

1 NEW YORK STATE SENATE

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4 THE STENOGRAPHIC RECORD

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8
9 ALBANY, NEW YORK

10 April 18, 2018

11 11:21 a.m.

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13
14 REGULAR SESSION

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18 SENATOR FRED AKSHAR, Acting President

19 FRANCIS W. PATIENCE, Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT AKSHAR: The
3 Senate will come to order.

4 I ask everyone present, please rise
5 and repeat with me the Pledge of Allegiance.

6 (Whereupon, the assemblage recited
7 the Pledge of Allegiance to the Flag.)

8 ACTING PRESIDENT AKSHAR: Today we
9 have Reverend Peter G. Young, from the Mother
10 Teresa Community in Albany, to give the
11 invocation.

12 Reverend?

13 REVEREND YOUNG: Thank you,
14 Senator.

15 Today we pray especially for our
16 Senators. By being a Senator, you have been
17 accepted into the leadership position so that you
18 can be more fully able to serve the people of
19 New York State.

20 In this spirit of community, our
21 prayer today will be to better achieve the goal
22 of dedicated representation in the power that is
23 entrusted to all of our legislative leadership.

24 May you attain your satisfaction in
25 your services to your constituents. And we pray

1 that God will support this good cause.

2 Amen.

3 ACTING PRESIDENT AKSHAR: Thank
4 you, Reverend.

5 If I could ask everyone to remain
6 standing. We'll have a moment of silence for
7 former First Lady Barbara Bush, who passed away
8 yesterday at the age of 92.

9 (Whereupon, the assemblage respected
10 a moment of silence.)

11 ACTING PRESIDENT AKSHAR: The
12 reading of the Journal.

13 THE SECRETARY: In Senate, Tuesday,
14 April 17th, the Senate met pursuant to
15 adjournment. The Journal of Monday, April 16th,
16 was read and approved. On motion, Senate
17 adjourned.

18 ACTING PRESIDENT AKSHAR: Without
19 objection, the Journal stands approved as read.

20 Presentation of petitions.

21 Messages from the Assembly.

22 The Secretary will read.

23 THE SECRETARY: On page 16, Senator
24 Boyle moves to discharge, from the Committee on
25 Commerce, Economic Development and Small

1 Business, Assembly Bill Number 6175A and
2 substitute it for the identical Senate Bill 622A,
3 Third Reading Calendar 98.

4 ACTING PRESIDENT AKSHAR: The
5 substitution is ordered.

6 Messages from the Governor.

7 Reports of standing committees.

8 Reports of select committees.

9 Communications and reports from
10 state officers.

11 Motions and resolutions.

12 Senator DeFrancisco.

13 SENATOR DeFRANCISCO:

14 Mr. President, on page 24 I offer the following
15 amendments to Calendar 247, Senate Print 898, by
16 Senator Amedore, and ask that said bill retain
17 its place on the Third Reading Calendar.

18 ACTING PRESIDENT AKSHAR: The
19 amendments are received, and the bill shall
20 retain its place on the Third Reading Calendar.

21 SENATOR DeFRANCISCO: Can we now
22 take up previously adopted Resolution 3271, by
23 Senator Marchione, read the title only, and call
24 on Senator Marchione to speak.

25 ACTING PRESIDENT AKSHAR: The

1 Secretary will read.

2 THE SECRETARY: Legislative
3 Resolution Number 3271, by Senator Marchione,
4 commemorating the bicentennial of the Town of
5 New Lebanon, New York.

6 ACTING PRESIDENT AKSHAR: Senator
7 Marchione.

8 SENATOR MARCHIONE: Mr. President
9 and my colleagues, I rise to speak on my
10 resolution commemorating the bicentennial of the
11 Town of New Lebanon, which is located in Columbia
12 County, the entirety of which resides in the
13 43rd Senate District.

14 Almost 200 years ago, on April 21,
15 1818, the State Legislature passed an act that
16 divided the Town of Canaan, formerly known as the
17 Kings District, to create the Town of
18 New Lebanon.

19 New Lebanon sits in a beautiful
20 valley halfway between the Hudson and Connecticut
21 Rivers at the base of the Taconic Mountains.
22 It's a wonderful community filled with incredible
23 people and a rich, vibrant past steeped in
24 history, achievements and renowned figures,
25 including Olive Hatch, who, through her

1 association with Emma Willard, founded the
2 New Lebanon Women's Seminary in 1865, and
3 Lieutenant James Hitchcock, who first used the
4 healing waters of the Warm Spring, named
5 Montepoole by the Mohicans, as early as 1756.

6 In addition, the area around
7 Warm Spring is home to Columbia Hall, which was
8 opened in 1794. This magnificent hotel towered
9 300 feet above the valley and could hold
10 400 guests. In a treasured register of its
11 renowned guests are the signatures of John Quincy
12 Adams, Martin Van Buren, Daniel Webster,
13 Henry Longfellow, and Marquis de Lafayette.

14 Samuel J. Tilden, born February 9,
15 1814, in New Lebanon, became the 25th governor of
16 New York and a candidate for president in 1876.
17 Samuel's grandfather, John Tilden, is said to
18 have named the Town of New Lebanon. And the
19 Samuel J. Tilden Monument, inscribed with the
20 phrase "I still trust the people," is listed on
21 the National Register of Historic places and lies
22 in the Cemetery of the Evergreens in New Lebanon.

23 Thomas Kendall became a prominent
24 business owner in New Lebanon when he invented
25 the modern graduated thermometer and started the

1 Kendall Shop, the first thermometer-manufacturing
2 company in America.

3 Established in 1787, the Mount
4 Lebanon Shaker Community led the way in early
5 entrepreneurship activity and innovations. Today
6 this settlement is a mile-long National Historic
7 Landmark District which includes Darrow School,
8 the Abode of the Message, and Mount Lebanon
9 Shaker Museum, as well as the Great Stone Barn,
10 America's largest masonry barn.

11 I'm honored to have joining me today
12 Colleen Teal -- if you would rise, please --
13 supervisor for the Town of New Lebanon, who's
14 helping lead this proud community with such an
15 incredible storied past into an even brighter and
16 boundless future. With Supervisor Teal is
17 Ted Salem and Fiona Lally, who are the cochairs
18 of the New Lebanon 200 Committee.

19 My colleagues and I offer you our
20 congratulations on the Town of New Lebanon's
21 200th anniversary, and here is to 200 more.

22 Thank you, Mr. President.

23 ACTING PRESIDENT AKSHAR: Thank
24 you, Senator Marchione.

25 To our guests, we welcome you to the

1 New York State Senate chamber. We extend all the
2 privileges and the courtesies of this great
3 house. Thank you for being with us.

4 (Applause.)

5 ACTING PRESIDENT AKSHAR: Senator
6 DeFrancisco.

7 SENATOR DeFRANCISCO: Yes, this
8 resolution is open for cosponsorship.

9 ACTING PRESIDENT AKSHAR: The
10 resolution is open for cosponsorship. If you
11 would like to be a cosponsor, please notify the
12 desk.

13 Senator DeFrancisco.

14 SENATOR DeFRANCISCO: Can we now
15 take up the noncontroversial reading of the
16 calendar.

17 ACTING PRESIDENT AKSHAR: The
18 Secretary will read.

19 THE SECRETARY: Calendar Number 98,
20 substituted earlier by Member of the Assembly
21 Schimminger, Assembly Print 6175A, an act
22 authorizing.

23 ACTING PRESIDENT AKSHAR: Read the
24 last section.

25 THE SECRETARY: Section 2. This

1 act shall take effect immediately.

2 ACTING PRESIDENT AKSHAR: Call the
3 roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT AKSHAR: Senator
6 Krueger.

7 SENATOR KRUEGER: Thank you,
8 Mr. President.

9 I will vote for this bill, but I'd
10 like to point out two things. One, I think we
11 already have a system in place for businesses to
12 use the internet or for people to use the
13 internet to find businesses. It's called Google.
14 So I'm not sure we needed the ESDC to create
15 their own.

16 But under the belief that ESDC is
17 already wasting such an enormous amount of money
18 on useless economic development projects, I'm
19 willing to give this one a try. So I vote yes.

20 Thank you, Mr. President.

21 ACTING PRESIDENT AKSHAR: We agree.
22 You'll be recorded in the affirmative.

23 Announce the result.

24 THE SECRETARY: Ayes, 57.

25 ACTING PRESIDENT AKSHAR: The bill

1 is passed.

2 THE SECRETARY: Calendar Number
3 305, by Senator Lanza, Senate Print 2602, an act
4 to amend the Environmental Conservation Law.

5 ACTING PRESIDENT AKSHAR: Read the
6 last section.

7 THE SECRETARY: Section 2. This
8 act shall take effect immediately.

9 ACTING PRESIDENT AKSHAR: Call the
10 roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT AKSHAR: Announce
13 the result.

14 THE SECRETARY: Ayes, 57.

15 ACTING PRESIDENT AKSHAR: The bill
16 is passed.

17 THE SECRETARY: Calendar Number
18 448, by Senator Little, Senate Print 1676A, an
19 act to amend the Arts and Cultural Affairs Law.

20 ACTING PRESIDENT AKSHAR: Read the
21 last section.

22 THE SECRETARY: Section 4. This
23 act shall take effect one year after it shall
24 have become a law.

25 ACTING PRESIDENT AKSHAR: Call the

1 roll.

2 (The Secretary called the roll.)

3 ACTING PRESIDENT AKSHAR: Announce
4 the results.

5 THE SECRETARY: Ayes, 57.

6 ACTING PRESIDENT AKSHAR: The bill
7 is passed.

8 THE SECRETARY: Calendar Number
9 495, by Senator Murphy, Senate Print 6313A, an
10 act to amend the Agriculture and Markets Law.

11 ACTING PRESIDENT AKSHAR: Read the
12 last section.

13 THE SECRETARY: Section 2. This
14 act shall take effect immediately.

15 ACTING PRESIDENT AKSHAR: Call the
16 roll.

17 (The Secretary called the roll.)

18 ACTING PRESIDENT AKSHAR: Announce
19 the results.

20 THE SECRETARY: Ayes, 57.

21 ACTING PRESIDENT AKSHAR: The bill
22 is passed.

23 THE SECRETARY: Calendar Number
24 687, by Senator Ritchie, Senate Print 1466, an
25 act to amend the Education Law.

1 ACTING PRESIDENT AKSHAR: Read the
2 last section.

3 THE SECRETARY: Section 3. This
4 act shall take effect immediately.

5 ACTING PRESIDENT AKSHAR: Call the
6 roll.

7 (The Secretary called the roll.)

8 ACTING PRESIDENT AKSHAR: Announce
9 the results.

10 THE SECRETARY: Ayes, 57.

11 ACTING PRESIDENT AKSHAR: The bill
12 is passed.

13 Senator DeFrancisco, that completes
14 the noncontroversial reading of the calendar.

15 SENATOR DeFRANCISCO: On behalf of
16 Senator Flanagan, there's a hand-up making
17 various committee assignments.

18 ACTING PRESIDENT AKSHAR: The
19 hand-up is received and will be filed in the
20 Journal.

21 SENATOR DeFRANCISCO: Now there's a
22 privileged resolution at the desk, by Senator
23 Larkin. Would you please read it in its entirety
24 and call on Senator Larkin, Senator Serino, and
25 then Senator Helming.

1 ACTING PRESIDENT AKSHAR: The
2 Secretary will read.

3 THE SECRETARY: Legislative
4 resolution by Senator Larkin celebrating the life
5 and accomplishments of Frank K. Skartados, a
6 well-respected New York State Assemblyman,
7 distinguished citizen and devoted member of his
8 community.

9 "WHEREAS, This Legislative Body is
10 moved to recognize and pay tribute to the life
11 and accomplishments of New York State Assemblyman
12 Frank K. Skartados, an individual of
13 distinguished purpose and enduring commitment,
14 whose lifework and civic endeavors served to
15 enhance the quality of life in the Hudson Valley
16 and this great Empire State; and

17 "WHEREAS, Frank K. Skartados of
18 Milton, New York, a more than four-term New York
19 State Assemblyman, died on Sunday, April 15,
20 2018, at the age of 62; and

21 "WHEREAS, Frank K. Skartados, the
22 seventh of eight children, was born on the Greek
23 island of Astypalaia; on July 4, 1970,
24 14-year-old Frank arrived in New York City with
25 his mother, and six years later, on November 24,

1 1976, he became a citizen of the United States of
2 America; and

3 "WHEREAS, After graduating from
4 George Washington High School in Upper Manhattan,
5 Frank K. Skartados worked in the restaurant
6 industry and eventually became the proprietor of
7 his own business; and

8 "WHEREAS, His valuable knowledge and
9 understanding of the restaurant business earned
10 him the means necessary to put himself through
11 college at the State University of New York at
12 New Paltz; and

13 "WHEREAS, Frank K. Skartados
14 graduated with honors and a degree in political
15 science; at the same time, he worked at the
16 commandant's office of the New York Military
17 Academy in Cornwall, New York; and

18 "WHEREAS, This remarkable man went
19 on to achieve a master's degree in international
20 studies at the State University of California at
21 Sacramento; he later completed an internship at
22 the United Nations Center Against Apartheid; and

23 "WHEREAS, Frank K. Skartados
24 returned to the New York Military Academy to
25 serve as chairman of the health department for

1 the next eight years; in addition, he was a
2 teacher of environmental studies and American
3 history; and

4 "WHEREAS, In 2000, Frank K.
5 Skartados made a career change and devoted his
6 life to renovating properties in downtown
7 Poughkeepsie, including building the Aegean
8 Entertainment Center, the largest entertainment
9 venue between Albany and New York City; at this
10 time, he also moved to a farm in Milton,
11 New York, where he raised goats, sheep and
12 chickens; and

13 "WHEREAS, After being elected, Frank
14 K. Skartados' next career move was to serve as an
15 Assemblyman within the New York State Assembly,
16 beginning in January of 2009; he lost the seat
17 two years later by less than 20 votes but, in
18 March of 2012, he regained the office in a
19 special election; and

20 "WHEREAS, The death of Assemblyman
21 Frank K. Skartados, a highly respected and
22 regarded public servant, leaves a great void in
23 the New York State Assembly and in the
24 communities of the 104th Assembly District he
25 served with such passion and dedication; and

1 "WHEREAS, His district, located in
2 the Mid-Hudson Valley, includes the cities of
3 Newburgh, Beacon and Poughkeepsie and the towns
4 of Newburgh, Marlborough and Lloyd; and

5 "WHEREAS, Assemblyman Frank K.
6 Skartados was proud to represent the only
7 district in New York whose cities and towns all
8 border the Hudson River; as a result, he focused
9 his attention on the Hudson's environmental
10 protection, and helped to fund the creation of
11 several riverside parks and trails; and

12 "WHEREAS, Furthermore, Assemblyman
13 Frank K. Skartados secured numerous grants to
14 lower school and municipal taxes by investing in
15 equipment, infrastructure, workforce housing and
16 libraries; by devoting his time to these and
17 other important community-related issues and
18 concerns, he thereby left upon them his own
19 indelible and lasting mark; and

20 "WHEREAS, Assemblyman Frank K.
21 Skartados' popularity grew as he was elected by
22 large majorities ranging from 60 to 80 percent of
23 the vote; a man of strong convictions, he was
24 best known for his humble demeanor and for giving
25 passionate speeches on issues such as education

1 reform, support of immigrants and worker rights;
2 and

3 "WHEREAS, Frank K. Skartados is
4 survived by his loving daughter, Alyssa, and
5 brothers, Russos and George (Tina), both living
6 in the United States; he is also survived by his
7 beloved in-laws Myrna, Selma, Matt, Nivia and
8 Rodrigo, and other family members who reside in
9 Greece; and

10 "WHEREAS, Every citizen in New York
11 State has most certainly benefited, in one way or
12 another, from the deep dedication, intelligence
13 and commitment that Assemblyman Frank K.
14 Skartados brought to his work as a legislator and
15 public policy-maker; loyal friend and trusted
16 advisor, he will be deeply missed and truly
17 merits the grateful tribute of this Legislative
18 Body; now, therefore, be it

19 "RESOLVED, That this Legislative
20 Body pause in its deliberations in a moment of
21 silent tribute to Frank K. Skartados, whose
22 unselfish concern for the welfare of others
23 enhanced the lives of those so fortunate to have
24 called him family, colleague and friend, and to
25 express its deepest condolences to his family;

1 and be it further

2 "RESOLVED, That a copy of this
3 resolution, suitably engrossed, be transmitted to
4 the family of Frank K. Skartados."

5 ACTING PRESIDENT AKSHAR: Senator
6 Larkin on the resolution.

7 SENATOR LARKIN: Thank you,
8 Mr. President.

9 If those in attendance listened to
10 the outline on the resolution, it pictures,
11 totally, Frank. Here's a man that came from
12 Greece at age 14. And if you look at his
13 education, if you look at what he did locally,
14 nationally -- he loved this country. He loved
15 his community.

16 I want to tell you, I've been here
17 40 years -- the best Assemblymember I've ever
18 had. Because he didn't care about who got the
19 credit. What he cared about, are we working
20 harder together to make sure that we're
21 accomplishing what we want?

22 We've done many projects together in
23 the district that I share with him, with my
24 colleague Senator Serino. But Frank was
25 different. Frank would go out and make you think

1 that he was just a kid that came off of a back
2 alley street. And then when you started
3 discussing the issue with Frank, you knew that he
4 knew exactly what he was talking about.

5 And he always looked at -- thinking
6 of the young kids that we talked -- Sue and I
7 talked to him about the Armory. And when he sees
8 all these kids, 400 and 500 kids coming and
9 trying to learn a language, trying to learn a
10 trade, something to do, and working with one
11 another, he said to me before he went to the
12 hospital, he said: "You know, wouldn't it be
13 fine to get up and look around and learn
14 something that we have not been able to achieve,
15 which is everybody respecting one another."

16 Frank loved this country. He loved
17 his community. And there was no such thing as a
18 different person of color with Frank. With Frank
19 was one thing: What can I do to make your
20 quality of life better? What can I do to help
21 you, Mr. Supervisor, Mr. Mayor, Mr. Councilman,
22 Mr. Legislator? What can I do to help you make
23 your community more accessible, more desirable,
24 and more wanted to be living in?

25 Frank Skartados took away a long

1 life in a short time, at age 62. I got to know
2 him when he became an Assemblyman the first time,
3 and right away we hit things off. Because he was
4 a people person, and his main issue was let us do
5 what's right, and we'll sort out the credit
6 later.

7 May God bless him and bring him by
8 His side.

9 ACTING PRESIDENT AKSHAR: Thank
10 you, Senator Larkin.

11 Senator Serino.

12 SENATOR SERINO: Thank you,
13 Mr. President.

14 That was beautifully said, Colonel.

15 Assemblyman Skartados was a tireless
16 advocate for our local community. He was a
17 friend who truly helped me when I first took
18 office. He's a person who truly put our
19 neighbors first, and he wasn't afraid to take on
20 the tough issues if he knew that it would benefit
21 our community, like he did when he took up the
22 fight to pass a bill that we share relating to
23 consecutive sentencing.

24 Frank was an honest representative
25 who embodied the American dream. Some knew him

1 as a goat herder, some knew him as a Latin club
2 owner, an Assemblyman, but always a true friend.

3 My heart goes out to his family, his
4 beautiful daughter especially, and his dedicated
5 team who helped him achieve so much for our local
6 area. He will truly be missed.

7 Thank you.

8 ACTING PRESIDENT AKSHAR: Thank
9 you, Senator Serino.

10 Senator Helming on the resolution.

11 SENATOR HOYLMAN: Thank you,
12 Mr. President.

13 Assemblyman Skartados was an
14 incredible advocate for upstate New York and our
15 rural communities. Together we chaired the
16 Legislative Commission on Rural Resources and
17 fought for the interests of rural New Yorkers.

18 Frank's love for his community and
19 for the greater New York State agricultural
20 community was very, very evident. Assemblyman
21 Skartados leaves behind a legacy of public
22 service we can all be very proud of. His
23 positive impact on New York State will not be
24 forgotten.

25 Mr. President, I offer my deepest

1 condolences to Mr. Skartados's daughter, his
2 family, and his friends.

3 Thank you.

4 ACTING PRESIDENT AKSHAR: Thank
5 you, Senator Helming.

6 Senator Gianaris.

7 SENATOR GIANARIS: Thank you,
8 Mr. President.

9 I too want to say a word about
10 Frank Skartados. I served with him briefly in
11 the Assembly.

12 But his story is a great American
13 story. And as the child of Greek immigrants
14 myself, I wanted to pay honor to his
15 accomplishments as an immigrant from Greece who
16 came to this country, not only established
17 himself as a successful businessman, but rose to
18 represent his community in this State
19 Legislature.

20 And we will miss him. We mourn him
21 today. And certainly I know that the
22 Greek-American community respects his
23 accomplishments and his sacrifices.

24 Thank you.

25 ACTING PRESIDENT AKSHAR: Thank

1 you, Senator Gianaris.

2 The question is on the resolution.

3 All in favor signify by saying aye.

4 (Response of "Aye.")

5 ACTING PRESIDENT AKSHAR: Opposed,
6 nay.

7 (No response.)

8 ACTING PRESIDENT AKSHAR: The
9 resolution is adopted.

10 Madam Floor Leader.

11 SENATOR RITCHIE: The sponsor would
12 like to open this up for cosponsorship. If you'd
13 like to cosponsor, please notify the desk.

14 ACTING PRESIDENT AKSHAR: The
15 resolution is open for cosponsorship. If you'd
16 like to be a cosponsor, please notify the desk.

17 SENATOR RITCHIE: Is there any
18 further business at the desk?

19 ACTING PRESIDENT AKSHAR: There is
20 no further business at the desk.

21 SENATOR RITCHIE: Then can we
22 adjourn until Monday, April 23rd, at 12:00 p.m.,
23 intervening days being legislative days.

24 ACTING PRESIDENT AKSHAR: On
25 motion, the Senate stands adjourned until Monday,

1 April 23rd, at 12:00 p.m., intervening days being
2 legislative days.

3 (Whereupon, at 11:41 a.m., the
4 Senate adjourned.)

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