

1 INCORPORATED VILLAGE OF FLORAL PARK

2 BOARD OF TRUSTEES

3 November 1, 2016

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5 P R E S E N T

6 MAYOR THOMAS J. TWEEDY

7 TRUSTEE KEVIN M. FITZGERALD

8 TRUSTEE DOMINICK A. LONGOBARDI

9 TRUSTEE LYNN POMBONYO

10 TRUSTEE ARCHIE T. CHENG

11 GERARD M. BAMBRICK, ESQ.

12 JOHN RYAN, ESQ., VILLAGE ATTORNEY

13 STEPHEN McALLISTER, POLICE COMMISSIONER

14 SUSAN E. WALSH, VILLAGE CLERK

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17 Application of: Local Law No. 5 of 2016,

18 Appointment of the Commissioner of Police

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23 Reported By: MARY ANNE COPPINS, Court Reporter

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1 MAYOR TWEEDY: Before we begin the
2 next Local Law, the discussion, I've
3 received -- our Village Clerk has asked
4 that if you wished to comment before the
5 next Local Law, if you would be kind
6 enough to fill out one of these forms.

7 The reason we do that is, first, I
8 think it gives people an opportunity to
9 listen to what people are saying who may
10 be anxious about the opportunity to
11 speak. You may find, indeed, your
12 question has been asked, so your concern
13 has been addressed before you go.

14 I have a significant number of
15 people who have filled out slips.
16 Again, if anyone further would like to,
17 who hasn't had the opportunity to fill
18 one out; otherwise, we will open up the
19 podium for anyone who would like to
20 address the Board.

21 So at this time, we will move on to
22 proposed Local Law No. 5 of 2016, and I
23 would ask our Village Clerk, Susan
24 Walsh, to kindly read the Public Notice.

25 MS. WALSH: Thank you, Mayor

1 Tweedy.

2 Notice of Public Hearing of the
3 Village of Floral Park proposed Local
4 Law No. 5 of 2016.

5 Please take notice that pursuant to
6 Article 9 of the New York State
7 Constitution, the provisions of the Code
8 of the Village of Floral Park and the
9 Municipal Home Rule Law of the State of
10 New York, a public hearing will be held
11 in the Incorporated Village of Floral
12 Park at Village Hall, One Floral
13 Boulevard, Floral Park, New York on the
14 1st day of November, 2016 at 8:00 in the
15 evening of that day, to consider the
16 enactment of a Local Law entitled a
17 Local Law amending Section 25.4A of the
18 Code of the Incorporated Village of
19 Floral Park regarding the appointment of
20 the Commissioner of Police. This Local
21 Law shall take effect immediately upon
22 its filing with the Secretary of State.

23 By Order of the Board of Trustees,
24 Village of Floral Park, New York, Susan
25 E. Walsh, Village Clerk. The legal

1 notice was dated October 26, 2016.

2 MAYOR TWEEDY: Thank you very much,
3 Ms. Walsh.

4 Once again, I would like to place
5 on the record that the Village Board has
6 previously adopted a negative
7 declaration, meaning that the proposed
8 Local Law has no significant impact upon
9 the environment.

10 And I would like to read a
11 statement as it relates to this Local
12 Law.

13 Tonight we consider a Local Law
14 updating the language of Section 25-4A
15 of the Code of the Incorporated Village
16 of Floral Park which was adopted in 1984
17 so as to codify the Board of Trustees
18 discretionary authority to appoint the
19 Commissioner of Police.

20 In 1984 the position of
21 Commissioner was adopted where the pool
22 of eligible applicants was limited
23 within the rights of the Floral Park
24 Police Department.

25 In 2000, former Mayor Steve Corbett

1 expanded that pool of eligible
2 candidates by adopting wording that
3 permitted the Village Board to consider
4 qualifications of those meeting
5 eligibility requirements from beyond the
6 Village Police Department. That sage
7 decision by that Mayor and Village Board
8 was in response to the expanding and new
9 complexities of criminal behaviors that
10 all police agencies faced. That
11 decision, mirroring the changing demands
12 and needs of law enforcement, expanded
13 the pool of eligible applicants and
14 Floral Park's residents would receive
15 the best from a pool of the best,
16 including the ranks of the Floral Park
17 Police Department.

18 Law enforcement today, again, is in
19 the midst of a complex and challenging
20 landscape which demands strong, ethical
21 and courageous leadership. The Village
22 has always sought police leaders who can
23 provide management skill and exceptional
24 leadership ability, while building trust
25 in the community and modeling ethical

1 behavior on and off the job, while
2 identifying and developing upcoming
3 leaders and providing guidance for such
4 internal change. September 11th
5 dramatically impacted our daily lives,
6 but it has also impacted and expanded
7 the role of police officers and police
8 training. Today, we now additionally
9 encounter the phenomena of active
10 shooter incidents, since such areas as
11 Columbine, Virginia Tech, Sandy Hook,
12 San Bernardino and recently in Orlando,
13 Florida.

14 The current Code provisions, in
15 place since before September 11, 2001,
16 merely set forth the bare minimum
17 requirements for the position of Police
18 Commissioner. The enhanced criteria
19 require more extensive command level
20 police experience and significant
21 educational and police executive command
22 training. The criteria that the Village
23 Board is adopting are based on the
24 guidelines established by the
25 International Association of Chiefs of

1 Police and the Police Executive Research
2 Forum. The Village Board believes that
3 any individual in the position of
4 Village Police Commissioner must possess
5 the requisite police command experience,
6 education and executive training so that
7 the Commissioner can ensure the proper
8 training of the entire department in
9 order to protect and serve the residents
10 of this Village. These changes are to
11 increase the level of qualifications
12 necessary, not to reduce them.

13 The safety and security of the
14 Village of Floral Park should be
15 entrusted to the leadership of a person
16 with the highest qualifications. People
17 mockingly deride our community as
18 Mayberry, USA and we do enjoy a
19 wonderful sense of peace and security;
20 but that comes at a great price that the
21 residents treasure and by the
22 administration of expanded training in
23 response to today's changing law
24 enforcement environment. Expanding the
25 requirements and qualifications for the

1 position of Commissioner is a natural
2 progression of the demands placed upon
3 today's law enforcement leaders. We
4 require that the best, most experienced
5 and qualified leadership to hold the
6 position of Police Commissioner and this
7 proposed Local Law speaks to that need.

8 Today's Commissioner must have an
9 understanding of the complexities of
10 policing village police forces like
11 Floral Park, but must also have the
12 interagency contacts and working
13 relationships with the NYPD, Nassau
14 County PD, Port Authority PD, MTA PD,
15 the Nassau County District Attorney
16 investigators, as well as federal
17 agencies like the Drug Enforcement
18 Administration and the Federal Bureau of
19 Investigation.

20 Presently, we have a Commissioner
21 who has those hard-earned working
22 relationships and our Police Department
23 and our Village have each reaped great
24 benefits through his contacts and we
25 should expect no less from any future

1 Commissioner of Police.

2 For nearly 100 years, the Floral
3 Park Police Department has proudly
4 provided our Village and her residents
5 with faithful service any vigilant
6 protection. This Local Law enables this
7 department to continue, unwaveringly, on
8 that mission and its great tradition, a
9 commitment to excellence with its focus
10 securely fixed on the future.

11 So, at this time, I will be asking
12 as they came in, I received a few more,
13 as they came, I am going to read them as
14 they were filled out.

15 First, we have Thomas De Maria of
16 200 West Poplar Street, Floral Park.

17 MR. De MARIA: Thank you Mayor,
18 Board of Trustees. I am Tom De Maria, I
19 live at 200 West Poplar Street in Floral
20 Park.

21 I come before you tonight as a
22 36-year resident of this Village. I
23 come before you as a former Trustee,
24 having sat up there for a number of
25 years, and, in particular, in the 1990s

1 when a Local Law was proposed, to open
2 up the requirements for the Commissioner
3 of Police to go outside the Village.

4 I vehemently opposed that and the
5 Local Law was eventually, after public
6 hearing, was eventually turned down,
7 fortunately or unfortunately, as you
8 look at it. In 2000 that was changed,
9 so now you can go outside the Village of
10 Floral Park Police Department in order
11 to get a Commissioner. I understand the
12 reasons for that and I understand the
13 criteria you used and discussed;
14 however, and even more importantly, my
15 dad was a retired Detective. I grew up
16 in Queens understanding the way police
17 officers think and how they live, and
18 their dedication to their job.

19 The proposed amendment, and I
20 understand this is tied into a
21 resolution, which, unfortunately, I have
22 not had the opportunity to see because I
23 understand it was just published on the
24 website within the hour, and I have not
25 seen the resolution and criteria. I can

1 gather some of it from what you just
2 mentioned; however, it's my humble
3 opinion that the criteria, as it exists,
4 is perfectly fine, especially in the
5 setting for the Village. The extensive
6 criteria that you are trying to put into
7 this resolution seems a bit much.

8 I take this very seriously, having
9 been an attorney for 36 years and having
10 been directly involved with law
11 enforcement administration and quasi-law
12 enforcement for over 22 years, which
13 brings some expertise to what I am
14 saying.

15 It just seems to me that we have a
16 number of qualified individuals. If you
17 look around the courtroom, there are
18 several here tonight that could easily
19 fill the role of the Commissioner, in a
20 very positive way, and in an excellent
21 manner and bring honor to the Village.

22 Nothing against the current
23 Commissioner, I think Steve has done a
24 terrific job. It has nothing to do with
25 him personally, but I understand that,

1 perhaps, I am wrong, that he has been
2 denied a waiver from the Civil Service
3 Commission, and perhaps that is why you
4 are trying to change the credentials so
5 it fits Steve's qualifications. I don't
6 know, you didn't mention that at all.
7 As it stands -- and I understand the
8 essence of the waiver having been --
9 Steve having been a former police
10 officer in the City and retired from the
11 police force. It's essential to show
12 that to the State, the Department of
13 Civil Service, that there is no one else
14 that would possess the credentials of
15 this person, and then they would give
16 you the waiver to keep him in employment
17 in the position of Commissioner.

18 I just think that it is not
19 necessary to raise the standards to such
20 a high level that you would get very few
21 people that would be able to qualify for
22 that. I also don't agree with the idea
23 of adopting resolutions as the Board
24 sees fit, with all deference to this
25 Board and with all due respect. This is

1 a law that is promulgated which will
2 take future generations, unless it's
3 changed, so that your successors could
4 essentially then do whatever they please
5 and change the credentials for the
6 Police Commissioner. I think it's
7 essential that when one joins the force,
8 there is an anticipation, an aspiration
9 to go to higher rank.

10 Anyone who joins as patrolman, they
11 pay their dues, some day they would like
12 to become a sergeant. That sergeant
13 would like to one day become a
14 lieutenant, and they would like to
15 essentially, and eventually, possibly,
16 become the Commissioner. There is only
17 one Commissioner. There are a couple of
18 lieutenants, a few sergeants. So in a
19 small force like this, you take away the
20 motivation of the new people coming on
21 the job to aspire to higher rank.
22 I think that has a demoralizing effect
23 on the entire police force.

24 So I think it should be left alone.
25 Allow these fine men and women who

1 represent us every day to have the
2 opportunity to go up the ladder and have
3 the opportunity to aspire to being a
4 Commissioner.

5 I understand you can go outside,
6 that law was changed, fine. But when
7 you have a few that are capable, I would
8 prefer that the person who is Police
9 Commissioner has served in this Village,
10 knows the Village, knows the insides and
11 outs. It's very important, as you just
12 said, to have relations with other
13 departments and agencies. I have been
14 there, I accept that. I agree with you
15 on that. But it's also important that
16 that same person has walked the streets.
17 It's also important that that same
18 person has eaten in the restaurants and
19 shopped in the food stores and gone into
20 the bank, and knows the ins and outs of
21 this community, that has a finger on the
22 pulse of the community, the residents,
23 the business owners.

24 I think, in summation, it's obvious
25 I am opposed to this Local Law and I

1 thank you for your time.

2 MAYOR TWEEDY: Thank you, very
3 much.

4 Mr. Everett White, 275 Carnation.

5 MR. WHITE: I will defer to some of
6 the other people. I'm sure they are
7 more versed with what is going on, so I
8 will defer.

9 MAYOR TWEEDY: Thank you, very
10 much.

11 David Fernandez, 39 Cunningham
12 Avenue.

13 MR. FERNANDEZ: David Fernandez, 39
14 Cunningham Avenue.

15 Thank you very much for giving me
16 this opportunity.

17 The reason I am here tonight is
18 there are two parallel things going on
19 here that are troublesome. It is not a
20 discussion on Steve's performance as
21 Commissioner. I think everybody in this
22 Village knows he's done a wonderful job.
23 But there's an undercurrent that needs
24 to be addressed as to whether or not
25 this process that we are going through

1 has been put in place to satisfy
2 requirements for him to be able to
3 remain there. And while that may not be
4 the case, it is up to you to dispel
5 that, because that's the vibe we get
6 from that, that's one side of the
7 conversation.

8 The other side of the conversation
9 is, and that I have a problem with is,
10 we are here tonight because this is part
11 of the Local Law, the requirements are
12 part of the Local Law and they are set
13 forth there. So you have to have this
14 public hearing to have us address that
15 change that you want to make. And the
16 change you are trying to make is you're
17 putting this into the power for the
18 qualifications for this position to be
19 put into the power of the Board by
20 resolution. We would not be sitting
21 here tonight having this conversation if
22 that were the case, because you could
23 adopt that resolution without coming to
24 the public and going over what those
25 requirements are.

1 As you can tell by the people here
2 tonight, we care about those
3 qualifications. We are not saying that
4 those qualifications need to be
5 lessened, or what the qualifications
6 need to be, but the fact that we have to
7 have a voice, and the fact they want to
8 be changed is key.

9 I would agree with the gentleman
10 before that the biggest thing that
11 bothers me about the current proposed
12 regulations you're putting into place is
13 basically you're putting in a
14 requirement that boxes out all of our
15 current police officers from possibly
16 every attaining the position of
17 Commissioner. By putting the last
18 requirement that they have to go FBI
19 school, or get the extra training that
20 requires extra effort on their part to
21 go and get that work, which is not
22 possible for them to do unless they get
23 a sabbatical from the department of the
24 Village and pay for them to attend, it
25 basically puts them out of the running

1 completely.

2 As the gentleman said, when you
3 come on as a beat officer, you want to
4 be able to go up the ladder. You want
5 to, at one point or another, aspire to
6 be that Commissioner. You can't do that
7 with that requirement. Not to say that
8 there are not requirements that could be
9 satisfied or to change it so that the
10 requirements are something that can be
11 met, because we are all for good
12 policing, we're all for them being as
13 educated as they need to be. I think
14 that's what we want, we want to be
15 Mayberry. But let's make it so that we
16 have incentive for our guys and gals who
17 are protecting us to be able to come in
18 and do their job and move up the ladder.
19 So rather than rehash what he said,
20 because a lot of what he said was all in
21 my notes, which is good, thank you very
22 much.

23 I would like you consider those two
24 things. I think that you really need to
25 address the first, because really, to

1 us, this came out, when it comes to us
2 in social media it's a wild thing, and
3 it looks to us like you're creating
4 this change and putting it into place so
5 that you can address the waiver issue
6 for Steve and keep him in the job. That
7 may or may not be the case. I am not
8 saying Steve is doing a bad job. We
9 think he's doing a great job, but if
10 that's the motivation behind it, we
11 should know about it.

12 The resolution issue is very
13 important because taking that away from
14 us, takes us out of this room.

15 Thank you for your time.

16 MAYOR TWEEDY: Thank you, very
17 much.

18 Arthur Walsh, 347 Plainfield
19 Avenue.

20 MR. WALSH: Thank you, Mr. Mayor.

21 The big issue I have here is you
22 mention in your statement it was for
23 expansion, I see it as an exclusion.

24 As counsel said, the requirements
25 that have now been proposed, and there

1 are four of them, all effectively knock
2 out the whole Police Department.

3 I think it's important for someone
4 whose lived in this Village continuously
5 for over 50 years it should be someone
6 from the inside. Steve was the first
7 one they hired from the outside. And
8 when you guys did hire him, you passed
9 -- you submitted a waiver application of
10 the 211 of the Civil Service Law. You
11 specifically said the reason why you're
12 asking for the waiver is because the
13 Village Administrator indicated it would
14 take at least two or three years for
15 someone within the department to assume
16 the title of Commissioner of Police.

17 What you're telling us tonight is
18 completely contrary to that. Steve was
19 hired, the first outside person, to
20 temporarily train someone and that's
21 what the Village represented to the
22 State at the time of his hire, and the
23 time of his application.

24 What you have now laid out here is
25 completely contrary to that. The

1 requirement like a Master's Degree. Do
2 you realize that Bill Bratton,
3 throughout numerous Police Departments
4 did not have a Master's Degree. Howard
5 Safir didn't have a Master's Degree.
6 Why does Floral Park need someone with a
7 Master's Degree? Why do we need someone
8 with FBI training? What you've
9 effectively done is knocked out the
10 whole force who aspire to have this job.

11 I think all of you in government
12 are familiar with the former mayors. If
13 you look around, it was only in 1955 did
14 anyone become a mayor that was not a
15 trustee. Why can't we have the same
16 here. Why can't one of the policeman
17 become a Commissioner one day. The way
18 you've written this, it is never going
19 to happen.

20 I know Steve probably longer than
21 any of you. I went to high school with
22 him. He's doing a great job. But why
23 are we dealing with this now when he has
24 a contract that ends probably 18 months
25 from now. So I am not sure what the

1 urgency is, why you put this on minimum
2 notice, and why, in the last few days,
3 different information was put on the
4 website.

5 I think it's the wrong move, I
6 think you should guys should vote
7 against it, I think it's only fair to
8 the Village and only fair to the Police
9 Department.

10 Thank you.

11 MAYOR TWEEDY: Thank you, very
12 much.

13 Jack Timlon, 160 Ash.

14 Good evening.

15 MR. TIMLON: Good evening, how are
16 all of you tonight.

17 MAYOR TWEEDY: Good, thank you.

18 MR. TIMLON: I'm a retired police
19 officer and I don't know all of the
20 particulars of this hearing, what this
21 is all about. But I will tell you in my
22 experience that you can have somebody
23 with credentials to the end of time,
24 that doesn't make them more qualified
25 than somebody who lived in this Police

1 Department, who has gone through the
2 ranks and now is qualified as a
3 lieutenant, to be considered for the
4 Police Commissioner's position.

5 I think they should be looked at
6 individually, on their own merits, take
7 into consideration everything else you
8 might think should be necessary. But I
9 don't think they should be cut out just
10 because you want somebody that went to
11 the FBI Academy. Lots of times, I have
12 witnessed it, somebody who went to the
13 FBI Academy was a fool. He couldn't
14 find somebody selling trinkets on Covert
15 Avenue. So what I am saying is
16 everybody with all of these great
17 qualifications does not make them any
18 better than any one of these gentlemen.

19 That's all I want to say.

20 MAYOR TWEEDY: Thank you, very
21 much.

22 William Lauria, 26 Pansy.

23 MR. LAURIA: Good evening, Mayor,
24 Village Board. My name is William
25 Lauria and I am the Second

1 Vice-President of the Floral Park Police
2 Benevolent Association. I am here
3 tonight representing the members of the
4 Floral Park Police Benevolent
5 Association. I have been a member of
6 the Floral Park Police Department for 27
7 years. I was appointed to the
8 department in August of 1989. I have
9 been a resident of Floral Park for my
10 entire life. I went to school in Floral
11 Park and I've raised my children in
12 Floral Park.

13 Members of the PBA and I, as well
14 as our family, friends and neighbors are
15 here tonight because of the publication
16 in the Gateway last week regarding the
17 proposal of Local Law 5-2016, which
18 relates to the qualifications of the
19 Police Commissioner of the Floral Park
20 Police Department.

21 In light of the fact that we
22 currently have a serving Police
23 Commissioner, as well as two
24 lieutenants, six sergeants within the
25 Police Department that meet the

1 qualifications under Section 25-4 of the
2 current Floral Park Village ordinance,
3 many of us have questions.

4 Excluding the current Commissioner,
5 this position has been historically
6 filled by a member of the Floral Park
7 Police Department. The Village
8 Ordinance also allows the Village Board
9 to appoint any other police officer in
10 the State of New York from outside of
11 the Floral Park Police Department who
12 has reached the rank of police
13 lieutenant and has at least 10 years of
14 service. This, in effect, gives you an
15 enormous pool of applicants.

16 The Floral Park Police Department
17 is 99 years old. It will celebrate its
18 100th anniversary in 2018. We've
19 enjoyed historically low crime rates,
20 maintained the integrity of the Village,
21 served with pride and dignity and
22 maintained professionalism that is above
23 reproach.

24 The question is, why is this law
25 necessary now. By reading of the

1 proposed law, there will be no set
2 qualifications, but, rather, the
3 qualifications will be set by Board
4 resolution at the Board's discretion.
5 Conspicuously absent is the requirement
6 of being a police officer of any rank.

7 The second question, in today's day
8 and age, is it wise to have someone with
9 no police experience to potentially be
10 the executive of the Floral Park Police
11 Department.

12 Absent from the proposed law is
13 language, as in the current law, that
14 relates to a police officer candidate
15 from within the Floral Park Police
16 Department being able to take a leave of
17 absence from his current rank in order
18 to take the promotion. Also missing is
19 the ability to revert back to his or her
20 previous civil service rank if his or
21 her police commissioner contract is not
22 renewed.

23 The third question is why have
24 these provisions been removed.
25 Commission McAllister has been serving

1 for over six years. Why is it now
2 suddenly necessary to make these
3 changes.

4 We thank you for your time and
5 consideration, and we particularly thank
6 the members of the Floral Park Police
7 Department who are present here tonight,
8 as well as their families, friends and
9 neighbors who are here tonight in
10 support of the Floral Park Police
11 Department.

12 MAYOR TWEEDY: Thank you.

13 Ken Fairben, 35 Bergen Street.

14 MR. FAIRBEN: Good evening, Mr.
15 Mayor, Village Board. I'm not going to
16 continue the conversation, as it has
17 been clearly stated.

18 My only feelings on this is of a
19 personal nature. There are men and
20 women sitting in this room that have
21 been by Diane and I at the worst times
22 in our lives. There's a human part to
23 these people here you can't ignore.
24 They are more Floral Park than many of
25 the people that I know. There is

1 nothing these people would not give you
2 if you asked them.

3 My feelings are this is totally
4 inappropriate. They've earned a right.
5 They demonstrate that right day in and
6 day out, to have the opportunity to
7 advance. I only ask the Village Board
8 to take that into consideration and give
9 these people that opportunity. Everyone
10 sitting here is very, very qualified.
11 You know that personally, you've all had
12 dealings with them of a personal nature,
13 whether it be in an emergency room or
14 whatever it may be. These people you
15 can ask not for better. You can keep
16 within your own department the high
17 caliber that this Village has also
18 enjoyed. I've witnessed it all my life.
19 I ask, please, that you don't pass this
20 resolution. Keep our people here. Give
21 them that opportunity to serve this
22 Village continually. Thank you.

23 MAYOR TWEEDY: Thank you, very
24 much.

25 Gilbert Luger, 22 Emerson.

1 Thank you, pass.
2 Brian Luger, 22 Emerson.
3 Okay, thank you.
4 Diane Fairben, 35 Bergen.
5 Okay, thank you.
6 Thomas Holtz, 267 Whittier.
7 Thank you.
8 Dominic DiMaggio, 64 Cypress.
9 Thank you, sir.
10 Marco Conell, 327 Carnation Avenue.
11 All right, thank you.
12 Rose Tsoupras, 129 Locust.
13 William Doherty, 85 Birch.
14 No, thank you.
15 Debra Doherty, thank you.
16 Megan Marcello, 34 Sycamore.
17 Robert Guglielmo, 31 Beverly.
18 Joe Pelletieri, 90 Elizabeth.
19 MR. PELLETERI: No.
20 MAYOR TWEEDY: Okay, thank you.
21 Karen Sica, 2 Holland Avenue.
22 Pamela Tietjen, 15 Beverly, okay.
23 I can't make this one out Larry --
24 looks like P-U-G-H, no, okay.
25 Meredith Norton?

1 No, okay, thank you.

2 Thomas Seville.

3 MR. SEVILLE: Declined.

4 MAYOR TWEEDY: Richard Pfeiffer.

5 MR. PFEIFFER: No.

6 MAYOR TWEEDY: Vincent Hartenfels,

7 9 Spooner.

8 John Muccio, 126 Oak Street.

9 Yes.

10 MR. MUCCIO: How you doing.

11 MAYOR TWEEDY: Good evening.

12 MR. MUCCIO: So as I sat here and
13 listened to some of what the fine
14 gentlemen had to say, and as you said in
15 your opening, I understand that the law
16 as it stands now is written in such a
17 way that the Floral Park residents
18 receive, as you said, the best from the
19 pool -- from the best pool of candidates
20 possible.

21 From what I am hearing about the
22 enhanced criteria you put in place,
23 wouldn't that limit the candidate pool
24 quite extensively? That's my thought.

25 If you have FBI training that is

1 required and they can't take sabbatical,
2 you're limiting your candidate pool and,
3 therefore, you're limiting the resources
4 and candidates available to best serve
5 your citizens.

6 Another thing that struck me here,
7 from a qualification standpoint and from
8 the reason why the current Commissioner
9 was appointed in 2010 and why he
10 received a waiver of the pension from
11 New York State, was because he was going
12 to take two to three years to train his
13 replacement. It's been six years. So
14 what have we done to enhance our current
15 ranks to make sure that we have the
16 people coming from the bottom up that we
17 need to in order to effectively train
18 them. It's six years now and we're
19 going to change this law to do what,
20 exactly. It seems like it is being
21 custom-tailored so that way we can
22 extend the length of the current
23 Commissioner.

24 Everybody acknowledges he has done
25 a great job. But I think it's a little

1 bit discouraging to the current ranks,
2 and that's already been said.

3 Those were a couple of observations
4 I wanted to make sure you guys heard.
5 Thank you.

6 MAYOR TWEEDY: Thank you, very
7 much.

8 Brett Hynes, 23 Remsen.

9 Chris Snyder, 30 Florence Street.

10 No, okay.

11 Dick Kazinski, Richard Kazinski, 53
12 Larch.

13 The last one I have is David
14 Denkers, 44 Terrace Avenue.

15 MR. DENKERS: No, thank you.

16 MAYOR TWEEDY: No, okay.

17 At this time, I would ask for a
18 motion for a 10-minute recess, if we
19 could.

20 MR. RYAN: Mayor, before you do
21 that, is there anybody else who wants to
22 speak?

23 MAYOR TWEEDY: I'm sorry, thank you
24 very much, Mr. Ryan.

25 At this time, I would ask if anyone

1 would like to speak, and if you would,
2 would you be so kind to give your name
3 and address and then we'll move forward
4 from there.

5 Thank you very much, Mr. Ryan.

6 MR. WEINGAND: Good evening. My
7 name is Mark Weigand. I live at 14
8 Shelly Court in Smithtown, New York.

9 Mr. Mayor, Members of the Board,
10 first I would like to thank you for the
11 opportunity to be speaking. I don't
12 know if anybody really has knowledge of
13 my background, I have my back to them.

14 I am presently a sergeant with this
15 department and very proud to be in this
16 position. 26 years ago, probably this
17 month, I raised my hand and started my
18 career here.

19 The last six years, Commissioner
20 McAllister has served this department
21 distinguishably. I would like to thank
22 him for that leadership. Unfortunately,
23 by standing up here today and speaking,
24 obviously in opposition of this Local
25 Law, I sadly think my -- and probably

1 know my career has just about come to an
2 end because the new law basically
3 eliminates a sergeant from advancing to
4 the position of commissioner, and also
5 basically knocks out my compatriots that
6 are presently sergeants who don't have
7 the qualifications, many of the
8 lieutenants that don't have the ability
9 to attend the FBI Academy on their day
10 off or whatever.

11 But, I guess, more importantly, I
12 would like to ask a question of the
13 Mayor or the Village Administrator or
14 whomever can answer the question.

15 It seems that on two occasions of
16 this year, May and September, the
17 present command structure of the Police
18 Department to lieutenants and the
19 sergeants were deemed unqualified on two
20 occasions, once in May, and once in
21 September, before this Local Law is even
22 enacted or thought about being enacted
23 tonight.

24 It just seems like under the law
25 from 1984, 25-4A, we certainly qualify

1 for that position, and certainly for the
2 amended law that occurred in 2000, we
3 were still deemed qualified. Maybe we
4 were not the strongest candidates, but
5 we were qualified. But the statement
6 was made on behalf of the Village to the
7 New York State Civil Service Commission
8 that we were all deemed unqualified.

9 I took personal offense to that.
10 I stand here today acknowledging that I
11 am not the strongest candidate and I
12 applaud you, Mr. Mayor, for six years
13 ago when you, in your heart, you picked
14 the strongest candidate, and
15 Commissioner McAllister has served us
16 well. We don't dispute his service, his
17 dedication or his qualifications. But
18 to be misrepresented in public, I took
19 offense to that, and I am sure my
20 colleagues did as well.

21 Going forward, I would like to
22 thank the people behind me, the
23 residents that got up here and spoke
24 from the heart. Maybe my career
25 advancement is over, but my job here is

1 not going to be over. I am going to
2 come here working every day on behalf of
3 them, the people who stand behind me,
4 the people that make this Village great.

5 Again, I would like to thank you,
6 Mr. Mayor, for the opportunity to speak
7 and the Board for your service. I would
8 like to thank the best Police Department
9 in the world, some of them that showed
10 up here tonight, police officers,
11 sergeants and lieutenants.

12 I would also like to thank the
13 residents that stood up and said very
14 kind words to us and gave us the
15 strength to keep going.

16 Thank you, very much.

17 MAYOR TWEEDY: I saw two hands.

18 Frank, would you like to come
19 forward?

20 MR. LEIGHTON: Really, I just have
21 one question.

22 MAYOR TWEEDY: I would ask just
23 your name for the record.

24 MR. LEIGHTON: Frank Leighton, 41
25 Magnolia Avenue, Floral Park.

1 Does anybody on the Board have law
2 enforcement experience? Nobody does.
3 That's the only question. I guess the
4 answer is no.

5 Thank you.

6 MR. SEXTON: Matthew Sexton, 201
7 Verbena Avenue.

8 In January, when we were fighting
9 the casino and we marched, the march
10 went from Floral Park Memorial High
11 School, the corner of the Floral Park
12 property to Belmont Park. At the end of
13 the march there was a hysterical mother
14 who said, I lost my son, I lost my son.

15 I turn around, we all turn around,
16 we don't see the Nassau County Police,
17 we don't see the New York State Police,
18 we see the Floral Park Police and
19 Commissioner McAllister. We see the
20 Floral Park police in action, radioing
21 back. This young man, he was not even a
22 teenager, was found.

23 I mention that because we both need
24 each other. I hope I am speaking for
25 everyone. If I'm not, just give me all

1 the dirt you want to give me. But I
2 think the Commissioner has done a
3 fantastic job. But on the same token, I
4 believe the rank and file have done such
5 a fantastic job that without him, I
6 don't know if you would be able to say
7 he's done a fantastic job.

8 After sitting here and listening
9 tonight, I can definitely understand the
10 concerns of our rank and file police
11 force, as it seems many of them in the
12 future will no longer be qualified to be
13 the Commissioner of Police.

14 There is a solution to this, there
15 is a compromise. Have this law, if you
16 decide to move forward with it, sunset
17 it in two years. Have it revert back to
18 the old law so that the rank and file
19 officer with the Floral Park Police
20 Department can say, when the contract
21 ends, maybe now I have a chance.

22 I hope this doesn't create
23 dissension within the ranks, because all
24 you guys act as a unit, all you guys
25 make this town great, and all you guys

1 -- without you, nobody would want to
2 live her. So I hope it doesn't lead to
3 any dissension.

4 I also hope that a political
5 solution, something that makes these
6 ladies and gentlemen who put their lives
7 on the line for every single one of us,
8 as well as Commissioner McAllister, that
9 some sort of solution can be met so that
10 they at least feel some day they can
11 earn the right to that job.

12 Thank you.

13 MAYOR TWEEDY: Thank you, very
14 much.

15 Is there anyone further?

16 Yes, please.

17 MS. GUARDALA: Hi, Lucille
18 Guardala, 95 Holland Avenue.

19 MAYOR TWEEDY: Good evening.

20 MS. GUARDALA: Good evening.

21 I thank the Board for the
22 opportunity to address them very
23 briefly.

24 While I know that the current head
25 of the FBI will probably be looking for

1 work, I see the need to create criteria
2 to become police commissioner for Floral
3 Park, that might equal that.

4 But seriously, rising through the
5 ranks is certainly a tradition
6 throughout Police Departments. I
7 believe now within the City of New York,
8 that is the case.

9 The other thing I would like to
10 mention, as we talk about FBI school and
11 all of that, I recall a budget hearing
12 when I was on the Board that was
13 extremely contentious, as they often
14 are. One of the points made about our
15 Police Department is that our solve rate
16 was higher than the FBI, which, when you
17 look at the statistics, it's pretty damn
18 poor.

19 The other thing I would mention,
20 Mr. Mayor, as you so eloquently
21 expressed talking about the changes in
22 police work since 9/11, talking about
23 the night club shootings and all of that
24 kind of thing, one of the biggest trends
25 in police work is community policing,

1 what we have been doing for the last 100
2 years, and why do we need to change now.

3 Thank you.

4 MAYOR TWEEDY: Mr. Gagliano.

5 MR. GAGLIANO: My name is Ron
6 Gagliano, I am a Sergeant for the Floral
7 Park Police Department.

8 I was born in this town, grew up in
9 this town, went to school in this town,
10 worked in town my entire life, some part
11 of it, my entire life has been connected
12 with this town.

13 The first thing I want to say it is
14 not easy getting up here tonight,
15 obviously, talking against this law,
16 this resolution in front of you. You
17 are all, directly or indirectly, our
18 bosses. My boss is here. I'm not
19 speaking against him at all, it has
20 nothing to do with him.

21 A couple of points I would like to
22 make. I had no idea I was going to be
23 talking. I wrote a few things down,
24 written tonight, as you can see.

25 It seems that the way this is going

1 it wasn't done above the table. It was
2 all done at the last minute, at least
3 publicly at the last minute. Correct me
4 if I'm wrong, it was only announced last
5 Wednesday in the Gateway, not even a
6 week ago. This is a serious thing
7 affecting this Police Department.

8 I don't care about -- I don't mean
9 I don't care about -- I don't care about
10 him and anything else people were
11 talking about with upstate or anything.
12 He can be -- he's hired here now, he's
13 good for another 18 months, he can be
14 here for 18 years, I don't care. I care
15 about the law change that is here that
16 you're saying you're going to change it,
17 then make it a resolution.

18 Again, you're saying now that you
19 have all these strict requirements. Am
20 I correct in the fact that you are
21 making this resolution, what you are
22 going to make is that you can change, at
23 any given time without a hearing like
24 this, is that correct?

25 Can you change the requirements of

1 the Village Law of the Village
2 requirements of Commissioner at any time
3 being that it's a resolution?

4 MR. RYAN: Yes.

5 MR. GAGLIANO: Thank you.

6 With that being said, a couple of
7 other points I'd like to make. But with
8 that being said, right now you have a
9 whole bunch of strict requirements which
10 knock anybody out from the Floral Park
11 Police Department, except Commissioner
12 McAllister, which is fine, let him sit
13 on for 18 more years. But when he is
14 gone, whether it be tomorrow, next week,
15 next month or in 18 months when he
16 leaves, whether he gets another job or
17 whether he leaves, or all of a sudden
18 you're not happy with him, whenever
19 there is another opening, what does that
20 do. Number one, from what I believe,
21 you can now change that resolution at
22 the drop of a hat, make it be -- with no
23 disrespect, you or you or you or you, I
24 believe that is correct, or a brother or
25 a relative. It can be anybody.

1 I'm concerned about that. I'm
2 probably not going to get the job.
3 I was interviewed for it years back,
4 didn't get it, fine. But there's a lot
5 of people here that are capable that are
6 going to be here a long, long time.

7 When I was hired back in 1984, one
8 of the things, and I spoke to
9 Commissioner McAllister about this
10 yesterday, one of things my brother told
11 me, whose a Nassau County Police
12 Officer, he said it's a small job.
13 There are pluses and minuses. You live
14 here, great. One of the minuses is
15 there is not a lot of room for
16 advancement. So everybody knows that
17 going in.

18 If you look at what it's been, I
19 thought just real quickly now, about
20 every four years or so there is a
21 promotion to sergeant. That is not a
22 lot, somewhere around four or five years
23 there is a promotion to sergeant. I
24 made Sergeant in 1993. There was one
25 sergeant promoted to lieutenant I think

1 about a year after that. Since then, in
2 22, 23 years, one promotion to
3 lieutenant, only one. That doesn't give
4 people a lot to look forward to.

5 So when the opportunity does come
6 up now, six years ago, for whatever
7 reason there was going to be a higher
8 spot there was an opening, the more
9 people get advanced, get advanced.
10 Well, six years ago there was an opening
11 for Commissioner, which meant a police
12 officer was going to be made --
13 assumably, a police officer was going to
14 be made sergeant, sergeant was probably
15 going to be made lieutenant, and the
16 lieutenant made a commissioner. So
17 three people, three jobs stymied at that
18 point and did not get the chance to be
19 promoted, who deserve, who went through
20 the ranks and were here their entire
21 police career. That is very
22 discouraging and demoralizing.

23 This is not anything against
24 Commissioner McAllister. I can't say
25 that enough. But it is very

1 demoralizing to people here. There are
2 a lot of guys here, and ladies that are
3 going to be here 20, 30 years. To have
4 a job like -- let's say he is gone and
5 to take from the outside, again, it's
6 very demoralizing to people who look
7 forward to something. And then three or
8 four years maybe a promotion, then boom,
9 the rug is pulled out from under them
10 again.

11 In May of 2010 when you did the
12 interviews for commissioner we all knew
13 you were looking for a commissioner. We
14 got letters from the Village Board.
15 Some of you were on the Board then, some
16 of you were not. We all got letters
17 inviting us for an interview.

18 From then, every two years, the
19 same thing is supposed to be happening.
20 We never got notified about anything.
21 I know there is word it was advertised
22 here. We have a bulletin board in our
23 Police Department that I have seen
24 advertisements on there for Public Works
25 workers, for librarians, for tree

1 trimmers, for everything. I've never,
2 in three times where there was a chance
3 for a commissioner, I've never seen an
4 advertisement for Police Commissioner in
5 a Police Department. That would be the
6 place to advertise. We were not made
7 aware of these things.

8 Again, I guess my main thing is,
9 can that happen where you can hire
10 someone at anytime when Commissioner
11 McAllister decides to retire that is not
12 from the Police Department? I believe
13 that can be and that is absolutely
14 incorrect, it is not right. It is not
15 proper to do that.

16 Now you're, again, telling people
17 like Sergeant Weigand said before, we
18 were told we are not qualified, we are
19 incapable; not true. I am capable and
20 there are a lot of people more qualified
21 than I am. There are people here that
22 are qualified. And that job opening, I
23 want it to stay that way, where it has
24 to be from within the department. Even
25 if it wasn't changed, you still have a

1 big, big, pool of police officers from
2 other departments that can fill these
3 shoes and do the job.

4 I guess that's it.

5 MAYOR TWEEDY: Thank you, very
6 much.

7 I would ask, once again, if there
8 is anyone who would like to comment?

9 Yes, Mr. De Maria, second time
10 around.

11 MR. De MARIA: Thank you for
12 indulging me again. This will be very
13 brief.

14 I don't think people in the
15 audience understand that when you pass
16 up your opportunity to speak -- this
17 public hearing is on the record -- if
18 you came up and said you oppose it or
19 you are in favor of it, that would be
20 reflected in the record, rather than
21 declining.

22 So to make this brief, I would ask,
23 with your indulgence, if there is anyone
24 who is opposed to this public --

25 MAYOR TWEEDY: All direction, Tom,

1 with all due respect, any direction will
2 come from the Board. I appreciate your
3 coming up a second time. I think we
4 have a pretty good sense of where people
5 stand. I really believe we understand
6 where things are. I don't think we need
7 to go into that. Appreciate your coming
8 up. Thank you very much.

9 MR. De MARIA: Thank you.

10 MAYOR TWEEDY: Anyone further at
11 this time?

12 (No response.)

13 I would ask for a motion for a
14 10-minute recess. I mean, it will be 10
15 minutes.

16 TRUSTEE CHENG: I'll move.

17 TRUSTEE FITZGERALD: Second.

18 MAYOR TWEEDY: All in favor?

19 TRUSTEE LONGOBARDI: Aye.

20 TRUSTEE POMBONYO: Aye.

21 MAYOR TWEEDY: Folks, give us 10
22 minutes.

23 (Whereupon, a recess was taken.)

24 MAYOR TWEEDY: Thank you ladies and
25 gentlemen. Forgive us, it was a

1 12-minute recess, but I do appreciate
2 your staying.

3 A few comments I would like to
4 make.

5 First off, this is a deliberate
6 body. We certainly will wait for the
7 transcript and we will assess and read
8 all of the comments that were made,
9 including all of the statements made by
10 our residents.

11 I want it to be clear. I think
12 it's important that everyone know that
13 the Village of Floral Park did not rise,
14 by an independent rating agency, to be
15 the third safest city in the state and
16 the 17th safest city in the United
17 States without the effective use of many
18 in this community, most importantly,
19 many of the men and women of the Floral
20 Park Police Department, its Commissioner
21 and certainly the effective use of our
22 residents in this Village. As I said in
23 my opening statement, we give much of
24 our credit to live in the community we
25 do. And our Floral Park Police

1 Department, as we have all been on
2 record today, Floral Park would not be
3 Floral Park without its own police
4 force, something we are celebrating, it
5 now coming up on 100 years.

6 This Village Board certainly
7 continues to support the training, the
8 training initiatives that have been
9 established by Police Commissioner
10 McAllister. We've certainly seen -- we
11 certainly were speaking about the
12 transition from 1984 to now. Before,
13 you carried a nice friendly 38, now we
14 have AR-15s in each of our vehicles.
15 Policing has changed.

16 So we are going to, at this time,
17 again, let all know, that this Village
18 Board stands arm-in-arm with our
19 community in support of and are
20 appreciative of our Floral Park Police
21 Department, its members and those who
22 served in the past.

23 So, at this time, again, as I said,
24 we are a deliberate body. We would like
25 to get the transcript and have the

1 opportunity to read and assess and
2 understand what has been said this
3 evening; so, therefore, I would ask for
4 a motion to reserve decision on this
5 Local Law and close the Public Hearing.

6 TRUSTEE FITZGERALD: So moved.

7 TRUSTEE CHENG: Second.

8 MAYOR TWEEDY: Would you please
9 poll the Board, Ms. Walsh.

10 MS. WALSH: Trustee Fitzgerald?

11 TRUSTEE FITZGERALD: Aye.

12 MS. WALSH: Trustee Longobardi?

13 TRUSTEE LONGOBARDI: Aye.

14 MS. WALSH: Trustee Pombonyo?

15 TRUSTEE POMBONYO: Aye.

16 THE CLERK: Trustee Cheng?

17 TRUSTEE CHENG: Aye.

18 MS. WALSH: Mayor Tweedy?

19 MAYOR TWEEDY: Votes aye.

20 And just a final point, if I might.

21 As there were many discussions that
22 relate to a resolution, obviously,
23 procedurally, it would need to pass a
24 Local Law before any resolution could be
25 moved upon.

1 So, that's a procedural matter,
2 but, again, we will wait for the
3 transcript and at this point we are
4 reserving decision.

5 So thank you very much for coming
6 in, ladies and gentlemen. Thank you
7 very much for coming out this evening.

8 We will be having a Board meeting
9 subsequent to this, at which point, we
10 certainly would open the podium for
11 anyone who would like to speak.

12 Again, thank you very much for
13 coming out this evening.

14 * * * * * *

15 C E R T I F I C A T I O N :

16 I, Mary Anne Coppins, Court
17 Reporter, hereby certify that the above
18 transcript is a true and accurate copy
19 of the minutes taken by myself
20 stenographically in the within matter.

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Mary Anne Coppins

Court Reporter