct.

12 LEGISLATOR MUSCARELLA: When we
13 opt in with a local law with a contingency
14 provision, or with a change in that state
15 law through our local law, does that in any
16 way jeopardize or might it jeopardize the
17 fact that whether we opted in correctly?

18 MR. VALENTINO: It could. We
19 have to opt in the law as it's stated in the
20 Superstorm Sandy Assessment Relief Act. We
21 can't deviate.

22 LEGISLATOR MUSCARELLA: So,
23 assume we don't do that, and don't take the
24 amendment and don't vote on it, is it the
25 county attorney's position, is it your

1 Full Legislature/11-25-13
2 position that what Mr. Denenberg has
3 suggested in that we hold harmless the
4 school districts, is it the county's
5 position that we are going to do that?

6 MR. VALENTINO: That's correct.
7 The county executive has stated on many
8 occasions that the school districts will not
9 be harmed.

10 CHAIRMAN MUSCARELLA: And we are
11 putting that on the record today freely even
12 without the amendment which theoretically or
13 could possibly jeopardize our proper opting
14 in?

15 MR. VALENTINO: Correct. And we
16 spoke with the school districts about this
17 and told them it would be on the record and
18 it's on the record and they were okay with
19 it. We have held conferences with them and
20 we've spoken to them and they're okay.

21 LEGISLATOR MUSCARELLA: And it's
22 the county executive's position, it's the
23 county attorney's position that possibly by
24 doing an amendment to something that we are
25 allowed to opt in on and that we've already

1 Full Legislature/11-25-13
2 put on the record, we're going to do anyway,
3 might possibly jeopardize our proper opting
4 in of the state law?

5 MR. VALENTINO: It could be
6 problematic.

7 LEGISLATOR MUSCARELLA: Thank
8 you. I have no further questions.

9 LEGISLATOR DENENBERG: I have a
10 question on his issue.

11 LEGISLATOR MUSCARELLA: David, I
12 agree with you. I agree with you that this
13 is what we want to do. The county has
14 stated that that's what we're going to do.
15 I think that in a very good intention to
16 protect the school district and do what your
17 school district would like you to do, there
18 is a possibility that you might be
19 jeopardizing into the properly opted in
20 state law and I would just suggest that we
21 shouldn't take that risk.

22 LEGISLATOR DENENBERG: May I ask
23 on that?

24 CHAIRWOMAN GONSALVES: You may.

25 LEGISLATOR DENENBERG: Are you

1 Full Legislature/11-25-13
2 familiar with the severability clause, Mr.
3 Valentino?

4 MR. VALENTINO: Yes.

5 LEGISLATOR DENENBERG: Can you
6 explain to us what that is?

7 MR. VALENTINO: The severability
8 clause is if any piece of legislation is
9 struck down, the rest remains.

10 LEGISLATOR DENENBERG: So could
11 we add a severability clause to our local?

12 MR. VALENTINO: We are adding an
13 additional requirement on the state law. I
14 don't think we have that authority.

15 LEGISLATOR DENENBERG: The local
16 law that we have in front of us is not the
17 state law, correct, is it?

18 MR. VALENTINO: No, it's our
19 local legislation opt in to the state law.

20 LEGISLATOR DENENBERG: Did the
21 state spoon feed you the language to opt in?

22 MR. VALENTINO: No, but they have
23 templates and we've had discussions with the
24 state on how to opt in.

25 LEGISLATOR DENENBERG: So, you're

1 Full Legislature/11-25-13
2 telling me you followed the template every
3 step of the way, or does the template allow
4 you to add provisions?

5 MR. VALENTINO: We would be
6 adding an additional requirement on the
7 state law. It could be problematic.

8 LEGISLATOR DENENBERG: I'm not
9 asking you -- you said the state law is
10 different from the local law, is it not?

11 MR. VALENTINO: How would the
12 state law be different from the local law?
13 The local law is opting in to the state law.
14 If you look at our local law, it's maybe
15 about two or three paragraphs just stating
16 that we opt in to the Superstorm Sandy
17 Assessment Relief Act.

18 LEGISLATOR DENENBERG: And if we
19 added to that a severability clause, so if
20 any portion of the local law was found no
21 good, or knocked out, the rest of the law
22 would be okay, correct?

23 MR. VALENTINO: It could be
24 problematic. You're talking about adding on
25 additional requirements.

1 Full Legislature/11-25-13

2 LEGISLATOR DENENBERG: What's
3 problematic to me is that you said that you
4 spoke to schools and you would put on the
5 record that we will hold the schools
6 harmless, but you never put that on the
7 record until I asked you questions.

8 You were asked to say whatever
9 you want in committee. You didn't put that
10 on record. And you were asked by the
11 presiding officer if you had any statements.
12 You said, I'm here to answer questions, and
13 it wouldn't have been on the record until I
14 asked the question. And it wouldn't have
15 been on the record until I asked the
16 question.

17 I appreciate that you put on the
18 record in response to my question that you
19 will hold the schools harmless. I
20 appreciate that. But I don't see how it
21 would be a problem to either one, have my
22 motion pass, and add that to the legislation
23 with a severability clause, so somehow, what
24 Legislator Muscarella said, if that was
25 somehow found to be a bad clause, the rest

1 Full Legislature/11-25-13
2 of the local law would still stand, and we
3 do that routinely and all the time.

4 But the problem here is simply
5 that I'm making the motion. That's
6 ultimately the problem. We all know it.
7 No. It just revolves around the fact that
8 no motion from the left side is acceptable.

9 But I'm going to make the motion
10 and you can vote against it. After that --
11 but part of my motion is to have a
12 severability clause.

13 CHAIRWOMAN GONSALVES: This is a
14 hearing. It's not an appropriate time to
15 amend at a hearing. The next item is when
16 you may be able to do it.

17 LEGISLATOR DENENBERG: I will
18 renew my motion then. But I would also
19 suggest that we can put a resolution, we can
20 resolve separately from the law that the
21 county will hold the schools harmless.

22 CHAIRWOMAN GONSALVES: Would you
23 affirm the fact that you said that the
24 county executive has agreed that the school
25 districts will be held harmless regarding

1 Full Legislature/11-25-13

2 reimbursement for Sandy?

3 MR. VALENTINO: On multiple
4 occasions, and it's also -- keep in mind,
5 this is going to be Community Development
6 Block Grant Fund Disaster Relief Loans.
7 There's going to be no -- it's not going to
8 be necessary to invoke even the County
9 Guaranty. The schools districts will be
10 held harmless.

11 LEGISLATOR DENENBERG: You know
12 what, under the state law, my concern is
13 under this state, unless a municipality
14 separately opts in, they're not getting
15 reimbursed. The problem here in Nassau, the
16 municipalities don't set the assessment, so
17 they can't opt in.

18 My concern is that the state law,
19 in and of itself, doesn't make an exception
20 for Nassau County. I would feel much more
21 comfortable for the school districts that
22 will otherwise be out the money if there's a
23 statement in this law that says we are going
24 to hold the schools harmless.

25 What Mr. Valentino just said

1 Full Legislature/11-25-13
2 should concern all of us, because he said,
3 we don't even have to worry about refunding,
4 they will get the money directly from the
5 Community Development Block Grant. That's
6 not the way it's going to happen.

7 He didn't see -- and if they
8 don't get the money from the Community
9 Development Block Grant, the county is going
10 to hold them harmless. And that should
11 concern all of us.

12 CHAIRWOMAN GONSALVES: Any other
13 comments?

14 LEGISLATOR DENENBERG: You can
15 correct what I just said, Mr. Valentino. I
16 didn't hear you say that. You said that the
17 money would come straight to the schools.
18 But the schools can't opt in because the
19 school don't --

20 MR. VALENTINO: It won't be going
21 to the schools. It will be going directly
22 to the taxpayer. Once again, it's going to
23 be full reimbursement from the federal
24 government. It's in the state action plan
25 that was passed in April. It's also in the

1 Full Legislature/11-25-13
2 materials that the OLBR submitted to you.

3 LEGISLATOR DENENBERG: That
4 doesn't say that the county is going to hold
5 harmless if we don't get that funding.

6 CHAIRWOMAN GONSALVES: Mr.
7 Valentino, the county is the pass through
8 vehicle, correct?

9 MR. VALENTINO: Correct.

10 CHAIRWOMAN GONSALVES: As a
11 result, the school districts will remain
12 harmless, correct?

13 MR. VALENTINO: Correct.

14 CHAIRWOMAN GONSALVES: Did you
15 hear that, Mr. Denenberg?

16 LEGISLATOR DENENBERG: No. You
17 know, I heard it. Put it in the law and
18 let's make sure and let's add a severability
19 clause in case the catastrophe that
20 Mr. Muscarella talked about and somehow the
21 state says that our local law is no good
22 because we actually have a line in there
23 that the county will hold the school
24 districts harmless. If that somehow makes
25 our law bad, then the severability clause

1 Full Legislature/11-25-13
2 would say that even if a section is found no
3 good, for lack of a better expression, or
4 illegal, or not legally valid, the rest were
5 struck down, the rest of the law stands.
6 It's routine to put in the severability
7 clause.

8 CHAIRWOMAN GONSALVES: Any other
9 comments or questions of Mr. Valentino?

10 (No verbal response.)

11 Is there any other comments
12 besides Mr. Denenberg?

13 (No verbal response.)

14 Is there any public comment
15 regarding this item?

16 LEGISLATOR DENENBERG: Just for
17 the record, I'm going to hand the email from
18 Dr. Palma was put in the record and given to
19 Mr. Muller.

20 CHAIRWOMAN GONSALVES: Is there
21 any public comment regarding this item?

22 (No verbal response.)

23 If not, all those in favor of
24 closing the hearing signify by saying aye.

25 (Aye.)

1 Full Legislature/11-25-13

2 Any opposed?

3 (No verbal response.)

4 The hearing is closed.

5 Now we are going to Item 2 which
6 is a vote on the proposed legislation, a
7 local law to adopt the Superstorm Sandy
8 Assessment Relief Act.

9 A motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR BELESI: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Belesi. There is no comments?

15 LEGISLATOR DENENBERG: I'm going
16 to make a motion to amend.

17 CHAIRWOMAN GONSALVES: You may
18 make a motion to amend but you know what
19 that requires in order to accept the
20 amendment?

21 LEGISLATOR DENENBERG: Pretend
22 I'm a Republican for a second.

23 CHAIRWOMAN GONSALVES: You were
24 once upon a time.

25 LEGISLATOR DENENBERG: I mean,

1 Full Legislature/11-25-13
2 really, my God, we -- we have amended under
3 you, and under Legislator Schmitt, we've
4 amended laws on the same day that we voted
5 for the laws no less than 30 some odd times.
6 No less than 30 some odd times in just the
7 last three years. I'm moving --

8 CHAIRWOMAN GONSALVES: Excuse me.

9 LEGISLATOR DENENBERG: I'm making
10 my motion.

11 CHAIRWOMAN GONSALVES: No.
12 You're out of order right now. You have not
13 been recognized, Mr. Denenberg. Hold on.
14 Be patient.

15 Here it goes. Listen carefully.
16 I'm not here to debate. I'm not here to
17 refute. I'm not here to make things
18 difficult. I just want to move things along
19 in the right way.

20 Mr. Denenberg, do you have the
21 amendment in writing.

22 LEGISLATOR DENENBERG: I just
23 read it. It's in writing. He just took
24 down the transcript.

25 CHAIRWOMAN GONSALVES: Hold on

1 Full Legislature/11-25-13
2 one minute. Procedure is that you need to
3 submit an amendment seven days in advance.
4 If not, it becomes an emergency. And if it
5 becomes an emergency --

6 LEGISLATOR DENENBERG: So we can
7 give all our votes for the emergency. You
8 only have eight votes. Give us a few of
9 yours and we got it.

10 CHAIRWOMAN GONSALVES: Go try it
11 and see.

12 LEGISLATOR DENENBERG: All you
13 have to do is give us a few of your votes to
14 protect our school districts. That's all.
15 If you don't want to protect them, that's
16 okay.

17 CHAIRWOMAN GONSALVES: Don't go
18 playing nice guy here and think that any of
19 us here, including both sides of the aisle,
20 would want to harm our school districts.

21 LEGISLATOR DENENBERG: We are
22 drafting a motion that simply says that --

23 CHAIRWOMAN GONSALVES: And that
24 is an emergency resolution.

25 LEGISLATOR DENENBERG: -- this

1 Full Legislature/11-25-13
2 local county law explicitly holds harmless
3 school districts for any lost property tax
4 revenue in relation to participation in the
5 Superstorm Sandy Assessment Relief Act,
6 period. And it's going to add a
7 severability clause. That's the motion.
8 And if you want us to type it up, we're
9 doing it right now.

10 You know what, you are making a
11 mockery of the process. We just had the
12 hearing. The purpose of the hearing is to
13 discover if you want to change the law or
14 amend the law. That's the purpose of the
15 hearing.

16 And based on Mr. Valentino's
17 answers, which I think every time it came to
18 hold harmless, we kept hearing that the
19 money is going directly to the schools
20 anyway which is exactly what Dr. Palma said
21 won't happen in Nassau County, I'm
22 concerned, all of us should be concerned,
23 and we should add that provision with the
24 severability clause so that the concern that
25 Legislator Muscarella brought up wouldn't

1 Full Legislature/11-25-13
2 happen. And we are typing it up right now.
3 The hearing just ended.
4 Traditionally, we held hearings a week
5 before the final vote. That's what we did.
6 You are the presiding officer. You made the
7 hearing directly before the vote. I'm okay
8 with that, but let consider it by emergency.

9 LEGISLATOR NICOLELLO: I have a
10 question.

11 CHAIRWOMAN GONSALVES: Go ahead.

12 LEGISLATOR NICOLELLO: So what
13 does that mean, hold harmless, how does that
14 work, give us the details of exactly how
15 that will work in process? If we are
16 amending the law, we have to know exactly
17 what the outcome of that is, and exactly how
18 it's going to work.

19 LEGISLATOR DENENBERG: So you
20 really don't know?

21 LEGISLATOR NICOLELLO: No. You
22 tell me.

23 LEGISLATOR DENENBERG: Okay.
24 It's going to work like this. If someone
25 applies, and just like Mr. Valentino said,

1 Full Legislature/11-25-13
2 or at least one of the times he said, the
3 county will pay the money, and the county
4 then will receive the Community Development
5 Block Grant money. And, if they don't for
6 any purpose receive the Community
7 Development Block Grant money for revenue --
8 for a refund that was from the school tax
9 portion of a taxpayer's bill, they're not
10 going to hold the schools responsible to
11 reimburse that, period. We are going to
12 hold them harmless. The legal definition.

13 LEGISLATOR NICOLELLO: The county
14 is going to hold them harmless?

15 LEGISLATOR DENENBERG: Correct.

16 CHAIRWOMAN GONSALVES: But we do
17 have a commitment that the school districts
18 will be held harmless.

19 LEGISLATOR DENENBERG: Well, when
20 Mr. Valentino said to hold harmless on the
21 record, the hearing will reflect that
22 suddenly Legislator Nicolello understood
23 what hold harmless meant then. But when I'm
24 putting it in a law, he doesn't understand
25 what it is.

1 Full Legislature/11-25-13

2 LEGISLATOR NICOLELLO: Would you
3 stop being --

4 LEGISLATOR DENENBERG: It's
5 ridiculous.

6 LEGISLATOR NICOLELLO: I said a
7 question. You're not allowed to ask a
8 question? It's ridiculous?

9 LEGISLATOR DENENBERG: Hold
10 harmless is exactly what it means. The
11 county --

12 LEGISLATOR NICOLELLO: It's
13 ridiculous because we ask questions?

14 LEGISLATOR DENENBERG: The county
15 in the first part is doing what Mr.
16 Valentino said, we are paying back, we are
17 paying the refund.

18 CHAIRWOMAN GONSALVES: Mr.
19 Denenberg, please. You are accusing us of
20 not knowing what hold harmless means? We
21 definitely know what that means when it
22 comes to school districts.

23 LEGISLATOR DENENBERG: He just
24 said he didn't.

25 LEGISLATOR NICOLELLO: No, no,

1 Full Legislature/11-25-13

2 no.

3 LEGISLATOR DENENBERG: He said he
4 didn't. What I wanted to know --

5 CHAIRWOMAN GONSALVES: You're not
6 listening.

7 LEGISLATOR NICOLELLO: -- is
8 exactly how it would work in operation.
9 It's nice to put the language into the
10 statute but, there again, how descriptive do
11 we have to be with respect to hold harmless?
12 Do we have to explain what you just
13 explained in the statute? The variations of
14 this are just incredible.

15 And I might add --

16 LEGISLATOR DENENBERG: Legislator
17 Nicolello, hold harmless is --

18 LEGISLATOR NICOLELLO: Would you
19 let me finish. You've been speaking for 30
20 minutes. Other voices are allowed here.
21 The administration has explained over and
22 over again that in practicality that's what
23 they're going to.

24 It's been explained also by
25 attempting to amend this opt in legislation,

1 Full Legislature/11-25-13
2 we could potentially jeopardize it. So the
3 very people you are trying to help,
4 obviously the residents, but also the school
5 districts, could be harmed by this.

6 LEGISLATOR DENENBERG: How could
7 it be harmed?

8 LEGISLATOR NICOLELLO: Harmed
9 because, if you jeopardize this legislation,
10 it -- it's been explained to you over and
11 over again that if we jeopardize the
12 legislation by amending the opt-in
13 legislation, we, therefore, are going to
14 jeopardize the people that are getting this
15 relief as well as the school districts. I
16 think your amendment is actually
17 counterproductive to what we are doing here
18 today.

19 CHAIRWOMAN GONSALVES: At this
20 point I'm going to ask Mr. Denenberg to
21 please be ready because I'm going to call
22 for an emergency. All right?

23 This cannot go by normal route
24 primarily because it would require seven
25 days. Now, in order to get this through, we

1 Full Legislature/11-25-13
2 need to go by emergency, correct? Now,
3 we'll make a motion to amend the law --

4 LEGISLATOR TROIANO: Presiding
5 Officer, can I ask a question before we
6 vote?

7 CHAIRWOMAN GONSALVES: Yes, you
8 may.

9 LEGISLATOR TROIANO: Thank you.
10 And I need the help of Legislator Muscarella
11 and Legislator Nicoletto.

12 CHAIRWOMAN GONSALVES: They will
13 only be too glad to help you.

14 LEGISLATOR TROIANO: I understand
15 Legislator Muscarella's concern about us
16 damaging our ability to become part of the
17 state law by amending the local law.

18 What I don't yet understand, and
19 this will help me when I cast my vote, but
20 what I don't understand is why there is an
21 objection to adding a severability clause,
22 which I think would provide a cure if that
23 would happen.

24 CHAIRMAN MUSCARELLA: Let me
25 answer this. And I can't tell you that I'm

1 Full Legislature/11-25-13
2 an expert in this, but a severability clause
3 is usually a clause that saves a bill in
4 enforcement. In other words, you attempt --
5 you enact legislation, somebody enforces it,
6 and they challenge it that it wasn't done
7 right. And you say, okay, if that's thrown
8 out, then this part of the law still remains
9 in effect in enforcement.

10 What you are asking, what David
11 is asking, is a severability clause to save
12 a bill not in the enforcement of that bill,
13 but in the enactment of that bill. I don't
14 know that that's a proper use of the
15 severability clause. I may be wrong. I
16 just don't know the answer to that.

17 What you're saying is, if we
18 enacted it wrong, then save it, not, we
19 enforced and that part of the bill is not
20 enforceable.

21 LEGISLATOR TROIANO: I'm glad
22 that we can have a discussion back and
23 forth. So, given that you are not sure, can
24 we get additional opinions about that, maybe
25 from the county attorney who is here, he may

1 Full Legislature/11-25-13
2 have an opinion about whether or not we can
3 add a severability clause or not?

4 CHAIRWOMAN GONSALVES: I think
5 I'm going to resolve the problem, I think,
6 I'm not too sure.

7 What I'm going to ask you to do,
8 Mr. Denenberg, is to file your amendment,
9 okay, and we'll take it up at the next
10 legislative meeting. It's not too late --

11 LEGISLATOR DENENBERG: My
12 question to you is, the next meeting is
13 after December 6th. We need to have this
14 law in place before December 6th.

15 CHAIRWOMAN GONSALVES: We have 45
16 days.

17 LEGISLATOR DENENBERG: We're not
18 going to be able to amend it afterwards.

19 CHAIRWOMAN GONSALVES: Why not?

20 LEGISLATOR DENENBERG: Because
21 you have to opt in by December 6th, there's
22 no amendments after that date according to
23 the state law.

24 CHAIRWOMAN GONSALVES: I think it
25 will make everybody happy if you file your

1 Full Legislature/11-25-13
2 legislation, we go through the proper
3 channels and we'll take it up at the next
4 legislative meeting.

5 LEGISLATOR DENENBERG: To the
6 chair.

7 CHAIRWOMAN GONSALVES: Go ahead,
8 Mr. Denenberg.

9 LEGISLATOR DENENBERG: If the
10 agreement -- I will put in the amendment,
11 but we would then have to have either a
12 special meeting or some meeting before
13 December 6th.

14 CHAIRWOMAN GONSALVES: I can put
15 this meeting in recess if I have to.

16 LEGISLATOR DENENBERG: Because
17 the state law won't allow you to amend it
18 after December 6th.

19 LEGISLATOR NICOLELLO: We are not
20 amending the state law, as you pointed out.
21 We're passing a local law that's separate
22 and apart from the state law. So we opt in
23 to the state law and then, if we want to
24 adopt something locally, there's nothing
25 that prevents us from doing so. Right? Am

1 Full Legislature/11-25-13

2 I wrong?

3 CHAIRWOMAN GONSALVES: Mr.
4 Valentino, is he correct?

5 MR. VALENTINO: Yes.

6 CHAIRWOMAN GONSALVES: Say it
7 again.

8 MR. VALENTINO: He's correct.

9 CHAIRWOMAN GONSALVES: In other
10 words, it doesn't preclude us from amending
11 the -- David, I think that --

12 LEGISLATOR DENENBERG: I'm going
13 to make my motion anyway and, if you want to
14 vote it down, then to put it in again --

15 CHAIRWOMAN GONSALVES: It's out
16 of order. I just said, make the amendment
17 because we are not going to provide the
18 emergency right now. Make the amendment.
19 File the amendment and we will take it up at
20 the next meeting. Okay?

21 LEGISLATOR DENENBERG: I can
22 still make my motion now. I will put it in
23 for the next meeting. But, you know what, I
24 don't think it's going to be effective after
25 December 6th.

1 Full Legislature/11-25-13

2 CHAIRWOMAN GONSALVES: It's not
3 going to be acted on today, so, please, I'll
4 rule it out of order, okay? And I'm not
5 picking on you. If I wanted to pick on you,
6 I would pick on you for bigger things.

7 LEGISLATOR DENENBERG: I firmly
8 believe that if Nicoletto, Kopel, or Dunne
9 had come up with this, you would be all too
10 happy to vote for it.

11 CHAIRWOMAN GONSALVES: Stop with
12 the paranoia.

13 LEGISLATOR DENENBERG: It isn't
14 paranoia. It's the truth.

15 CHAIRWOMAN GONSALVES: It is
16 paranoia, stop.

17 LEGISLATOR DENENBERG: How many
18 Democratic motions have been passed in four
19 years? The answer would be zero.

20 CHAIRWOMAN GONSALVES: Legislator
21 Kopel. Somebody else besides Dave
22 Denenberg.

23 LEGISLATOR KOPEL: Dave, since it
24 will work anyway, there's the procedure that
25 the presiding officer is addressing, why not

1 Full Legislature/11-25-13
2 give us a chance to look at it? Draft it
3 up, show it to us. You are just typing it
4 now for goodness sake. It is not, in fact,
5 an emergency, and allow us to --

6 LEGISLATOR DENENBERG: It is an
7 emergency though. We have to do it by
8 December 6th to answer your question. It
9 is.

10 LEGISLATOR KOPEL: It isn't an
11 emergency because we can amend our law.
12 We've heard the opinion of the county
13 attorney. We can amend our law if we need
14 to. And we will have a chance, the luxury
15 of time is available, we can study it and
16 figure out if this is appropriate and I have
17 my doubts anyway.

18 LEGISLATOR DENENBERG: If it
19 weren't an emergency, we are we voting on it
20 anyway, because we need to do it quickly?

21 LEGISLATOR KOPEL: We need to do
22 it quickly, but this aspect of it is not an
23 emergency. Why force it? If you're not
24 going to get it today, maybe we'll change
25 our mind. You can call us up and convince

1 Full Legislature/11-25-13

2 us.

3 LEGISLATOR DENENBERG: I gave you
4 an e-mail from Dr. Palma --

5 LEGISLATOR KOPEL: Why not give
6 us a time?

7 LEGISLATOR DENENBERG: -- showing
8 that the schools do think it's very
9 important and an emergency. They don't want
10 to be out money that they haven't budgeted
11 for because they couldn't possibly budgeted
12 for.

13 LEGISLATOR KOPEL: You're not
14 talking about an actual -- you are talking
15 about a potential emergency and that's not
16 going to happen in the next two weeks, no
17 matter what.

18 The circumstance about which you
19 are concerned will not happen in the next
20 two weeks. So let's just sit back and read
21 it carefully and spend our time in doing it.
22 Do it the right way.

23 LEGISLATOR DENENBERG: I'm still
24 making my motion.

25 CHAIRWOMAN GONSALVES: I'm going

1 Full Legislature/11-25-13

2 to ask you to do me a favor, David.

3 LEGISLATOR KOPEL: This is not an
4 appropriate thing for an emergency.

5 CHAIRWOMAN GONSALVES: You want
6 to make your motion, so be it, but remember
7 what I said. This is not -- unless it's an
8 emergency, you need an emergency resolution
9 in order to get that through, and that
10 requires 13 votes, and you are putting our
11 feet to the fire, is that what you want to
12 do?

13 LEGISLATOR DENENBERG: What I
14 don't understand, Legislator Gonsalves, is
15 if it's not an emergency, then we would have
16 had a hearing and we would have voted a week
17 later. So it's obviously an emergency
18 because we are voting on it, and I really
19 wasn't comfortable with the way Mr.
20 Valentino chose to answer the questions.

21 I want a situation, and I'm glad
22 that Legislator Nicoletto asked me what hold
23 harmless means because what it means here is
24 that the county -- that if someone applies,
25 and their application for assessment relief

1 Full Legislature/11-25-13
2 is granted, you are in a refund situation
3 because the applicant has already paid. The
4 county pays in the first part, the county
5 gets reimbursed from the Community
6 Development Block Grant, and the schools are
7 never out the money.

8 CHAIRWOMAN GONSALVES: We
9 understand exactly what you're trying to do.
10 David, this is it. This is the decision of
11 the chair. We can vote on this item now and
12 still amend it, you know that, okay? That
13 does not mean that if we vote on this item
14 today that we can not amend it at the next
15 section and it does not jeopardize our
16 opting into the law. All right?

17 LEGISLATOR DENENBERG: I think we
18 can amend it now, and amend it later.

19 CHAIRWOMAN GONSALVES: No. I
20 think we need time to really review what you
21 are amending. I think the administration
22 has to have the opportunity to review what
23 you wish to amend. I think school districts
24 should be contacted. I would like to call
25 my school district and ask them what they

1 Full Legislature/11-25-13
2 think about the legislation. It's not just
3 the Bellmore Merrick School District that's
4 impacted by it, like you say. There are 56
5 school districts in Nassau County.

6 LEGISLATOR DENENBERG: But if you
7 are aware that from the south shore there is
8 not going to be nearly the kind of damage --

9 CHAIRWOMAN GONSALVES: Yes, okay.

10 LEGISLATOR DENENBERG: That is
11 true. Read the law, it's Superstorm Sandy
12 Assessment Relief.

13 CHAIRWOMAN GONSALVES: David, I'm
14 going to call the question.

15 LEGISLATOR DENENBERG: I've made
16 a motion that we add a provision, a
17 severability clause, and a provision that
18 explicitly holds harmless school districts
19 for any lost property tax revenue related to
20 participation in the Superstorm Sandy
21 Assessment Relief Act. That's my motion.

22 LEGISLATOR BOSWORTH: Second.

23 CHAIRWOMAN GONSALVES: Are you
24 willing to listen to this one now? You need
25 first to offer this as an emergency

1 Full Legislature/11-25-13

2 resolution.

3 LEGISLATOR DENENBERG: I'll offer
4 it as an emergency.

5 CHAIRWOMAN GONSALVES: In order
6 to do that, you know you need 13 votes.

7 LEGISLATOR DENENBERG: First I
8 have to offer it as an emergency, so I'm
9 moving to offer it as an emergency.

10 CHAIRWOMAN GONSALVES: Offer it
11 as an emergency resolution, be my guest.

12 LEGISLATOR DENENBERG: I move the
13 resolution I just said as an emergency.

14 CHAIRWOMAN GONSALVES: Okay. Do
15 you have a second?

16 LEGISLATOR BOSWORTH: Second.

17 CHAIRWOMAN GONSALVES: Seconded
18 by Judy Bosworth. Any other comments
19 regarding this?

20 (No verbal response.)

21 All those in favor of passing
22 this as an emergency resolution, signify by
23 saying aye.

24 (Aye.)

25 All those opposed?

1 Full Legislature/11-25-13

2 (Nay.)

3 LEGISLATOR DENENBERG: So it
4 loses nine to eight?

5 CHAIRWOMAN GONSALVES: Do me a
6 favor, David, the emergency resolution, as
7 you well know, because it doesn't happen
8 right now because you say so, guess what, it
9 doesn't mean it can't happen.

10 So just submit the resolution and
11 give us the opportunity to review it and get
12 comments from the administration and from
13 the county attorney's office. That's it.

14 Now, this is up to you now. The
15 ball is in your court whether you want to do
16 it or not.

17 Item Number 2 which is a vote on
18 the local law to adopt the Superstorm Sandy
19 Assessment Relief Act.

20 LEGISLATOR ABRAHAMS: Norma, just
21 reflect the vote on the emergency, if you
22 could, Mr. Muller. I'm not asking for a
23 roll call, please, what I'm asking for, I
24 thought that we should just reflect that it
25 was nine-eight. They have eight. We have

1 Full Legislature/11-25-13

2 nine. Nine-eight.

3 MR. MULLER: Yes, it will reflect
4 it in the record that it was nine-eight.

5 CHAIRWOMAN GONSALVES: On to the
6 local law itself to adopt the Superstorm
7 Sandy Assessment Relief Act.

8 All those in favor of the local
9 law signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The item passes.

14 LEGISLATOR NICOLELLO: I would
15 just note for the record that I believe the
16 item has to be submitted by December 2nd, so
17 if somebody is writing a bill they should
18 get it in as soon as possible so it could be
19 considered in a timely fashion for the
20 December meeting of the legislature.

21 CHAIRWOMAN GONSALVES: Well, we
22 just passed this item.

23 LEGISLATOR NICOLELLO: I know.
24 But for whatever additional legislation is
25 forthcoming, it has to be done as soon as

1 Full Legislature/11-25-13

2 possible.

3 CHAIRWOMAN GONSALVES: David, I
4 have to say something, I would like to put a
5 positive spin on today's meeting. We've
6 been trying, and I think both sides of the
7 aisle have been trying to reach common
8 ground regarding some of the items that you
9 may not all be in favor of.

10 But, I believe for the good of
11 getting the county moving on, and for the
12 benefit of our residents, and I know that
13 the next item that we are going to be voting
14 on, we just voted on I believe the bonding
15 for the crime lab, and we have one more item
16 that requires a 13 vote, which is the Item
17 Number 5, which is the bond ordinance
18 providing for capital expenditure to finance
19 the capital project authorizing \$463 plus
20 million of bonds to finance certain
21 expenditure making certain determinations
22 pursuant to the State Environmental Quality
23 Review Act.

24 Now, I have to say, and I think
25 it's important in light of the holiday

1 Full Legislature/11-25-13
2 that's approaching, not only Thanksgiving
3 but Hanukkah, and that we -- in trying very
4 hard, both sides of the aisle, in spite of
5 the ruckus that you just heard, that we want
6 to see things go forward.

7 I have to thank the minority for
8 joining with us on most of these items today
9 and I know we are looking forward to a
10 unanimous vote for Item Number 5. But, in
11 advance of that item, I would say thank you
12 to the minority for showing the necessity
13 for joining together and making sure that
14 people's lives are made whole to the best of
15 our ability.

16 So I'm giving you a thank you
17 before we vote on, I love you, Robert, I do,
18 I love that smile. Item 5.

19 LEGISLATOR SCANNELL: A quick
20 comment?

21 CHAIRWOMAN GONSALVES: Yes.

22 LEGISLATOR SCANNELL: I am just
23 so happy and thrilled today that we have
24 gotten the 13 votes for this, Norma, and I
25 think it's just a great accomplishment for

1 Full Legislature/11-25-13

2 this legislature.

3 CHAIRWOMAN GONSALVES: It is.

4 LEGISLATOR SCANNELL: It's
5 amazing. The one thing that I just wanted
6 to point out is, CI549-48-11 is the Barnes
7 Avenue Storm Overhaul, and correction, and
8 that is just such an important thing and it
9 is part of the whole thing. I wanted to
10 mention this.

11 CHAIRWOMAN GONSALVES: Do you
12 hear this out there? I hope you do.

13 LEGISLATOR SCANNELL: So what
14 we're going to do is --

15 CHAIRWOMAN GONSALVES: I haven't
16 called the item yet. I'm thanking you in
17 advance.

18 LEGISLATOR SCANNELL: It's going
19 to happen, without a doubt. What is going
20 to happen is that we are going to obviously
21 fix Bay Park but what we need to do is that
22 Barnes Avenue had all of this sewage come up
23 from the pipes and --

24 CHAIRWOMAN GONSALVES: And there
25 are other things that we are going to do

1 Full Legislature/11-25-13

2 today that will make you happy.

3 LEGISLATOR SCANNELL: Exactly. I
4 just wanted to specifically point that one
5 out.

6 CHAIRWOMAN GONSALVES: These are
7 all holiday presents. I need to call Item
8 5.

9 LEGISLATOR ABRAHAMS: If I may?

10 CHAIRWOMAN GONSALVES: Go ahead,
11 minority leader.

12 LEGISLATOR ABRAHAMS: Thank you,
13 Presiding Officer Gonsalves. We plan to
14 vote in the affirmative for the \$455 million
15 for funding for the Bay Park Sewage
16 Treatment Plant. We feel that -- in the
17 past we have always wanted to see more
18 discussions take place with the state as
19 well as with FEMA, and we are glad to see,
20 based off of those discussions, that we've
21 asked the administration to partake in, and
22 we're glad to see that there was EFC funding
23 that was put forward that allows us to
24 entertain or engage into a no interest loan
25 which will allow us to, over a three-year

1 Full Legislature/11-25-13
2 period, not to pay of the interest which is
3 a big difference than what we were faced in
4 front of us during the summer months when I
5 know there was many environmentalists and
6 other groups that wanted to see us go
7 forward. This is a big big big difference
8 and this difference will allow us to save
9 money but, at the same time, and there
10 shouldn't have been any delay in any
11 projects, it allows the projects to go
12 forward while the county utilizes the time
13 over that three-year period to get the
14 draw-down on the funds on the FEMA which
15 will allow the county to pay back the
16 principal but, at the same time, not pay any
17 interest. It's a good day and a win-win for
18 the taxpayer, and I'm glad to see us be able
19 to go through this process.

20 The last thing, Presiding Officer
21 Gonsalves, it was mentioned by Deputy
22 Presiding Officer Nicoletto that there would
23 be oversight. We would love to be able to
24 have something in writing which indicates
25 that there will be quarterly hearings. I

1 Full Legislature/11-25-13
2 think Mr. Nicoletto had indicated that at
3 the last meeting, as well as I think it was
4 also said by Chief Deputy County Executive
5 Walker that there would also be transparency
6 where we would see a construction schedule.
7 If we can just have confirmation of that on
8 the record before we go forward today.

9 CHAIRWOMAN GONSALVES: I'm going
10 to comment regarding that. I believe I'm
11 going to be asking the administration for
12 monthly reports regarding the progress on
13 this money. Monthly reports to this
14 legislature. Every one here, sitting up
15 here, should get a copy of this report.

16 And, as we see fit, there will be
17 hearings, and I promise you that, that there
18 will be hearings on the progress that's
19 being made or not being made on --

20 LEGISLATOR DENENBERG: To the
21 chair.

22 CHAIRWOMAN GONSALVES: Can you
23 give yourself a breath of fresh air? God,
24 David, good thing you were not in my class.
25 I'm serious. He would be in deep trouble.

1 Full Legislature/11-25-13

2 But we will be holding hearings on the
3 progress reports that we will be receiving
4 on a monthly basis. I didn't say monthly
5 hearings but, based on the information that
6 we receive, the progress reports that we
7 receive, then we will schedule the hearings
8 as deemed necessary.

9 LEGISLATOR ABRAHAMS: I just want
10 to be clear. Madam Presiding Officer, I
11 don't mean to cut you off, so we are holding
12 quarterly hearings going forward?

13 CHAIRWOMAN GONSALVES: I said we
14 will hold hearings as we receive this
15 information, and sometimes the hearings will
16 be scheduled according to the information
17 that we are receiving. Therefore, it could
18 be quarterly, and it could be more than
19 quarterly, but, whatever it is, there will
20 be hearings. I promise you that.

21 LEGISLATOR ABRAHAMS: I would
22 just implore, and it was our understanding
23 that I hope it's not less than quarterly. I
24 mean --

25 CHAIRWOMAN GONSALVES: It's not

1 Full Legislature/11-25-13

2 less than quarterly.

3 LEGISLATOR ABRAHAMS: So we
4 should expect the minimum of at least four
5 meetings a year?

6 CHAIRWOMAN GONSALVES: Could be
7 three. Wouldn't that be nice?

8 LEGISLATOR ABRAHAMS: That would
9 be less than quarterly.

10 CHAIRWOMAN GONSALVES: Well, I'm
11 not good at math. Look, you have a
12 commitment that we will hold hearings and it
13 is a commitment, all right? Based on the
14 information, and the ball is in the county
15 executive's court, we need the information
16 on a quarterly basis so that we can schedule
17 hearings as appropriate.

18 I'm going to repeat again and
19 then I'm going to put this back into your
20 court. We need information and our hearings
21 would be based on the information that we
22 receive. Now, if we receive no financial or
23 very little information, then, what are we
24 going to have, a quarterly meeting on
25 nothing?

1 Full Legislature/11-25-13

2 LEGISLATOR ABRAHAMS: Well,
3 number one, yes, because then that's a
4 problem.

5 CHAIRWOMAN GONSALVES: No, no.
6 That is a problem but we can address that
7 privately. I really mean that. We will
8 hold the administration's feet to the fire,
9 but we need to get the information as
10 expeditiously as possible.

11 If there is no information
12 forthcoming, then we have to determine
13 whether or not a hearing is necessary. And
14 I did say I committed to hearings. Now,
15 whether or not I want to commit to
16 quarterly, I can't say that.

17 LEGISLATOR ABRAHAMS: Madam
18 Presiding Officer, we should be committing,
19 even if the administration which, I will
20 take the administration at their word that
21 they will be providing that information.
22 But, even if they don't provide that
23 information, we should be taking public
24 comment from the folks that want to speak on
25 this particular item. We should be doing

1 Full Legislature/11-25-13
2 our own due diligence to try to figure out
3 what has been done during this process.

4 There is no reason that this
5 legislature doesn't take some level of
6 action to ensure that we are at least doing
7 our part to make sure we get the proper
8 answers for the public. If we sit on our
9 hands we are no better than the
10 administration that doesn't provide you with
11 the monthly information.

12 CHAIRWOMAN GONSALVES: There is
13 another possibility. We hold committee
14 meetings every month. Every three months we
15 can assign certain committees to set aside
16 time for a hearing on the allocation of this
17 money and the progress that's being taken.
18 So that will give you your quarterly.

19 But I would like to see other
20 hearings or meetings just devoted to this
21 item, even if it's just three times a year.

22 LEGISLATOR ABRAHAMS: I still
23 think it needs to be quarterly, there needs
24 to be a systematic meeting that people are
25 expected to seeing and doing, but the only

1 Full Legislature/11-25-13
2 thing about doing it in the committee
3 structure, Madam Presiding Officer, if it
4 can be opened up so that all legislators can
5 have a question, because I'm not sure that
6 if everybody that is directly impacted will
7 have an opportunity to ask a particular
8 question if it's a committee.

9 CHAIRWOMAN GONSALVES: I have to
10 say something to you. I think that everyone
11 who sits on this body, even though you are
12 not in a committee, you really owe it to
13 yourselves to be informed about everything
14 that's going on in this county.

15 So there is nothing that
16 precludes our fellow legislators from
17 participating in the committee meetings.

18 I did not call this item, by the
19 way. Did we have all the discussion that we
20 are going to have on it?

21 Item 5, ordinance 168-2013, a
22 bond ordinance providing for a capital
23 expenditure to finance the capital projects
24 specified herein within the County of Nassau
25 authorizing \$463,726,221 of bonds of the

1 Full Legislature/11-25-13
2 County of Nassau to finance said expenditure
3 and making certain determinations pursuant
4 to the State Environmental Quality Review
5 Act pursuant to the Local Finance Law of the
6 New York and County Government Law of Nassau
7 County.

8 Motion, please. I want to do
9 something. I just have to do something
10 here. I'm making the motion and I'm asking
11 Minority Leader Abrahams to second it.

12 LEGISLATOR ABRAHAMS: Second.

13 CHAIRWOMAN GONSALVES: So it was
14 made by me and seconded by Minority Leader
15 Abrahams. Is there any more discussion?
16 We've got emergency items we need to get
17 through.

18 (No verbal response.)

19 Is there any public comment?

20 LEGISLATOR SOLAGES: Isn't it
21 \$463,000,000 --

22 CHAIRWOMAN GONSALVES: Yes,
23 726,000. Okay? Mr. Haber, how are you?

24 MR. HABER: Just very briefly,
25 I'm witnessing discussion over some very

1 Full Legislature/11-25-13
2 important items, especially the rebuilding
3 of the sewage treatment plant. And I don't
4 think in the best interest of the community
5 there should be a reticence to have
6 scheduled hearings so people can know when
7 they can come and speak and give their
8 comment. Say you'll have them and not have
9 a specialized time for that will really lead
10 to no hearings at all, and \$463 million is a
11 tremendous sum of money whether the state is
12 paying or the federal government is paying,
13 or whether the local community is paying,
14 it's still all our money, so if you can call
15 regularly scheduled hearings, whether there
16 are three or five or seven, and let the
17 people know ahead of time, it would benefit
18 everybody. Thanks so much.

19 CHAIRWOMAN GONSALVES: You are
20 welcome, Mr. Haber. Any other comment?

21 LEGISLATOR DENENBERG: On what
22 Mr. Haber said, if the quarterly hearings
23 end up being at the end or part of a regular
24 committee meeting, we can still give notice.

25 CHAIRWOMAN GONSALVES: It will be

1 Full Legislature/11-25-13
2 noticed but it could be different than that.
3 There could probably be more.

4 LEGISLATOR DENENBERG: I think it
5 should be different than that, certainly
6 when a lot of work is going on. But the
7 reason for the quarterly basis is really,
8 even if there is no action, to make sure we
9 are okay with no action and we know why
10 there is no action.

11 CHAIRWOMAN GONSALVES: I hear
12 you.

13 LEGISLATOR JACOBS: Norma, can I
14 just say something?

15 CHAIRWOMAN GONSALVES: Legislator
16 Jacobs.

17 LEGISLATOR JACOBS: I just want
18 to say that I happen to agree with what Mr.
19 Haber just said. And it would be refreshing
20 to me, in the start of the next period of
21 two years, the next session, that we commit
22 ourselves to having more hearings in this
23 body, and really stick to when it's going to
24 be.

25 If it's going to be quarterly,

1 Full Legislature/11-25-13
2 it's not that difficult, you decide on the
3 first week of a month, and that's going to
4 be followed through. That's the way you
5 make it stick. Otherwise, it is so easy to
6 get off track. We are all so busy and it's
7 very hard to pull people together.

8 I think the one thing that's been
9 missing are these hearings specific to an
10 item, and this is such a big one, that we
11 would be remiss if we don't.

12 So I really believe that this
13 could be the start of something, besides us
14 agreeing to Item Number 5, that would be the
15 start of something very good for this
16 legislature, which has not been taking place
17 for a long time.

18 CHAIRWOMAN GONSALVES: Your
19 comments are well taken. Thank you,
20 Legislator Jacobs.

21 Since there is no other comments,
22 and I see so many people laughing out there,
23 if there are no other comments, public or
24 from the legislators, all those in favor of
25 Item 5, Ordinance 168-2013, signify by

1 Full Legislature/11-25-13

2 saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes unanimously. God
7 bless you all.

8 Now, we have several emergencies,
9 am I correct, Mr. Muller? Wait a minute.
10 We didn't take a vote. To call an
11 emergency, do we need to vote?

12 CLERK MULLER: What we can do is
13 declare an emergency for all six of them,
14 vote for the items together as all six.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Emergency
18 offered Legislator Dunne, seconded by
19 Legislator Kopel. All in favor of the
20 emergency for the six items signify by
21 saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Okay. Now, we will do them all

1 Full Legislature/11-25-13

2 at once, Mr. Muller.

3 CLERK MULLER: 4 was Clerk Item
4 514-13 which is now Emergency Resolution 61,
5 242-A, a resolution authorizing the county
6 executive to execute an intermunicipal
7 agreement with the Seaford Fire Department
8 in relation to a project to procure life
9 saving equipment.

10 Clerk Item 515-13 which is now
11 Emergency Resolution 62, Resolution 242-B, a
12 resolution authorizing the county executive
13 to execute an intermunicipal agreement with
14 the Herricks School District in relation to
15 a project to replace a walkway.

16 Clerk Item 529-13, Emergency
17 Resolution 63, Resolution 242-C, a
18 resolution authorizing the county executive
19 to execute an intermunicipal agreement with
20 the Village of Hempstead in relation to a
21 project to procure and install a shotspotter
22 system.

23 Clerk Item 533-13, Emergency
24 Resolution 64, Resolution 242-D, a
25 resolution authorizing the county executive

1 Full Legislature/11-25-13
2 to execute an intermunicipal agreement with
3 the Village of Rockville Centre in relation
4 to a project to make improvements to the
5 Historical Phillips House.

6 Clerk Item 543-13, Emergency
7 Resolution 65, Resolution 242-E, a
8 resolution authorizing the county executive
9 to execute an intermunicipal agreement with
10 the Merrick Library in relation to a project
11 to install a hearing loop.

12 Clerk Item 535-13, Emergency
13 Resolution 66, Resolution 242-F, a
14 resolution authorizing the county executive
15 to execute an agreement with the Oyster Bay
16 Railroad Museum in relation to a project to
17 procure and install a door, side lights, cap
18 lights, windows, and masonry work on the
19 exterior walls of the museum building.

20 CHAIRWOMAN GONSALVES: Item 534
21 is now 543, correct?

22 CLERK MULLER: I'm sorry, 534.

23 CHAIRWOMAN GONSALVES: Now Mr.
24 Dunne, you may.

25 LEGISLATOR DUNNE: So moved.

1 Full Legislature/11-25-13

2 LEGISLATOR BELESI: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Dunne, seconded by Legislator
5 Belesi.

6 MR. MAY: Madam Presiding
7 Officer, I don't know if this was filed
8 properly.

9 CHAIRWOMAN GONSALVES: No, it
10 doesn't.

11 MR. MAY: It doesn't, we're
12 clear?

13 CHAIRWOMAN GONSALVES: It
14 doesn't. This is an emergency. The one
15 that was stamped by the clerk's office that
16 we're acting on today.

17 MR. MAY: My apologies. I just
18 wanted to make sure it was correct.

19 CHAIRWOMAN GONSALVES: November
20 22nd, 2013 at 12:15, it says p.m. November
21 22nd, 2013, 12:15 p.m.

22 Any comments regarding those
23 items?

24 (No verbal response.)

25 Any public comment on any of

1 Full Legislature/11-25-13

2 those items?

3 (No verbal response.)

4 That's why we read them, to
5 understand what they were. Being no
6 discussion on those items, all those in
7 favor of the six emergency items signify by
8 saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The items pass unanimously. I
13 told you it was a good day.

14 LEGISLATOR ABRAHAMS: I just want
15 to put something on the record. On the
16 previous item that we had talked about in
17 regards to the bonding for the sewers, we
18 heard back actually after the vote, but we
19 heard back from Robert Diamond who is the
20 director of intergovernmental affairs in the
21 governor's office. He had indicated that
22 the governor's office would not have any
23 objection to us holding multiple or more
24 hearings in regards to the sewage treatment
25 plant. So that's actually a good thing.

1 Full Legislature/11-25-13

2 CHAIRWOMAN GONSALVES: Motion to
3 adjourn, but, guess what, some of us have to
4 stay because I'm reconvening the Rules
5 Committee, and that should go quickly.

6 A motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Walker. All those in favor of adjourning
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The motion is unanimous.

17 (Whereupon, the Full Legislative
18 Committee adjourned at 3:35 p.m.)

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 17th day of December, 2013.

FRANK GRAY