

1. Public Notice

Documents:

[9-28-22 DIST ADVISORY COMM.PDF](#)

2. Agenda 9-28-2022

Documents:

[9-28-22 TDAC.PDF](#)

3. 9-28-2022 TDAC Transcript

Documents:

[TDAC 09.28.22 KL PDF TRANSCRIPT.PDF](#)



PUBLIC NOTICE

**PLEASE TAKE NOTICE THAT THE
TEMPORARY DISTRICTING ADVISORY COMMISSION**

FOR THE

THE NASSAU COUNTY LEGISLATURE

WILL HOLD A PUBLIC HEARING

ON

WEDNESDAY, SEPTEMBER 28, 2022

6:00 PM TO 8:30 PM

IN

**LONG BEACH CITY HALL
1 WEST CHESTER STREET
LONG BEACH, NY 11561**

**PLEASE CHECK WEBSITE AT LEAST 24 HOURS BEFORE MEETING FOR
ANY CHANGES, POSTPONEMENTS OR CANCELLATIONS FOR
UPCOMING MEETINGS. IF A MEETING IS CANCELLED OR POSTPONED A
NEW PUBLIC NOTICE WILL BE POSTED**

Attendees will be given an opportunity to sign in to address the Legislature. Public comment will be limited to 3 MINUTES. Public comment on any item may also be emailed to the Clerk of the Legislature at LegPublicComment@nassaucountyny.gov and will be made part of the formal record of this Temporary Districting Advisory Commission meeting.

**FRANCIS X. MORONEY
CHAIRPERSON**

DATED: September 21, 2022
Mineola, NY

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>

Majority Appointees

Peter Bee
John L. Reinhardt
Maureen Fitzgerald
Christopher Devane
Eric Mallette



Minority Appointees

David Mejias
Jared Kasschau
Andrena Wyatt
James Magin, Jr.
Michael Pernick

Francis X. Moroney, Chair
Temporary Districting Advisory Commission

Nassau County Legislature
1550 Franklin Ave
Mineola, New York 11501

Agenda – Wednesday, September 28, 2022 at 6pm

1. Open meeting – Pledge to the Flag
2. Chairman's Statement
3. Introduction of the Commissioner's
4. Public Comment
5. Other Business

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NASSAU COUNTY
TEMPORARY DISTRICTING
ADVISORY COMMISSION

MEETING IV

Held at

LONG BEACH CITY HALL
ONE WEST CHESTER STREET
LONG BEACH, NY 11561

FRANCIS X. MORONEY

CHAIR

Nassau County Legislature
1550 Franklin Avenue
Mineola, New York

Wednesday, September 28, 2022

6:11 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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

COMMISSIONERS:

FRANCIS X. MORONEY, CHAIRMAN

PETER BEE

JOHN J. REINHARDT

MAUREEN FITZGERALD

CHRISTOPHER DEVANE

ERIC MALLETT

DAVID MEJIAS, VICE CHAIR, EXCUSED

JARED KASSCHAU, ACTING VICE CHAIR

ANDRENA WYATT (6:25 p.m.)

JAMES MAGIN, JR.

MICHAEL PERNICK

EXECUTIVE DIRECTORS:

ELISABETTA COSCHIGNANO

RACHEL WHITMORE, EXCUSED

BOARD ATTORNEYS:

VINCENT MESSINA, ESQ.

PETER CLINES, ESQ.

CLERK:

MICHAEL PULITZER

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A L S O A P P E A R E D :

PUBLIC COMMENT:

Harvey Weisenberg

Sarah Nicholas

Eileen Lilly

Michael Turi

Stephanie Chase

Daniel Lanparter.

Steven Edmenton

Crystal Lake

James Hoge

Kathy Williams

Helen Dorado Alessi

Sanjeer Jindal.

Marty Lilly.

Michael DeLaurie

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AGENDA

1. Open meeting - Pledge of Allegiance
2. Chairman's Statement
3. Introduction of the Commissioner's
4. Public Statement
5. Other Business

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CHAIRMAN MORONEY: If I could, would you please rise, we are going to start off with the Pledge of Allegiance and then remain standing.

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(Whereupon, the Pledge of Allegiance is recited.)

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CHAIRMAN MORONEY: We are having our fourth meeting. A number of people in the audience have been to meetings before, so excuse me when you hear some of the words I'm going to use because I try to read this at every one of these hearings just to get the idea of what we are here for, why we're here, and what we need to do in order to proceed as a commission.

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This is the fourth hearing held by the Temporary Temporary Districting Advisory Commission. We are here to fulfill our obligation under the Nassau County Charter. As stated in the 1995 Final Report of the Commission of Government Revision, the function of the Commission is to recommend one or more

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plans to the County Legislature for dividing the county into legislative districts.

The commission consists of 11 members with one nonvoting party, that's me, appointed by the County Executive. There are five members appointed by the presiding officer and five appointed by the minority leader.

The Commission permits, but does not require public hearings. Prior reapportionments processes established the tradition that permissive meetings seeking public input should held. The proceedings have been open, fair, and transparent to the public.

The County Legislature allocated \$985,000 to fund the work of the Commission. The allocation is divided equally between the commissioners appointed by the Presiding Officer and the Minority Leader. However, a portion of the \$985,000 is set aside for stenographic services, American Sign

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Language interpreters, and other shared costs of the commissioners for each delegation.

Each delegation of appointees divides the balance of the money to purchase the mapping technology, software, hiring experts, counsel and other staff, as they deem necessary.

In developing a map or maps, the Commission must comply with both Federal and State Laws. If and when a map or maps are drawn, they should be released to the public before being submitted to the Full Legislature for its consideration.

I point out the fact that we are an advisory commission. We don't make the decisions. We give recommendations based upon the recommendations that you all have for us.

The release should be on a date certain with ample time to hear public comment after a final hearing. The County Legislature will also conduct a hearing

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on a map or maps sent to it for consideration.

The County Legislature may reject, adopt, revise or amend the redistricting plan or plans recommended by this Commission or adopt any other redistricting plan that it deems constitutional, legal, and following those requirements.

Transparency is achieved by the significant outreach to the public and calling public hearings on any maps or plans for redistricting submitted by the commission members.

Additionally, we have meetings scheduled after tonight in Freeport on October 13; in Glen Cove on October 18; in Oyster Bay on October 20th -- that is something we are going to have to discuss between ourselves, between the two delegations at some point tonight -- Elmont on 26th of October, and the last hearing on a date, time, and location that is yet to be determined. One of the

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recommendations that was made, the room was not available.

In an effort to achieve transparency, will be in public and streaming live over the internet.

Furthermore, there is ASL signing and a Language Line representative here in case there are any non English speaking people so that they can participate in these proceedings.

The Legislative Clerk will preserve all of those records. The Legislative Clerk is sitting here right in front of me; Michael Pulitzer. Further, the record will be kept open for a period of time after completion of the public hearings and it will include these submissions including any e-mails received prior to the date of the record of the commission. Any correspondence, e-mail, or information received after that date, will still be forwarded to the Full Legislature for its consideration.

In preparation for this hearing, a

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notice of this hearing, and others, were sent to the following:

Counsel to the Minority Commission, Members of the Minority Commission Delegation; County Executive Office, Nassau County League of Women Voters; The City of Glen Cove; The City of Long Beach; The Town of Hempstead; The Town of North Hempstead; The Town of Oyster Bay; 22 villages in the Town of Hempstead; 30 villages in the Town of North Hempstead; 16 villages in the Town of Oyster Bay; 55 libraries; 57 school districts; 67 civic associations; 50 chambers of commerce; and 150 news and media outlets that service Nassau County. In addition, there are a series of people who have asked to be put on a mailing list. I don't have that exact number, but they, likewise, have received notice. The notice also goes to all members of the County Legislation as well as the members sitting up here and their staff.

That is my statement. Do you have a

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statement, Mr. Kasschau?

COMMISSIONER KASSCHAU: I do. Thank you, Chairman Moroney. Thank you, all and to the City of Long Beach who knows better than most what it means to go through a terrible super storm hurricane. We appreciate your participating in the redistricting process this evening.

As you all well know, this is a critical process insofar as it's going to define who your elected officials are for the next ten years in terms of the County.

This, as the chairman pointed out, is our fourth meeting. However, I, unfortunately, cannot agree with what the chairman said with respect to the fairness and transparency that has not manifest itself during the course of this process. In fact, I'm sitting here before you today as the Chairman of the Democratic Delegate to this Commission. We believe we continue to have grave concerns with the lack of transparency of

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this Commission and the lack of fairness in this process.

For example, we have on repeated occasions, attempted to introduce resolutions to this body that would suffice to provide website transparency by way of resolution. The updates to the website over the last week that were promised that were supposed to excuse the need for that resolution are grossly insufficient.

We have asked for substantial information to be posted publicly and it hasn't been. For example, we have asked that resolutions submitted by the democratic delegation and voted on by this committee be posted for public consumption; that information does not appear on the County's website.

We have asked that public notices submitted by Democratic Delegation be posted on the County website; that information still has not been posted.

We've also asked that agendas

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submitted by the Democratic Delegation be posted; that information hasn't been posted by them. Minutes and transcripts from all previous hearings; we're still not currently up to date on that.

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We've asked that items submitted into the record of the three preceding hearings be submitted to the website so that you all can view them and have meaningful public participation; that information has not been posted.

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We have also asked that correspondence between Democratic Delegation and Chairman Moroney and my other colleagues on this committee be posted; that information has not been posted for your consumption.

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We've also asked that the current map, data, and shapefiles be provided to the public. That is incredibly important information to this process; that, too, has not been posted.

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Finally, we've asked that relevant legal resources and reference materials

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be posted so that the public can have informed comments and questions with respect to what laws apply to this board and this process; that has not been posted.

All of this information is essential to meaningful public participation. There is no reason why this information has not been posted to the County's website.

So that being the case, we have released a public shared drive last week, which was mentioned at our last meeting at the Town of Hempstead, which contains in one central location any information that we were able to get for members of the public including information on the current maps; information about our meetings; background on the redistricting process; each of the resolutions presented to this body and voted on by this body; written submissions from the public and more. We urge you to take a look at that information so that you can

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see what this process is all about and

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you can attend future meetings and ask

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questions about that important

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information. You can access that shared

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drive by scanning the QR code on the code

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that will be handed out during today's

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meeting or by visiting the website. I

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will repeat this twice so that everybody

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has the opportunity to take it down:

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[Https://bit.ly/demresdistricting2022](https://bit.ly/demresdistricting2022)

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(repeated).

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COMMISSIONER PERNICK: Good evening,

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everyone. My name is Michael Pernick.

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I'd like to first and foremost echo the

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comments made by my colleague,

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Commissioner Kasschau. I share the

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significant concerns with transparency

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and fairness that were just addressed and

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I would like to add two additional

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points.

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First, earlier today I and I believe

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my fellow democratic appointed

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commissioners received an e-mail with

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eight written comments that had been

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2 submitted to this body. Some of the
3 comments were a month old and we hadn't
4 seen them. One of them was 28 days old.
5 Several of them were 14 days old, and
6 this was the first opportunity we had to
7 view these comments. I was surprised and
8 concerned these hadn't provided to us.
9 It seems unfair and deeply biased if the
10 republican appointees have access to the
11 submissions from the public but the
12 democratic appointees don't get access to
13 the submissions, in some cases for weeks.
14 And these were important submissions.
15 Submissions from highly respected
16 organizations that have done work like
17 this across the state, across the
18 country; submissions from The League of
19 Women Voters, Common Cause, Make the Road
20 NY. Serious organizations and
21 submissions from members of the public
22 with equally important insights,
23 perspectives, and advice for us to take
24 into account.

25 So I was surprised and concerned

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that these comments had not been provided in some cases for as long as 28 days after they had been provided to this commission.

It was especially concerning because we had asked at the outset of this process for an e-mail address, a mechanism, for members of the public to submit comments that could automatically be provided to everybody or an e-mail address that everybody would have access to. That proposal was rejected. Now it's clear why. Because we don't have access to these important submissions. We shouldn't have a structure where only one side could hear from the public and the other side has a delay -- sometimes a substantial delay -- before getting access to these comments.

Again, I would once again ask that an e-mail address be set up specifically for this commission that everyone has access to. There are different ways we could do it. We could have the e-mail

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automatically forward every submission to every commissioner. We can have a staff of both delegations have access to these submissions. But it shouldn't be the case that we should have to wait weeks on end to hear from the public, after the public provides very important feedback to this process. That's the first point that I think needs to be said very clearly today.

Second, I'd like to take a few minutes to revisit a submission that I made into the record at our previous meeting. A submission that contained a preliminary analysis of our current County Legislative maps that was performed by a a political science professor, Dr. Daniel Magleby, who is a political scientist at the University of Binghamton and is a leader in the field of redistricting. His work has been relied on by courts across the country and he has published extensively on redistricting.

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Dr. Magleby did an analysis of our current County Legislative map. His conclusion was clear, simple, and extremely important: The current map and any new map that might be adopted by the County that might be similar to the current map, would be an illegal partisan gerrymander. The results of his analysis leave no room for doubt.

To provide some context, last year the State amended the Municipal Home Rule Law to provide new requirements for redistricting. One of the new requirements is extremely important for us. It says, "districts shall not be drawn to discourage competition or to favor or disfavor an incumbent or other particular candidate or political parties. In a case called Harkenrider v. Hochul the New York Court of Appeals recently adopted a standard for the type of violation of law and concluded that an expert can prove that a map violates the standard using what's called an ensemble

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2 analysis. A particular methodology for
3 assessing maps. The way it works is
4 pretty simple. The expert generates
5 thousands and thousands of random maps
6 and measures the map that's at issue
7 against these randomly simulated maps and
8 are generated by computer simulation. If
9 the map that's at issue is more extreme
10 from a partisan bias perspective, then
11 most of those maps of course will
12 conclude that the map at issue is an
13 illegal partisan gerrymander. Dr.
14 Magleby did just that analysis for the
15 current County Legislative map. He
16 generated a simulation of 10,000 random
17 neutral maps and he concluded that our
18 County Legislative map is more extreme,
19 more biased in favor of republicans than
20 all 10,000 of those maps.

21 So this isn't just a partisan
22 gerrymander, this is an extreme partisan
23 gerrymander. The chances of arriving at a
24 map that's this extreme through a neutral
25 process would be less than one in 10,000.

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It's a very extreme gerrymander. We know that. It's virtually statistically impossible.

He provided a preliminary analysis, we submitted it into the record. It is not posted on the County website, it is posted on our shared drive that we've made public. I would encourage the public to take a look. We also have some copies of it. If you speak to Gabbi who is in the back, she can provide you with a copy of that preliminary analysis.

It places this Commission and the Legislature on clear notice that the current map is illegal and we need to start from scratch. We cannot use the current County Legislative map. We need to start from scratch and draw a map that's legal from the ground up. My democratic appointees are taking this very seriously. I know that we would only ever vote for a map that clearly complies with the Municipal Home Rule Law and every other statute. I haven't heard

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any response from the republican appointees up to this point, but I hope they are taking this extremely seriously as well. I would like to make a commitment to all of my colleagues, including my Republican appointed colleagues. If there is a draft map that anybody in this Commission is considering, a draft map that they're working and considering presenting at some point, it's important to understand whether that map complies with these new statutes. I would offer if anybody has a map that you're working with, we can do that analysis for you. We can provide you with the same neutral nonpartisan analysis of whether the map complies with the statute. That's a standing offer for the rest of this process. If anybody has a map, send it along. Let us know. We can facilitate getting that map reviewed through the ensemble analysis, so we can be confident that any map that is presented to the public and any map that

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is voted on is legal and complies with the law. There should be no excuse to have not done this analysis now that we have these new important provisions in the Municipal Home Rule Law. That's a standing offer.

We're on notice that the current map is illegal, similar maps will be illegal, and there is an opportunity that is available to every member of this commission to ensure that all maps moving forward comply with the law.

That's all I have.

CHAIRMAN MORONEY: Thank you.

COMMISSIONER BEE: Mr. Chairman, I don't want to go back and forth. I do not intend to engage in partisan mudslinging or anything of that nature, but I do want to note that the Republican Delegation has repeatedly said that intends to comply with the law. I'd like to think that we start with the presumption of integrity until proven otherwise; whereas, it appears that my

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fellow commissioners on the other side of the table seem to be presuming a lack of integrity until proven otherwise. So on behalf of the Republican Delegation, I can assure you it is our intention to be guided by our counsel by the law and to see if we can find a map that does comply with the law. Thank you.

CHAIRMAN MORONEY: If I may, Mr. Pernick creates a very dark, dark image of what's going on. It's not even anywhere near that. It's hyperbole. It's designed to create a record so that you can sue afterwards if they get something that they don't like, perhaps. But it's not that way. It really is not that way. We've got nothing to hide.

For the record, the map that was just put out by our Executive Administrator for our side of the table, the Republicans, for the record, no map, including the map she put out there, has ever been held to be inappropriate. No map since 1984, when this was created,

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has ever been challenged since then and that continues to be the case. I'm just trying to shed some light from the dark image presented by Mr. Pernick.

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If I could also point out something that I think is dramatically, dramatically important to the people of this community, especially Long Beach. Remember those words: Start from scratch. It took three times, three times to get the full barrier island into one district. Starting from scratch, where is it gonna be? You have to look at the details.

The information honestly looked at that they received today in the e-mail, they'll see on it when I forwarded it to them that I had got it this afternoon. That includes some information that needed to be checked to make sure that we weren't violating anybody's personal information that may have been included on those items, number one.

Number two, every single resolution

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that has been submitted to this board has been dealt with openly in public, not ignored, but openly in public.

It is significant, if I may, that all the laws are going to be complied with. They have always been complied with from the day this legislature was approved by Federal Court Judge Arthur Spatt. This is not a map that even resembles a map that the Courts threw out that the Democrats created in New York State. It doesn't even resemble anything trashy like that. This is an honest process.

I think everyone of these people on the democratic side are good, solid citizens, but they gotta stick to the facts. I think everybody over here (indicating) is a good, solid citizen and they will I'm sure stick to the facts.

Now, unless somebody has anything else to say, I'd like to call on Harvey --

COMMISSIONER KASSCHAU: Mr.

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Chairman; forgive me, Assemblyman. Just to pick up on those few comments.

First off, I don't think characterizing what Mr. Pernick or I have said is an unreasonably dark picture of what has been going on at the last three meetings. In fact, you could look at the transcripts of the proceedings that have been held to date, all the issues that we discussed, Mr. Pernick and me, were raised by individuals who appeared before this body. There is, by virtue of those comments, a fundamental lack of trust in this process. I want the commission -- I think all of us -- and I thank you, Mr. Chairman, for pointing out that we're all good citizens and we're going to do what is appropriate -- I think it's incumbent upon us, this body, to reestablish that trust and I think the resolutions and the information that we're hoping to be made public will reestablish that trust. Because there are plenty of people, plenty of people who have appeared over

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the last three meetings that have commented that this process has been less than transparent, that they have a fundamental distrust in the process, and that they think this is a charade and I don't want to be part of that. So I will do everything, and this body I hope, will do everything possible to reestablish the trust and ensure that we comply with the law.

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With respect to what Mr. Pernick said, vis-à-vis the study done by our expert, Mr. Magleby's, report makes it even more important that we have a process that actually takes public feedback into account. Unfortunately, the current process is designed to make it impossible for members of the public to provide this commission with feedback in the proposed manner.

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Under the current schedule proposed by Chairman Moroney, this commission would release proposed maps on November 10th and would vote on those proposed

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maps the same day with just one hour in between the meetings where they are released and the meeting when they receive a vote. This proposed schedule, I submit, is absurd. The public has no opportunity to review and comment on those maps and our commission has no opportunity to try to negotiate a map that can earn six votes that will be submitted to the County Legislature. The schedule makes our entire process a sham.

The Democratic appointed commissioners have tried over and over again to address this issue, but we have been blocked by the Republican appointees at every turn. On August 31, we introduced a resolution providing for seven hearings after the draft maps were released. That was rejected on a partisan basis, unfortunately.

On September 21, we introduced a resolution providing for three weeks for public comment on actual maps with at least hearing. That too was rejected on

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a partisan basis.

I will now make a final plea to my colleagues: Please, please don't make this process a sham. As a last resort I will ask this Commission to commit to give the public at least two weeks to review draft maps before they are approved rather than just an hour. This means that if we plan to hold a vote on maps on November 10th, drafts of those proposed maps must be released on November 3rd. This motion, even if granted, will not solve the problem. Two weeks is not enough time to review draft maps and is not enough time for us as a Commission to try to negotiate a compromised plan that can earn six votes. This approach doesn't even provide for public hearings. Every other effort to fix this issue and I am pleading with my colleagues to give the public at least 14 days, a reasonable amount of time, to weigh in.

With that, I will now make a motion

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to release any draft maps that will be considered by this Commission at least two weeks prior to their commission and I ask for a roll call vote on the motion.

COMMISSIONER PERNICK: I'll second the motion.

COMMISSIONER BEE: First, Mr. Chairman, I will first note, I think we have usually done a roll call to establish attendance, but, perhaps, the record can reflect that all of our presence, with the exception of Mr. Mejias.

With that note on the record, my comment on the motion is the same as it was the last time which is that it is simply premature to establish an arbitrary schedule of what we're going to do at the point and time that we are ready to suggest a map to the Legislature, other than to add on to that that the Legislature itself, the decision making body, is certainly in the position to hear comments from the public on

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whatever advice we give them; therefore, I am not prepared to vote yes for the resolution. Thank you.

CHAIRMAN MORONEY: On the motion, I don't remember the woman's name -- she was here twice, I don't see her here tonight -- asked for additional time on those dates. Those dates are not etched in stone. They're under discussion and have, in fact, had discussions with Mr. Mejias. I'm sorry he's not here to verify that. We have set those dates as a placeholder, if nothing else. This is an unnecessary effort to create an obstacle.

If I may, Mr. Clerk, will you call the roll on the motion?

CLERK PULITZER: Yes, sir. I will call the roll.

Commissioner Peter Bee?

COMMISSIONER BEE: No.

CLERK PULITZER: Commissioner John L. Reinhardt?

COMMISSIONER REINHARDT: No.

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CLERK PULITZER: Commissoner
Fitzgerald?

COMMISSIONER FITZGERALD: No.

CLERK PULITZER: Commissioner
Christopher Devane?

COMMISSIONER DEVANE: No.

CLERK PULITZER: Commissioner Eric
Malette?

COMMISSIONER MALLETT: No.

CLERK PULITZER: Commissioner David
Mejias, absent.

Commissioner Jared Kasschau.

COMMISSIONER KASSCHAU: Aye.

CLERK PULITZER: Commissioner
Andrena Wyatt?

COMMISSIONER WYATT: I would like to
first state for the record that I am
deeply concerned about the lack of
opportunity for members of the public to
actually comment on a proposed map. I
agree with the motion made by
Commissioner Kasschau; however, it's not
enough. It's not enough. We have seen
throughout this entire process that

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members of the communities of color, they're coming out and they're coming out in large numbers and they're making comments because they care; they're concerned. But we also see that members of the community, particularly of the Black and Latino community, they're showing up and they're expressing that they're angry and they are disillusioned by this process.

And it was also brought to my attention that there are many members of the community who said they will not testify until they actually see a map that they can comment on; otherwise, what is the point.

With that said, two weeks is not enough time; however, it is better than nothing so I will support the motion.
Yes.

CLERK PULITZER: Thank you.

Commissioner James Magin, Jr.?

COMMISSIONER MAGIN: Yes.

CLERK PULITZER: Commissioner

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Michael Pernick?

COMMISSIONER PERNICK: I'd like to expand for a moment on a comment made by my colleague, Commissioner Bee. He pointed out that he did not want to vote for this motion because it would set an arbitrary schedule. Well, we have an arbitrary schedule right now. We have a schedule that provides members of the public a grand total of one hour to review a proposal and comment on it. We the schedule that gives us one hour as a Commission to try to negotiate a compromise in good faith that we could recommend to the Legislature. How are we going to be able to come to an agreement with one hour? That shouldn't be our starting point; that shouldn't be our placeholder. If we're going to have a placeholder, let's at least use a placeholder that gives the public an opportunity to weigh in, that gives us an opportunity to try to collaborate and work together in good faith to reach a

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compromise. Two weeks, I agree with Commissioner Wyatt, it's not enough time, but it's better than nothing. Let's use that as our placeholder and if we want to adjust it as we get closer, that's fine. Let's at least start from a point of collaboration working together to get the six votes and giving the public an opportunity to comment on a map before this Commission. It's our job to receive public comments and recommend something to the Legislature that incorporates and reflects those comments. I'll vote aye on the motion.

CLERK PULITZER: Thank you.

Chairman Moroney.

CHAIRMAN MORONEY: I don't vote.

CLERK PULITZER: That is correct. I have a vote of 5:4 and one absent.

CHAIRMAN MORONEY: Motion fails.

For the sake of the record, the Charter of the Commission put in a clause that says no action can be taken on a motion without six votes. With that

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said, and with the acknowledgement that everybody is here except Commissioner Mejias, who has been excused, I want to call our 66th person to testify in front of the Commission, our good friend, Harvey Weisenberg. Harvey, would you come up?

MR. WEISENBERG: Thank you for the coming to our City.

I come here because people in the community have asked me to speak. When politics takes over government, there is no government. I have a few years of experience. I'm an elected official for 38 years; 13 in Long Beach as a Councilman, 25 in Albany as a Deputy Speaker for the State Assembly. Isn't it interesting that Long Beach doesn't have an elected official this year.

The purpose that all of us serve, and I say this very sincerely, and I had a lot of success in Albany because politics was not the issue with me. You're here to serve the needs of your

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people and you put your people first.
You can see what's happening in our
country. We are losing the success of
what this country stands for and,
unfortunately, people all over the world
are laughing at what's in our country in
government today.

All of you here, you here, you have
a conscience, and I'm here because the
people asked me to speak. I'm the voice
of those who have no voice. The answer
really is that we are all here to try to
make this a better world without the
anger and the violence, with love and
caring.

I want to talk to you about Long
Beach. A small city. We have 32,000
people, approximately and 100,000 in the
summer. I will tell you we are a small
city of love. The world is changing.
Good people are hesitant to become
involved in government. I want to share
with you my own life experience that the
rewards of being an elected official, a

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public servant, isn't for power or money,
it's the thank you you get for helping
people.

Today we are all here and we are
listening and we're saying to you, and
I'm saying to you my purpose, because
people from my community asked me to
speak because they're afraid that
nobody's gonna care. I'm saying to you
all here, I really want you to think
about my purpose here is to make you
aware that we have a small community,
it's a small city -- it's not a small
city any more as you can see. You have
the needs of people and people are
desperate. These are desperate times.
This is a time for everybody to really
think about what's really important.
What's important is loving and caring and
trying to make good. We have devastation
in our world today, we don't need the
anger and the violence that is taking
place. What we learn and we can show
people -- and I thank you for being here.

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You all have a role. Everybody's voice has to be heard, but you know, really think. Take a step back and prioritize what's important.

I'm here. We got a minority community that is growing and we have a wonderful city (buzzer). It's a city of love. People here work together, care about each other. With politics, they serve in government. Tonight I'm here to say thank you for being here and I really, really want you to understand that everybody's in trouble. It's a tough a society to live in, it's a tough world. But, you know, I'd like for you to take a step back and talk to each other and say -- you know, I understand the politics and I know most people from both parties and all parties I know who they are. They're good people. Everyone of them is a good person, but you just have to really take a step back and say -- and here's what I'm here to say: I want the people in my community to be able to get

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the resources that are necessary to have a quality of life and they're not going to work politically.

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I saw what happened. I saw people -- they changed their district. They didn't live in their own district. Things like that should not happen, or could not happen. Not if we can get together and do what's best to meet the needs of our people.

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So tonight, again, I'm saying thank you for what you do, and I really hope that you really sit and think about getting it together and doing what's the best thing you could do together as a team. Be a team, because that's the only way you have success. You see what's going on at every level in our government. It's sad. It's terrible. People in Albany are calling me, Tom DiNapoli asked me to run for congress, run for senate. We need people. I said, Tom, you know -- and Tom is one person that anybody on any side knows is a

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gentleman and he's the best that he is in his position and thank God he's there.

I'm saying to you, it's upsetting what's happening here. I just know that I want to have confidence in who you are and what you do. I'm saying to you, do the best you can do to meet the needs for these people in the City of Long Beach.

CHAIRMAN MORONEY: Thank you, Harvey. We do have a three minute rule. I know we let that go by the Assemblyman, but old friends sometimes let their friends speak a little longer. Thank you, sir.

Next is Sara Nicholas. League of Woman Voters, Long Beach.

MS. NICHOLAS: My name is Sarah Nicholas. I'm the president of the League of Women Voters in Long Beach. Thank you for this opportunity to comment tonight.

The League of Women Voters encourages informed and active participation in government. We work to

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increase understanding of major public policy issues and influence public policies with education and advocacy.

The League is an organization fully committed to diversity, equity and inclusion in principle and in practice. The League is nonpartisan and does not support or opposed any candidate or political party at any level of government.

The League is here tonight, as we have done at earlier meetings, to advocate for a fair, inclusive, and transparent redistricting process. Part of that is easy access to all information, documentation, notifications, disclosures of all expenses of taxpayer monies, current maps at all the working sessions, all the agendas, all the motions. This should be at one place.

Streaming meetings is not the same as virtual meetings. Part of the Covid experience for many people was conducting

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business through Zoom meetings. Many people are aware of that process. This could provide an opportunity for community members that cannot attend in person whether it's due to a physical disability, location or schedule, to give their oral comments to this commission.

There is ample time for this Commission to release the draft maps and provide time for public comment. Then they can consider any revisions to address the public's concerns before it is submitted to the Legislature.

It's been mentioned before, but this bears repeating, the New York State's recently amended Home Rule Law and the John R. Lewis Voting Rights Act of New York says: "Districts shall be drawn to discourage competition or for the purposes of favoring or disfavoring incumbents of any other political candidate or party."

We know that redistricting is a highly partisan process and, perhaps,

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each side is looking to gain as much advantage as it can. We certainly recognize the responsibility of this Commission is not an easy one. Nonetheless, you must put partisan politics aside and work together for all the residents of Nassau County.

Thank you.

I'd just like to ask. Are all the October meetings posted on the website?

CHAIRMAN MORONEY: We only agreed to the days last week, so they will --

MS. NICHOLAS: So they're currently not on the website? You've agreed to these meetings and locations, but you haven't posted them yet?

CHAIRMAN MORONEY: We post them seven days ahead of time in accordance with the local meetings law. They will, likewise, be posted. We didn't have them all together. You'll have fair opportunity to see.

I do want to address one thing you said. You said a very important thing.

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You referenced, as Mr. Pernick likes to reference, that portion of the Municipal Home Rule Law which you cited, that is sixth priority as far as the law is concerned. Let me tell you why. You gotta fill in the blanks.

He's correct; you are correct. You both did it perfectly. But the statute says, "reapportionment of members of legislative bodies, shall be subject to Federal and State Constitution requirements and shall be comply with the following standards which shall have priority in the order herein set forth:

1. Only single member districts, such districts shall have nearly equal population. It's 5%. It was 10%, they knocked it down. This is the first most important thing is the right size. Population and geography drive the making of the maps.

2. Districts shall not be drawn with the intent or result of denying equal opportunity of racial or language

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minority groups to participate in the political process or to diminish their ability to elect representatives of their own choice. That means that means that we have to obey the Voting Rights Act. We have to make sure that minority/majority districts, whether they can be fulfilled, will be fulfilled.

3. Districts shall be contiguous in territory. That means they can touch each other.

4. Districts shall be compact in form as practicable. A very important word. Very interesting word.

5. The section that you quoted.

6. Last is the districts shall be formed so as to promote an orderly and efficient administration of elections. In other words, we want to make sure the people have enough places to go and vote.

The issue that comes to mind, to me anyway, is geography and population. When this Legislature was first prepared, there were roughly 67,000 people per

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district. There are now 73,000 people per district, but they're not equally spread out. They are in different places. They're in different clusters. You take the population, which is very important, and you take the geography, which is also important, and you have to mix them together. What happens sometimes are things that look ugly that other people may accuse of being gerrymandered, and they're not, because you have to look at the context. You have to look at all of it. All of the creations, including making sure the minority population is taken care of.

MS. NICHOLAS: Thank you for those clarifications, Mr. Chairman. I hope that this Commission reviews that and adheres to all those requirements of the Municipal Law. I think the emphasis was when you've done that and you come up with what you think is the best job you can to and adhere to those, that you release it to the public and let the

1
2 public say, but wait a minute. This is
3 what I think, this is my community. Then
4 you take that input and then you work as
5 a Commission to come up with something
6 that could address those issues and then
7 present it to the Legislature.

8 Thank you for your time (applause.)

9 COMMISSIONER PERNICK: I would like
10 you to first thank you for coming, and I
11 want to thank everyone from the League
12 for all of their engagement in this
13 process, providing us with testimony at
14 each of our hearings. Unfortunately, I
15 just saw some of the written testimony
16 that had been submitted a few weeks ago
17 from the League, just earlier today. I
18 do appreciate all of the engagement in
19 the process.

20 I also appreciate our Chair
21 identifying some of the other provisions
22 of the Municipal Home Rule Law that are
23 applicable. I need to make some
24 corrections here.

25 The Municipal Home Rule Law does

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provide a series of obligations that we as a Commission must follow. Of course we need to comply with the Voting Rights Act. We need to comply with the State Voting Rights Act, that's the new law. It says, districts shall be in as compact form as practicable, of course. But here's the way these sorts of statutes with tiered priorities are interpreted, and applied, it's very simple: If there's a map that's presented that seems to violate one of those priorities and there's an alternate map or an alternate set of maps that does a better job of adhering to all of the preliminary priorities, then the map that's at issue is likely going to be struck down.

So that's the situation that we have here. The Magleby report, which I hope that you read it, it makes that very clear. What Dr. Magleby did, is he used a computer simulation that went through each of those priorities that came first before the requirement of not drawing a

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partisan gerrymander, and he coded the simulation to ensure that all of the randomly generated maps complied and did a better job of complying than the current map.

So let's go through it:

Equal population. All 10,000 maps that he randomly generated have better population equality than the current map. I think the current map, the deviation, if you look at 2010, I believe it's a little over 4% I think. All of the randomly simulated maps have less population deviation.

Second, the language -- intent or result of denying equal opportunity of racial or language minority groups. Now, there are several statutes that cover this. But for the purpose of the simulations that Dr. Magleby ran, he ensured there was at least as many majority/minority districts as the current map.

Next. Districts have to be

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contiguous. All the districts in the simulated maps are contiguous.

Next. Districts have to be in compact in form as practicable. The current map is one of the least compact maps in the country. I do this work across the country. Some of these districts are just horribly, horribly uncompact (sic). Dr. Magleby ensured that the simulated maps were all more compact on every measure whether you look at the map as a whole or individual districts, more compact than the current map.

So then what he did, once he rolled of those other factors in the Municipal Home Rule Law, then he ran simulations and you see the partisan outcome. Ten thousand maps that are more compact than the current one. Ten thousand maps that do a better job of ensuring minority representation than the current map. And what did he find? This map that we have right now is more biased in favor of

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voters who like Republicans and against voters who vote for Democrats than any of the 10,000 randomly simulated maps. It's clearcut. These are facts.

Our chairman accused me of painting a dark picture. I'm not painting a dark picture. I'm laying out the facts as provided to us by one of the leading experts in our country doing precisely this work who concluded this is an extreme partisan gerrymander that we have today. No evidence has been submitted by anyone saying otherwise. If there is other evidence, I'd love to see it. I'm not optimistic that it exists. This is really clear, this is undeniable that we have an extreme partisan gerrymander. And it is clear, even though there are some other criteria that come first in the Municipal Home Rule Law, you can hold those constant and satisfy them and still have 10,000 maps and all 10,000 are less extreme than we have today. It's not legal and it's not a good starting point.

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The chairman also noted earlier, well, and paraphrasing, correct me, I don't mean to misparaphrase (sic). Please correct me if I'm not quoting you correctly, Mr. Chairman. My understanding is he pointed out that the fact that the current map hadn't been struck down is evidence that it's a good map. Well, this provision of the Municipal Home Rule Law, we just got it last year. It wasn't around when this map was passed. This is a new law that we need to comply with.

We also have the new State Voting Rights Act that we need to comply with. There are new provisions. When we look at this current map and assess it under these new provisions of law, we know it's not going to hold up. We know it's not an okay starting point. We know it's an illegal starting point.

Again, I want to thank the League for being involved in this process. I want to thank the League for pointing out

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the law and I hope that clarification was helpful.

CHAIRMAN MORONEY: If I may call on Eileen Lilly.

MS. LILLY: Hello. My name is Eileen Lilly with the League of Women Voters. It's a pleasure to speak to you this evening and to work together for the best interests for Nassau County Residents.

The League is nonpartisan grassroots non-profit dedicated to empowering to fully participate in our democracy. While the league takes positions on a variety of public issues, it never supports or opposes any political party or candidate. The League is here to advocate on behalf of a fair and transparent process.

I'd like to go off my script for a minute and say that this map that came through ten years ago, I attended the redistricting meetings ten years ago. I remember what was being proposed. I

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remember the different iterations. One iteration drew a line around a legislator's residence and put that legislator in another district. I remember they drew a line around Long Beach and hooked us over to Merrick. Those iterations didn't pass, but those were the ideas that were being brought forward.

So, for me, trust is an important factor and that's why I'm here tonight. I take great heart in hearing that there are computer programs that can assist us in drawing more fair lines. That, to me, what was spoken about last week, Dr. Magleby's research into the redistricting lines, it was very enlightening. Our awareness has been raised and I thank you for that, Mr. Pernick.

Another thing that I find very difficult is, it's wonderful that we have a translator here for the deaf. Our community has a large Spanish population. There should be interpreters here in

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their language after it's being said.
They're entitled to that. They represent
us and they are entitled to that.

We are also a community with many
disabled. Zoom would allow them to speak
and be heard. They are being eliminated
at this meeting. There is no way they can
address the issue.

Thank you and have a good evening.

CHAIRMAN MORONEY: Thank you very
much, Ms. Lilly.

If there are any people that are non
English speaking, check with the
gentleman in the back there (indicating),
please stand up (complies). If you don't
speak English, he has in front of him the
software and a tablet that can help you
through and understand what's going on
here. Thank you very much.

Michael Turi.

MR. TURI: Thank you very much. My
name is Michael Turi. I am a resident of
Long Beach. I live at 23 Indiana Avenue.

Esteemed Commissioners, thank you

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very much. Commissioner Fitzgerald, my
condolences.

So one of the first things that got
me involved in local politics was the
redistricting effort that took place ten
years ago. It's amazing how little has
changed watching this here in front of
me. As it stands right now, if no
action, nothing were to happen from this
body moving forward, and hours, the
amount of time, to look at the maps that
could be produced, we need at least two
or three weeks to look at something. I
don't know how you could expect a regular
person of the public to digest and
understand what this Commission has been
tasked to create if they don't have the
proper amount of time to judge it. So I
urge everyone here to adopt at least a
two week time period to view it. I don't
see how that's arbitrary. I think an hour
is arbitrary and I think it limits the
public to be able to engage this
Commission in a way in which the Charter

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had envisioned. That's number one.

I am from the Five Towns. That is where I was born, it's where I went to high school, that is where my parents live now. Something that I saw happen in the 2013 redistricting effort was the Five Towns was ripped apart into four different Legislative Districts. You have the Third District, which has Inwood and North Lawrence; you have the Fourth District which hugs Long Beach and comes up from the south; you have the Seventh which goes from the corner of Lawrence all the way to the high corner, like a snake, all the way to Rockville Centre. The people of Rockville Centre and an entirely different community than the folks of the Five Towns. In fact, the folks of the Five Towns, I'm sure you know, are quite a cohesive community. Their religion and other ethnic things bring them together. It tore their influence apart by not giving them a single legislator that they could go to

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to discuss their issues. Now if someone lives here, they gotta go to this one. You live a mile north, you have to go to another one. You live a mile south, you have to go to another legislator. How is someone supposed to be able to receive proper representation when they have a different person who has to become stakeholder of their issues and those people have issues that matter for who knows where.

I hope that this Commission takes seriously there idea to keep like communities together and most importantly according to the Voting Rights Act for the people who have had their power most torn apart. That's, in my opinion, what's the most important of all. I hope this Commission takes that into affect.

Let me ask you one more question, Mr. Moroney. You just read that list of what the (buzzer).

CHAIRMAN MORONEY: You can finish.

MR. TURI: You just read the list of

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the criteria for the new Municipal Law.
Did the law specify specifically -- I was just looking at it -- it didn't say one was more important than -- it said, here are the six things that you -- or seven, I think -- that you should use to judge this; am I wrong?

CHAIRMAN MORONEY: Yes. It says in this innate priority which are listed below. So the top priority to the lowest priority.

MR. TURI: Does it say anywhere that's just a list?

CHAIRMAN MORONEY: It says, reapportionment members of the local legislative body shall be subject to this Federal and State Constitution requirements and shall comply with the following standards which shall have priority in the order herein set forth the the extent applicable. Then they list them A-F; highest to lowest priority.

MR. TURI: Okay. Maybe I

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misunderstood. Well, I was hoping --

CHAIRMAN MORONEY: I understand.
Writing laws is difficult; understanding
them is even more difficult.

MR. TURI: Thank you (applause.)

CHAIRMAN MORONEY: Stephanie Chase,
from Rockville Centre.

MS. CHASE: Good evening. I'm
Stephanie Chase. I'm from Rockville
Centre, the Lakeview section. I'm very
concerned about these maps. I don't even
know what this is that you just put up
here. I'm concerned because I saw the
map before and Lakeview is a small
hamlet. We don't have really -- half is
Rockville Centre and the other half is
part of West Hempstead. We can't get
commuter parking permits because we're
not really Rockville Centre and we can't
get parking permits for West Hempstead
because we're not really. So we are in
the middle of nowhere. I'm afraid of
being further disenfranchised for what's
going on.

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This is a whole different kind of climate. I have attended three other meetings. This is the third one. It's been different. I don't know. You guys are totally different over here than you've been at the last meetings. You guys have stayed the same, I'm sorry.

CHAIRMAN MORONEY: So are the members of the audience.

MS. CHASE: Well, yeah. But they have valid points. It was very insightful. I learned a lot. This side (indicating, Democratic side) seems to be more for the people. If we don't agree on these maps when you finally decide, what happens? What happens? Do we have a say? What happens if you cut right through Lakeview and totally wipe us out? What happens then? Where do we go to? Where do we go? What happens? This is gerrymandering. It really is. I've never seen anything like it. This is crazy. This is like what's happening in Georgia.

COMMISSIONER BEE: If I may. This

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Body, as I think has been said a couple of times, gives its advice, nonbinding advice, which we hope the County

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Legislature will take seriously, but it is only advice. The product of this

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Body, goes to the Nassau County

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Legislature and they can say we like your

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advice, we're adopting it or we don't

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like your advice, we're not adopting it.

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They can ignore us. They can create

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their own map. It's the County

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Legislature that adopts the new maps.

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All they're doing is asking for our

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advice as to what we thing would be the

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right map.

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MS. CHASE: Well, then your advice

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should be -- I've attended the three

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meetings. Well, there's four, but I've

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attended three. Everyone is against it.

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Everyone. Every person that got up here.

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In Mineola, there was over 150 people.

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They got up and were all against it.

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COMMISSIONER BEE: Against what?

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MS. CHASE: Against redrawing of the

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lines and messing everything up.

COMMISSIONER BEE: No --

MS. CHASE: They want transparency. I don't even understand (buzzer). I don't understand it. I'm a layperson. I don't understand it.

COMMISSIONER BEE: Right now, Nassau County is divided into 19 separate districts and every ten years is a census that tells us 5,000 people moved out of this district, 6,000 people moved into this district. And in order to get approximately the same number of people in each district, the lines have to be redrawn. One district if they lost 5,000, they have to pick up 5,000 people from some neighboring district and you have to move the numbers around and the lines around in order to accommodate getting to approximately the same number of people using the priority that was read into the record before. The goal, which we must do, or the County Legislature must do eventually is to redraw the lines so you

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have the 19 districts of approximately equal population and with all of those various criteria that were read into the record. The County Legislature has asked this Body to see if it can draft a map, or maps, that comply with the law and recommend those maps to the Legislature.

So far, there is no new map. It doesn't exist. There's no new map that has been put forth by either the Democratic Delegation or the Republican Delegation. The first step is to hear from the public, what would you like to see in a new map; which district do you think should be added to, subtracted from; where should the line be moved to if a district is short on population; where should the new population come from? These are those hearings at which you tell us what your advice is to us; after which, we form an opinion and give our advice to the County Legislature. Does that help?

MS. CHASE: Yes. So that means

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you're going to be working with them.
Because they have our hearts in --
they're more in line with what we're
thinking. And everyone else at all the
other meetings that I've gone to. So
you will listen and work with them. I
mean really work. I would also say that
we need to see these maps before. Two
weeks is nothing to get a map. I just
found out about this meeting and I came
tearing over here. We need more time.

COMMISSIONER BEE: Thank you very
much for your comments. We appreciate
them.

COMMISSIONER WYATT: Ms. Chase, I
want to say thank you again for your
comments and coming out tonight. I'm
sorry you're just finding out about the
meeting.

I just want to be clear, as much as
the comment was made that all we do is
give advice, but there is also a
decisions that this board of
commissioners can make. For example,

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2 more transparency. For example, more
3 areas so that more people from the public
4 can know about this. You just found out
5 about this tonight. Imagine how many
6 people don't know or didn't have the
7 opportunity. For example, more time for
8 the public to view a map once it's
9 proposed. There are decisions that this
10 panel or this board of commissioners can
11 make. It's not just to give advice. We
12 do have the power to make certain
13 decisions if we could just all agree on
14 making those decisions.

15 MS. CHASE: That's exactly what I'm
16 saying. Thank you.

17 CHAIRMAN MORONEY: Thank you.

18 MR. LANPARTER: First, I'd like to
19 start by pushing back a little bit on
20 what was said earlier by Chairman
21 Moroney. While I understand that Long
22 Beach barrier in Legislative District 4
23 was put together, I understand that. But
24 there are other districts as well that I
25 came to tell you about. About what was

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heard earlier by Mr. Turi, about the Five Towns divided into four different districts. The Village of Rockville Centre, a rather large village, three different legislative districts. Oceanside, three different legislative districts. These are all communities who've had their representation diluted by the previous hard gerrymander. From what I've seen tonight, I feel like I'm seeing 2013 all over again. The partisan nature of this process that I've seen since the inception of this commission to the legislation forthcoming gives credence to that. I think, honestly speaking, speaking for myself, that it's very difficult to overcome the partisan nature of the process as it stands.

What I propose, obviously, you do have to draw the lines somewhere, I think drawing the lines somewhere means taking the politics out of it all together. I think the Commission should appoint a special master of sorts. Similar to the

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ones that the party elected for the Senate and Congress. I feel like taking it out of the hands of the political process is the only way to really ensure we have faith in what's going on with the County Legislature.

Thank you (applause).

CHAIRMAN MORONEY: Thank you. Steven Edmenton, Oceanside Civic Association.

MR. EDMENTON: I will say hello to Peter Bee. I think he's the same Peter Bee who's the attorney who I worked with (inaudible). Long time no see.

I heard about this from Kevin McKenna. Yes. Kevin McKenna. Democrats hate him; Republicans hate him. But he gets the news out there. He does get the news out there. It's amazing. My girlfriend's Republican, I'm a Democrat and it's amazing that not one county legislator on the Republican side -- because I know everybody. As George Maragos said, who don't you know? I know

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everybody. I mean -- no Republican sent out a Facebook about this meeting. Debra Mule sent about the meeting, a little part in Newsday about the meeting. I called the League of Women Voters -- at least they're here. They don't answer their phone too well.

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People come in to the Board of Elections. I work the polls. My girlfriend's the chairwoman. She's the Republican, I'm the Democrat. We're at the same table. We don't kill each other. People come in during the Democratic primary and they think they can vote. No, they can't vote in the Democratic primary in the state of New York. It's amazing how as Democrats, you can't get people out to vote and Republicans can't get people to work the polls. You're supposed to do it bipartisan. Look at the maps from Congress and Senate. We're gonna have two Senate Districts in Oceanside.

I mean, I remember it was split with

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Harvey Weisenberg and we had two assembly districts and now we have one. What happened to the Board of Supervisors? Nobody wanted them. They wanted 19 legislators. Thank God we don't do like upstate and give them cars. Thank you.

CHAIRMAN MORONEY: James Hoge.

MR. HOGE: (Handing) Commissioner, can that be handed out? That was the movie I mentioned, "Thirteen".

I just wanted to say again as I said before, it seems like we're talking about good people. I'm tired of hearing about good people. Good people decided that women couldn't vote. Good people also said that slavery was right. I'm tired about hearing about good people. I want to know what is and what do you think is right.

So I have, (perusing). Sorry. I wanted to be able to recite, again, for the record words from Dr. Martin Luther King.

""However difficult the moment,

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however frustrating the hour, it will not
be long, because "truth crushed to earth
will rise again".

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How long? Not long, because "no lie
can live forever".

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How long? Not long, because "you
shall reap what you sow".

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How long? Not long: Truth forever
on the scaffold, Wrong forever on the
throne, yet that scaffold sways the
future and, behind the dim unknown,
standeth God within the shadow, keeping
watch above his own.

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How long? Not long, because the arc
of the moral universe is long, but it
bends toward justice.

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How long? Not long, because mine
eyes have seen the glory of the coming of
the Lord; He is trampling out the vintage
where the grapes of wrath are stored; He
has loosed the fateful lightning of his
terrible swift sword; His truth is
marching on.

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He has sounded forth the trumpet

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that shall never call retreat; He is
sifting out the hearts of men before his
judgment seat.

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'O, be swift, my soul, to answer
Him! Be jubilant my feet! Our God is
marching on. Glory, hallelujah! Glory,
hallelujah!

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His truth is marching on.""

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I say to you, Commissioner, Martin
Luther King speeches are still being
recited because some of the same things
are still going on before Martin Luther
King was born. I say to you,
Commissioner, when you say I believe
there's good people on this side and that
side, it's not about good people, it's
about (buzzer) what we see already.
Again, you said there's nothing wrong
with these maps and there's nothing wrong
already again. What you have said has
been stated and pointed out time and time
again.

In my conclusion, I say what you
said is right. It is totally and been

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proven by documented and statistical data that people stated here. Like Mr. Fred Brewington said, he's watching, and he's watching it now live. So you probably will have a lawsuit if you go by what you're saying is right. Because it is wrong. God is watching most of all. God Bless.

CHAIRMAN MORONEY: Thank you, James.

I appreciate it.

MS. LAKE: Good evening everyone.

First, I would like to say I am a layperson in regards to these matters. However, what fair representation means to me is not being underserved, not being disproportionately burdened, having equal and fair meaningful involvement via citizen participation. Having the ability to have information disseminated in a timely fashion. I am a reader. Make no mistake. But I would like to be given the opportunity to have an opportunity to have a better understanding and true knowledge of what

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is about to occur.

Living in a community that is, and has been, underserved and disproportioned, even though there are State and Federal Laws on the books that are supposed to protect communities of color, communities that are low/moderate income, many other types of disparities as well.

Federal laws, Presidential Executive Order 12898, Environmental Justice. Federal Actions, to protect the underserved, the disproportionately burdened. All of the Federal agencies. So some of this information should fall into one of those Federal agencies as well.

I can tell you for a fact, voicing my opinion, my concerns and a plethora of supporting documentation that for decades have still not been fully addressed. When matters such as these are occurring, it is of the utmost importance that each and every one of you understand that our

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home should be built strong from the foundation up.

Just because -- I don't know if it's based on population, geography, whatever the case may be, it is of great potential that a community that is already underserved and disproportionately burdened would be swallowed up by the greater majority and our needs would not be met.

I'm truly asking each and every one of you to hear each and everyone's concerns. We are all God's children and we all deserve the right to have equal, fair opportunities. If one chooses not to walk through the doors of opportunity, then that's on them. But I believe everyone has the ability here (buzzer) to have a better Nassau County moving forward.

Thank you for your time, ladies and gentlemen.

CHAIRMAN MORONEY: Thank you for your testimony.

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COMMISSIONER PERNICK: Ms. Lake, I have a question for you.

First, thank you so much for coming and testifying. We really do appreciate all the testimony that we have been receiving. I am moved and appreciate specifically that you said that your community has been underserved and disproportionately burdened.

MS. LAKE: North Park community.

COMMISSIONER PERNICK: North Park community. We have heard a lot about certain communities, communities of color in particular, that have been underserved and disproportionately burdened throughout the process. I would love to hear from you if you're able to share with this Commission any of the ways in which your community, North Park, has been disproportionately burdened, underserved, some examples. If you're comfortable sharing, I'd be very grateful.

MS. LAKE: Of course. I can

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remember from approximately about the age of four or five, I resided at 56 East Harrison Street within the North Park community. That was my first family home. Within I would say approximately several years, that street was closed via Urban Renewal. Slum clearance, negro remover. The project number was R23, Change Order 72497, City Block 277 Street Closed, East Harrison Street. If you try to obtain the records now, it's -- I do have copies; I do. It's very difficult to see that that street ever existed. That's part of our history.

The second gentrification occurred, there was the Walbaum's shopping mall. East Chester Street, Section Block and Lot 5996210. If you look at that section, block and lot online, Nassau County Land Viewer, you will see the unfortunate mom and pop stores that were demolished on Park Avenue with the apartments above. But there's no record of East Chester Street, all the homes

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that were demolished. That was the second gentrification, residential displacement.

Okay. You can read the City of Long Beach's Technical Memorandum May 2005, VI-III specifically states that bay front redevelopment could create secondary gentrification within the North Park area; however, that statement is partially correct, but the numeric value is not. That would be three.

On the ocean side. Super block. It was 80 Riverside, 59115, lots 1-10, 40 units via Urban Renewal.

So when we're moving forward, and we're not even speaking of the two incinerator sites, you have two major utilities there. I can give you the section, block, and lot, but I won't.

The magnitude of what my community, myself, and my family endured via exposure to carcinogens. Dioxin three times BPA standard at that time. I do have all the supporting documentation

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that I did obtain from state, local, and federal entities. Because when I heard of the second gentrification, it truly bothered me. I knew what it felt like to be displaced, and my family, and the heartbreak. I'm lucky to be standing here to tell a small portion of the entire story.

Moving forward, this is what happens -- oh, right now, we are waiting on the north shore critical infrastructure, which is supposed to protect the North Park community as well as the City's critical infrastructure from flooding. Nine years later, this hasn't occurred and we are the only area within the City of Long Beach that does not have any flood protection measures in place (applause).

I don't want to take up any more time. Thank you, sir. Thank you, everyone.

COMMISSIONER PERNICK: I really appreciate that background. Thank you

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for sharing your expertise with this Commission.

I know Long Beach well. I know the North Park Community well. Not everybody on the Commission may. When you refer to the North Park community, you're referring to a primarily Black and Latino community; is that correct?

MS. LAKE: Correct.

COMMISSIONER PERNICK: Do you feel as if the 19 member County Legislature that's been elected under that map has been responsive to the needs of the North Park community?

MS. LAKE: Honestly, I could say not that I'm aware of. Because we would have flood protection at this point and time. That's my opinion. I don't want anyone to take it personally, but I think it is a known fact. Okay.

At this point and time, being priced out, flood out, I don't know, ladies and gentlemen, we have to go somewhere. We're truly in need of this process and

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any other process to work across the board for all. Thank you (applause).

CHAIRMAN MORONEY: Crystal, who is your Legislator?

MS. LAKE: Denise Ford.

CHAIRMAN MORONEY: Okay. I'll make sure she hears that.

Ms. Kathy Williams.

MS. WILLIAMS: Good evening. Thank you for coming out with more bad news.

In this country, gerrymandering goes way back. Are you familiar with the word gerrymandering?

(Whereupon, no response.)

MS. WILLIAMS: Study your history books, because what you're doing now is what they done in the old days swapping sections and districts around for political purposes. This country has always been involved in gerrymandering. I don't know why you don't know about. I heard about it in the sixth grade. Gerrymandering, it's to disassemble (sic) people and as usual, those who have get

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more and the ones who don't have, get less. I've never seen anything good that came out of gerrymandering, especially for minority groups. The communities lose.

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Nassau County has always been jealous of Long Beach; it's true. Because the people out here are running our business and they didn't like it. They want to be in control of everything. So now they've come up with -- we are dealing with our own gentrification out here in the first place. Right here in Long Beach. All accountable ways to get rid of and do this and do that to you. The bottom line is, bye.

When you're dealing with this type of situation, it's very hard on individuals who are constantly faced with gentrification. If it doesn't come in one form, it comes in another form. It's still gentrification.

I say to you, these maps need to go back where they come from and redone, or

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whatever. It's still a form of
gentrification. I don't care how you
slice it. It's an undermining way to get
rid of the indigent people.

CHAIRMAN MORONEY: Helen Alessi.

(Whereupon, Ms. Alessi
proceeds to speak Spanish and
translates to English during
her testimony.)

MS. ALESSI: (Spanish). I am here
representing 17% of this City.

(Spanish). Twenty four percent of
the kids in the school district are
Hispanic.

(Spanish). Language Line doesn't
work. I just tested it in the back of
the room. You understand? I'm here
representing these people. I take this
very, very seriously. We were the
essential workers during Covid. We were
the ones in the hospitals without
insurance. We were the ones saving all
of your butts for months, and months, and
months and you can't even have the

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decency to have someone who speaks Spanish here? I'm shaking I'm so upset.

I'm not feeling well, and I said, hell, I gotta go, because these folks, they're gonna do the right thing. They're gonna have somebody that will interpret in Spanish. They're gonna have paperwork so people can take it home. They're gonna have folks with headsets that you could interpret to the individual. Please, don't be lazy. This is for us taxation without representation.

(Spanish). I am begging you to please do the right thing. We get ignored. We are invisible. Our people are afraid to come out because they're afraid to get deported even if they're here legally. We're good neighbors and hard workers. We're taking care of your grandparents, your parents. We're taking care of your children. We're taking care of your gardens and your backyards. We're cleaning your windows, cleaning

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inside of houses. I'm done with this. Don't ignore us. We've crossed borders to be here. It's the best country in the world.

My father came from communist Cuba and my mother from Puerto Rico. Both those countries when people this land they can get to stay, right? Puerto Ricans are Americans. But the people coming from El Salvador, Honduras, Guatemala, Nicaragua, Venezuela, I can list them all. They're here. And you gotta pony up. You have to pony up.

COMMISSIONER PERNICK: Ms. Alessi, can I ask you a quick question?

MS. ALESSI: Yup.

COMMISSIONER PERNICK: First, I just want to thank you from the bottom of my heart for being here, for making your voice heard, and for testing the Language Line. Thank you for doing that. It's especially concerning that we don't have proper translation services, that we don't have people here, we don't have a

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functioning Language Line in light of the changes in the County over the last decade. You talked about Long Beach, it's really important information. You may know, I think the Latino population in Nassau County has grown something like 30% in the last 10 years. It's a dramatic increase. I don't believe there's any representation in the County Legislature. Latino residents in Nassau County I don't believe have any candidates from those communities on the Legislature.

MS. ALESSI: No we do not. African American as well.

COMMISSIONER PERNICK: Exactly. So I'm grateful for you coming here. I want to make sure we have a clear record and we have the information we need to hopefully make sure this doesn't happen again. Could you elaborate on what the problem is with the Language Line and how it doesn't work? I know you gave other recommendations that I hope our Chair could arrange to happen in future

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meetings. If you could allow on the
Language Line, I would appreciate that.

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MS. ALESSI: I asked to use Language
Line. I was told go to the back of the
room. First of all, why are we in the
back of the room? Again. It's
dehumanizing.

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This lovely lady here. I go back
there, I ask for Language Line cannot
hear: What is happening, what you're
saying, what are we saying? They take me
to the outer room. So now I'm completely
out of the room. (Spanish). I'm with
someone I don't even know. And he says,
okay, we're here and we're gonna begin.
Now he's walked away. He's got other
things to do. To find out what? The
gentleman is saying, "ma'am, I can't hear
what they're saying. I'm so sorry, I
cannot help you". People are paying for
that on our taxpayer dollars. You're
paying for it. At least test the system.

COMMISSIONER PERNICK: Thank you so
much.

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CHAIRMAN MORONEY: I'll join in that. We thank you. I appreciate that. We will find out what the problem is and try to find a solution. Thank you for bringing that to our attention.

You are, by the way, the first person to bring that to our attention. I appreciate it.

Sanjeer Jindal.

MR. JINDAL: Good evening, everyone.

CHAIRMAN MORONEY: Thank you.

Sanjeer Jindal.

MR. JINDAL: Good evening.

Everyone. I'm listening all the testimonies and one of the gentleman from you guys said that you could just revise them. Is that enough? We all took the time out and come here. We are attending approximately every meeting for the redistricting process. We are spending time with you to gett a fair share. That's going to be enough that you are just going to advise them and then they can do whatever they want to do?

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I come from the biggest democracy in the world to the oldest democracy in the world. Why I came here? Why I came here? Because I understood the word democracy means.

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We all are here to protect our country's democracy that we are going to be part of it. Gerrymandering is very fancy word to say, but why we remember when we call gerrymandering? If there is six democratic and six republican and if I'm gerrymandering, we can win by 75%. Why can we remember gerrymandering? The reason is, we are here and we say its freedom and justice for all. Everyday we say that and is that happening? The freedom and justice for all?

What is of concern here? That you guys haven't looked at the districts that whoever is the legislator is going to approve it? It looks like snakes. And you connect two neighborhoods with just one block. Come on. Is that fair?

You are here listening every single

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comment. Look at the District 14,
District 7, District 15, District 17,
district number third. We should be
ashamed for it. What we are doing. For
the last ten years we are feeling the
burden on our shoulders. And still we
say that it's a fair representation?
Come on. God is watching you. God is
watching you. People are getting
empowered too. It's not the same world
as you guys doing it. Whatever you think
is going to be true. You're going to
choose the people that they going to vote
for your communities. No, it's not going
to be happening anymore. Let people
choose their leaders, rather than leaders
choose their voters. (Buzzer)
(inaudible) let people choose their
leaders, then the democracy is going to
be established. Then the fair share is
going to be there. That is the only way
we can protect our democracy. Otherwise,
our fundamental rights are at stake. If
we are going to say that, fifty percent

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population on this side, and 50%
population on this side and we can won by
75%? Come on. Thank you.

CHAIRMAN MORONEY: Thank you very
much. Is there any other business we
need to go through?

(Whereupon, off the record
discussion.)

CHAIRMAN MORONEY: The chair will
entertain a motion to adjourn.

COMMISSIONER BEE: If there are no
further speakers, then -- we have two
hands up. Mr. Chairman, I will move it
back to you.

CHAIRMAN MORONEY: Can we have a
card made out for our record?

(Whereupon, cards are filled
out.)

MS. EPSTEIN: Can I just ask a
question?

On the website relating to the dates
of the future meetings, I checked this
evening. The only one that was listed is
October 20, the Oyster Bay one. Yet,

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nothing mentioned about the 13th, 18th,
or the 26th. I know you said you talked
about seven day notice, but I think it
would be appreciated by the community if
those dates were also put on the website.

CHAIRMAN MORONEY: Ma'am, will you
put your name and address on record?

MS. EPSTEIN: Barbara Epstein,
Wantagh, New York.

CHAIRMAN MORONEY: Okay. Let me
answer that question.

We had at the last meeting agreed
upon certain dates to have hearings. It
took some time to get all the
information. All the information wasn't
given to us until yesterday. So we have
then put these together. That notice to
change the dates is in the works and it
will go out so that we amend the sheet
that shows all the different dates
including the new ones that we put
together.

Thank you for bringing it up again.
I didn't quite understand the question

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last time. As I said, we only got all the information together today and are already working on an amended list.

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The new dates are as follows: All are from 6:00 p.m. until finish; Freeport, October 13, 2022; Glen Cove on 18th October; Oyster Bay on October 20, 2022; and Elmont on October 26, 2022.

There is another one that's cooking, but we don't have a location yet. As soon as we have that, we will add that to the list.

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COMMISSIONER PERNICK: I would add I appreciate the speaker's comments on the request for more than seven days notice. Many of these dates have been agreed upon for quite some time. Some of them for over a week at this point. Some of them for weeks. As soon as we learned of the dates, we put them up on the shared drive that we've made publicly available because the website has been so insufficient. We've had all of those dates listed on our shared drive.

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Anybody who goes to the shared drive that we've circulated and my colleague,

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Commissioner Kasschau talked about at the

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outset, you can at least get those dates

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there. It's unfortunate that the website

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has been so insufficient throughout this

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process.

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CHAIRMAN MORONEY: Not to be

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argumentative, but you left me no choice.

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It took me three e-mails to your counsel

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and to Dave Mejias to get the information

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that was necessary in order to move

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forward. That information came to me two

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days ago. If there's a problem, the

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problem was in getting communication back

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from the people on your side. Now I

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apologize for bringing this up, but I

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can't stand it when somebody tries to

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shift the blame to somebody else. That

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drives me crazy. I will not accept it

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and I will not tolerate it. I apologized

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to all of you.

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Is there a motion to adjourn?

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COMMISSIONER PERNICK: Mr. Chairman,

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at the end of the day, those dates have been on our shared drive and not on the official website.

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CHAIRMAN MORONEY: Because the dates didn't have a location.

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COMMISSIONER PERNICK: Mr. Chairman

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CHAIRMAN MORONEY: You just want to put the location up? Come to Freeport, where in Freeport?

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COMMISSIONER PERNICK: Mr. Chairman, people can plan their schedules. People can plan their schedules if they know when. If they know the general area. All I'm saying is we should do everything we can to provide the public with transparency which is a reasonable request from members of the public to provide more than seven days notice. I agree with that request. We've done everything we can as information is available to make it public. I hope that can be reflected on the official website moving forward.

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CHAIRMAN MORONEY: Marty Lilly.

MR. LILLY: Marty Lilly. I spoke ten years ago. We were here, I think 11 hours that night. My wife spoke earlier. She's the main reason I live in Long Beach, but that's another story.

I want to state an observation for the benefit of both sides here. By the way, Mr. Moroney, I don't know if you remember me or not. You and I spoke a couple of times ten years ago. I appreciated that time, you were pretty genuine. But you stated now you can't stand it when somebody blames somebody else. I'm 77 years old, that's been the story of my life. People blaming me for things. Get used to it; it's part of the job.

But the observation I have is something hasn't changed from ten years ago. Ten years ago, the folks on this side (indicating Democratic side), they seemed genuinely interested in what people here had to say. They posed

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questions for clarification, you did that tonight. Ten years ago, the folks on this side (indicating Republican side) had almost had nothing to say. In fact, I caught some of you yawning. I understand. It's a tough job to be a volunteer for this kind of work. I really appreciate what you've done. I volunteered my whole life to do a million things and, anyway, that's my observation. This side (indicating Democratic side) seems to want more information, this side (indicating Republican side) doesn't.

Thank you very much.

CHAIRMAN MORONEY: Michael DeLaurie (phonetic).

MR. DELAURIE: Good evening, members of the Board. Mike DeLaurie, Long Beach, New York.

I didn't have any intention on speaking tonight. But what I've heard tonight give me concern that your next public hearing you need to be more connected to the audience. You need a

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translator, like Ms. Helen Alessi. And I would also recommend, if you don't have a translator, maybe you could reach out and maybe Helen could provide one or two people that would be willing to attend.

Mr. Lanparter spoke because this seems like it's going to head to a special master and that's a waste of \$985,000 of taxpayer money and all of your time.

I'm a former City Councilman here and I pride myself along with other council members on the Council, of providing a transparency portal. I'm a transparent person. I will tell you exactly how I feel and if you want to take the credit for my idea, go right ahead, if it makes their lives better. Because if their lives are better, my life is better.

We have many neighborhoods in Long Beach, we have the West End, East End, we have the North Park, we have the West Home Walks . There's a lot of civic

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leaders and a lot of recommendations that come forth come from smart people. My request today is, listen to those that have made requests to you. You're all educated people. You have different ideologies, I understand that. But you're all Nassau County neighbors, so if you can just get through to this one concept.

Mr. Chairman, you had mentioned that I think there was 73,500 individuals that you now have to allocate contiguous space, I look at it as it's kind of easy to do, unless there's something else that enters the equation. I don't have to say it. We all know what the equation is, but let's see if we can avoid that.

Thank you for your time (applause).

CHAIRMAN MORONEY: Thank you.

Anything else?

(Whereupon, no verbal response.

CHAIRMAN MORONEY: Motion to adjourn.

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COMMISSIONER KASSCHAU: Second.

CHAIRMAN MORONEY: All in favor.

(Whereupon, all Commission
members respond in favor with,
Aye.)

(Whereupon, the above matter
is adjourned, 8:02 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 11th day of October, 2022.

Karen Lorenzo

KAREN LORENZO

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