

**NASSAU COUNTY LEGISLATURE
MINEOLA, NEW YORK
EIGHTH MEETING
AUGUST 1, 2016 1:00 P.M.
EIGHTH MEETING OF 2016**

1. Public Notice

Documents:

[RECONVENE 8-1-16 ON 8-15-16.PDF](#)

2. Proposed Ordinances

Documents:

[APPENDIX FOR PROPOSED ORD. 93-16.PDF](#)
[APPENDIX FOR PROPOSED ORD. 94-16.PDF](#)
[APPENDIX FOR PROPOSED ORD. 95-16.PDF](#)
[APPENDIX FOR PROPOSED ORD. 97-16.PDF](#)
[APPENDIX FOR PROPOSED ORD. 98-16.PDF](#)
[APPENDIX FOR PROPOSED ORD. 99-16.PDF](#)
[PROPOSED ORD. 93-16.PDF](#)
[PROPOSED ORD. 94-16.PDF](#)
[PROPOSED ORD. 95-16.PDF](#)
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[PROPOSED ORD. 99-16.PDF](#)
[PROPOSED ORD. 100-16.PDF](#)
[PROPOSED ORD. 101-16.PDF](#)

3. Legislative Calendar

Documents:

[8-1-16.PDF](#)

4. Agenda

Documents:

[R-8-1-16.PDF](#)

5. Meeting Minutes

Documents:

[RULES COMMITTEE, 08-01-16.PDF](#)
[FULL LEGISLATURE COMMITTEE, 08-01-16.PDF](#)



PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE **NASSAU COUNTY LEGISLATURE** WILL HOLD **COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, JULY 25, 2016 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, AUGUST 1, 2016 STARTING AT 1:00 PM** IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1st FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501

FULL LEGISLATIVE SESSION.....1:00 PM

COMMITTEE	TIME
RULES	1:00PM
PUBLIC SAFETY	1:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	1:00PM
TOWNS, VILLAGES AND CITIES	1:00PM
ECONOMIC & COMMUNITY DEVELOPMENT & LABOR	1:00PM
PUBLIC WORKS AND PARKS 1:00PM	1:00PM
HEALTH AND SOCIAL SERVICES	1:00PM
GOVERNMENT SERVICES AND OPERATIONS	1:00PM
MINORITY AFFAIRS	1:00PM
VETERANS AND SENIOR AFFAIRS	1:00PM
FINANCE	1:00PM

**MICHAEL
C.
PULITZER
Clerk of
the
Legislature
Nassau
County,
New York**

**Dated: July 18, 2016
Mineola, NY**

As per the Nassau County Fire Marshall's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins and attendees will be given an opportunity to sign in to address the Legislature for a maximum of three minutes. Public comment is limited to Agenda items. 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>.



PUBLIC NOTICE

PLEASE TAKE NOTICE THAT

THE NASSAU COUNTY LEGISLATURE

WILL RECONVENE

THE MEETING OF AUGUST 1, 2016

ON AUGUST 15, 2016 AT 3:00 PM

IN

**THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER
THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING
1550 FRANKLIN AVENUE, MINEOLA, NEW YORK**

**Michael C. Pulitzer
Clerk of the Legislature
Nassau County, New York**

**DATED: August 8, 2016
Mineola, NY**

As per the Nassau County Fire Marshal's Office, the Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins. 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>.

Main	Project Number	Project	SEQRA	6 NYCRR
General Capital	62455	Traffic Signal Expansion Phase V	TYPE II	617.5(c)(16)

Main	Project Number	Project	SEQRA	6 NYCRR
General Capital	62153	Pavement Markings	TYPE II	617.5(c)(16)

Main	Project Number	Project	SEQRA	6 NYCRR
General Capital	63031	Bridge Painting Program	TYPE II	617.5(c)(2)

APPENDIX A

Bond Ordinance

Main	Project Number	Description	SEQRA	6 NYCRR
General Capital	62017	Traffic Signal Construction & Modification	TYPE II	617.5(c)(1),(16)

APPENDIX "A"

Bond Ordinance

Main	Project Number	Project	SEQRA	6 NYCRR
General Capital	61587	Resurfacing Various County Roads	TYPE II	617.5(c)(4)

APPENDIX A

Bond Ordinance

Main	Project Number	Project	SEQRA	6 NYCRR
General Capital	62500	Traffic Studies	TYPE II	617.5(c)(18)

PROPOSED ORDINANCE NO. 93- 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$2,200,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the “County”), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$2,200,000 which shall be financed with the proceeds from the issuance of \$2,200,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$2,200,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the “LFL”) in order to finance such classes of objects or purposes (hereinafter referred to as the “Purpose”).

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,200,000. The plan of financing includes \$2,200,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$2,200,000 bonds authorized pursuant to this ordinance are to be issued is: twenty (20) for \$2,200,000 thereof, pursuant to subdivisions 92, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 94- 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the “County”), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$1,000,000 which shall be financed with the proceeds from the issuance of \$1,000,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$1,000,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the “LFL”) in order to finance such classes of objects or purposes (hereinafter referred to as the “Purpose”).

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes \$1,000,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$1,000,000 bonds authorized pursuant to this ordinance are to be issued is: ten (10) for \$1,000,000 thereof, pursuant to subdivisions 90, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 95 - 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,509,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the “County”), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$1,509,000 which shall be financed with the proceeds from the issuance of \$1,509,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$1,509,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the “LFL”) in order to finance such classes of objects or purposes (hereinafter referred to as the “Purpose”).

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,509,000. The plan of financing includes \$1,509,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$1,509,000 bonds authorized pursuant to this ordinance are to be issued is: ten (10) for \$1,509,000 thereof, pursuant to subdivisions 90, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 96 - 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$25,250,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the "County"), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$25,250,000 which shall be financed with the proceeds from the issuance of \$25,250,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$25,250,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the "LFL") in order to finance such classes of objects or purposes (hereinafter referred to as the "Purpose").

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$25,250,000. The plan of financing includes \$25,250,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$25,250,000 bonds authorized pursuant to this ordinance are to be issued is: forty (40) for \$25,250,000 thereof, pursuant to subdivisions 102, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 97-2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$5,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the “County”), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$5,000,000 which shall be financed with the proceeds from the issuance of \$5,000,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$5,000,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the “LFL”) in order to finance such classes of objects or purposes (hereinafter referred to as the “Purpose”).

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,000,000. The plan of financing includes \$5,000,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$5,000,000 bonds authorized pursuant to this ordinance are to be issued is: twenty (20) for \$5,000,000 thereof, pursuant to subdivisions 92, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 98 - 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$26,200,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the "County"), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$26,200,000 which shall be financed with the proceeds from the issuance of \$26,200,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$26,200,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the "LFL") in order to finance such classes of objects or purposes (hereinafter referred to as the "Purpose").

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$26,200,000. The plan of financing includes \$26,200,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$26,200,000 bonds authorized pursuant to this ordinance are to be issued is: fifteen (15) for \$26,200,000 thereof, pursuant to subdivisions 91, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 99 - 2016

BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY.

WHEREAS, this bond ordinance is necessary to authorize bonds for the purpose of funding projects contemplated by capital budgets as provided in Section 310 of the County Government Law of Nassau County; and

WHEREAS, all necessary Federal, State, County and local permits, approvals and determinations of environmental impact for the purpose or purposes hereinafter referred to have been obtained or will have been obtained prior to the expenditure of proceeds of obligations to be authorized pursuant to this ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the by the affirmative vote of not less than two-thirds (2/3rd) of the total voting strength of the County Legislature of the County of Nassau, New York, as follows:

Section 1. A capital expenditure for financing the cost of various objects or purposes, as described in the preambles hereto, in the County of Nassau (hereinafter referred to as the "County"), is hereby authorized upon recommendation of the County Executive, the amount of such capital expenditure to be \$1,000,000 which shall be financed with the proceeds from the issuance of \$1,000,000 bonds.

Section 2. The County may issue its bonds in the aggregate principal amount of \$1,000,000 pursuant to the Local Finance Law of New York (hereinafter referred to as the "LFL") in order to finance such classes of objects or purposes (hereinafter referred to as the "Purpose").

Section 3. The County Legislature has determined and hereby states that the estimated aggregate maximum cost of such Purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes \$1,000,000 to be raised by the issuance of bonds authorized by this ordinance, and the levy and collection of taxes on all the taxable real property of the County to pay the principal of said bonds and the interest thereon as the same shall be come due and payable.

Section 4. The County Legislature hereby determines that the periods of probable usefulness (each, a “PPU”) of the Purpose, for which said \$1,000,000 bonds authorized pursuant to this ordinance are to be issued is: five (5) for \$1,000,000 thereof, pursuant to subdivisions 89, of paragraph a. of Section 11.00 of the LFL, each constituting a class of objects or purposes and each constituting the maximum estimated cost of such class of objects or purposes.

Section 5. Subject to the terms and conditions of this ordinance and the LFL, and pursuant to the provisions of the LFL, the powers and duties of the County Legislature relative to authorizing the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the LFL.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other bond issues, and also the ability to issue bonds with substantially

level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County.

Section 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds and notes becoming due and payable in such year.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with as the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This ordinance, which takes effect immediately, shall be published in summary in the official newspaper of said County together with a notice of the Clerk of the

County Legislature in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Section 11. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act (“SEQRA”), 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County that each Project identified on Appendix A attached hereto, if any, and incorporated herein as “Type II”, if any, under the heading “SEQRA” is a “Type II Action” within the meaning of Section 617.5(c) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required. It is further hereby determined pursuant to the provisions of SEQRA, Part 617 of 6 N.Y.C.R.R. and Section 1611 of the County Government Law of Nassau County that each Project identified as “Type I” or “Unlisted” under the heading “SEQRA” on Appendix A attached hereto, if any, and incorporated herein, has been determined not to have a significant effect on the environment. A record of each such determination shall be maintained in a file, readily accessible to the public, at the office of the Clerk of the Legislature.

Section 12. This ordinance, including Appendix A, may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of said Legislature.

PROPOSED ORDINANCE NO. 100 - 2016

AN ORDINANCE AMENDING AN ORDINANCE FOR THE PREVENTION OF FIRES BY ESTABLISHING UNIFORM REGULATIONS FOR THE CONTROL OF FIRE HAZARDS AND FOR THE ENFORCEMENT OF SUCH REGULATIONS

WHEREAS, this Legislature enacted Ordinance No. 28-2016, a new comprehensive fire prevention ordinance in April 2016, and

WHEREAS, the Nassau County Fire Commission has recommended certain minor amendments to the Ordinance in order to make it clearer and easier to use, now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau as follows:

Section 1. Subsections 13.3.1 and 13.3.2 of Ordinance No. 28-2016, entitled “AN ORDINANCE FOR THE PREVENTION OF FIRES BY ESTABLISHING UNIFORM REGULATIONS FOR THE CONTROL OF FIRE HAZARDS AND FOR THE ENFORCEMENT OF SUCH REGULATIONS,” are amended to read as follows:

13.3.1 A safe, continuous and unobstructed path of travel shall be provided for any exit, exit access, exit discharge, exit passageway, or means of egress.

13.3.2 No person shall, at any time, place an encumbrance of any kind before or upon any fire escape, balcony or ladder intended as a means of escape from fire.

§2. Section 22.0 of Ordinance No. 28-2016, entitled “AN ORDINANCE FOR THE PREVENTION OF FIRES BY ESTABLISHING UNIFORM REGULATIONS FOR THE CONTROL OF FIRE HAZARDS AND FOR THE ENFORCEMENT OF SUCH REGULATIONS,” is amended to read as follows:

Section 22.0 Scope and General Provisions

The following fees are established for the issuance of permits, certificates, licenses,

approvals, and other functions performed under this Ordinance. Fees shall be payable to the Nassau County Treasurer. Fees shall accompany each application for such permit, certificate, license, approval or other fees related to provision of this Ordinance.

§3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§4. Severability. If any part or provision of this ordinance or the application thereof to any person, entity or circumstance shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to that part, provision or application of this ordinance directly involved in the controversy for which such judgment was rendered and shall not be deemed to affect or impair the validity of the remainder of this ordinance to the application thereof to other persons, entities or circumstances.

§5. This ordinance shall take effect immediately.

PROPOSED ORDINANCE NO. 101 –2016

An Ordinance supplemental to the annual appropriation ordinance in connection with the Medical Examiner

WHEREAS, Nassau County has received certain revenue; and

WHEREAS, such funds have not been otherwise appropriated; and

WHEREAS, the County Executive, by communication dated June 23, 2016, addressed to the County Legislature, has recommended the appropriation of such funds not otherwise appropriated; and,

WHEREAS, this supplemental appropriation is within the scope of section 307 of the County Government Law; now, therefore,

BE IT ORDAINED by the County Legislature of the County of Nassau, as follows:

Section 1. There is hereby appropriated from monies not otherwise appropriated, the following sums of money to the following accounts:

<u>TOTAL AMOUNT</u> (in dollars)	<u>SOURCE OF FUNDS</u>	<u>APPROPRIATED TO:</u>			
		<u>FUND</u>	<u>DEPT. CODE/Index</u>	<u>OBJ. CODE</u>	<u>AMOUNT</u> (in dollars)
90,000	New York State Division of Criminal Justice Services	GRT	ME	DD	60,000
		GRT	ME	BB	18,000
		GRT	ME	AA	12,000

§ 2. This ordinance may be modified to allow for the correction of any mathematical and/or typographical errors subsequent to any approval and adoption of said ordinance without the necessity for a vote to be taken by the County Legislature or by the members of any Standing Committee of said Legislature if said ordinance is passed by the affirmative vote of a majority of said Legislature.

§ 3. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part

617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation ordinance is a “Type II” Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

§ 4. This ordinance shall take effect immediately.

LEGISLATIVE CALENDAR

NASSAU COUNTY LEGISLATURE
EIGHTH MEETING
EIGHTH MEETING OF 2016

MINEOLA, NEW YORK
AUGUST 1, 2016 1:00 P.M.

THE NASSAU COUNTY LEGISLATURE IS COMMITTED TO MAKING ITS PUBLIC MEETING ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. IF, DUE TO A DISABILITY, YOU NEED AN ACCOMMODATION OR ASSISTANCE TO PARTICIPATE IN THE PUBLIC MEETING OR TO OBTAIN A COPY OF THE TRANSCRIPT OF THE PUBLIC HEARING IN AN ALTERNATIVE FORMAT IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, 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. AS PER THE NASSAU COUNTY FIRE MARSHAL'S OFFICE, THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER HAS A MAXIMUM OCCUPANCY OF 251 PEOPLE AND THE OUTER CHAMBER WHICH WILL STREAM THE MEETING LIVE, HAS A MAXIMUM OCCUPANCY OF 72. PASSES WILL BE DISTRIBUTED ON A FIRST COME FIRST SERVED BASIS BEGINNING ONE HALF HOUR BEFORE MEETING TIME.

EVERY LEGISLATIVE MEETING IS STREAMED LIVE ON
<http://www.nassaucountyny.gov/agencies/Legis/index.html>.

1. **HEARING ON PROPOSED LOCAL LAW NO. -2016**

A LOCAL LAW TO ADD TITLE 83 TO THE MISCELLANEOUS LAWS OF NASSAU COUNTY IN RELATION TO A SUSTAINABLE ENERGY LOAN PROGRAM. 266-16(CE)

2. **HEARING ON PROPOSED LOCAL LAW NO. -2016**

A LOCAL LAW TO AMEND A LOCAL LAW TO PROVIDE RELIEF FROM FEES CHARGED BY THE VARIOUS DEPARTMENTS OF COUNTY GOVERNMENT TO THE VICTIMS OF HURRICANE/SUPER STORM SANDY. 295-16(CE)

3. **VOTE ON PROPOSED LOCAL LAW NO. -2016**

A LOCAL LAW TO ADD TITLE 83 TO THE MISCELLANEOUS LAWS OF NASSAU COUNTY IN RELATION TO A SUSTAINABLE ENERGY LOAN PROGRAM. 266-16(CE)

4. **VOTE ON PROPOSED LOCAL LAW NO. -2016**

A LOCAL LAW TO AMEND A LOCAL LAW TO PROVIDE RELIEF FROM FEES CHARGED BY THE VARIOUS DEPARTMENTS OF COUNTY GOVERNMENT TO THE VICTIMS OF HURRICANE/SUPER STORM SANDY. 295-16(CE)

5. **ORDINANCE NO. 93-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$2,200,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 216-16(PW)

6. **ORDINANCE NO. 94 -2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 218-16(PW)

7. **ORDINANCE NO. 95-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,509,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 219-16(PW)

8. **ORDINANCE NO. 96-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$25,250,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 298-16(PW)

9. **ORDINANCE NO. 97-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$5,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 260-16(PW)

10. **ORDINANCE NO. 98-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$26,200,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 261-16(PW)

11. **ORDINANCE NO. 99-2016**

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$1,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 262-16(PW)

12. **ORDINANCE NO. 100-2016**

AN ORDINANCE AMENDING AN ORDINANCE FOR THE PREVENTION OF FIRES BY ESTABLISHING UNIFORM REGULATIONS FOR THE CONTROL OF FIRE HAZARDS AND FOR THE ENFORCEMENT OF SUCH REGULATIONS. 267-16(FM)

13. **ORDINANCE NO. 101-2016**

AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER. 258-16(OMB)

14. **RESOLUTION NO. 117-2016**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFFS, WILLIAM SUPPLE AND JENNIE SUPPLE, AS SET FORTH IN THE ACTIONS ENTITLED IN THE MATTER OF THE ARBITRATION BETWEEN CIVIL SERVICE EMPLOYEES ASSOCIATION, A.F.S.C.M.E, LOCAL 1000, A.F.L.-C.I.O., BY ITS LOCAL 830 ON BEHALF OF WILLIAM SUPPLE V. COUNTY OF NASSAU AND IN THE MATTER OF THE CLAIM OF WILLIAM SUPPLE AND JENNIE SUPPLE v. THE COUNTY OF NASSAU, THE NASSAU COUNTY POLICE DEPARTMENT, NASSAU COUNTY ATTORNEY'S OFFICE, ET AL, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 263-16(AT)

15. **RESOLUTION NO. 118-2016**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 830, AFL-CIO, AFSCME, AS SET FORTH IN THE ACTION ENTITLED CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 830, AFL-CIO, AFSCME v. COUNTY OF NASSAU, CONSOLIDATED ASSESSMENT GRIEVANCES, CASE NOS.89-11, 90-11, 119-11, 120-11, AND 129-11 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 265-16(AT)

16. **RESOLUTION NO. 119-2016**

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS THAT NASSAU COUNTY HAS AGAINST THE NYCB THEATRE IN WESTBURY WHICH IS MANAGED BY THE WESTBURY MUSIC FAIR LLC, A SUBSIDIARY OF LIVE NATION, CONCERNING THE ENTERTAINMENT SURCHARGE TAX, PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 285-16(AT)

17. **RESOLUTION NO. 120-2016**

A RESOLUTION PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW § 858(15) WITH RESPECT TO THE GARVIES POINT PROJECT IN GLEN COVE, NEW YORK. 268-16(CE)

18. **RESOLUTION NO. 121-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO THE INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF MINEOLA. 264-16(PW)

19. **RESOLUTION NO. 122-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE LONG BEACH PUBLIC LIBRARY TO RENOVATE THE LONG BEACH PUBLIC LIBRARY. 270-16(CE)

20. **RESOLUTION NO. 123-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE BELLMORE FIRE DISTRICT IN RELATION TO OBTAINING NINE AUTOMATED EXTERNAL DEFIBRILLATORS. 286-16(CE)

21. **RESOLUTION NO. 124-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF LONG BEACH IN RELATION TO A PROJECT TO PROCURE A SHALLOW WATER BOAT. 287-16(CE)

22. **RESOLUTION NO. 125-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF LONG BEACH IN RELATION TO A PROJECT TO PROCURE COMPUTER EQUIPMENT FOR THE POLICE DEPARTMENT. 288-16(CE)

23. **RESOLUTION NO. 126-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF NORTH HEMPSTEAD IN RELATION TO A STREET BEAUTIFICATION PROJECT. 289-16(CE)

24. **RESOLUTION NO. 127-2016**

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ON BEHALF OF THE COUNTY OF NASSAU A GRANT OF A PERPETUAL EASEMENT FROM LYNBROOK THEATRE GROUP, LLC FOR PROPERTY SITUATED IN THE VILLAGE OF LYNBROOK, TOWN OF HEMPSTEAD, NASSAU COUNTY, NEW YORK. 294-16(PW)

25. **RESOLUTION NO. 128-2016**

A RESOLUTION TO ACCEPT A GIFT OFFERED BY A DONOR TO THE COUNTY OF NASSAU. 271-16(CE)

26. **RESOLUTION NO. 129-2016**

A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 284-16(OMB)

27.

RESOLUTION NO. 130-2016

A RESOLUTION PROVIDING FOR THE ISSUANCE OF A WARRANT DIRECTING THE TREASURER OF THE COUNTY OF NASSAU TO PAY TO THE SUPERVISORS OF THE SEVERAL TOWNS AND TO THE TREASURERS OF THE SEVERAL VILLAGES AND CITIES WITHIN THE COUNTY OF NASSAU, THE SUMS AS APPORTIONED BY THE NASSAU COUNTY LEGISLATURE BASED ON A REPORT FILED BY THE COUNTY TREASURER AND THE COUNTY CLERK, SHOWING DEPOSITS FROM MORTGAGE TAXES FOR THE QUARTER BEGINNING APRIL 1, 2016 THROUGH JUNE 30, 2016; PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 290-16 (LE)

28.

RESOLUTION NO. 131-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO CORRECT ERRONEOUS ASSESSMENTS AND TAXES IN ACCORDANCE WITH PETITIONS OF THE COUNTY ASSESSOR ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 273-16(AS)

29.

RESOLUTION NO. 132-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT FROM THE REAL PROPERTY TAXATION CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 274-16(AS)

30.

RESOLUTION NO. 133-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF NORTH HEMPSTEAD TO PARTIALLY EXEMPT FROM THE REAL PROPERTY TAXATION CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 275-16(AS)

31.

RESOLUTION NO. 134-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF NORTH HEMPSTEAD TO CORRECT ERRONEOUS ASSESSMENTS AND TAXES IN ACCORDANCE WITH PETITIONS OF THE COUNTY ASSESSOR ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 276-16(AS)

32.

RESOLUTION NO. 135-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO PARTIALLY EXEMPT FROM THE REAL PROPERTY TAXATION CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 277-16(AS)

33.

RESOLUTION NO. 136-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO CORRECT ERRONEOUS ASSESSMENTS AND TAXES IN ACCORDANCE WITH PETITIONS OF THE COUNTY ASSESSOR ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 278-16(AS)

34.

RESOLUTION NO. 137-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO EXEMPT FROM THE REAL PROPERTY TAXATION CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 279-16(AS)

35.

RESOLUTION NO. 138-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO RESTORE TAXES ON CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 280-16(AS)

36.

RESOLUTION NO. 139-2016

A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE CITY OF LONG BEACH TO CORRECT ERRONEOUS ASSESSMENTS AND TAXES IN ACCORDANCE WITH PETITIONS OF THE COUNTY ASSESSOR ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 281-16(AS)

THE FOLLOWING ITEMS MAY BE UNTABLED

37.

ORDINANCE NO. 14-2016

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS SPECIFIED HEREIN WITHIN THE COUNTY OF NASSAU, AUTHORIZING \$74,986,552 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE, AND MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 49-16(PW)

38.

ORDINANCE NO. 15-2016

A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$164,283,342.78 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 50-16(PW)

NOTICE IS HEREBY GIVEN that the Nassau County Executive has executed the following personal service contracts, copies of which are on file with the Office of the Clerk of the Nassau County Legislature. These contracts are listed for informational purposes only.

County of Nassau acting on behalf of Human Services, Office for the Aging and Unlimited Care. RE: Housekeeper Chore/Personal Care. \$.01. ID# CQHS16000041.

County of Nassau acting on behalf of Human Services, Office for the Aging and EAC, Inc. RE: Senior Center Recreation. \$24,720.00. CQHS16000008.

County of Nassau acting on behalf of Human Services, Office for the Aging and Allen Health Care Service. RE: Housekeeper/Homemaker. \$.01. ID# CQHS16000035.

County of Nassau acting on behalf of Human Services, Office for the Aging and Able Healthcare. RE: Housekeeper Chore/Personal Care. \$.01. ID# CQHS16000033.

County of Nassau acting on behalf of Human Services, Office for the Aging and The Salvation Army. RE: Transportation, Supportive Services, Congregation Meals & Caregiver Support. \$348,278.00. ID# CQHS16000029

County of Nassau acting on behalf of Human Services, Office for the Aging and Herricks Union Free School District. RE: Congregate Meals & Caregiver Support, Adult Day Care. \$180,134.00. ID# CQHS16000019.

County of Nassau acting on behalf of Human Services, Office for the Aging and Family and Children's Associates. RE: Congregate Meals. \$211,121.00. ID# CQHS16000012.

County of Nassau acting on behalf of Human Services, Office for the Aging and Catholic Charities of the Diocese of Rockville Centre. RE: Case Management, Ancillary. \$1,002,127.00. ID# CQHS16000003.

County of Nassau acting on behalf of Human Services, Office for the Aging and EAC, Inc.. RE: Title IIIC-2 Home Delivered Meals. \$237,893.00. ID# CQHS16000007.

County of Nassau acting on behalf of Human Services, Office for the Aging and EAC, Inc.. RE: Transportation, Congregate Meals & Health Promotion. \$702,337.00. ID# CQHS16000006.

County of Nassau acting on behalf of Human Services, Office for the Aging and The Life Enrichment Center at Oyster Bay, Inc.. RE: Congregate Meals, Transportation/Supportive Services. \$203,897.00. ID# CQHS16000028.

County of Nassau acting on behalf of Parks, Recreation & Museums and Town of Hempstead Department of Parks and Recreation.
RE: Nickerson Beach Park Lifeguard Staffing. \$300,000.00. ID# CLPK16000002.

County of Nassau acting on behalf of Parks, Recreation & Museums and The North Shore Pops, Inc. RE: Hotel/Motel Tax Grant Fund. \$1,000.00. ID# CQPK16000051.

County of Nassau acting on behalf of Health and VMC Group, Inc.
RE: Administrative Service. \$300,000.00. ID# CLHE15000011.

County of Nassau acting on behalf of Health and Tri-Borough Home Care, Ltd DBA Family Pediatric Home Care. RE: Preschool Special Education. \$.01.
ID# CQHE16000003.

County of Nassau acting on behalf of Health and Vocational Education and Evaluation Board. RE: Public Health Emergency Preparedness. \$2,425.00. ID# CLHE16000004.

County of Nassau acting on behalf of Health and James McGuinness & Associates Inc.
RE: Medicaid Billing Services for Preschool Special Education Program. \$97,500.00.
ID# CLHE16000002.

County of Nassau acting on behalf of Office of Community Development and Rockville Centre Village. RE: CDBG. \$150,000.00. ID# CLHI16000004.

County of Nassau acting on behalf of Office of Community Development and VHB Engineering Surveying and Landscape Architecture, P.C.
RE: Personal Services. \$200,000.00. ID# CLHI16000003.

County of Nassau acting on behalf of Office of Community Development and Valley Stream Village. RE: CDBG. \$293.18. ID# CLHI16000002.

County of Nassau acting on behalf of Human Services, Office of Mental Health, CD & DDS and Family Children's Association. RE: Substance Abuse Treatment/Prevention. \$4,080.00. ID# CLHS16000011.

County of Nassau acting on behalf of Human Services, Office of Mental Health, CD & DDS and H.E.L.P. Services, Inc.. RE: Substance Abuse Treatment/Prevention. \$244,396.00. ID# CLHS16000014.

County of Nassau acting on behalf of Social Services and Little Flower Children & Family Services. RE: Foster Care Services \$.02. ID# CQSS16000008.

County of Nassau acting on behalf of Social Services and Lincoln Hall.
RE: Foster Care Services \$.02. ID# CQSS16000006.

County of Nassau acting on behalf of Social Services and Family & Children's Association. RE: Outreach Van Services of Human Trafficking & Sexual Exploitation (Safe Harbor Project). \$1,000.00. ID# CQSS16000019.

County of Nassau acting on behalf of Social Services and Mattea and Edwards Enrichment Corporation d/b/a The Learning Experience. RE: Day Care Services. \$.01. ID# CQSS16000011.

County of Nassau acting on behalf of Social Services and Rozzie's Day Care, Inc. RE: Day Care Services. \$.01. ID# CLSS16000011.

County of Nassau acting on behalf of Social Services and MercyFirst. RE: Foster Care Services. \$.02. ID# CQSS16000020.

County of Nassau acting on behalf of Social Services and The Safe Center LI, Inc. RE: Behavioral Health/Child Protective Services. \$75,000.00. ID# CLSS16000031.

County of Nassau acting on behalf of Social Services and Long Island Council of Churches. RE: Emergency Food Services. \$60,000.00. ID# CLSS16000006.

County of Nassau acting on behalf of Social Services and NADAP, Inc. RE: Employment Services. \$950,300.00. ID# CLSS16000034.

County of Nassau acting on behalf of Social Services and Island Peer Review Organization (IPRO). RE: Medicaid Fraud Svcs. \$150,000.00. ID# CLSS16000012.

County of Nassau acting on behalf of Office of Community Development and Manorhaven Village. RE: CDBG. \$11,406.64. ID# CLHI16000001.

County of Nassau acting on behalf of Human Services – Office of Youth Services RE: Family & Children's Association, Inc. \$195,000.00. ID# CQHS16000114.

County of Nassau acting on behalf of Human Services Office for the Aging and Aides at Home, Inc. RE: Housekeeper/Homemaker. \$.01. ID# CQHS16000034.

County of Nassau acting on behalf of Social Services and Island Harvest. RE: Food Bank Services. \$24,500.00. ID# CLSS16000004.

THE NASSAU COUNTY LEGISLATURE
WILL CONVENE NEXT
COMMITTEE MEETINGS
MONDAY SEPTEMBER 12, 2016 at 1:00PM
AND
FULL LEGISLATURE MEETING
MONDAY SEPTEMBER 26, 2016 at 1:00PM

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

AUGUST 1, 2016 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Dennis Dunne
Howard Kopel
Kevan Abrahams – Ranking
Judy Jacobs
Carrié Solages

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
A-27-16	PR	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF NASSAU COUNTY POLICE DEPARTMENT MARINE BUREAU AND SAFE BOATS INTERNATIONAL LLC. A-27-16
B-30-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND WELSBACH ELECTRIC CORP. L.I. B-30-16
E-187-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A SPECIAL COUNSEL CONTRACT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY ATTORNEY'S OFFICE, AND CECILIA AMERANTI-BYRNE, ESQ. E-187-16
E-188-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO AN OUTSIDE COUNSEL CONTRACT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY ATTORNEY'S OFFICE, AND RIVKIN RADLER, LLP. E-188-16
E-189-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND DEBRUIN ENGINEERING, P.C. E-189-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-190-16	EM	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY OFFICE OF EMERGENCY MANAGEMENT AND NASSAU COUNTY VOCATIONAL EDUCATION AND EXTENSION BOARD. E-190-16
U-69-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND LEFTFIELD PRODUCTIONS, INC.. U-69-16
			THE FOLLOWING ITEMS MAY BE UNTABLED
A-4-16	PR	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO REQUEST OVERSIGHT OF A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF VARIOUS NASSAU COUNTY DEPARTMENTS AND HVAC INC. A-4-16
B-4-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND R.J. INDUSTRIES, INC. B-4-16
E-51-16	TS	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF TRAFFIC SAFETY BOARD AND DANIELLE P. RELLA. E-51-16
E-56-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AFFIRMING TO AN AMENDMENT TO A SPECIAL COUNSEL CONTRACT ENTERED INTO BY THE NASSAU COUNTY ATTORNEY AND WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP. E-56-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-66-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AFFIRMING TO AN AMENDMENT TO A SPECIAL COUNSEL CONTRACT ENTERED INTO BY THE NASSAU COUNTY ATTORNEY AND LEVENTHAL, MULLANEY & BLINKOFF LLP. E-66-16
E-156-16	PR	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF THE COUNTY EXECUTIVE AND AUCTIONS INTERNATIONAL, INC. E-156-16
E-161-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND LOOKS GREAT SERVICES, INC. E-161-16
E-182-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS, AND D & B ENGINEERS AND ARCHITECTS, P.C. E-182-16
U-16-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF THE NASSAU COUNTY ATTORNEY, AND JACKSON LEWIS P.C. U-16-16
U-64-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY ATTORNEY'S OFFICE, AND RIVKIN RADLER, LLP. U-64-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
U-66-16	CO	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF THE COUNTY COMPTROLLER, AND R. R. HEALTH STRATEGIES, LLC. U-66-16

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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, August 1, 2016
6:47 P.M

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

NORMA GONSALVES, (Substituted by
Chairwoman C. William Gaylor, III)

RICHARD NICOLELLO,
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS,
Ranking

JUDY JACOBS (Substituted by Delia
DeRiggi-Whitton)

CARRIE SOLAGES

MICHAEL C. PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

LIEUTENANT GREG STEPHANOFF.....	5
LIEUTENANT GREGG MAGNIFICO.....	8
MICHAEL SCHLERNOFF.....	9
KENNETH ARNOLD.....	11
CONAL DENION.....	14
GERALD PODLESACK.....	21
TOM DELANEY.....	26
MICHAEL OLNEY.....	35

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: I'd ask
3 the clerk to please call the roll for the
4 Rules Committee. Legislator Gaylor will be
5 substituting for Legislator Gonsalves.

6 CLERK PULITZER: Thank you. The
7 roll call for the Rules Committee is as
8 follows, Legislator Carrie Solages?

9 LEGISLATOR SOLAGES: Here.

10 CLERK PULITZER: Legislator
11 Judith Jacobs is absent. Legislator Delia
12 DeRiggi-Whitton?

13 LEGISLATOR DERIGGI-WHITTON:
14 Here.

15 CLERK PULITZER: Ranking Member
16 Kevan Abrahams?

17 LEGISLATOR ABRAHAMS: Here.

18 CLERK PULITZER: Alternate Deputy
19 Presiding Officer Howard Kopel?

20 LEGISLATOR KOPEL: Here.

21 CLERK PULITZER: Legislator
22 Dennis Dunne?

23 LEGISLATOR DUNNE: Here.

24 CLERK PULITZER: Vice Chairman
25 Richard Nicolello?

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Here.

3 CLERK PULITZER: Substituting for
4 Chairwoman Norma Gonsalves is Mr. Gaylor?

5 LEGISLATOR GAYLOR: Here.

6 VICE-CHAIRMAN NICOLELLO: Thank
7 you. Clerk Item A-27 of 2016, a resolution
8 authorizing the Director of Nassau County
9 Office of Purchasing to award and execute a
10 contract between the County of Nassau acting
11 on behalf of the Nassau County Police
12 Department, Marine Bureau, and Safe Boats
13 International.

14 Motion, please.

15 LEGISLATOR KOPEL: So moved.

16 LEGISLATOR DUNNE: Second.

17 VICE-CHAIRMAN NICOLELLO: Moved
18 by Legislator Kopel, seconded by Legislator
19 Dunne.

20 LIEUTENANT STEPHANOFF: Good
21 afternoon. Lieutenant Greg Stephanoff.
22 Item A-27 is to award a purchase order
23 between Safe Boats International and the
24 Nassau County Police Department. The total
25 cost is \$768,186.48. The funding is 75

1 Rules Committee/8-1-16
2 percent from a port security grant and 25
3 percent capital CRP funds. Pricing is from
4 a GAC contract. These boats will be
5 equipped with radiation detection equipment
6 in order to provide improved chemical,
7 biological, radiological, nuclear and
8 explosive detection capabilities within the
9 New York port area of responsibility.

10 The NCPD is recognized as
11 providing layered security within the
12 eastern sector of the port security of
13 New York and contains several critical
14 infrastructure, key resource locations,
15 including a portion of JFK, on the South
16 Shore, and the Throgs Neck Bridge on the
17 North Shore.

18 There's also several regulated
19 facilities located on both north and south
20 shore waterways of Nassau County's area of
21 responsibilities which are actively
22 patrolled. I gave a hand out of the areas
23 that are patrolled, not to discuss them in
24 open forum.

25 This purchase will integrate

1 Rules Committee/8-1-16

2 other equipment purchased. The video
3 dowing system for the helicopters as
4 demonstrated in last year's budget hearing,
5 land base detection equipment, mobile
6 detection equipment, and portable hand held
7 detection equipment.

8 Safe Boats is a sole source
9 manufacturer of foam stabilized watercraft
10 in North America. Working on the set of
11 exclusive patents and licenses, only Safe
12 Boat International utilizes a full sized
13 foam collar system for floatation and
14 stability and rendering. Safe's collar
15 system is more durable than air collar
16 system which is susceptible to deflation and
17 catastrophic failure due to temperature
18 fluctuations, live fire from bullets or
19 direct impact.

20 With Safe's collar system,
21 there's no deflation of the collar in any
22 circumstance because it's 100 percent foam.
23 If unforeseen circumstances like gunfire or
24 a collision, Safe's design and engineer
25 features insures the survivability of the

1 Rules Committee/8-1-16

2 crew and enable them to continue to perform
3 their jobs in the event of a catastrophic
4 hole breach.

5 The Safe Boats can be trailered
6 to locations making them easy to deploy to
7 different situations.

8 VICE-CHAIRMAN NICOLELLO: I have
9 a question. The choice of Safe Boats
10 International, was that done by a committee,
11 or a process that selected this particular
12 vendor?

13 LIEUTENANT MAGNIFICO: Hi. My
14 name is Gregg Magnifico, I'm a Lieutenant
15 with the Marine Bureau. I've been there for
16 18 years.

17 We have previous use of Safe
18 Boats. We've had them since 2006. We have
19 the 27 foot safe boats since then and
20 they've performed flawlessly.

21 So that's why we'd like to stick
22 with them.

23 VICE-CHAIRMAN NICOLELLO: So that
24 was the recommendation of the marine bureau?

25 MR. MAGNIFICO: Yes, previous

1 Rules Committee/8-1-16
2 experience, past experience in the last ten
3 years.

4 VICE-CHAIRMAN NICOLELLO: Any
5 other questions? Legislator Solages.

6 LEGISLATOR SOLAGES: Thank you.
7 Good afternoon. You say sole source, is
8 that verbatim from the vendor or did you
9 independently --

10 LIEUTENANT STEPHANOFF: They hold
11 patents on the technology for -- if you take
12 live fire or a collision, it won't sink --
13 when you get a hole breach, other boats will
14 sink. These boats will stay afloat, not
15 forever, but they will stay afloat enabling
16 you to finish your job or get rescued.

17 LEGISLATOR SOLAGES: What did you
18 do independently to verify the factual
19 representations that this is a sole source
20 provider?

21 MR. SCHLERNOFF: Mike Schlernoff,
22 director of purchasing. They specified the
23 specific type of boat, manufactured by this
24 company which hold patents.

25 My understanding because I

1 Rules Committee/8-1-16

2 contacted the County Attorney about this is,
3 as long as they have patent protection, we
4 can't go out and get the boat from anybody
5 else.

6 LEGISLATOR SOLAGES: Thank you
7 very much. And Lieutenant, just again,
8 thank you for your hard work.

9 VICE-CHAIRMAN NICOLELLO: Any
10 other questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item carries unanimously.

20 Item B30 of 2016, a resolution
21 authorizing the County Executive to award
22 and execute a contract between the County of
23 Nassau acting on behalf of the Nassau County
24 Department of Public Works and Welsbach
25 Electric Corp.

1 Rules Committee/8-1-16

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR GAYLOR: Second.

4 VICE-CHAIRMAN NICOLELLO: Moved
5 by Legislator Dunne, seconded by Legislator
6 Gaylor.

7 MR. ARNOLD: Ken Arnold, Public
8 Works. Item B30 is a construction contract
9 for the reconstruction of traffic signals on
10 Old County Road, Phase 2. Phase 2 is the
11 East side of Old County Road. This is a
12 state funded contract at 80 percent.

13 VICE-CHAIRMAN NICOLELLO: This is
14 funded?

15 MR. ARNOLD: Yes, it is.

16 VICE-CHAIRMAN NICOLELLO:
17 Obviously we had traffic signal bonding
18 items go down before. Is this from previous
19 funding, previous authorization?

20 MR. ARNOLD: This is from a bond
21 ordinance that was done previously.

22 VICE-CHAIRMAN NICOLELLO: Okay.

23 LEGISLATOR ABRAHAMS: Mr. Arnold,
24 so there is the money?

25 MR. ARNOLD: There is a specific

1 Rules Committee/8-1-16

2 capital project for this work and it is
3 funded.

4 LEGISLATOR ABRAHAMS: So the bond
5 authorization that's before us today, when
6 would that work begin, simultaneously?

7 Maybe I'm confusing the two, but
8 there was a bond authorization earlier for
9 traffic signal maintenance.

10 MR. ARNOLD: That was a separate
11 capital project for a separate project.
12 They are not interchangeable.

13 LEGISLATOR ABRAHAMS: This one is
14 specifically for Old Country Road between
15 Wantagh Parkway?

16 LEGISLATOR ABRAHAMS: And the one
17 we did earlier was --

18 MR. ARNOLD: That was for Phase 5
19 for Middle Neck and Lakeville Road.

20 LEGISLATOR ABRAHAMS: Gotcha. Is
21 there any left over money like this one
22 here?

23 MR. ARNOLD: No. We looked at
24 the capital projects that were borrowed by
25 purpose and there's no funding available at

1 Rules Committee/8-1-16

2 this time.

3 LEGISLATOR ABRAHAMS: Thank you,
4 Mr. Arnold.

5 VICE-CHAIRMAN NICOLELLO: Do we
6 have any further questions on this item?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 All those in favor signify by
11 saying aye.

12 (Aye.)

13 Those opposed?

14 (Nay.)

15 Abstentions?

16 (No verbal response.)

17 Passes four to three.

18 E-187 of 2016 is a resolution to
19 authorize the County Executive to execute an
20 amendment to a special counsel contract
21 between the County of Nassau acting on
22 behalf of the Nassau County Attorney's
23 Office and Cecelia Ameranti-Byrne.

24 LEGISLATOR GAYLOR: So moved.

25 LEGISLATOR KOPEL: Second.

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Moved
3 by Legislator Gaylor, seconded by Legislator
4 Kopel,

5 MR. DENION: Conal Denion, County
6 Attorney's Office. This is an amendment to
7 an outside counsel contract consisting of
8 the drafting research and counseling
9 assisting the County Attorney's Office in
10 the implementation of legislation, New York
11 State or federal legislation as requested by
12 the office, including by not limited to the
13 disputed assessment fund.

14 This amendment adds an option to
15 renew for one year and adds \$30,000 to the
16 amount of the contract.

17 VICE-CHAIRMAN NICOLELLO: Any
18 questions? Legislator DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON: Do
20 you know how many hours this attorney worked
21 on?

22 MR. DENION: I do not have that
23 information, no.

24 LEGISLATOR DERIGGI-WHITTON:
25 Because I know part of this item is

1 Rules Committee/8-1-16

2 requesting a \$49,000 allowance and, from
3 what I understand, the rate would be \$175 an
4 hour.

5 MR. DENION: The question is?
6 I'm sorry.

7 LEGISLATOR DERIGGI-WHITTON: So
8 did she actually work like 285 hours on
9 this?

10 MR. DENION: I don't have that
11 information.

12 LEGISLATOR DERIGGI-WHITTON: How
13 do we approve --

14 MR. DENION: I'm assuming the
15 decision has been made she was approaching
16 the original cap of 24,900 and then the
17 budget for going forward for the rest of the
18 year and the option year would be another
19 \$30,000.

20 LEGISLATOR DERIGGI-WHITTON: Can
21 we get a copy of her billing hours for this?

22 MR. DENION: I can take that
23 request back. I don't what the state of
24 that is.

25 LEGISLATOR DERIGGI-WHITTON: To

1 Rules Committee/8-1-16

2 justify this amount. It's a lot more than
3 what the original amount was.

4 MR. DENION: I know there's been
5 a lot of work done with implementing the
6 disputed assessment fund which is a critical
7 initiative which is going live for the
8 upcoming tax year, so I think a lot of hours
9 have been put in for that. I assume that
10 accounts for the bulk of the work so far

11 LEGISLATOR DERIGGI-WHITTON: If
12 you could get us her billable hours I think
13 it would just help to show us what is
14 happening because this is almost two months
15 of work here.

16 MR. DENION: Okay. We will get
17 you the information.

18 LEGISLATOR DERIGGI-WHITTON:
19 Thanks very much.

20 LEGISLATOR ABRAHAMS: Thanks,
21 Rich. Conal, this contract, was this
22 approved by NIFA at any point?

23 MR. DENION: It was under \$25,000
24 before. So this one I believe with the
25 combined will go to NIFA.

1 Rules Committee/8-1-16

2 LEGISLATOR ABRAHAMS: I thought,
3 if I remember this correctly, now if I'm
4 looking at the two amounts, because it was
5 under \$25,000, and the amount so far is
6 54-9?

7 MR. DENION: So that's with this
8 amendment so it will go to NIFA with the
9 amendment I believe.

10 LEGISLATOR ABRAHAMS: I don't
11 maybe how they see but it was my
12 understanding that NIFA would not approve
13 payment for anything more than \$50,000 worth
14 of legal fees that are accrued prior to NIFA
15 approving the outside counsel contract.

16 MR. DENION: That's correct. I
17 agree. We haven't gone over. We haven't
18 paid the 50 as far as I know.

19 LEGISLATOR ABRAHAMS: We haven't
20 paid the 50?

21 MR. DENION: I don't believe so.

22 LEGISLATOR ABRAHAMS: How much
23 have we paid then?

24 MR. DENION: I don't have that
25 information.

1 Rules Committee/8-1-16

2 LEGISLATOR ABRAHAMS: We should
3 kind of have that idea before we approve it
4 or have it before us. Because we paid out
5 something because this contract started
6 January 1, 2016.

7 MR. DENION: Correct. And the
8 extension brings it to over the \$50,000
9 limit which will now go to NIFA and is the
10 cap as well.

11 LEGISLATOR ABRAHAMS: So did it
12 go over the 50 or not?

13 MR. DENION: I don't know. It
14 will. I don't believe it has, but I can't
15 verify that right now.

16 LEGISLATOR GAYLOR: Just for
17 clarification, the original contract was for
18 \$24,900.

19 MR. DENION: Correct.

20 LEGISLATOR GAYLOR: And this is a
21 request for \$30,000 additional dollar?

22 MR. DENION: Correct.

23 LEGISLATOR GAYLOR: So if this
24 was to be approved, then you would be
25 forwarding it to NIFA for their approval

1 Rules Committee/8-1-16

2 because it exceeds the \$50,000 --

3 MR. DENION: That's right.

4 LEGISLATOR GAYLOR: But we
5 haven't paid up to the \$24,900 on the
6 original contract?

7 MR. DENION: No. We wouldn't
8 have paid anything beyond that. Couldn't
9 have done that.

10 LEGISLATOR GAYLOR: Thank you.

11 VICE-CHAIRMAN NICOLELLO: Any
12 other questions?

13 LEGISLATOR ABRAHAMS: Conal, so
14 based on the response to Legislator Gaylor,
15 then that begs the question in regards to
16 the County Attorney's Office which requires
17 outside counsel provide County Attorney's
18 Office with at least 45 days prior written
19 notice of the date on which the counsel
20 anticipates reaching the \$50,000 cap. Did
21 you see that notice?

22 MR. DENION: I don't know whether
23 we received it or not.

24 LEGISLATOR ABRAHAMS: So I would
25 beg that we table this.

1 Rules Committee/8-1-16

2 VICE-CHAIRMAN NICOLELLO: Before
3 you make that motion, I think what he said
4 in response to Legislator Gaylor's question
5 was that he thinks they're approaching the
6 \$24,500 or 900 figure.

7 MR. DENION: Correct.

8 VICE-CHAIRMAN NICOLELLO: He
9 thinks they are approaching the original
10 authorization which why they they're coming
11 to us for an additional \$30,000. So why
12 would they need to notify 90 days? He's not
13 close to the \$50,000 now, or she's not.
14 Only at 24,000 at most.

15 Any public comment?

16 (No verbal response.)

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 Those opposed?

21 (Nay.)

22 The item passes four to three.

23 Item E-188 of 2016 is a
24 resolution authorizing the County Executive
25 to execute and amendment to an outside

1 Rules Committee/8-1-16
2 counsel contract between the County of
3 Nassau acting on behalf of the Nassau County
4 Attorney's Office and Rifkin Radler, LLP.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR KOPEL: Second.

7 VICE-CHAIRMAN NICOLELLO: Moved
8 by Legislator Dunne, seconded by Legislator
9 Kopel.

10 MR. PODLESAK: Mr. Chairman, can
11 we table the matter?

12 VICE-CHAIRMAN NICOLELLO: Yes.
13 Motion to table.

14 LEGISLATOR GAYLOR: So moved.

15 LEGISLATOR DUNNE: Second.

16 VICE-CHAIRMAN NICOLELLO: Move to
17 table by Legislator Gaylor, seconded by
18 Legislator Dunne. All those in favor of
19 tabling signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 The item is tabled.

24 Item E-189 of 2016 is a
25 resolution authorizing the County Executive

1 Rules Committee/8-1-16
2 to execute a personal services agreement
3 between the County of Nassau acting on
4 behalf of the Nassau County Department of
5 Public Works and DeBruin Engineering.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR GAYLOR: Second.

8 VICE-CHAIRMAN NICOLELLO: Moved
9 by Legislator Dunne, seconded by Legislator
10 Gaylor.

11 MR. ARNOLD: E-189 is a
12 professional services contract for
13 construction management for the
14 reconstruction of the Sage Lake Pump
15 Station. This is work is done under our
16 FEMA funding.

17 VICE-CHAIRMAN NICOLELLO: Do we
18 have any questions? Legislator
19 DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON: So
21 the FEMA funding, is that pertaining to
22 Super Storm Sandy?

23 MR. ARNOLD: Yes. This is the
24 money, we received the \$840 million. This
25 work is under that program.

1 Rules Committee/8-1-16

2 LEGISLATOR DERIGGI-WHITTON: The
3 Glen Cove pump stations, is that also under
4 the FEMA funding?

5 MR. ARNOLD: No, it is not

6 LEGISLATOR DERIGGI-WHITTON: Do
7 you know why?

8 MR. ARNOLD: There was no damage
9 occurred at those pump stations for that
10 work. There was other pump stations damaged
11 for Sandy, they were done initially. Dock
12 Street, and I can't think of the other one
13 off the top of my head, but this other work
14 that we're doing up in Glen Cove is not
15 Sandy related.

16 LEGISLATOR DERIGGI-WHITTON:
17 You're sure that that damage, there was
18 sewage spillage and all, that wasn't caused
19 by Sandy for sure?

20 MR. ARNOLD: That is correct.

21 LEGISLATOR DERIGGI-WHITTON: How
22 do we know that?

23 MR. ARNOLD: The engineers
24 assessed all the pump stations after the
25 storm and work plans were put together based

1 Rules Committee/8-1-16

2 on damage from the storm.

3 LEGISLATOR DERIGGI-WHITTON: So
4 there was no damage. That's interesting
5 that there would be no damage at all to the
6 pump stations in Glen Cove, but there are in
7 other areas.

8 MR. ARNOLD: There were two pump
9 stations in Glen Cove that were damaged,
10 they reconstructed the first work that we
11 did, actually those two pump stations were
12 actually washed away.

13 LEGISLATOR DERIGGI-WHITTON: I
14 think I know which one you're talking about.

15 MR. ARNOLD: And Dock Street.
16 And the remainder of the pump stations,
17 there was no damage to the work that we're
18 doing under this 3P, 312 bond ordinance
19 request is not Sandy related.

20 LEGISLATOR DERIGGI-WHITTON: I
21 don't know. I hope you're right. It seems
22 like we really got hit with that during that
23 time. I know it damaged some.

24 MR. ARNOLD: The department has a
25 very big program. A lot of experts. We

1 Rules Committee/8-1-16

2 looked at everything.

3 LEGISLATOR DERIGGI-WHITTON: All
4 right.

5 LEGISLATOR GAYLOR: Now, this
6 entire amount, \$1,237,600 will be reimbursed
7 from FEMA funds; is that correct?

8 MR. ARNOLD: That is correct.

9 VICE-CHAIRMAN NICOLELLO: Any
10 other questions?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (Nay.)

19 Passes four to three.

20 Item 190 of 2016 is a resolution
21 authorizing the County Executive to execute
22 an amendment to a personal services
23 agreement between the County of Nassau
24 acting on behalf of the Nassau County Office
25 of Emergency Management and Nassau County

1 Rules Committee/8-1-16

2 Vocational Education and Extension Board.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR GAYLOR: Second.

5 VICE-CHAIRMAN NICOLELLO: Moved
6 by Legislator Dunne, seconded by Legislator
7 Gaylor. The item is before the committee.

8 MR. DELANEY: Hi. Tom Delaney,
9 Nassau County OEM. This is a \$350,000
10 amendment funded with Homeland Security
11 Grant Funds to provide training to our first
12 responders.

13 Training is what we call NIMS
14 compliant, National Incident Management
15 System which are FEMA training classes,
16 actually Department of Homeland Security
17 authorized training classes.

18 This will help our first
19 responders in the event of a disaster
20 whether Natural or Manmade Terrorism event
21 to be able to perform their duties.

22 LEGISLATOR SOLAGES: Thank you.
23 Is this a sole source contract?

24 MR. DELANEY: VEEB is considered
25 by many accounts to be a sole source vendor,

1 Rules Committee/8-1-16

2 that is correct.

3 VICE-CHAIRMAN NICOLELLO: Thank
4 you, Mr. Delaney. Do we have any further
5 questions on this item?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 All those in favor signify by
10 saying aye.

11 (Aye.)

12 Those opposed?

13 (No verbal response.)

14 Carries unanimously.

15 LEGISLATOR DUNNE: Just one
16 thing, Mr. Delaney. Thank you for offering
17 the legislators lunch before. It was a long
18 day and you provided lunch for us. Most
19 people didn't take advantage of it but I
20 did, thank you.

21 VICE-CHAIRMAN NICOLELLO: Clerk
22 Item U69 of 2016 is a resolution authorizing
23 the County Executive to execute a personal
24 services agreement between the County of
25 Nassau acting on behalf of the Department of

1 Rules Committee/8-1-16
2 Parks, Recreation, and Museums and Left
3 Field Productions, Inc.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR KOPEL: Second.

6 VICE-CHAIRMAN NICOLELLO: Moved
7 by Legislator Dunne, seconded by Legislator
8 Kopel.

9 MR. PODLESAK: Eileen had a
10 family emergency and she asked me to present
11 it. It's a sole source contract for Neil
12 Burg's 100 years of Broadway to present it
13 at the Lakeside Theatre in Eisenhower Park
14 on August 27 of 2016.

15 It's a specialized, unique
16 service. It involves skills that cannot be
17 evaluated through a competitive bid process
18 and it will be for a musical performance of
19 two hours on that date.

20 VICE-CHAIRMAN NICOLELLO: Any
21 questions?

22 LEGISLATOR KOPEL: One question
23 here. This contract term is almost
24 finished. It started back in March 1st.
25 Why is this coming --

1 Rules Committee/8-1-16

2 MR. PODLESAK: I don't know why
3 it's coming to you now but this is for a
4 single performance that is occurring.

5 LEGISLATOR KOPEL: I understand
6 that. But are we now obligated even if we
7 don't vote, I mean, it's already done? It's
8 already done.

9 MR. PODLESAK: It's a single
10 performance on August 27th.

11 LEGISLATOR KOPEL: I understand,
12 but a lot of the work has already been done;
13 is that right?

14 MR. PODLESAK: No. It's a single
15 performance on August 27th of two hours.

16 LEGISLATOR KOPEL: So what is the
17 term of the contract?

18 MR. PODLESAK: It's irrelevant in
19 the sense that this is a single performance
20 that's going to occur on one day by this
21 contractor.

22 LEGISLATOR KOPEL: So you don't
23 know what the reason is for a term run from
24 March through the end of August?

25 MR. PODLESAK: I could not tell

1 Rules Committee/8-1-16

2 you why. It was probably the date that it
3 was brought in. But this is for a single
4 performance that occurs in the future.

5 LEGISLATOR DUNNE: March through
6 August is when they do the shows. And this
7 is one of the shows that's done on August
8 27th and it's 100 years of Broadway. So
9 it's going to be really a great thing.

10 LEGISLATOR KOPEL: I'm not
11 questioning whether or not it's going to be
12 a great thing. I really don't like the --
13 I'm questioning the value. I'm questioning
14 the way it's being done. I don't like that.
15 I've said it many times.

16 But I guess you're saying if we
17 wanted we could pull the plug on it, as a
18 theoretical question?

19 MR. PODLESACK: I hope it's a
20 theoretical question.

21 LEGISLATOR KOPEL: The question
22 is important to me in terms of --

23 MR. PODLESACK: I would hesitate
24 to advise the Legislature in this regard.
25 It's still in the future so, of course, as

1 Rules Committee/8-1-16

2 from a theoretical standpoint, you could of
3 course pull the plug.

4 LEGISLATOR DUNNE: It says it was
5 approved July 18, 2016. So it's fairly new.
6 It might have been added on.

7 LEGISLATOR KOPEL: So what you're
8 saying this might have been just a mistake?
9 We can't do anything about this right now,
10 but would you pass on that they've got to be
11 more accurate in what they're writing over
12 here?

13 I've said it before and already
14 started actually on a few occasions to vote
15 against things when performances have
16 already been done. It sounds like the
17 performance has not been done in this case,
18 and, therefore, we could vote no and
19 theoretically kill it, which is going to
20 allow me to vote yes this time, but it's not
21 going to continue with many of these deals.

22 VICE-CHAIRMAN NICOLELLO: So we
23 need some direction in these contract terms
24 and how they relate to -- the term of the
25 contract as it relates to a performance like

1 Rules Committee/8-1-16

2 this, why would they do that?

3 MR. PODLESACK: I will discuss the
4 point with the attorney in the office who
5 handles these matters for the Parks
6 Department.

7 LEGISLATOR KOPEL: Thank you.

8 VICE-CHAIRMAN NICOLELLO: Do we
9 have any further discussion on this item?

10 (No verbal response.)

11 Is there any public comment?

12 (No verbal response.)

13 All those in favor signify by
14 saying aye.

15 (Aye.)

16 Those opposed?

17 (Nay.)

18 Passes four to three.

19 We have two items that are going
20 to be untabled; Item 156 of 2016, it's a
21 resolution authorizing the County Executive
22 to execute an amendment to a personal
23 services agreement between the County of
24 Nassau acting on behalf of the Office of
25 Executive Auctions International, Inc.

1 Rules Committee/8-1-16

2 Motion to untable.

3 LEGISLATOR KOPEL: So moved.

4 LEGISLATOR GAYLOR: Second.

5 VICE-CHAIRMAN NICOLELLO: Moved
6 by Legislator Kopel, seconded by Legislator
7 Gaylor. All those in favor of untabling
8 signify by saying aye.

9 (Aye.)

10 Those opposed?

11 (No verbal response.)

12 Matter is before the committee.

13 Mr. Schlernoff.

14 MR. SCHLERNOFF: This is a
15 renewal of an approved contract that we have
16 Auctions International to auction off
17 surplus real property of the county.

18 The original contract was
19 approved by the Legislature and now the
20 rules require that we come back to you every
21 year to get a renewal of the original
22 contract.

23 VICE-CHAIRMAN NICOLELLO: How
24 long did this contract --

25 MR. SCHLERNOFF: I believe it's

1 Rules Committee/8-1-16

2 five years, as I recall.

3 VICE-CHAIRMAN NICOLELLO: Are
4 there were any plans to rebid this?

5 MR. SCHLERNOFF: We don't bid it.
6 What they do is, we a contract with them
7 which has been in place I guess since 2006.
8 They auction off all the surplus items for
9 the county. Last year we got over \$300,000;
10 the year before that over \$400,000.

11 VICE-CHAIRMAN NICOLELLO: Any
12 other questions?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Passes four to three.

22 Last one is U66, the last item on
23 the calendar, a resolution authorizing the
24 County Executive to execute an amendment to
25 a personal services agreement between the

1 Rules Committee/8-1-16

2 County of Nassau acting on behalf of the
3 Office of the County Comptroller and RR
4 Health Strategies, LLC.

5 Motion to untable.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR KOPEL: Second.

8 VICE-CHAIRMAN NICOLELLO:

9 Untabled by Legislator Dunne, seconded by
10 Legislator Kopel. All in favor of untabling
11 signify by saying aye.

12 (Aye.)

13 Those opposed?

14 (No verbal response.)

15 The matter is before the
16 committee. So, can you tell us what this
17 is?

18 MR. OLNEY: Yes. Michael Olney
19 from the County Comptroller's Office.

20 This is an amendment to a
21 contract for the third party administrator
22 for the County Smart Savings Program for
23 families and households that would otherwise
24 need multiple health insurance policies.

25 This vendor has been in place

1 Rules Committee/8-1-16

2 since the original contract in 2009. It was
3 twice amended. The current amendment would
4 take it through the end of September of this
5 year and the amount of the contract is
6 \$12,000.

7 The contract states that the
8 price for the review of each claim is set at
9 the original 2009 rate of \$600 so the total
10 cost of the contract will be a function of
11 how many claims are submitted during the
12 contract period.

13 VICE-CHAIRMAN NICOLELLO: My
14 notes indicate that the comptroller issued
15 it RFP, did not receive any responses and
16 then extended the deadline, is that it?

17 MR. OLNEY: That was in 2009. I
18 was not here in 2009 but that's my
19 understanding. The deadline was extended
20 and this was the only respondent at that
21 time.

22 VICE-CHAIRMAN NICOLELLO: Any
23 thought to going out for another RFP on this
24 item?

25 MR. OLNEY: Yes. There's been

1 Rules Committee/8-1-16
2 discussion in the office. We just have
3 people who submitted claims and we need to
4 have a contract in place to be able to pay
5 those claims and then the plan is to, after
6 this period, we will put this out to RFP
7 again and hopefully engender multiple
8 responses.

9 VICE-CHAIRMAN NICOLELLO: And the
10 contract procurement process here is handled
11 internally in the Comptroller's Office?

12 MR. OLNEY: I'm not sure I
13 understand your question.

14 VICE-CHAIRMAN NICOLELLO: Well,
15 it's not done through the County Executive's
16 Office or anything like that.

17 MR. OLNEY: Yes, we'll be doing
18 the procurement.

19 VICE-CHAIRMAN NICOLELLO: Okay.
20 Do we have any further questions on this
21 item?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 All those in favor signify by

1 Rules Committee/8-1-16
2 saying aye.
3 (Aye.)
4 Those opposed?
5 (Nay.)
6 The item passes four to three.
7 Motion to adjourn.
8 LEGISLATOR DUNNE: So moved.
9 LEGISLATOR KOPEL: Second.
10 VICE-CHAIRMAN NICOLELLO: Moved
11 by Legislator Dunne, seconded by Legislator
12 Kopel. All those in favor of adjourning
13 signify by saying aye.
14 (Aye.)
15 Those opposed?
16 (No verbal response.)
17 Committee is adjourned.
18 (Whereupon, the Rules Committee
19 adjourned at 7:16 p.m.)
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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of August, 2016.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday, August 1, 2016
1:10 P.M.

1

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

3 NORMA GONSALVES, Presiding Officer

4 RICHARD NICOLELLO,
5 Deputy Presiding Officer6 HOWARD KOPEL,
7 Alternate Deputy Presiding Officer

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 JUDITH JACOBS (Not Present)

21 JAMES KENNEDY

22 DELIA DERIGGI-WHITTON

23 CARRIE SOLAGES

24 SIELA BYNOE

25 MICHAEL PULITZER,
 Clerk of the Legislature

1

2

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2 CHAIRWOMAN GONSALVES: Will all
3 the legislators take their seats? At this
4 time I will ask Dennis Dunne to please lead
5 us in the Pledge of Allegiance.

6 (Whereupon, the Pledge of
7 Allegiance was recited.)

8 CHAIRWOMAN GONSALVES: Thank you,
9 Legislator Dunne.

10 As is customary at each
11 legislative meeting that we have a top cop,
12 and this month is no exception, and I'm
13 going to call upon the president of the PBA,
14 is he here? Is there anyone who wants to
15 introduce the top cop for the August 1st
16 meeting?

17 We have the vice president of the
18 PBA, Mr. Patterson, and of course the Acting
19 Commissioner Tom Krumpter and we are going
20 to introduce the top cop and then going to
21 of course take a picture.

22 MR. PATTERSON: Thank you,
23 Presiding Officer and legislators. First
24 before we go into the presentation of top
25 cops, I would like to thank each and every

1 Full Legislature/8-1-16
2 one of you for participating in our recent
3 fund-raiser for the cops in Dallas and Baton
4 Rouge. It turned out to be a great success
5 not only for the financial support for the
6 families going through this tragedy, but I
7 think the police officers and the people
8 that we protect all got together and really
9 supported cops and that goes a long way.

10 Everybody knows what's going on
11 in this day and age. Everybody reads the
12 paper. We need support now more than ever.
13 We are there to help you.

14 We enjoy the full support from
15 each and every one of you legislators up
16 there. We see it. We know it. No matter
17 what difference we may or may not have, we
18 just want to thank each and every one of you
19 for that.

20 That brings me to the top cop you
21 are honoring today, Police Officer Nick
22 Falitti. He is one of our officers out
23 there protecting and serving Nassau County
24 risking his life every day.

25 However, he proves that we're not

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2 just police officers, we're also human
3 beings, members of the community.

4 This police officer responded to
5 a welfare check for a resident need up in
6 the Locust Valley area and upon arrival does
7 his interview, and realizes that technically
8 this individual doesn't really need police
9 assistance. He needs assistance from
10 different social services, possibly anywhere
11 else but the police department.

12 But the human side of him kicks
13 in and says, I'm not just a police officer.
14 He feels for this guy. He knows what he's
15 going through. He realizes he needs food.
16 This officer goes out on his own with his
17 own money and buys food and beverages for
18 the gentleman to assist him.

19 He never says anything to
20 anybody, to his commanding officer. The
21 police department actually doesn't even know
22 this happened. Apparently the individual
23 wrote a thank you letter and the department
24 rightfully so recognized him.

25 I appreciate you recognizing each

1 Full Legislature/8-1-16
2 and every month. I appreciate you
3 recognizing them each and every month and
4 for what they do and risking their lives,
5 but this is just as important for us as well
6 as for the community. Thank you. I will
7 turn it over to the Commissioner of Police.

8 ACTING COMMISSIONER KRUMPTER:
9 This is a great example of the great work
10 that's done each and every day by Nassau
11 County police officers. In this case,
12 Police Officer Falitti wasn't looking for
13 any recognition. This only came to the
14 attention of the department because the
15 gentleman actually called the precinct to
16 thank Police Officer Falitti.

17 Think about that, he goes out and
18 does a great thing. So the police officer
19 is doing the right thing each and every day
20 and, not for recognition, not for anything
21 else other than he's doing the right thing
22 and he is out there protecting the public,
23 putting his life on the line each and every
24 day. But in this particular case it was
25 right around Easter, I believe it was the

1 Full Legislature/8-1-16
2 Friday before Easter, so at a very holy time
3 of the year, he actually went out and did
4 the right thing by a gentleman that did not
5 have any food in his refrigerator, did not
6 have any money, did not have anything, and
7 took the money out of his own pocket and
8 made his life a little better and brightened
9 his life.

10 Police Officer Falitti, thank you
11 for all you do for the Nassau County Police
12 Department.

13 I just want to take one more
14 moment, at a time in this country when
15 political pundits have gotten to a level of
16 rhetoric that has actually created
17 situations that, working as a police officer
18 has become more hostile than at any time in
19 my entire career, and probably in the
20 history of police work, I'm very grateful
21 for all that this Legislature does as a body
22 to support the men and women of the police
23 department.

24 You are there each and every day
25 supporting our men and women as is

1 Full Legislature/8-1-16
2 demonstrated here. I want to thank you on a
3 personal level for that. I want to thank
4 you for recognizing the officers' great
5 work.

6 We are very grateful for the men
7 and women that serve in the Nassau County
8 Police Department and the great job they do
9 each and every day.

10 So I would like to give all of
11 you a round of applause for all that you do.

12 With that, Police Officer
13 Falitti, would you like to say a few words?

14 CHAIRWOMAN GONSALVES: I want to
15 know, what precinct is it?

16 POLICE OFFICER FALITTI: Second
17 Precinct.

18 CHAIRWOMAN GONSALVES: That's
19 good.

20 POLICE OFFICER FALITTI: I would
21 like to just thank everyone taking the time
22 to give me this recognition. This is
23 something we do all the time without
24 thinking. We serve our community and we try
25 to do the best we can. So, then again, I

1 Full Legislature/8-1-16

2 would like to thank everyone.

3 CHAIRWOMAN GONSALVES: Officer
4 Falitti, we all thank you.

5 ACTING COMMISSIONER KRUMPTER:
6 Legislator Gonsalves, where would you like
7 us to do the photo? Okay. That's where
8 we're going to go.

9 CHAIRWOMAN GONSALVES: I need to
10 let you know that we have a citation signed
11 by each and every one of the legislators
12 here recognizing your good deed. And I know
13 the police department for a long, long time.
14 I know that many, if not most, have the
15 biggest hearts going here in Nassau County.
16 So I thank you Officer Falitti.

17 And Easter time is a time when we
18 all try to do our best, but sometimes we
19 lose sight of those who really truly need
20 our help.

21 So, again, I thank you from the
22 bottom of my heart. I'm sure that each and
23 every one of my fellow legislators thank you
24 as well.

25 So, without any further ado, we

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2 have a citation for you and would you please
3 join us up here because, even though I
4 probably would like to get up there, I'm
5 sorry, Howard, but I think it will be a lot
6 easier for all concerned. Let me tell you
7 something, some us will remain seated. I
8 can stand.

9 As is also customary with each
10 legislative calendar, we have points of
11 personal privilege and today we have I
12 believe two or three.

13 I'm going to begin with the point
14 of personal privilege submitted by
15 Legislator Delia DeRiggi-Whitton, and it's
16 recognizing Kevin Greenstein from Port
17 Washington. Here we go, Legislator
18 DeRiggi-Whitton. Let's go with it, get to
19 the mike.

20 LEGISLATOR DERIGGI-WHITTON: I'm
21 here. Thank you very much, Norma Gonsalves,
22 Presiding Officer.

23 I just wanted to take a moment to
24 introduce a very special young man who has
25 taken a lot of time to make this a better

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2 county for every voter. I'm very lucky to
3 have his dad and I would like start by
4 having his father explain in detail a bit in
5 how Kevin has done that.

6 MR. GREENSTEIN: Thank you.
7 Kevin, unlike a lot of his age group, is
8 very interested in public affairs and has
9 always voted in every municipal election,
10 water district election and school board
11 elections. He loved the lever machines
12 because he can go and he could read what I
13 wanted and he could click it.

14 When the scanning machines came
15 out, he was not able to fill in the bubble
16 and, for the most part, the ballot marking
17 devices were not useable and they would keep
18 telling him, oh, just have your father vote
19 for you, which he did not think it was an
20 appropriate way to vote.

21 So he started lobbying to get
22 extended use of the lever machines, and met
23 with the speaker, people in the assembly and
24 met with the people in the state senate and
25 got three years additional lever machines

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2 for the nonpartisan elections and, in that
3 time they were able to secure some funding
4 so it's not going to cost the county a
5 fortune bringing the other machines in.

6 LEGISLATOR DERIGGI-WHITTON:

7 Kevin, he can say something.

8 KEVIN GREENSTEIN: Thank you for
9 honoring my efforts for voting. My goal has
10 been to allow people with disabilities
11 access to voting. I want to thank the
12 former speaker of the assembly, my
13 assemblywoman, and state senator. I also
14 want to thank everyone in supporting my
15 efforts and tell everyone to vote on
16 November 8th.

17 CHAIRWOMAN GONSALVES: Kevin, we
18 thank you. Legislator DeRiggi-Whitton,
19 don't you want to present.

20 LEGISLATOR DERIGGI-WHITTON: Yes,
21 going to take a picture. Thank you so much.
22 This family is amazing. They have done
23 incredible work with Autism Speaks and
24 everything else, and it's not only Kevin but
25 it's his incredible parents that really

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2 deserve a real round of applause.

3 CHAIRWOMAN GONSALVES: Let me say
4 something. Their efforts are very necessary
5 and I'm glad they were successful in
6 achieving success. Thank you, Kevin.

7 Again, thank you, Kevin. You
8 know what? There are a lot of people that
9 could use those old voting machines. I bet
10 there are a lot of senior citizens who would
11 probably welcome them as well. Thank you
12 for your efforts and I'm certainly happy
13 that you were successful.

14 The next point of personal
15 privilege was submitted by Minority Leader
16 Kevan Abrahams and I'm going to allow
17 Minority Leader Abrahams to introduce these
18 beautiful people who have really worked hard
19 in accomplishing their goals.

20 Another point of personal
21 privilege is Legislator Dennis Dunne and,
22 with that, Dennis.

23 LEGISLATOR DUNNE: Do we have
24 anyone from OEM, Office of Emergency
25 Management? They dropped off and took off.

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2 I had asked at our last meeting
3 if OEM, Office of Emergency Management would
4 drop off samples of the food they would be
5 giving at the shelters to replace the C-rats
6 when I used to eat in the Marine Corp.,
7 canned goods from WWII, and the MRIs in a
8 plastic bag. They were disgusting. And
9 people had to eat this stuff. Not under
10 duress. They were under duress. They
11 weren't being fired on. But that is a new
12 thing coming out.

13 Our Office of Emergency
14 Management really had the foresight to
15 investigate this and really get these new
16 food servings, it's called Chefs Five Minute
17 Meals. They brought some down for us. They
18 were going to heat them up and pass them
19 around and taste. We're not going let them
20 off the hook. They're not here now but next
21 meeting I'm going to have them heat these
22 up.

23 They have different flavors, beef
24 stew, something that you can buy in the
25 store. They have beef stroganoff with

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2 noodles, they have cheese ravioli, and
3 vegetarian chili, they are different, and
4 they have many, many more also.

5 But what we are going to do is,
6 have some forks, have them heated up. It
7 takes five minutes to heat these up, bing
8 bang bing, and any legislator who wants to
9 taste it, they have forks, they'll be able
10 to taste it. It's really good. I did try
11 it. So did Legislator Walker at the OEM
12 conference at the Milleridge Inn recently.
13 No competition for the Milleridge Inn.
14 Their food is a little bit better than this.

15 If you're hurting and you need a
16 meal, this is really really good. So we are
17 going to have them back and they're going to
18 heat them up to show you how quick and easy
19 it is just to show our due diligence that we
20 are going to taste what we are going to be
21 expecting the people to have if another
22 Sandy comes and hits us and people have to
23 go to shelters in their local communities.

24 So that's what is going to be
25 happening. I thought they might still be

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2 here and I might be able to test. That's my
3 presentation. Thank you.

4 CHAIRWOMAN GONSALVES: We will
5 have that tasting at the next meeting. They
6 need to be here because if they're going to
7 be serving this kind of food, they should be
8 here to do it.

9 LEGISLATOR DUNNE: Shows how
10 quick and simple it is. Thank you so much,
11 Madam Chair.

12 CHAIRWOMAN GONSALVES: Absolutely.
13 The next points of personal privilege, we
14 will come back for your point of personal
15 privilege, and hopefully maybe they will be
16 back before we finish with our public
17 comment.

18 At this point I will turn the
19 meeting over to the Deputy Presiding Officer
20 Richard Nicoletto.

21 VICE-CHAIRMAN NICOLELLO: We have
22 our 30 minutes of public comment. I notice
23 that a number of the speakers are speaking
24 on items that are on the calendar. So we're
25 going to give you the option, either speak

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2 now or wait until the item is called with
3 the calendar.

4 First up is Brian Sullivan,
5 president of Nassau COBA.

6 MR. SULLIVAN: Good afternoon,
7 ladies and gentlemen.

8 I appreciate you giving me a
9 couple of seconds here to speak. First, I
10 would like to offer another round of
11 applause for the top cops that were here
12 earlier. We are law enforcement. We
13 support our law enforcement.

14 Pardon my granny glasses. I'm
15 also up here because of a few things. I was
16 up here last time a few weeks ago, I spoke
17 to you about problems we had with the
18 arrangement court system and about the
19 criminal justice system in Nassau County
20 letting people go that we have a major
21 problem with that. I seemed to start a
22 pretty interesting conversation here last
23 time and I will be following up on that a
24 lot more as time goes by starting after what
25 I'm about to talk about quick.

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2 Since then, when I was here last
3 time, I have been dealing with a myriad of
4 problems at the correctional facility.
5 Centered around security issues, or lack
6 thereof, including security breaches that
7 are going on at the jail that definitely
8 affect the safety and security of the
9 facility.

10 My board and I have met with the
11 sheriff on many many occasions at labor
12 management meetings, had several
13 conversations; official, unofficial,
14 whatever you want to call them, to try to
15 rectify a lot of these problems going on.

16 We have a lot of handshake
17 agreements regarding many issues, trying to
18 obtain the necessary tools to do the job,
19 metal detection equipment, regular
20 equipment, vehicles, everything else, as
21 well as problems with conducting searches in
22 the facility for contraband, all of which I
23 can't seem to get the sheriff to ever
24 implement.

25 We had a lot of conversations

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2 about all this stuff but it seems like it's
3 all just conversation, there's nothing but
4 conversations.

5 Over the past few weeks, I had to
6 file several charges in PERB, the Public
7 Employee Relations Board, as well as
8 individual class action grievances against
9 the county and the sheriff for failing to
10 address these issues that we're constantly
11 bringing up over and over again.

12 The jail is in terrible shape
13 both security wise, morale wise for my
14 people. Now we seem to be incorporating
15 this national trend, statewide trend of this
16 hug-a-thug policy, where we're taking away
17 segregation of inmates that cause major
18 disturbances, that are causing fights and
19 are generally disruptive. We have new
20 orders out about, you hear all the stuff
21 happening in New York City, obviously there
22 is no abuses or anything alleged, you're
23 taking tools away of inmates that can
24 seriously cause damage in the jail. We're
25 going to keep them out. That's one of the

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2 policies unfortunately that I have to deal
3 with.

4 That being said, with the myriad
5 of things I'm dealing with, and I seem to be
6 talking to myself about it, tomorrow I'm
7 going to be holding a rally outside the
8 gates of the correctional facility.
9 Tomorrow morning. To bring attention to
10 these issues and to show support for my
11 workforce that seems to be under a constant
12 barrage of neglect and abuse from an
13 administration that just doesn't seem to
14 care what's going on inside that facility.

15 I come here today because I want
16 to cordially invite each one of you, if
17 you're able, I know that a lot of you have
18 regular day jobs, not that this isn't a
19 regular day job, there's lawyers and
20 everything else. I cordially invite you to
21 attend this rally in support of our county
22 correction officers who come to work every
23 day, day after day, week after week, under
24 extremely trying conditions. We are also
25 law enforcement officers. We have a trend

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2 out there that we need to support our law
3 enforcement officers, we need to, like Pete
4 Patterson spoke before very eloquently about
5 the sentiment that's going on in the world,
6 there is a lot of sentiment, we support our
7 police, everybody should support our police.
8 A lot of times people forget that we need to
9 support other aspects of law enforcement.

10 My correction officers are sworn
11 peace officers in the State of New York.
12 They are sworn to protect the peace. Sworn
13 to protect everybody in this county. We're
14 not shown an iota of respect. It seems to
15 be across the board in all of correction
16 departments because I'm hoping to have
17 support of other counties that are going to
18 be there tomorrow. We all seem to be under
19 the same umbrella.

20 My ultimate goal is to turn this
21 place around. I want to enhance the
22 security at the jail. Stop the nonsense
23 that seems to permeate our profession all
24 while the rest of the civilized world
25 revolves around law enforcement.

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2 So I'm not going to sit here like
3 Kruschev and bang my foot on the podium
4 today. That's maybe next meeting. But I
5 want to invite you all to come down to
6 support us, show our correction officers
7 that you support us, if you can; if you
8 can't, I understand there is obligations,
9 it's last minute notice for you guys, but I
10 wanted to get out here in public, get you
11 all in one room and hopefully you'll come
12 down.

13 I'm going to be mustering my guys
14 together about 10 o'clock. I plan on
15 kicking it off at 11 o'clock at the front
16 gate of the correctional facility. Parking
17 is down the block. They may let you guys
18 park on the property, they're not letting my
19 guys park on the property, we have to find
20 alternate things, but I'm sure you guys will
21 get taken care of. Love to have you down
22 there.

23 Lot of issues we've got to deal
24 with and we just seem to be banging our
25 heads against the wall and, quite frankly,

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2 tired of it.

3 VICE-CHAIRMAN NICOLELLO:

4 Legislator Ford.

5 LEGISLATOR FORD: Brian, thank
6 you for coming down here and addressing this
7 and letting us know about the situation over
8 at the jail.

9 As you know, this is a big
10 concern. I mean, we do focus on police that
11 patrol our streets but I know that you guys
12 and women have equally dangerous jobs
13 because you are confined with a lot of
14 people that are committing crimes.

15 MR. SULLIVAN: Where do they go?
16 Where do they end up?

17 LEGISLATOR FORD: Yes. I know
18 there are a lot of problems and the dangers
19 that you face on a daily basis.

20 Unfortunately, I don't know, I'm
21 going to try to make your rally tomorrow.
22 But, please, I will be in touch with you and
23 keep me informed because I do want to show
24 my support and maybe through showing support
25 we finally get some focus on the working

1 Full Legislature/8-1-16
2 conditions there and start making some
3 changes so that you don't have to come back
4 and bang your shoe on the desk like
5 Kruschev. Okay?

6 MR. SULLIVAN: Thank you very
7 much, Legislator Ford.

8 VICE-CHAIRMAN NICOLELLO:
9 Legislator Solages.

10 LEGISLATOR SOLAGES: Thank you,
11 Legislator Nicolello. Good afternoon, Mr.
12 Sullivan, how are you doing?

13 MR. SULLIVAN: Good, sir.

14 LEGISLATOR SOLAGES: I also would
15 like to underscore the statements you made
16 before. Police officers have a
17 fundamentally dangerous job. Every stop and
18 search of a vehicle of a person is by far
19 one of the most dangerous experiences that
20 anyone can engage in, but also your
21 correctional officers putting themselves in
22 just as much danger in checking in on
23 inmates at the local jail. So, again, I
24 recognize the difficulty that you face and
25 support you wholeheartedly.

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2 You mentioned before that there
3 were a number of handshake agreements or
4 statements that have gone nowhere. That has
5 also been my experience with this
6 administration.

7 I suggest that you please
8 memorialize some of these conversations that
9 you have had with the sheriff and create a
10 paper trail. Because I'm also interested in
11 these issues.

12 MR. SULLIVAN: Way ahead of you.

13 LEGISLATOR SOLAGES: I would like
14 to see a paper trail of some of these
15 important issues and also would like to push
16 them because, again, I understand the
17 difficulty that you're facing and we as a
18 caucus would like to support you.

19 MR. SULLIVAN: Thank you very
20 much.

21 VICE-CHAIRMAN NICOLELLO: Anyone
22 else? Thank you very much, Brian.

23 MR. SULLIVAN: Thank you for your
24 time. Hope to see you tomorrow.

25 VICE-CHAIRMAN NICOLELLO: Mayor

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2 Bruce Kennedy. I'm not sure if you want to
3 speak now or wait until the item is called.
4 It's up to you.

5 MAYOR KENNEDY: Can I get two
6 shots at this? Because I have another item.
7 I have two items that I listed on there.

8 I just wanted to bring up the
9 issue that I last discussed at my
10 appearance.

11 First thank you for the
12 opportunity to address the Legislature. I
13 was here last month regarding trying to seek
14 a resolution to the issue as it relates to
15 the Sea Cliff Avenue Sewer Project.

16 One question that I asked last
17 month was, I'm aware that there is a 40 year
18 capital plan of which \$198 million is slated
19 for sewer projects throughout the county.
20 Of that \$198 million 196 is encumbered.
21 Which means \$2 million is not encumbered.

22 I asked the Legislature if it was
23 possible to break that \$2 million away,
24 being that money wouldn't have to be bonded
25 for and put it towards this project. I'm

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2 just wondering if there was any progress on
3 that solution?

4 Secondarily, this project is very
5 important to the village. It's important to
6 all of Hempstead Harbor. So I was trying to
7 figure out another way of getting this done
8 where both sides of the aisle can work
9 together and the last -- when I did phase
10 one of this project, the county was provided
11 financial assistance and we did it through
12 an IMA, so there was no procurement by the
13 county.

14 I know the biggest issue right
15 now between the two sides is the procurement
16 process. So, if in fact this \$4 million
17 that was approved in the county capital plan
18 could be granted through an intermunicipal
19 agreement, it would require no procurement.

20 The village has already done all
21 the engineering studies, our bid documents
22 are virtually ready to be done and we would
23 do all the bidding and award the bid
24 ourselves.

25 So if the Legislature could see

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2 fit to do this through an IMA and separate
3 it from any other projects like it was last
4 month, we could get a project that everybody
5 agrees needs to be done, especially
6 Presiding Officer Norma Gonsalves, who sent
7 out a letter to all the residents of the
8 Village of Sea Cliff saying that this
9 project was of the utmost importance
10 economically to the environment and that it
11 needs to be done right away. So I'm
12 providing two different potential solutions.

13 I thank you for your time. I
14 hope we can get moving on this and I would
15 like to also reserve any other time for the
16 other matter.

17 VICE-CHAIRMAN NICOLELLO: Yes.
18 Once the Garvies Point is called, we can
19 call you back up. But we will ask the
20 administration to follow up on both. I
21 think with respect to an IMA though you
22 would still have to borrow the money, so
23 that presumably would still be the sticking
24 point.

25 MAYOR KENNEDY: And I spoke with

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2 both sides, and I think if it went to a vote
3 that it would be approved.

4 VICE-CHAIRMAN NICOLELLO: Okay.

5 We will explore that. We are willing to
6 explore any possible solutions.

7 MAYOR KENNEDY: Thank you.

8 VICE-CHAIRMAN NICOLELLO: Again,
9 with respect to the Glen Cove items, you can
10 speak now or wait until the item is called.
11 Pasquale Cervajio. You will wait. Okay.
12 Thank you. Glenn Howard.

13 MR. HOWARD: Mr. Chairman,
14 members of the Legislature. I'm used to
15 speaking in Glen Cove. My name is Glenn
16 Howard Junior. I reside at 18 South Field
17 Road in Glen Cove and have since 1971 when
18 my family moved here and I started work at
19 Pall Corporation.

20 I'm retired. I served on the
21 planning board in Glen Cove for three years,
22 I've served as a member of the board of
23 directors for the Chamber of Commerce for 27
24 years, and I stepped down from that, and
25 they desperately needed a treasurer so I

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2 stepped into that position for a few years
3 and I'm leaving that as soon as this other
4 guy is trained.

5 I'm on the Charter Commission and
6 I'm also a long time Rotarian since about
7 1972, most of that in Glen Cove.

8 This proposition, 210-216, is a
9 win-win situation for everyone. There is no
10 such thing as a win-lose. You lose-lose or
11 you win-win. It's a very good
12 recommendation from the city.

13 I followed this project for years
14 and I am very glad to see it finally moving
15 forward. We finally got to a point that
16 land that is empty and not taxed and valued
17 somewhere by the county between 1.5 and \$2
18 million is doing nothing for anyone. The
19 city, the county, or anyone else, the school
20 system.

21 Right now you have before you a
22 recommendation that reapportions things a
23 little but it is a fair proposition. It
24 benefits every one. It basically meets the
25 rotary four way test, is it true, fair, will

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2 it build good will? Yes, it will. Will it
3 be beneficial to all? Absolutely.

4 I encourage you to work with the
5 city on this so that this project can move
6 forward and put this property back on the
7 tax map because once it does the county
8 starts getting paid as well as everybody
9 else, where now nothing happens and you put
10 money into it to maintain it. Thank you
11 very much.

12 VICE-CHAIRMAN NICOLELLO: Thank
13 you. James Liao.

14 MR. LIAO: Good afternoon, ladies
15 and gentlemen. Thank you very much for
16 allowing me to speak with you. My name is
17 Jim Liao. I am the portfolio advisor for
18 the Energy Improvement Corporation. It is
19 the local development corp that runs the
20 Pace Energy Financing Program in New York
21 State.

22 As of today, there are over 30
23 other municipalities in New York State that
24 are participating members, and they are
25 taking advantage of the energy financing

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2 programs that we offer.

3 I know that this Legislature has
4 looked at this program in some depth up to
5 today, and today hopefully there will be a
6 public hearing and a vote on this matter.

7 I want to say that we at the
8 Energy Improvement Corporation and the other
9 municipal members look forward to Nassau
10 County joining the EIC and beginning taking
11 advantage of the energy financing programs
12 that we can offer. Thank you.

13 VICE-CHAIRMAN NICOLELLO: Thank
14 you. There will be a public hearing on that
15 item following the public comment period.

16 Patrick Keating.

17 MR. KEATING: Good afternoon to
18 the Chamber. Thank you for hearing me
19 speak.

20 The topic of discussion for me is
21 a little bit shocking called widow makers.
22 After Hurricane Sandy, there is topic that
23 is happening on the South Shore of Long
24 Island that I was made aware of after I
25 started going into looking into the

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2 situation.

3 In Baldwin Harbor where I reside,
4 I took a walk around one square mile of the
5 Harbor. I have statistics here today that I
6 can provide that shows over 80 trees that
7 are curbside that are completely dead that
8 are over 40 feet tall.

9 A widow maker is a tree that
10 doesn't present itself as a death sentence.
11 It just stands there until it's ready to
12 drop.

13 Now, what happened to me as
14 Legislator Curran encouraged me to come up
15 here and talk, I sent her a picture of a
16 tree that fell in front of me as I was
17 driving down Milburn Avenue. That could
18 have went through my windshield. We are now
19 almost on the cusp of four years of
20 Hurricane Sandy.

21 I have been trying, talking to
22 different legislators, the town, the county,
23 and at every level to find somebody who
24 wants to take accountability for this issue.

25 What I get back is, well, there

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2 is a \$25 permit for Nassau County that you
3 can fill out and you cut down the tree as a
4 homeowner because it's curbside and there's
5 a \$200 replacement cost to that homeowner,
6 and the real reason for the permit is,
7 somebody can come in to inspect later to see
8 if the sidewalk has been destroyed so they
9 can charge the homeowner more.

10 Well, in my statistics I found
11 that in the days of the 60s, Sycamore trees
12 were the selected tree. That that was the
13 one that everybody put in on the curbside.
14 Sycamore trees are the highest case of death
15 rate on the South Shore.

16 Now, where I first started with
17 just my little town in Baldwin Harbor and my
18 little section of one square mile, I was
19 encouraged to expand that greatly to the
20 entire island.

21 That is big issue of which I'm
22 going to provide my professional management
23 services as not only a public accountant and
24 auditor, but very well known in my community
25 to do whatever it takes to get anybody to

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2 take the accountability of this and make
3 this an epidemic proportion issue because
4 anybody traveling at any time coming up in
5 this September, as you know, we are now in
6 hurricane season, will become worse and
7 worse.

8 I talked to people like at
9 Atlantic Nursery who are horticulturists
10 that say that the average rate of death of
11 that tree that is between two and three
12 years. And we have trees that won't show
13 themselves 100 percent dead until five years
14 from now. This is going to continue to get
15 worse and worse, and if nobody does anything
16 about it, it's going to fall on all of you.

17 So you might want to look around
18 in your own neighborhood and add to this
19 list. If you would like to talk to me
20 afterwards or if you would like a copy, I
21 have only six that I brought prepared,
22 because I didn't think there was going to be
23 an entire panel. But that's all I have to
24 say.

25 LEGISLATOR FORD: Good afternoon,

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2 sir. Are the trees on county roads or town
3 roads, or village roads?

4 MR. HOWARD: Well, that becomes
5 the first question that I hear. It's all
6 Nassau County. It could be a village, could
7 be a town, could be the Town of Hempstead,
8 the Town of Oyster Bay. It's all Nassau
9 County.

10 So, what I'm talking about
11 specifically, and my statistics are what sit
12 between the street curb and the sidewalk.
13 That's the only portion I walked around and
14 wrote the addresses down for every house
15 that has at least one or two trees that are
16 in that segment that are dead.

17 LEGISLATOR FORD: You know what
18 it is, it's all the different levels of
19 government who has roads that they are on.
20 I live in the City of Long Beach. So I know
21 that even though it's in Nassau County, the
22 city went through FEMA and tested all the
23 trees and took down quite a number of them.

24 So what I'm saying is, if we
25 could find out where basically if any of

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2 these are on county roads, then we would
3 most assuredly go after DPW, but if we also
4 know on the town roads, if we had the
5 addresses, and I know for me, Legislator
6 Curran would be the same way, to write if
7 it's the Town of Hempstead, like they could
8 send their people out to check the trees. I
9 mean, they should be checked.

10 MR. HOWARD: I provided the
11 street addresses for just the ones that I
12 know of and I appreciate that, but I think
13 this also should be expanded beyond what I
14 was just providing and, really, I can't
15 stress it enough to say thank you, but this
16 is just bigger than just, let's select
17 where. This is the entire Long Island at
18 this point.

19 LEGISLATOR FORD: Well, we have
20 been removing a lot of trees. That's what
21 I'm saying, down in my area.

22 MR. HOWARD: Some townships that
23 I spoke to were kind of like, well, it's up
24 to the homeowner. No, no it's not. It's up
25 to just somebody -- at least having the

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2 county do at least one thing for me. Can we
3 put out some kind of public notice of
4 awareness of some sort to say, hey, you
5 might have death awaiting right there in
6 front of you. I don't think people realize
7 it. So that's where I was at.

8 LEGISLATOR FORD: I thank you
9 very much for bringing this to our
10 attention.

11 LEGISLATOR RHOADS: Deputy
12 Presiding Officer, if I can just chime in
13 also. Obviously I know that you're looking
14 at this in the context of Hurricane Sandy,
15 but it's the same as the case throughout the
16 county. If you have a list of trees that
17 need to be inspected and replaced, my
18 suggestion would be to send the list to us.
19 I know the ones in my area, we'll take a
20 look at it.

21 If there are trees that the
22 county has jurisdiction over, if they're
23 responsible for it, we'll send our DPW over
24 to take a look at it. If there are trees
25 that the town has jurisdiction over, we'll

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2 send it over to the towns so they can take a
3 look at it, but the important thing is the
4 information is shared with us.

5 So I appreciate the fact that you
6 put together that comprehensive list. If
7 you send it to our offices, I can assure
8 they will be addressed.

9 MR. HOWARD: Thanks. Something
10 should be done. That's great reactively,
11 just to add one more thing. Reactively
12 that's great, that once I send something in,
13 I'm entertaining all of you with the fact
14 that you should be proactive and something
15 else should be done, not just say, let's see
16 who sends us in this information.

17 Please, do something in your
18 communities, especially on the South Shore
19 of Long Island. South Shore is really hit
20 hard. So that's all I have to say.

21 LEGISLATOR RHOADS: I can tell
22 you that we have probably written countless
23 letters about -- I know in my district we
24 have written countless letters about trees
25 in our area. We've had DPW out to inspect.

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2 The eyes and ears can't be everywhere, so if
3 you have other information, we certainly
4 appreciate it. Thank you.

5 MR. HOWARD: No problem. Thanks.
6 And don't forget about the abandoned houses.
7 That's going to be a tough one.

8 LEGISLATOR RHOADS: Believe me,
9 we haven't.

10 VICE-CHAIRMAN NICOLELLO: It's
11 become clear to me that there's no way we
12 can get through this entire stack of public
13 comment in the half hour allotted.

14 So if you can wait for your item,
15 I would ask you to please do so. If you are
16 pressed for time and you have to leave, then
17 of course you can come up.

18 Brian D'Resta, Garvies Point? He
19 left. Okay. Call him again later. Ronnie
20 Mandler, can you wait till we call? Okay.
21 JP Clejan? Okay. Sara Oral? Thank you.
22 Timothy Norton? Patricia Tracy, Garvies
23 Point? Jack McCloy.

24 MR. MCCLOY: Good afternoon
25 members of the Legislature. Thank you for

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2 allowing me to address you today. Jack
3 McCloy from Baldwin. I will make it quick.
4 You heard me passionately ask for your
5 ability to understand what is happening in
6 my community.

7 The Baldwin Grand Avenue road
8 diet project is one that hundreds of our
9 neighbors don't want to occur. Grand Avenue
10 has been reconstructed about two years ago.
11 It does not need to be ripped up and
12 reconstructed again.

13 I heard people address you today
14 at many other of your sessions since
15 Thanksgiving. Heard Mayor Kennedy mention
16 that there is a project in his area that he
17 could use a couple of million dollars for
18 the benefit of his community. I'm saying
19 that the six or \$7 million that's slated to
20 rip up Grand Avenue, two lanes in each
21 direction right now to reconstruct it to one
22 lane in each direction is a dangerous
23 thought. It's a wasteful expenditure.
24 There are much better ways to spend this
25 money.

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2 I've tried to convince my own
3 legislator that it's not the best way to go.
4 I hope the members of her party will try to
5 convince her that when there are so many
6 more important ways to spend 6 to \$7
7 million, this is not one of them.

8 I ask the members of the majority
9 of the Legislature to block this expenditure
10 because it's totally wasteful, and I think I
11 mentioned the specifics enough over the last
12 few sessions that I don't need to go over
13 them again.

14 But it's dangerous, wasteful,
15 community members don't want it, and there
16 are so many other needy situations to direct
17 these funds to that it shouldn't be for
18 reconstructing Grand Avenue in Baldwin.
19 Thank you.

20 VICE-CHAIRMAN NICOLELLO: Thank
21 you, Mr. McCloy. Legislator Curran.

22 LEGISLATOR CURRAN: First of all,
23 thank you for coming as you do every month.
24 I appreciate that you come even though, as I
25 said before, I profoundly disagree with you

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2 about this project. I think it's a great
3 project for safety and economic development
4 in our hamlet.

5 But I love that you come and this
6 is democracy in action. This is what we are
7 here for. I appreciate that you come and I
8 know that Patrick Keating, another
9 constituent had to leave, and I see Meta
10 Mereday is here and I just have to say that
11 I'm very proud of my constituents because
12 they come regularly, I think more than
13 others. So, thank you.

14 MR. MCCLOY: I appreciate the
15 kind words but I would also appreciate your
16 reconsideration of this in light of the fact
17 that there are really needy ways to spend
18 this money as opposed to aggravating a lot
19 of neighbors that feel that this is not only
20 wasteful spending but it's actually
21 degrading the existing roadway. But we
22 agree to disagree.

23 VICE-CHAIRMAN NICOLELLO: Neal
24 Lewis? Thank you. Zefy Christopoulos,
25 wait. Dr. Gordon Berg? Amy Marion? David

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2 Berg?

3 MR. BERG: Thank you for letting
4 me share my opinion with you. I'm a
5 resident of the City of Glen Cove.

6 I'm addressing the issue that's
7 before you today about the application for a
8 pilot payments in lieu of taxes by the city
9 of Glen Cove vis-à-vis the Garvies Point
10 Development.

11 I'm against the development. I
12 don't see or understand why Nassau County
13 taxpayers should have to help subsidize the
14 development.

15 It's my understanding that the
16 agreement that was entered into between the
17 developer and the city of Glen Cove
18 specified that the developer was going to
19 sponsor the parks and amenities that these
20 pilots are being applied for. That was the
21 way this deal was from day one. It's been
22 changed and it does not seem fair.

23 There is a significant amount of
24 populous of the city of Glen Cove that is
25 aligned with me and my opinion on this very

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2 subject and it doesn't seem like the city of
3 Glen Cove is paying any attention -- in fact
4 it seems out of its way to push this down
5 our throats.

6 I stand in protest of it. That's
7 why I'm here. I thank you for entertaining
8 my opinion.

9 VICE-CHAIRMAN NICOLELLO: Thank
10 you, Mr. Berg. Tawan Weber? Alicia
11 Pagliare? Amy Peters?

12 MS. PETERS: Due to time
13 constraints I'll take my time now. Thank
14 you. I too am a resident of Glen Cove and I
15 too am against this development in its
16 current form.

17 The project as it is now has
18 changed significantly from what was proposed
19 and approved in 2011. The creative tax
20 financing for this project was not in light
21 at the time of the approval of this plan.

22 I think there is a significant
23 difference in the plan itself as well as the
24 contract for who is responsible for who is
25 paying for what.

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2 So I believe that the city of
3 Glen Cove should not be required to take on
4 more debt. I believe that the County of
5 Nassau should not be required to subsidize
6 this project and I would urge you to vote no
7 in the allocation of these taxes. Thank
8 you.

9 VICE-CHAIRMAN NICOLELLO: Thank
10 you, Ms. Peters. Meta Mereday. I know you
11 have a number of items listed. I don't know
12 if you want to speak now or wait till the
13 items come up.

14 MS. MEREDAY: Meta Mereday, 758
15 Wesley Street, Baldwin. As my fellow
16 Baldwin resident stated, I am also in
17 opposition of the road diet in Baldwin for
18 pretty much the reasons noted by Mr. McCloy.

19 I would love for the legislators
20 to travel down Grand Avenue. As they did
21 when some of you took the bus tour and you
22 may have been on one of the N35s that break
23 down on a regular basis, maybe you weren't
24 on that particular bus, but that bus subsidy
25 is a whole other issue.

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2 We have the fire department, the
3 First Precinct, and now the design is to put
4 one lane going and coming and to have a
5 turning lane and a park lane and bicycle
6 lane on Grand Avenue. I will leave it at
7 that for that issue.

8 With regard to Garvies Point in
9 Glen Cove, I also as a taxpayer and a
10 resident of Nassau County, I also stand with
11 the residents of Glen Cove in opposition of
12 this and I'm really concerned because at the
13 Rules Committee meeting, when the
14 presentation was brought up, there were some
15 key items that were missing from that
16 presentation, i.e., the EPA report, since
17 that property is a brown field; the level of
18 potential additional contamination, and the
19 fact that there were promises that were made
20 by contract by this developer and Nassau
21 County continues to seem to get into these
22 deals that become sweetheart for the
23 developers, but disasters for the residents.
24 Let's not get into that long list
25 again. Let's not talk about red light

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2 cameras, let's not talk about the joke after
3 subsidy for the NICE buses and the other
4 various and sundry and, my favorite, the
5 consolidation of those police precincts, and
6 thank God for those of us who stood firm,
7 particularly for the First Precinct, and I
8 feel for those other communities that have
9 to deal with the community policing idea
10 that went bust.

11 So, again, I know I'm probably
12 just blowing in the wind, but since I have
13 the right to do that guaranteed by my First
14 Amendment, and I just wanted to put it on
15 the record and to encourage more residents
16 to stand up and to speak up and, if you
17 don't feel that you're elected official is
18 representing your interests, the best thing
19 for you to do is, for God's sake, vote him
20 out because too many of them seem to be
21 getting walked out in handcuffs.

22 I'll talk more later. Thank you.

23 VICE-CHAIRMAN NICOLELLO: That's
24 the end of the slips I have for now. I will
25 turn things over to Legislator Dunne for a

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2 moment and then go into the calendar. We
3 don't have till the next meeting for the
4 demonstration from the Office of Emergency
5 Management.

6 Mr. Tom Delaney from the Office
7 of Emergency Management is going to give a
8 quick demonstration of the -- anybody in
9 Nassau County, when we do have a super storm
10 such as Sandy is affected, and the food
11 servings are atrocious in the past.

12 This is such a great addition
13 that we approved at our last meeting and I
14 ask if OEM could come down and give us a
15 quick demonstration. The legislators that
16 voted for that be able to taste it so we are
17 comfortable with what we brought into the
18 county, what Craig Kraft brought into the
19 county, the Commissioner of the Office of
20 Emergency Management.

21 Mr. Delaney, would you please
22 give us a quick demo?

23 MR. DELANEY: I would be glad to
24 do that. My apologies for not being in
25 chamber when you first looked for me. I was

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2 just outside, didn't hear.

3 Anyway, what these are, these
4 are, first off, on the packaging, they look
5 good. If they don't look good, they're not
6 going to taste good perceptually to begin
7 with.

8 So I'm going to take the first
9 one of these and pass it around and you can
10 look at it.

11 The contents of the package are
12 the food itself in packaging, a heater pack
13 which is activated by a salt water packet in
14 there, and a heating tray. What you do is
15 very simply this.

16 LEGISLATOR DUNNE: The
17 instructions are clearly indicated on the
18 box on how to do it. So Mr. Delaney if you
19 forget, just look at the box.

20 MR. DELANEY: So the salt water
21 activates the heating element itself here.
22 The salt water comes with the packet. Comes
23 with the utensils too. Just make sure that
24 it's distributed around pretty good here. I
25 take the food package and put it in here.

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2 Then it takes about seven minutes to heat
3 this up right now. If you want, I will take
4 it and activate all three of them right
5 here.

6 LEGISLATOR DUNNE: One is good.
7 We don't want to waste any food.

8 MR. DELANEY: We have a little
9 variety. I have vegetarian chili in case
10 anyone doesn't eat meat.

11 LEGISLATOR DUNNE: They want a
12 photographer to show our face when we taste
13 it. The different flavors again are, we
14 have the four that we have here. You see
15 the steam coming up from it right now.
16 That's just from salt water being added.

17 LEGISLATOR SOLAGES: If I may
18 ask, do you share with local shelters, any
19 supplies?

20 MR. DELANEY: No, I'm not.

21 LEGISLATOR DUNNE: Mr. Delaney,
22 you're supposed to be talking to us, not to
23 the lady. A question from one of the
24 legislators and you said no to what he was
25 saying, and I think you were talking to her

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2 not to the legislators.

3 LEGISLATOR SOLAGES: Thank you,
4 legislator. Briefly Tom, do you share any
5 extra supplies you have with local shelters?
6 I speak to local shelters and sometimes they
7 lack enough food to give out to people in
8 need. Do you share any of the supplies you
9 have with the local shelters?

10 MR. DELANEY: The purpose of
11 these is to be critical emergency supplies
12 being paid for with Homeland Security Grant
13 Funds. Having these on hand so that we can
14 run our shelters in the event of a disaster,
15 whether man made or natural causes.

16 We use these for the event, let's
17 say we have a fire, and say we are
18 evacuating people, putting them in a
19 shelter, that's kind of a disaster isn't it,
20 sure. Just the same way we bring water to
21 such an event which is also critical
22 emergency supplies.

23 So the answer would be yes, this
24 would help people and even in smaller
25 situations and then we don't have to worry

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2 about, where are we going to get food for
3 people. We have it.

4 LEGISLATOR FORD: Mr. Delaney, my
5 question, just as a follow-up to Legislator
6 Solages, considering this food will expire
7 at some point do you check to see what you
8 do have on hand, and I know you do keep it
9 in case of an emergency, but if it's getting
10 close to the expiration date, is it possible
11 than rather discarding the food you would be
12 able to send it to shelters and then get a
13 new supply of the food for disasters? I
14 mean, can you give the food to shelters if
15 you don't need to use it?

16 MR. DELANEY: This is one of the
17 very strategic positions that this vendor
18 has provided us with. Previously, we would
19 buy MREs, regular military MREs, FEMA would
20 say, you can't throw them away, but we
21 didn't often want to serve those, County
22 Executive said we're not giving our
23 residents MREs. They don't look palatable,
24 they don't look like this.

25 LEGISLATOR FORD: Sir, I hate to

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2 differ with you, because I was actually in
3 Long Beach and we did get the MREs and many
4 of our residents did end up eating them
5 because they had peanut butter and crackers
6 and a whole bunch of other stuff. Although
7 it didn't look good, a lot of people ate it.

8 MR. DELANEY: We're going to go
9 with this, how this is going to work. The
10 vendor will rotate the stock for us prior to
11 the expiration date, so that we do not have
12 the responsibility of complying with FEMA
13 regulations about how we are going to get
14 rid of expiring food.

15 Previously we had earthquakes in
16 Haiti where we had typhoons in the
17 Philippines and we would ship expiring food
18 there, and we were lucky enough to find
19 shipping companies that would do this for us
20 at no cost. But we're not going to have to
21 worry about those concerns anymore, the
22 vendor is going to handle our stock
23 rotation.

24 LEGISLATOR FORD: What will the
25 vendor do with the food? Will they then

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2 reach out to the shelters?

3 MR. DELANEY: They work with
4 charitable organizations and they will be
5 distributing them to those organizations
6 possibly for other disasters within the
7 country. But, the point is, it's compliant
8 with what FEMA is asking us to do.

9 LEGISLATOR FORD: Thank you.

10 LEGISLATOR DUNNE: Do you know
11 what the other meals are? Was there
12 something with rice in it?

13 MR. DELANEY: We have a few
14 different things. On the non-Kosher side,
15 there's beef stroganoff, spaghetti and
16 meatballs, beef chili and beans, beef stew,
17 pasta parmesan with chicken, chicken
18 cacciatore, vegetable lasagna, beef chili
19 with beans. On the Kosher side, there's
20 vegetable chili, sweet and sour chicken,
21 spaghetti and meatballs, cheese ravioli,
22 cheese lasagna and tortellini and marinara.
23 So a pretty good variety that we obtained
24 from the vendor.

25 VICE-CHAIRMAN NICOLELLO:

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2 Legislator Curran.

3 LEGISLATOR CURRAN: What is the
4 average cost per meal?

5 MR. DELANEY: It comes out to
6 about \$6 each, one, I think if I'm right,
7 somewhere in that area. I don't know the
8 exact number in my head. Between 5 and \$6
9 each, which is significantly better than
10 when we were buying meals from a caterer.

11 LEGISLATOR DUNNE: Yes. For the
12 Legislature, what we will do, once that's
13 ready, he's going to come up and walk around
14 and if anybody wants to taste it he has
15 forks with him. We don't want to hold up
16 the meeting any further, we know there's a
17 lot of people here from Glen Cove who want
18 to get their feelings said across.

19 So I will turn it back over to
20 the Presiding Officer and, Mr. Delaney, when
21 it's ready you'll just come up and we'll all
22 taste it while we're listening. Turn it
23 back over to the Acting Presiding Officer.

24 VICE-CHAIRMAN NICOLELLO:

25 Minority Leader Abrahams, you have a point

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2 of personal privilege?

3 LEGISLATOR ABRAHAMS: I'm very
4 happy and honored to bring up the next group
5 which I have worked with, my office has
6 worked with for quite some time, and they
7 were delayed a little bit today because they
8 were actually being recognized by the County
9 Executive because I truly believe he sees
10 their merit as well as their skill and their
11 ability, but the Delta Sigma Theta Sorority
12 has not been the Chap that's been in Nassau
13 County for many many years and I can tell
14 you that from their clean up on Earth Day to
15 their health fares, they have been a very
16 responsible, well coordinated extension of
17 the county. They have been a tremendous
18 asset.

19 It gives me great pleasure also
20 to recognize that they are a chapter that is
21 also very effective in many of our
22 districts. I was just mentioning to our
23 staff that they are in Legislator Solages'
24 district, Legislator Bynoe's district,
25 Legislator Birnbaum's district, and there

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2 are countless others on the other side as
3 well. They have been extremely effective at
4 doing what they do.

5 So I think one of the things I
6 also want to recognize is, one of their
7 members, we actually renamed our tennis
8 courts at Arthur Mackey Park which is
9 located in Roosevelt after Emily Moore.
10 Emily, please stand up.

11 She has been a part, a Delta now
12 for quite some time, but one of the amazing
13 things that Emily does is that, especially
14 now that we are approaching the U.S. open
15 here in New York City, Emily does tennis
16 instruction, she provides that service free
17 teaching young people not just from the
18 Roosevelt community, but from the
19 surrounding communities, the characters
20 around principals of tennis and some of the
21 things they talked about in their tennis
22 instruction is trustworthiness, respect,
23 responsibility, fairness, caring and
24 citizenship. I just want to say that she's
25 been doing this for quite some time in the

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2 Roosevelt area at that park and just this
3 past spring I believe we were able to
4 announce in the naming of the courts after
5 her to make sure her long standing legacy of
6 providing for the communities is remembered.

7 I do want to take this time and I
8 don't want to take too much time from the
9 legislative meeting to present. But I
10 wanted to present them with a certificate of
11 recognition which basically is just a big
12 thank you, which I don't think most of the
13 people in the county understand the
14 tremendous amount of thanks we owe to the
15 Delta Sigma Theta for their work that they
16 have done this past, whether on Martin
17 Luther King Day, Earth Day, you name it, you
18 call on them, they are there, health fares.

19 We have partnered with them on
20 countless different things and they have
21 picked up the slack every step of the way so
22 I just want to again thank them for their
23 work.

24 I believe we have some of the
25 ladies still here, some may had to depart

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2 after their meeting with the County
3 Executive.

4 They actually also have put
5 together some stuff here in this chamber
6 making sure that the youth are mentored as
7 well. So they have a tremendous asset. So
8 if I can ask the ladies to please stand up.
9 I don't know if any of them want to say
10 anything as I come down to do this.

11 CHAIRWOMAN GONSALVES: Minority
12 Leader, go down with them.

13 LEGISLATOR ABRAHAMS: Absolutely.

14 CHAIRWOMAN GONSALVES: Minority
15 Leader, would any of them like to say
16 anything?

17 MS. BRYANT: Thank you. Thank
18 you for the opportunity. Thank you for the
19 acknowledgement. My name is Kiera Bryant.
20 I am the co-chair of the social action
21 committee for the Nassau Alumni Chapter of
22 the Delta Sigma Theta Sorority Incorporated.

23 We are here today because Delta
24 Days is a concept that our sorority has put
25 into place many many years. Every year we

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2 have Delta Days at the nation's capital in
3 Washington D.C. We also have Delta Days at
4 the United Nations annually. This year we
5 had Delta Days at the State Capital and now
6 we are here having Delta Days at the County
7 Legislature.

8 We find ourselves now in a period
9 of time when many of our citizens feel that
10 their vote doesn't matter.

11 Our goal is to foster political
12 awareness and involvement in an effort to
13 educate the public regarding how their vote
14 is directly related to many of the aspects
15 of their day-to-day lives. That's why we
16 are in the process of organizing voter
17 registration and education events. We will
18 be at three different national night out
19 locations tomorrow.

20 We will be planning meet the
21 candidate forums and debates for all of the
22 contested seats across Long Island. We will
23 be hosting presidential and vice
24 presidential and vice presidential debate
25 watch parties both in person and virtual.

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2 We are going to utilize periscope for that.
3 We will be hosting a social action symposium
4 in September to give committee members an
5 opportunity to learn about several social
6 action issues facing the community.

7 We will be organizing gun buy
8 back programs that was initially spearheaded
9 from our meeting with Kathleen Rice in DC
10 this year, but also we had a wonderful
11 meeting with Mr. Mangano where we will be
12 partnering to do more work in relation to
13 that as well as improving community police
14 relations.

15 So thank you very much for
16 recognizing us here and giving us the time.
17 Thank you. We have 150 members in the
18 chapter so the likelihood is that one of our
19 members is one of your constituents.

20 CHAIRWOMAN GONSALVES: I need to
21 tell you something, a little history lesson.
22 This body that you're speaking about before
23 was created in 1995 as a result of a
24 referendum. And 77 percent of the voting
25 population in Nassau County voted for the

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2 creation of the Nassau County Legislature.

3 So, again, education is always
4 key. I believe in it because I was a
5 teacher in the City of New York for 26 years
6 and it's education that gets people off
7 their butts to do what they to do.

8 So I congratulate you and thank
9 you for your efforts and I wish I could join
10 you down there but I got a little problem.
11 So I'm doing the best I can.

12 LEGISLATOR ABRAHAMS: I
13 apologize, it feels so awkward, Norma, with
14 you there and all of us here. Would you
15 like for us to come up there? The Presiding
16 Officer had recently hurt her back and
17 hasn't been able to participate in full
18 motion but I will be remiss if we didn't
19 offer her the opportunity for us to move up
20 there to indulge her so she can join us in
21 the picture. Is that okay, Norma?

22 CHAIRWOMAN GONSALVES: It's up to
23 you. I'm all for this and that's a good
24 thing. We are going to have to start
25 sitting down guys and getting closer.

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2 Mr. Pulitzer, would you please
3 call the roll? And then you're going to
4 call each hearing. We will begin with
5 hearing number 1.

6 Please call the roll.

7 CLERK PULITZER: Thank you,
8 Presiding Officer. Deputy Presiding Officer
9 Richard Nicolello?

10 VICE-CHAIRMAN NICOLELLO: Here.

11 CLERK PULITZER: Alternate Deputy
12 Presiding Officer Howard Kopel?

13 LEGISLATOR KOPEL: Here.

14 CLERK PULITZER: Legislator Siela
15 Bynoe?

16 LEGISLATOR BYNOE: Here.

17 CLERK PULITZER: Legislator
18 Carrie Solages?

19 LEGISLATOR SOLAGES: Here.

20 CLERK PULITZER: Legislator
21 Denise Ford?

22 LEGISLATOR FORD: Here.

23 CLERK PULITZER: Legislator Laura
24 Curran?

25 LEGISLATOR CURRAN: Here.

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2 CLERK PULITZER: Legislator
3 Vincent Muscarella?
4 LEGISLATOR MUSCARELLA: Here.
5 CLERK PULITZER: Legislator C.
6 William Gaylor III?
7 LEGISLATOR GAYLOR: Present.
8 CLERK PULITZER: Legislator Ellen
9 Birnbaum?
10 LEGISLATOR BIRNBAUM: Here.
11 CLERK PULITZER: Legislator Delia
12 DeRiggi-Whitton?
13 LEGISLATOR DERIGGI-WHITTON:
14 Here.
15 CLERK PULITZER: Legislator James
16 Kennedy?
17 (No verbal response.)
18 CLERK PULITZER: Legislator Laura
19 Schaefer?
20 LEGISLATOR SCHAEFER: Here.
21 CLERK PULITZER: Legislator
22 Dennis Dunne?
23 LEGISLATOR DUNNE: Here.
24 CLERK PULITZER: Legislator
25 Judith Jacobs?

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2 (No verbal response.)
3 CLERK PULITZER: Legislator
4 Rosemarie Walker?
5 LEGISLATOR WALKER: Here.
6 CLERK PULITZER: Legislator
7 Donald MacKenzie?
8 LEGISLATOR MACKENZIE: Here.
9 CLERK PULITZER: Legislator
10 Steven Rhoads?
11 LEGISLATOR RHOADS: Present.
12 CLERK PULITZER: Minority Leader
13 Kevan Abrahams?
14 LEGISLATOR ABRAHAMS: Here.
15 CLERK PULITZER: Presiding Officer
16 Norma Gonsalves?
17 CHAIRWOMAN GONSALVES: Present.
18 CLERK PULITZER: We have a
19 quorum.
20 CHAIRWOMAN GONSALVES: Thank you
21 very much. And Legislator Kennedy is with
22 us as well.
23 We will begin with the first
24 hearing. The first item on the calendar,
25 Mr. Pulitzer, please call the hearing.

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2 CLERK PULITZER: Item Number 1 on
3 the calendar is a hearing on a proposed
4 local law to add title 83 to the
5 miscellaneous laws of Nassau County in
6 relation to a sustainable energy loan
7 program.

8 Motion to open the hearing,
9 please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR GAYLOR: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator
14 Gaylor. All those in favor of opening the
15 hearing, signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 We have Ms. Goetz to speak to us
20 about this item?

21 MS. GOETZ: Well, I'm introducing
22 Dave Raganetti. But, for the record,
23 Samantha Goetz, Deputy County Attorney,
24 Interim Director of Legislative Affairs.

25 To speak on this item we have

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2 David Raganetti from the County Attorney's
3 Office.

4 MR. RAGANETTI: Good afternoon,
5 Legislators. David Raganetti, Deputy County
6 Attorney.

7 Clerk Item 266 proposes Pace
8 Financing in Nassau County. Pace Financing
9 is again property assessed clean energy
10 financing legislator for Pace Financing has
11 been implemented throughout the nation.

12 The two defining characteristics
13 for such programs are loans for energy
14 improvements for property owners and loan
15 repayments paid with taxes to the local
16 municipalities.

17 So this item will authorize a
18 sustainable energy loan program in Nassau
19 County pursuant to state piece of
20 legislation which is enacted as Article 5L
21 of the General Municipal Law and the program
22 administrator Energy Improvement Corporation
23 has somebody here today who spoke earlier,
24 Jim Liao, representing EIC.

25 CHAIRWOMAN GONSALVES: Any

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2 questions of David? David, who is going to
3 explain the funding for this project, for
4 this program?

5 MR. RAGANETTI: I can speak to
6 any questions you have.

7 CHAIRWOMAN GONSALVES: Ask him a
8 question.

9 LEGISLATOR KOPEL: Thank you
10 Presiding Officer. So where is the funding
11 for this program coming from?

12 MR. RAGANETTI: I will also ask
13 Jim Liao to assist with some of the more
14 intricate details, but I can speak to EIC
15 provides the funding. EIC is a local
16 development corporation.

17 LEGISLATOR KOPEL: We're just
18 administering it?

19 MR. RAGANETTI: They administer
20 and provide the funding as well. The county
21 doesn't loan. The county basically
22 authorizes and elects EIC to be the
23 administrator of the program. EIC is the
24 entity that puts together the financing at a
25 presumably low affordable rate as an

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2 alternative for property owners.

3 LEGISLATOR KOPEL: So any
4 property owner, so, let's say, today some
5 alternative energy projects are commercially
6 financed with these leases and so forth,
7 this would be an alternative to that?

8 MR. RAGANETTI: That's correct.

9 LEGISLATOR KOPEL: And you say
10 presumably low interest, what kind of low
11 interest are we talking about?

12 MR. RAGANETTI: Not familiar with
13 the rate. I will just ask that Jim Liao
14 from EIC just speak to the specific rates
15 that EIC offers.

16 LEGISLATOR KOPEL: Well, I have a
17 few more too.

18 MR. LIAO: Thank you very much.
19 Just as a quick reference point, because
20 interest rates do fluctuate from time to
21 time, but recently, we finance between five
22 and 20 years. A five year fixed interest
23 rate is now about four percent and for a 20
24 year loan it's 5.25 percent. That's about
25 the approximate range of where it is right

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2 now.

3 LEGISLATOR KOPEL: So that's far
4 better than the commercial rates that are
5 out there.

6 MR. LIAO: Yes, it is. And we
7 are, the LDC has its own bonding capacity,
8 that's why our sources of money comes from.
9 We have a loan agreement with Bank of
10 America to buy our bonds from us for the
11 financing we do.

12 LEGISLATOR KOPEL: How does the
13 program work? What percentage of a project
14 is financible? Is there any eligibility
15 requirements?

16 MR. LIAO: The energy component
17 of the project is 100 percent eligible.
18 There are some underwriting criteria.

19 LEGISLATOR KOPEL: When you say
20 energy component, you mean as opposed to
21 installation?

22 MR. LIAO: Anything that's
23 related to the installation, the actual
24 technology itself, and the labor involved in
25 putting together the energy piece or the

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2 energy savings piece or the energy
3 generation piece of the project.

4 LEGISLATOR KOPEL: 100 percent?

5 MR. LIAO: That could vary. That
6 changes from project to project. But of
7 that energy component, we can do 100
8 percent.

9 LEGISLATOR KOPEL: The energy
10 component. You can do 100 percent of that?

11 MR. LIAO: Yes.

12 LEGISLATOR KOPEL: And specific
13 installers or anybody?

14 MR. LIAO: We throughout the past
15 few years have collated a group of people
16 that we've worked with in the community. We
17 give them contractor training. That's one
18 of the advantages that we offer. It's not
19 just that we put the loan package out there
20 for people. We try to help the community
21 developers, training them, and teaching them
22 about what to do, how to apply for it, and
23 how to get approval and what the energy
24 standards are that are mandated by the
25 NYSERDA and local utility.

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2 LEGISLATOR KOPEL: Which
3 homeowners are there eligibility
4 requirements for?

5 MR. LIAO: Well, right now we
6 don't offer this to individual homeowners
7 because there is a national FHA issue. So
8 we are right now limited to commercially
9 owned properties and non-profit
10 organizations.

11 LEGISLATOR KOPEL: FHA would only
12 involve properties that currently have
13 mortgages?

14 MR. LIAO: Right. The FHFA has
15 one of our provisions as with other states
16 that have undertaken Pace financing as well,
17 is to acquire lender consent, existing
18 lender consent, and the FHFA has not, has
19 opposed that.

20 LEGISLATOR KOPEL: What,
21 properties that are debt free? Homeowners,
22 well, let's say seniors might have paid off
23 the mortgage.

24 MR. LIAO: Right.

25 LEGISLATOR KOPEL: It's not for

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2 homeowners? It's strictly for commercial at
3 this point?

4 MR. LIAO: Yes. It's under
5 discussion with them right now to hopefully
6 within the year allow for residential
7 properties to be financed.

8 LEGISLATOR KOPEL: Thank you.

9 CHAIRWOMAN GONSALVES: Any other
10 questions or comments from the legislators?

11 (No verbal response.)

12 There being none, I have several
13 people from the community who would like to
14 speak and I begin with Ronnie Mandler.

15 MR. MANDLER: Ronnie Mandler, I
16 am CEO of Best Energy Power. We are
17 considered one of the largest solar
18 installers in what is called downstate,
19 Westchester, New York City, Long Island.
20 Based on experience, we went through that
21 with each customer in Westchester County.

22 I can tell you that this is the
23 best financing offer of what was proposed to
24 help business to install solar. Compared to
25 residential, you can have maybe ten

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2 residential homes but one commercial solar
3 installation actually makes up for those 10
4 small residentials.

5 It's the easiest way in terms of
6 collateral because it doesn't interfere with
7 the business owner day to day cash flow.
8 It's really a no-brainer how to get it. The
9 collateral is only basically the value of
10 the building.

11 In the 13 years that I'm in this
12 business I have never seen anything similar
13 to this that helps the commercial entity and
14 also not for profit organization to get
15 financing for solar without interfering with
16 the day-to-day business.

17 Suffolk has approved it,
18 Westchester it's going on for a while.
19 Assuming New York City in the next few
20 months is going to adopt it, I would really
21 ask you to adopt that legislation because I
22 think it can really help the local business
23 owners. Thank you for your attention.

24 CHAIRWOMAN GONSALVES: Thank
25 you, Mr. Mandler. JP Clejan.

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2 MR. CLEJAN: Yes. J.P. Clejan,
3 Greenlogic. I'm here to urge you to pass
4 the Pace legislation. Renewable energy and
5 energy efficiency is good for Long Island
6 business. It's also good for our
7 environment.

8 So, by allowing Pace Financing in
9 Nassau County, more businesses will reduce
10 their energy consumption or make their own
11 energy, reducing the carbon footprint and
12 the air pollution created at the power
13 plants, and making their businesses more
14 competitive going forward, and making their
15 properties more valuable. I urge you to
16 vote in favor of the legislation. Thank
17 you.

18 CHAIRWOMAN GONSALVES: Next is
19 Sara Oral.

20 MS. ORAL: Good afternoon. I'm
21 before you today as a Nassau County resident
22 and as a local engineering consultant in
23 favor of Pace Financing.

24 As a Long Island coordinator for
25 the climate smart communities and clean

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2 energy communities programs, administered by
3 NYSERDA and the DEC, my firm provides free
4 support and technical assistance to
5 municipalities across Long Island to help
6 reduce energy consumption and reinvest these
7 savings to help make communities more
8 resilient.

9 The program goals are to help
10 reduce energy consumption at the municipal
11 and community level. One of the things we
12 strive to do is to have the municipality
13 lead by example. Some actions that have
14 been implemented on Long Island include the
15 integration of building management systems
16 that offer property owners the ability to
17 analyze and control their energy consumption
18 of their building stock. The installation
19 of energy efficient boilers, windows and air
20 conditioning systems, as well as renewable
21 installation such as solar panels, solar hot
22 water, geothermal energy and wind powered
23 generation.

24 These measures have the potential
25 to save property owners in Nassau County

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2 millions of dollars each year in energy
3 costs. Energy efficient buildings and those
4 with renewable energy installations attract
5 desirable tenants, double pay premium rents
6 and at the same time, property owners can
7 save money and reinvest it into their
8 businesses and the local economy.

9 Furthermore, energy efficiency
10 upgrades often require skilled green
11 collared workers which help strive workforce
12 development.

13 Often, the only barrier in
14 installing these technologies is funding.
15 The property assessed clean energy financing
16 program would provide low interest loans to
17 property owners throughout Nassau County and
18 the two cities, three towns and numerous
19 villages located within its borders, thus
20 addressing this hurdle.

21 The process is fairly simple.
22 The property owner opts to pay for energy
23 improvements by authorizing Nassau County to
24 add a special assessment on the property tax
25 bill for that purpose and depending on the

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2 types of improvements installed, the annual
3 utility savings may even cover this tax
4 assessment.

5 I encourage the county to join
6 the energy improvement corporation and make
7 Pace Financing available to property owners
8 throughout Nassau County and help keep
9 Nassau County ahead of the curve when it
10 comes to fostering energy efficiency
11 initiatives. Thank you.

12 CHAIRWOMAN GONSALVES: Thank you.
13 Timothy Norton.

14 MR. NORTON: My name is Timothy
15 Norton. Thank you for the opportunity to
16 speak on Pace Funding.

17 I work with National Energy
18 Connection which is a renewable energy
19 company over here in Plainview, New York.
20 Our parent company, we started off in Hawaii
21 and very strong there where renewable
22 energy, specifically solar, is a key form of
23 their energy usage on the islands throughout
24 Hawaii.

25 I live here and work here on Long

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2 Island and we are very committed to this
3 area. I found out that Pace Funding, this
4 Pace program is very active throughout the
5 country.

6 I recently went to Denver
7 Colorado for what is called a Pace Nation
8 Conference. It was interesting to see how
9 this has been administered throughout the
10 country, specifically in California.

11 I know that you also asked about
12 the residential portion. I think that will
13 be coming here eventually. In California
14 they have done over \$2 billion worth of
15 rooftop solar for homeowners in California.

16 But, specifically, to the
17 commercial element of that in which people
18 have spoken about, it will help boost this
19 industry, get more renewable energy funding
20 out there that is completely needed.

21 It's the biggest hurdle that a
22 property owner or, keep in mind, it doesn't
23 have to be just a business owner. I've
24 spoken to many nonprofits, whether it be
25 nursing centers, churches, that would really

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2 like to be able to do renewable energy
3 project upgrades, and this will give them
4 the -- this is the catalyst, this is what
5 will make this happen for all of them.

6 So, what I like about it too is
7 it's community based. It works for
8 everybody, whether you're a small church, a
9 big hospital, or the body shop down the
10 street. Everybody can benefit from this
11 type of funding.

12 So I really really urge the
13 legislative body to move forward with this
14 type of funding. I find that our company,
15 National Energy Connection as well as all
16 the other companies here strongly endorse
17 it. I thank you for the opportunity to
18 speak.

19 CHAIRWOMAN GONSALVES: Neal
20 Lewis.

21 MR. LEWIS: Thank you, Presiding
22 Officer and members of the Legislature.

23 It is really a great moment to be
24 here. It's fun sometimes in this work to
25 have stuck around long enough to see

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2 something that was proposed earlier to
3 finally find a way to get enacted.

4 This item goes back about a
5 decade or so. Fortunately, some action at
6 the state level has made it much less
7 complicated than it would have been, if you
8 recall, Ed Mangano actually worked on a bill
9 for this back when he was in the
10 Legislature, so how long ago was that?

11 So, there's been efforts to do
12 this, the Town of Babylon played a key role
13 in proposing it for homeowners and we've
14 gone through this long process. But the
15 state finally provided the funding for this
16 organization that is now working with the
17 county and I really commend the county for
18 bringing this forward.

19 So, we're basically on two tracks
20 that are coming together in the sense that
21 Suffolk County is basically acting in pretty
22 much the same timeline. They enacted theirs
23 but they're still sort of working out some
24 of the details.

25 So, some of you know that I run a

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2 project at the Sustainability Institute of
3 Long at Molloy College that we call the Long
4 Island Clean Energy Leadership Task Force.

5 We have a meeting planned for
6 September 16th and this will be one of the
7 main topics at that meeting. So I will make
8 a point of sending an invite for all of you
9 for that meeting. It's a Friday at 11
10 o'clock and if any of you are interested in
11 this and want to learn more, or send some of
12 your staff to it, and things like that, I
13 would like to encourage you to do that.

14 I think most people have made a
15 number of the good points. I will just add
16 that the premise I think is really solid
17 which is, if you run a local business, and
18 someone says to you, hey, you could save a
19 lot of money on your energy bills if you
20 invest in energy efficiency or you put solar
21 on the roof. And that business person says,
22 well, that's great, but there is an out of
23 pocket expense, and that out of pocket
24 expense might hinder my business plan, which
25 shows me getting loans and making

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2 investments and expanding in the future.
3 This financing is over my pay grade so I'm
4 not going to try to explain it too well, but
5 my understanding is, that the way that this
6 is done is essentially this is something
7 that is not on their books as a financing
8 expense, but as a tax expense.

9 What makes good logical sense
10 about that is that it's kind of like a
11 public improvement that's done near a home
12 or near a building and is sometimes included
13 in the taxes of that building.

14 Well, same here. If the business
15 owner says, I might want to sell my business
16 in a few years, well, the pay back stays
17 with the building because the benefit stays
18 with the building. You made the building
19 more energy efficient, you reduced its need
20 for electricity because it has solar on the
21 roof. That building has now been invested
22 in, but there is an expense to pay off that
23 investment. And, while that's being paid
24 off, it stays with the building.

25 So that gives great freedom to

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2 the business owner, and this bill is
3 specifically for commercial, but also not
4 for profit, but that's part of the
5 commercial world. So it gives those people
6 running business a lot more flexibility to
7 take advantage of this program and I think
8 it's going to be great that it's going to be
9 local jobs.

10 CLERK PULITZER: Sir, your three
11 minutes are up.

12 MR. LEWIS: Like I said, you've
13 heard the main points so I don't need to
14 repeat them. I'm very excited to see we are
15 going to get this done today hopefully.

16 CHAIRWOMAN GONSALVES: Thank
17 you, Neal. Thank you so much. There being
18 no other comments from the legislature or
19 the public -- Legislator Schaefer.

20 LEGISLATOR SCHAEFER: I will be
21 quick. I just wanted to thank everybody who
22 came here today. Last week we had a pretty
23 extensive hearing. I'm chair of the
24 Planning, Development and Environment
25 Committee. We had a pretty extensive

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2 hearing. All the legislators were very
3 active and involved in asking questions and
4 it's certainly good to now have a week later
5 a lot of support shown from different people
6 affected by this program because it's very
7 important to us, certainly I hope for all
8 the legislators here that we bring more
9 energy efficient initiatives to the county
10 and things that will help our residents to
11 move in that direction. So thank you very
12 much.

13 CHAIRWOMAN GONSALVES: Okay. So
14 there being no other comments from the
15 legislators or the public?

16 (No verbal response.)

17 Motion to close the hearing.

18 LEGISLATOR WALKER: So moved.

19 LEGISLATOR SCHAEFER: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Walker, seconded by Legislator
22 Schaefer. All those in favor of closing the
23 hearing signify by saying aye.

24 (Aye.)

25 Any opposed?

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2 (No verbal response.)

3 The hearing is now closed. We
4 are going to move to the second hearing.
5 Mr. Pulitzer, please call the item. And
6 thank you for all who attended this hearing
7 today and voiced their approval of the
8 project, okay? The second hearing, please.

9 CLERK PULITZER: Yes. Item
10 Number 2 on the calendar is a hearing on a
11 proposed local law to amend a local law to
12 provide relief from fees charged by the
13 various departments of county government to
14 the victims of Hurricane Super Storm Sandy.

15 A motion to open the hearing,
16 please.

17 LEGISLATOR RHOADS: So moved.

18 LEGISLATOR FORD: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Rhoads, seconded by Legislator
21 Ford. All those in favor of opening the
22 hearing signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 Samantha, we have?

3 MS. GOETZ: Incoming director of
4 legislative affairs, Francis Becker.

5 MR. BECKER: Thank you. It's
6 great to be back. I want to thank the
7 County Executive for this wonderful
8 opportunity to have a new role in
9 government, a little different than the one
10 I had before. I look forward to working
11 with my Republican colleagues and the
12 Presiding Officer Norma Gonsalves. Many of
13 you are some of the finest people I know.

14 As far as the Democratic side is
15 concerned, I have developed many many
16 friendships with all of you and some great
17 working relationships. Hopefully together
18 we can do some great things for Nassau
19 County. I'm really excited to be here today
20 and to be working with you again.

21 What is before you is something
22 we passed a while back. You all recall
23 October 29, 2012 when Sandy struck Long
24 Island and impacted our residents, mostly
25 from the South Shore, but actually

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2 throughout Long Island in different ways,
3 and the County Executive, on a Bipartisan
4 basis, this party voted to -- for fee
5 relief, that is to not charge for any of the
6 fees that people may need to go to county
7 departments to reconstruct their homes.

8 This was passed way back when
9 unanimously but somehow in 2013 it expired
10 and I can commend Legislator Curran for
11 picking this up and realizing this and
12 approaching the Republican majority and in a
13 bipartisan fashion have come together and
14 wanted to reinstitute these fee reductions,
15 or elimination.

16 I was at the press conference
17 earlier, Presiding Officer, you couldn't
18 make it, but it was chaired by Legislator
19 Rhoads and Legislator Curran was there and
20 spoke and Legislator Ford spoke there as
21 well as other legislators, Legislator
22 DeRiggi-Whitton was there and maybe some
23 others. My three minutes are up? You
24 thought you got rid of me that easy?

25 But, in any case, this

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2 Legislation is before you again and a few
3 others may want to speak about it as they
4 did earlier for the record.

5 CHAIRWOMAN GONSALVES: Any
6 questions or comments for Mr. Becker from
7 the legislators? I don't have any.
8 Legislator Kennedy and Legislator Rhoads has
9 something to say. Yes, go ahead.

10 LEGISLATOR KENNEDY: Thank you,
11 Presiding Officer. As a legislator in the
12 Massapequa area along the South Shore, we
13 were hit terribly hard by Super Storm Sandy.

14 I think back on that time when I
15 can still remember my son was seven months
16 old sitting in his exer-saucer in three
17 layers of clothes. It's one of the only
18 fond memories I have of that time period.

19 I know every one has something
20 they can think back on then, they were
21 impacted in some way.

22 But, along the south shore in
23 Long Island in Nassau County, all the way,
24 there was devastation. This is the least
25 that we can do. I just want to thank

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2 Legislator Curran and Legislator Rhoads and
3 everyone for coming together because this is
4 absolutely a worthy thing to do, the least
5 we can do and I think people will be very
6 happy, and hopefully it will help many many
7 people along the South Shore. Thank you.

8 CHAIRWOMAN GONSALVES: And
9 Legislator Rhoads I know has something to
10 say also.

11 LEGISLATOR RHOADS: Thank you,
12 Madam Presiding Officer. I think for those
13 of us that experienced Hurricane Sandy
14 living on the south shore, and I'm sure the
15 South Shore legislators can attest to this
16 fact, we've all been impacted. If you
17 weren't impacted personally, we all have
18 friends and family that were impacted by
19 Hurricane Sandy.

20 I wasn't sitting on the
21 Legislature at the time that the initial fee
22 waiver was passed. But I can't imagine that
23 the legislature would have anticipated that
24 families would still three and a half years
25 later be rebuilding their lives.

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2 It's a testament perhaps to the
3 inefficiency of government and the
4 administration of New York Rising and FEMA
5 and the number of problems families are
6 struggling with.

7 But it's difficult from the
8 standpoint as a legislator, at the county
9 level, to try to figure out what to do to
10 assist. This seems to be a way to at least
11 offer some relief. We can't fix the
12 problems with FEMA, we can't fix the
13 problems with New York Rising, which are
14 federal and state programs, but at least we
15 can come together to try to do something to
16 help. Extending the waiver of sewer
17 disconnection and reconnection permit fees,
18 pre-demolition building inspections, to the
19 Department of Health, block indexing and
20 redexing of instruments that are presented
21 to the county clerk, those fees probably
22 total somewhere in the area of 1,700 to
23 \$1,750 that we can save the average family
24 that's still attempting to raise a home or
25 attempting to make repairs.

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2 So I'm excited to be a sponsor of
3 this legislation along with my colleague on
4 the other side of the aisle, Legislator
5 Curran, I want to thank her for obviously
6 bringing this to our attention, and I have
7 appreciated working together to try to do
8 something to the benefit of the residents
9 that are still struggling, so I appreciate
10 that.

11 CHAIRWOMAN GONSALVES: Legislator
12 Curran.

13 LEGISLATOR CURRAN: Thank you
14 very much, and thank you for the kind words.
15 I appreciate that we were able to take the
16 ball and run with it together.

17 You know, a lot of people, a lot
18 of constituents call us and it is
19 frustrating because a lot of these problems
20 are federal government and state government,
21 through FEMA and New York rising.

22 So at least we can do something
23 to help and make it a little easier now they
24 have gone through all of the bureaucratic
25 red tape and the revolving door of case

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2 workers that they have been given. Now that
3 they are finally in a position to raise
4 their homes or do what they have to do, we
5 can make it at least a little bit easier for
6 them. So I'm very appreciative that we can
7 get this done today.

8 CHAIRWOMAN GONSALVES: Legislator
9 Dunne.

10 LEGISLATOR DUNNE: Just real
11 quick, I remember the devastation way back
12 when and at that time represented Wantagh
13 and Seaford. It was awful. I want to
14 commend the Town of Hempstead Sanitation
15 where 24 hours a day the cleanup was
16 incredible how quickly the different
17 governmental bodies got together and did
18 something right.

19 Legislator Curran and Rhoads, ten
20 days ago we found out about it, and here it
21 is today before us, I want to thank the
22 County Executive for acting so quickly,
23 Legislator Curran for bringing it to our
24 attention and Rhoads for picking up the ball
25 and running with it. This is something I

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2 think everyone is going to vote for.

3 Thank you, Fran. As always, you
4 did a great job.

5 MR. BECKER: And also, I would
6 like to compliment Samantha, I met her for
7 the first day today, and I think she has
8 done very well for everybody here, and I
9 look forward to -- and she's training me
10 which is kind of fun. Anyway, thank you.

11 CHAIRWOMAN GONSALVES: Any other
12 comments from the legislators?

13 (No verbal response.)

14 Is there any public comment on
15 this item?

16 (No verbal response.)

17 Motion to close the hearing,
18 please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR FORD: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Ford. All those in favor of closing the
24 hearing signify by saying aye.

25 (Aye.)

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2 Any opposed?

3 (No verbal response.)

4 The hearing is now closed.

5 Now we're going to go to the
6 items on the calendar which is Items 3 and
7 4. The first one pertains to the first
8 hearing that we had which was sustainable
9 energy loan program, a local law to add
10 Title 83 to the miscellaneous laws of Nassau
11 County in relation to a sustainable energy
12 loan program.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR RHOADS: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Rhoads. Any additional comments other than
19 those that were expressed during the
20 hearing?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of Item 3 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes unanimously.

6 Item 4, a local law to amend a
7 local law to provide relief from fees
8 charged by the various departments of county
9 government to the victims of Hurricane Super
10 Storm Sandy.

11 Motion, please.

12 LEGISLATOR FORD: So moved.

13 LEGISLATOR RHOADS: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Ford, seconded by Legislator
16 Rhoads. Any questions or comments other
17 than those expressed during the hearing?

18 (No verbal response.)

19 There being none, all those in
20 favor of Item 4 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 The item passes unanimously.

25 Thank you very much, and I'm sure that there

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2 are some happy people leaving the chambers
3 today. Thank you, Mr. Becker, I'm sure we
4 will here from you again today.

5 Now, we are going to move very
6 quickly to another item. I'm going to move
7 to the consent calendar first, and the
8 consent calendar is the calendar where the
9 majority and the minority voted in unison to
10 approve the items that are before you and of
11 course you have to remember that these items
12 went through a committee, and were voted
13 unanimously in the committees.

14 Here they are. It's going to
15 take a few items but not as many as we
16 usually do, but that's okay.

17 We have Item 12, it has to do
18 with the regulation for the control of the
19 fire hazards and the enforcement of such
20 regulations;

21 Item 13, an ordinance
22 supplemental to the annual appropriation
23 ordinance in connection with the medical
24 examiner; Item 15, a resolution authorizing
25 the County Attorney to compromise and settle

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2 claims of plaintiff civil service employees
3 association local 830 AFLCIO, AFSCME as set
4 forth in the action entitled Civil Service
5 Employees Association Local 830 AFLCIO,
6 AFSCME versus the County of Nassau
7 consolidated assessment grievances, cases
8 number 89-11 and 90-11, and 119-11, 120-11,
9 and 129-11, pursuant to the County Attorney,
10 the County Law, the County Government Law of
11 Nassau County, and the Nassau County
12 administrative code.

13 In the interest of saving some
14 time, the next consent item is Item 16,
15 Resolution 119; Item 18, Resolution 121;
16 Item 19, Resolution 122; Item 20,
17 Resolution 1231; Item 21, Resolution 124;
18 Item 22, Resolution 125; Item 23, Resolution
19 126; Item 24, Resolution 127; Item 25,
20 Resolution 128; Item 26, Resolution 129;
21 Item 27, Resolution 130; Item 28, Resolution
22 131, Item 29, Resolution 132; Item 30,
23 Resolution 133; Item 32, Resolution 135;
24 Item 34, Resolution 137; Item 35, Resolution
25 138; Item 36, Resolution 139.

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2 Motion, please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Walker. All those in favor signify by
8 saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 Those items pass unanimously.

13 Remember what I said, that these
14 are consent items and they were voted
15 through the committees and the testimony
16 from the committees is incorporated into
17 this transcript.

18 (Whereupon, please refer to the
19 minutes of the Committee meetings dated July
20 25, 2016 pertaining to above referenced
21 consent items.)

22 CHAIRWOMAN GONSALVES: Okay, I'm
23 going to call Item 14 which was part of the
24 consent calendar, but Legislator MacKenzie
25 needs to recuse himself and that's the

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2 reason why I didn't call it. So now I'm
3 calling it, Item 14, Resolution 117.

4 A motion, please.

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR DUNNE: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Walker, seconded by Legislator
9 Dunne. All those in favor of Item 14,
10 Resolution 117 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The item passes 17 to one recusal
15 because we're 18 today -- no. So it's 17 in
16 favor and one recusal.

17 Let's move on. I'm going to call
18 an item out of order primarily because of
19 the nature of the item and I'm not looking
20 to do it as something that I think it should
21 be called out of order primarily because we
22 have a number of people who are here. It
23 has to do with the Glen Cove project. And I
24 think that there are people here.

25 So I'm calling Item 17,

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2 Resolution 120, a resolution pursuant to the
3 New York General Municipal Law and A58 with
4 respect to the Garvies Point project in Glen
5 Cove, New York.

6 Motion, please.

7 LEGISLATOR GAYLOR: So moved.

8 LEGISLATOR SCHAEFER: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Gaylor, seconded by Legislator
11 Schaefer. Samantha, what are you going to
12 tell us.

13 MS. GOETZ: No. We just have a
14 few people here to speak on this item.

15 CHAIRWOMAN GONSALVES: I have a
16 number of people here.

17 MS. GOETZ: We have the mayor of
18 Glen Cove, Reginold Spinello, we have Scott
19 Rechler of RXR, Shan Markowitz of Citibank,
20 and Ron Camilliri of SBS Consultants.

21 CHAIRWOMAN GONSALVES: How are we
22 going to do this? The mayor, Reggie
23 Spinello, I will call him in reference to
24 this item. Tell us what's on your mind.

25 MAYOR SPINELLO: Good afternoon,

1 Full Legislature/8-1-16
2 Presiding Officer Gonsalves, Minority Leader
3 Abrahams, and members of the Legislature.

4 Thank you for taking the time to
5 review and discuss this exciting
6 transformative project.

7 My name is Reggie Spinello and
8 I'm the mayor of Glen Cove. Through a very
9 successful public private partnership, and
10 the support of county, state, and federal
11 agencies who have contributed \$120 million
12 into the remediation of the super fund site,
13 after 20 years, we are ready to break ground
14 on a \$1 billion development that will put 56
15 acres of desirable waterfront property back
16 on the tax roll.

17 This project will make Glen Cove
18 a destination for commerce, recreation,
19 entertainment and waterfront living, and
20 infuse the local economy with new jobs, tax
21 and other new revenues, and residents from
22 young professionals and empty nesters, to
23 families who appreciate the benefits of an
24 affordable suburban city with beautiful land
25 and sandy beaches.

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2 Our commitment to growth is not
3 at the sacrifice of our residents, rather it
4 is 100 percent for their benefit as this
5 project will allow us to stabilize taxes and
6 eliminate the negative fund balances that I
7 inherited.

8 I see this project as the
9 beginning of a transformation for Glen Cove
10 from a bedroom community to a destination of
11 choice.

12 Although today's vote is a
13 deviation vote, it's really about \$622
14 million in new revenue to support our
15 schools, county, the city of Glen Cove and
16 its library.

17 For the county alone, there is
18 \$96 million in new monies. We have a
19 financial tool that creates a positive cash
20 flow from day one of the project to all
21 jurisdictions.

22 As I mentioned last week, the
23 project is expected to create 466 jobs
24 during construction and 545 new jobs as a
25 result of on-site employment and spending by

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2 the new residents. That's \$48 million in
3 salary and a 50 million infusion into the
4 local economy.

5 Now, some people have referenced
6 our land development agreement with all of
7 its changes regarding the responsibility for
8 the payment of certain expenses that
9 reflected the market changes over the years,
10 and ultimately it was determined that the
11 cost for preparing the infrastructure and
12 public improvements would be shared.

13 People tend to misrepresent this
14 information by simply mentioning a part of
15 the paragraph and not the entire document
16 which spells out that the city has a
17 responsibility to provide certain
18 infrastructure, public improvements and
19 financial assistance. All of you were
20 provided with an expanded explanation on
21 July 28th.

22 Three past administrations
23 planned and approved this project. But my
24 administration had to figure out how to pay
25 for it. I am pleased that we found a smart

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2 financial solution. It should also be noted
3 that mortgage recording, sales tax
4 abatements and pilots were always part of
5 the equation.

6 In addition to paying \$85 million
7 for their share of the infrastructure, RXR
8 and the future property owners only will be
9 supplying the payments for the bond.

10 These bond proceeds will be used
11 only for public amenities and this is a
12 nonrecourse to the city, the county, the
13 school, or the library.

14 We are fortunate to have a
15 redeveloper who has stayed with this project
16 for over the years, has invested over \$40
17 million of his own money, and still owns
18 nothing.

19 Thank you again and I would like
20 to, ma'am, if you're okay with it, I would
21 like to bring up Scott Rechler now from RXR.

22 CHAIRWOMAN GONSALVES: I was
23 going to call on Mr. Rechler who I happen to
24 know for a number of years, but I don't need
25 to recuse myself.

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2 MR. RECHLER: Thank you, Mayor,
3 thank you Presiding Officer Gonsalves.
4 Thank you for having me up here.

5 I've had the opportunity to work
6 with many of you over the last number of
7 decades trying to think about the future of
8 Long Island. How do we keep our young
9 children here, how do we create high paying
10 jobs? How do we bring new companies here so
11 that we think about Long Island not as a
12 great suburb of the 20th Century, but the
13 great suburb of the 21st Century.

14 As you know, we are involved in
15 projects in revitalizing downtown Hempstead,
16 a large project in North Hills and other
17 similar regional developments, downtown
18 redevelopments in areas like New Rochelle,
19 and Yonkers. We pride ourselves on really
20 being committed to the community.

21 We live and breathe these
22 communities. We're not just here to just
23 build, sell, and leave, we are here to be
24 here generationally.

25 As a matter of fact, for Glen

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2 Cove, my mother was born in Glen Cove, she
3 attended Glen Cove schools, my grandparents
4 lived in Glen Cove their entire life, I
5 spent all my summers and holidays in Glen
6 Cove. I considered Glen Cove to be my
7 downtown. My kids played Glen Cove
8 football. We go to all the Glen Cove movie
9 theatres and stores. So Glen Cove to me is
10 part of my community even though I live in
11 the adjacent town of Glen Head.

12 So this project is not only
13 important from the regional perspective but
14 is really personal for me to do it and do it
15 right, which is one of the reasons we've
16 dedicated the last decade to working on
17 trying to revitalize downtown.

18 When you think about revitalizing
19 different areas, there is probably no better
20 piece of property or location that can serve
21 as an example for revitalization.

22 Downtown Glen Cove on the
23 waterfront, you have a blighted super fund
24 site that's been that way for decades. Lots
25 of idea for what to do, lots of way of

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2 people working hard to try and clean up this
3 challenged environmental site, from the EPA
4 to DEC, the city, the state, the federal
5 government. It's been incredibly
6 challenging and we're finally done with that
7 process.

8 It's a site that today provides
9 zero tax revenue for any municipality at
10 all. Zero. That, when we go through the
11 process, is going to be able to create over
12 \$600 million of tax revenue for the local
13 municipality, the city, the school and the
14 county, on top of sales tax and other things
15 that will come and revitalize the downtown.

16 Change is inevitable. Everybody
17 talks about being afraid of change. There's
18 good change and bad change, and sometimes
19 standing still creates bad change.

20 When my mom graduated high school
21 in 1962, the schools were at a certain
22 level, today the schools have changed not so
23 much for the good.

24 When I used to go downtown and
25 saw a thriving community and storefronts

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2 full of customers when I was a young kid, it
3 changed. Now the stores are empty.

4 I took my son to see the Bourne
5 Identity, the number one film in the country
6 this weekend at the Glen Cove Movie Theatre,
7 any other movie theatre there's a line out
8 the door to get in, this theater was more
9 than half empty. It speaks to the fact that
10 Glen Cove last gone through a downward, self
11 reinforcing, negative cycle. It needs a
12 spark, an economic spark. This project can
13 be that economic spark.

14 The second thing, it's a model
15 public private partnership. We have worked
16 almost a full decade now with four different
17 administrations. Three Democrats and a
18 Republican administration. We've worked on
19 an LDA, and agreement with them, we now have
20 nine amendments to this agreement.

21 With each administration, there
22 is more feedback from the community, more
23 tours, more discussion and more compromises.
24 It's been an incredibly collaborative
25 process where the project has gone through a

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2 significant evolution both in terms of what
3 it looks like, the amount of open space it's
4 going to have, and ultimately what the
5 economics would be required from us and the
6 county.

7 It's a true partnership in the
8 sense that so far we have invested over \$40
9 million into this project, and are
10 committing almost \$100 million into the
11 infrastructure.

12 It's a true partnership that we
13 came up with a financing plan to fund public
14 amenities for roads, parks, marina,
15 esplanade, utilities, that normally is
16 provided to the developer when they come on
17 the site, public amenities through future
18 revenue sources from the project.

19 There is no debt going on Glen
20 Cove's books, no debt going on the county's
21 books. The full force of these bonds are
22 being supported by the belief that we will
23 be successful on developing this entire
24 project, create tax revenue, which will
25 ultimately be able to support the bonds that

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2 are funding public cost, public amenities
3 that we normally wouldn't have when you are
4 actually developing buildings as you go
5 forward.

6 As we've looked at this project
7 without this additional funding for this
8 infrastructure, we can't go forward. So we
9 are at a crossroads. The good news is, we
10 have done all the work. We have the EPA,
11 the DEC, we have construction financing, we
12 have Citi Group ready to float these bonds.
13 We have ten years of hundreds of meetings
14 and public input baked into our plans, and
15 we're ready to move forward with the votes
16 of yourselves today and a couple of other
17 municipalities, we will then be able to
18 float these bonds, fund the infrastructure
19 and, in 18 to 24 months, the Glen Cove
20 Waterfront will be open to the public again.

21 It's 28 acres of parks, marina,
22 esplanade, in 18 to 24 months. Then we will
23 start building buildings which will generate
24 tax revenue for the schools, people will be
25 working downtown, 500 jobs at the

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2 construction site a year.

3 It's going to be something that
4 will revitalize downtown Glen Cove and,
5 frankly, I think serve as a model for what
6 the future of Nassau County and Long Island
7 can be for the 21st Century. So I ask that
8 you provide your support for this today, and
9 if you have any questions obviously I'm here
10 to answer them. Thank you.

11 CHAIRWOMAN GONSALVES: Thank you,
12 Mr. Rechler. Samantha, I believe you
13 mentioned Citicorp as a speaker. You had a
14 list for me.

15 MS. GOETZ: This is the list
16 given to me from Mayor Spinello. So they
17 will be available to answer any questions
18 that may come up from the legislature.

19 CHAIRWOMAN GONSALVES: Who are
20 they?

21 MS. GOETZ: Scott Rechler, Shan
22 Markowitz, and Ron Camilliri, and also Milan
23 Tyler.

24 CHAIRWOMAN GONSALVES: The
25 Honorable Diane Yatauro, the former

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2 Presiding Officer of the Nassau County
3 Legislature. Okay, Diane. I'm going to ask
4 you one question before you begin, how is
5 your daughter?

6 HONORABLE YATAURO: My daughter
7 has just graduated and was just accepted
8 into Actors Equity. So she will be out
9 auditioning, auditioning, auditioning.

10 CHAIRWOMAN GONSALVES: I remember
11 when, Diane. Go ahead.

12 HONORABLE YATAURO: Thank you so
13 much. As Norma has identified, I was the
14 former Presiding Officer Minority Leader,
15 and obviously a legislator in the then 18th
16 District, and now the district that Delia is
17 representing.

18 I'm here to talk about Garvies
19 because I'm a resident of Glen Cove for 30
20 plus years. I've watched the development,
21 the lack of, the intentions coming and
22 going. I think this project is something
23 that we all should be paying close attention
24 to.

25 I also spent the last several

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2 days looking at some of the comments, some
3 of the misinformation. One is the DEC and
4 the EPA, the fact that it's not safe.

5 This was an industrial site. I
6 should say for those of who have not been
7 there, there's no one living there. It was
8 industrial. It is not near a neighbor. It
9 is completely alone and empty.

10 Are there views that are
11 consideration and I'm sure you will hear
12 that all from Sea Cliff.

13 The point is, it's not in front
14 of anyone's property. It's in Glen Cove in
15 an area when I moved in as a kid from
16 Westchester that married a Long Island boy
17 and he toured the area with me. I saw skull
18 and cross bones in that area, it was
19 completely taped, no one could be there.

20 The former mayor at the time was
21 able to obtain money from Al Gore so that
22 there could be remediation of the area.

23 It's been continuing through the
24 last 20 years. I'm here before you and I
25 didn't think I would be back to the Peter J.

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2 Schmitt Legislative Chamber because I'm
3 concerned that there is not the right
4 information about our developer and the
5 right information about this project.

6 Eric Alexander is on board with
7 Vision Long Island, I respect his thinking.
8 Our developer is somebody who has been
9 involved with the Children's Museum.

10 If you know Museum Row, and when
11 I sat on the other side of lectern, I wanted
12 a Godfather and Godmother for the Cradle and
13 every other museum. There is one Godparent
14 and that's the Children's Museum, and that's
15 Scott and Debra Rechler, and we don't think
16 about that museum because they take care of
17 it.

18 He has developed areas, the Royal
19 Carltun, if you take the Long Island
20 Expressway, and I do going into the city
21 with my daughter, you'll see the Royal
22 Carltun is an amazing upscale development
23 that that has changed the face of North
24 Hills.

25 But about three weeks ago I was

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2 in World Trade Center, and I was surprised
3 myself because we were going to the
4 observation tower and before you go in you
5 get a detailed overview of how it was built
6 and one of the people that were involved
7 with building that building that we find so
8 important was Scott Rechler. I stood there
9 for a moment and I watched him as he spoke
10 on tape.

11 I can't understand how we're not
12 coming to some reasoning with this. This
13 man who doesn't look like he's aged a bit,
14 and it's quite annoying to me personally,
15 because since I have seen you, I have gotten
16 grayer, plumper and a lot wiser. But I can
17 tell that you that this is a good project.
18 Is it perfect, nothing is.

19 But I can also say to you that I
20 have been on that side and I fought this
21 type of negativity and I fought this kind of
22 misunderstanding. We did it with the Avalon
23 which was supposed to be the quantification
24 of Glen Cove. There's been no impact to our
25 city. There's been no change other than

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2 more people in our area.

3 I've done it when I did Bayville
4 Road and there was a woman that came and she
5 said she would shut down that project and
6 save the county millions of dollars, and she
7 ran against me too, and, guess what,
8 Bayville doesn't flood any more.

9 I fought this same fight when I
10 went into the birches to make sure sewage
11 was done, and we fought over it, and I
12 helped with the sewers and it was one of the
13 things I did before I left to get sewers
14 into Sea Cliff, which I hope you guys will
15 get off the dime and help that happen, they
16 need it.

17 The point is, when there is
18 change, there's always going to be two
19 sides. And, as someone who is in the
20 county, your job is to make sure that all
21 the municipalities come together and work
22 together. No more pitch forks and torches.
23 Conversation. Intelligent conversation.
24 This is a good project. Please don't throw
25 the baby out with the bath water.

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2 CHAIRWOMAN GONSALVES: Yes,
3 legislator.

4 LEGISLATOR DERIGGI-WHITTON: Hi
5 Diane. I just wanted to get on the record,
6 are you in favor of this type of funding?

7 HONORABLE YATAURO: This type of
8 funding is what you have done and passed
9 regularly, absolutely.

10 LEGISLATOR DERIGGI-WHITTON: For
11 the IDA for Glen Cove to be taking out the
12 loan?

13 HONORABLE YATAURO: They're not
14 taking out the loan, Delia. You can
15 categorize it. You know what's curious to
16 me? This type of bonding and this type of
17 borrowing normally gets done in bulk. The
18 fact that it's not done in bulk --

19 LEGISLATOR DERIGGI-WHITTON: But
20 we're not borrowing.

21 HONORABLE YATAURO: You're not
22 borrowing, you're right.

23 LEGISLATOR DERIGGI-WHITTON:
24 We're not talking about Sea Cliff. We're
25 talking about Rechler's project.

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2 HONORABLE YATAURO: I am talking
3 about Rechler's project.

4 LEGISLATOR DERIGGI-WHITTON: For
5 the Glen Cove IDA?

6 HONORABLE YATAURO: Yes.

7 LEGISLATOR DERIGGI-WHITTON: Are
8 you okay with them taking out --

9 HONORABLE YATAURO: What is your
10 question about the IDA?

11 LEGISLATOR DERIGGI-WHITTON: --
12 the \$97 million --

13 HONORABLE YATAURO: What will
14 happen with the \$97 million, Delia, what
15 happens to it?

16 LEGISLATOR DERIGGI-WHITTON: The
17 money that was supposed to be coming in our
18 taxes for Glen Cove, which is really what we
19 need, Diane, and the schools need it too.

20 HONORABLE YATAURO: When I came
21 to Glen Cove, one of the things I looked at
22 was the schools, and their facilities are in
23 such disrepair --

24 LEGISLATOR DERIGGI-WHITTON: I
25 agree, and we can't a million --

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2 HONORABLE YATAURO: So where will
3 you be getting the rest of the money that
4 will be going to the schools if we don't
5 make progress now?

6 LEGISLATOR DERIGGI-WHITTON:
7 First of all, I don't think that, this
8 shouldn't happen. I don't think that the
9 city and schools should have to pay, with
10 all due respect, Mr. Rechler, and I keep
11 hearing a \$17 billion company, something
12 that he did sign to pay for.

13 And the \$600 million, Diane, if
14 you looked at that those numbers, that's
15 really a projected revenue. You can be for
16 the project. My father is the one that
17 started this cleanup. This is one of the
18 number one super funds in the nation out of
19 20.

20 I was there. I remember when Lee
21 Tuckston [sic] was roped off, my ex-husband
22 was sitting there guarding the bins. So I
23 have lived this project personally and I'm
24 not even saying anything about the project.

25 I'm concerned about the finance.

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2 And you can say, oh, nothing will happen if
3 we don't do this, but I don't believe that.

4 HONORABLE YATAURO: You don't
5 think it will be paid back?

6 LEGISLATOR DERIGGI-WHITTON: It's
7 30 years.

8 CHAIRWOMAN GONSALVES: Let me
9 interrupt, Legislator DeRiggi-Whitton, but I
10 would like the mayor to address that
11 question.

12 LEGISLATOR DERIGGI-WHITTON: You
13 know what, I just wanted to get Diane -- I
14 respect Diane tremendously, you know I
15 consider her a friend --

16 CHAIRWOMAN GONSALVES: Well, he's
17 the one that should be talking about
18 finances.

19 LEGISLATOR DERIGGI-WHITTON: Are
20 you in favor of the IDA taking out this
21 loan?

22 HONORABLE YATAURO: I'm in favor
23 because I know that it will be paid back. I
24 know that the loan will be paid.

25 LEGISLATOR DERIGGI-WHITTON:

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2 Through the taxes that the city was supposed
3 to be getting?

4 HONORABLE YATAURO: But the money
5 will triple and ten times what the city will
6 be getting. When you buy your house, you
7 have a mortgage, so don't mortgage our
8 future in Glen Cove.

9 LEGISLATOR DERIGGI-WHITTON: But
10 that's not what this is, this is money that
11 was supposed to be coming to the city. It's
12 money that was supposed to be coming in our
13 tax revenue and now it's going to be paying
14 off this loan instead of coming to the city.
15 That's the only money we could put in our
16 budget.

17 You could project sales tax
18 although we waived a lot of it also, but the
19 thing is, you can't put projected sales tax
20 really into a city budget. I want to
21 protect -- Diane, again, I am for progress,
22 I am for development, I am, but we have to
23 also be smart about it and we have to be
24 smart about our finances. We've given so
25 many incentives, from lowering the sales

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2 price to now the city is taking out this
3 loan.

4 MAYOR SPINELLO: The city is not
5 taking out a loan.

6 LEGISLATOR DERIGGI-WHITTON: The
7 IDA is taking out the loan.

8 MAYOR SPINELLO: No, the IDA is
9 not taking out a loan. It's a bond
10 offering.

11 LEGISLATOR DERIGGI-WHITTON: Okay.
12 The IDA is taking out a bond. It's the same
13 thing.

14 MAYOR SPINELLO: It's not the
15 same thing.

16 LEGISLATOR DERIGGI-WHITTON: It's
17 money owed.

18 MAYOR SPINELLO: If the city is
19 taking it out or the IDA is taking it out,
20 then they're responsible to pay it. But
21 they're not.

22 It's a bond offering, and the
23 risk goes to the person that buys the bonds.
24 That's how it works. It's a nonrecourse
25 vehicle. You keep saying that and that's

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2 not correct.

3 LEGISLATOR DERIGGI-WHITTON:

4 What's true is that there is a payment that
5 has to be made for the bond and that is
6 coming from the money that was going to --
7 it's coming in the form of a pilot. Which
8 is why we're here today, Diane.

9 I just want you to know, because
10 you and I have a longer relationship than I
11 do with the Mayor and I hope that you
12 understand. I'm not just jumping on the gun
13 on this. I really researched it.

14 I really think that we can do
15 better from the financial end. That's all
16 that it is. I'm not trying to stop anything
17 but I think we can negotiate a better deal.

18 MR. RECHLER: Can I just inject
19 one quick comment for clarification. I
20 appreciate your feedback and I know you've
21 researched it. I tried for the last two
22 weeks to ask you to come for a meeting with
23 me and my colleagues so we could walk you
24 through this because I think if you did you
25 would understand that there is zero

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2 liability to the city.

3 LEGISLATOR DERIGGI-WHITTON: I

4 get the liability.

5 MR. RECHLER: If the bonds

6 default, there's no obligation, the IDA has

7 no obligation.

8 LEGISLATOR DERIGGI-WHITTON: I

9 totally get that.

10 MR. RECHLER: B, there will be no

11 bonds and there will be no revenue or taxes

12 to the city if the project doesn't go

13 forward.

14 LEGISLATOR DERIGGI-WHITTON: I

15 get that as well.

16 MR. RECHLER: And the project is

17 not going to go forward unless we have some

18 form of incentive to build the

19 infrastructure that is the public

20 infrastructure the responsibility.

21 Typically, the developers don't build public

22 parks, roads, municipalities, utilities, you

23 have pads that you build on.

24 LEGISLATOR DERIGGI-WHITTON: Why

25 did you sign that you would in the contract?

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2 MR. RECHLER: I didn't.

3 LEGISLATOR DERIGGI-WHITTON: Why
4 did your predecessor?

5 MR. RECHLER: In my amendment,
6 number 8 and 9 --

7 LEGISLATOR DERIGGI-WHITTON:
8 Yeah, but that's changing the contract.
9 Prior to that, as we all know, it's stated
10 very clearly and every one has copies of
11 that.

12 MR. RECHLER: If you would like
13 to go prior to that, where we had two 16
14 story towers when I first got involved in
15 this project, that we've now brought down to
16 11 stories and four stories and less and 28
17 acres of open space when we had no open
18 space. So it's a negotiation. Four mayors,
19 three Democrats, one Republican negotiate
20 over ten years.

21 LEGISLATOR DERIGGI-WHITTON: The
22 bottom line is that I understand what you're
23 saying, I understand that this is something
24 that the IDA is taking out for you basically
25 for your business.

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2 MR. RECHLER: That's incorrect.

3 And I'm going to correct you again. It's
4 for the public and the people of Glen Cove.

5 LEGISLATOR DERIGGI-WHITTON: And
6 the reason why you're doing that is if we
7 give it to you directly it would be
8 considered a gift, and the only way --

9 MR. RECHLER: That's not why.
10 Where is the money going?

11 LEGISLATOR DERIGGI-WHITTON: It's
12 going to something that's signed for.

13 MR. RECHLER: It's going to
14 parks, it's going to roads, it's going to
15 utilities, it's going to marinas.

16 LEGISLATOR DERIGGI-WHITTON: It's
17 going on property that's not cleared by the
18 environmental.

19 MR. RECHLER: I just want to make
20 clear for the Legislature again, I'm going
21 to say this and then I will sit down, this
22 project, if we don't have this additional
23 revenue, we're not going to be able to
24 invest the infrastructure, that typically is
25 public infrastructure funded by the public.

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2 This is a creative way to be able to do that
3 and not put any additional debt on the
4 municipality or obligations to the
5 municipality. Because of that, we will have
6 a fully amenitized park and waterfront that
7 otherwise wouldn't exist in the next 24
8 months. Thank you.

9 CHAIRWOMAN GONSALVES: Don't go
10 away Mr. Rechler nor the mayor. Legislator
11 Howard Kopel has a question that pertains to
12 your last comment, Mr. Rechler.

13 LEGISLATOR KOPEL: Thank you, Mr.
14 Rechler. I think your last comment may have
15 even answered the question. My question was
16 going to be, and I would love you to
17 elaborate on this, my question with this
18 types of IDA financed deals is pretty much
19 always the same.

20 Would the project be commercially
21 viable without it,

22 MR. RECHLER: And the answer
23 would not be commercially viable.

24 LEGISLATOR KOPEL: And I would
25 like you to explain that point a little bit

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2 better. That's the determining factor in my
3 view.

4 MR. RECHLER: Then I appreciate
5 you asking that question. As a matter of
6 fact, in 2011, the New York State
7 Legislature came out with tax incremental
8 financing legislation because the New York
9 State Legislature and the governor
10 recognized that to be able to redevelop
11 these downtowns and other parts of New York
12 State that need significant infrastructure
13 investments, you need to be able to use the
14 future tax revenue to be able to fund some
15 of those investments.

16 So, just think about a home. If
17 you're building a home and you have a piece
18 of land, you going to be able to build a
19 home and say I know what is the cost on this
20 piece of land. You're not taking into
21 account building the roads to the home,
22 building to the utilities to the home,
23 building the park for the kids to play down
24 the street, those are all the other things
25 that these bonds are funding.

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2 Without that, this project can't
3 move forward because we can't afford, the
4 project can't afford to actually be able to
5 fund all the public infrastructure costs
6 associated with this blighted 100 acres.

7 LEGISLATOR KOPEL: Without that,
8 the municipalities would have to build that
9 themselves, would it not be an equal
10 exchange?

11 MR. RECHLER: That's correct. If
12 the municipalities agreed to fund -- and, by
13 the way, we're funding half of it. If they
14 funded their half and just wrote the check
15 for \$90 million, then we would not need
16 these bonds.

17 LEGISLATOR KOPEL: Is the
18 municipality obligated to fund this kind of
19 thing?

20 MR. RECHLER: Yes.

21 LEGISLATOR KOPEL: In any event?

22 MR. RECHLER: Yes, they are
23 obligated in the agreement that we had, in
24 our agreement with the IDA, they're
25 obligated to do so.

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2 LEGISLATOR KOPEL: And in the
3 normal course of events, if you want to
4 build a project, the project is otherwise
5 approved in terms of its form and its
6 function and so forth, is the municipality
7 obligated to build the roads and whatever
8 else that's necessary?

9 MR. RECHLER: It's all part of
10 the negotiation as to what is going to be
11 built. So what the density might be, what
12 the project might be, what the height of the
13 buildings might be, how much open space.
14 It's part --

15 LEGISLATOR KOPEL: If the
16 municipality wants the project, it would
17 either have to fund the improvements or it
18 can essentially fund it through this?

19 MR. RECHLER: Correct.

20 LEGISLATOR KOPEL: What about its
21 affect on the Nassau County portion of the
22 funding?

23 In other words, what's Nassau
24 County's direct benefit on a go no go?

25 MR. RECHLER: Right. So Nassau

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2 County would get zero if we don't go because
3 there's no taxes coming from this today, and
4 if are go forward, Nassau County will get
5 \$90 million of incremental tax revenue that
6 it's not getting today.

7 LEGISLATOR KOPEL: Over a period
8 of what?

9 MR. RECHLER: \$90 million of real
10 estate tax revenue.

11 LEGISLATOR KOPEL: Over?

12 MR. RECHLER: Net over 40 years.
13 Net of any cost, incremental costs
14 associated with Nassau County servicing this
15 development.

16 LEGISLATOR KOPEL: Is there an
17 incremental cost to Nassau County of
18 servicing?

19 MAYOR SPINELLO: Included in that
20 \$96 million, the county has new recurring
21 revenue which is from sales tax, from sewer
22 fees, and other miscellaneous revenues. So,
23 of the \$75 million --

24 LEGISLATOR KOPEL: Some of those
25 revenues are expenses.

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2 MAYOR SPINELLO: But of those \$75
3 million, you probably have about \$5 million
4 in expenses. You have a ten time multiple
5 of revenue to expenses.

6 So if we set it on a net basis
7 you would probably have \$90 million net. Of
8 the \$96 million, you would have \$90 million
9 net.

10 MR. RECHLER: And there have been
11 studies that have shown this, but the simple
12 thing is zero versus \$90 million net. Even
13 if it's a little shift, it's pretty wide
14 range.

15 LEGISLATOR KOPEL: Okay. I think
16 I got it.

17 CHAIRWOMAN GONSALVES: Legislator
18 Ford.

19 LEGISLATOR FORD: Thank you very
20 much. I wasn't on the committees when you
21 discussed this fully, and I'm sorry that I
22 wasn't there for the presentation earlier,
23 mayor.

24 I probably will just jump all
25 over the place. The bond that you are

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2 asking for that you're going to want to
3 issue, it's what, \$120 million?

4 MAYOR SPINELLO: The total bond
5 is \$120 million. That's \$97 million for
6 infrastructure plus a reserve.

7 LEGISLATOR FORD: Okay. And I
8 think I understand what you're saying, we
9 are not really issuing the bond at this
10 point, it's that City Corp. will send a bond
11 authorization --

12 MAYOR SPINELLO: If you're going
13 to have bond questions I have someone here
14 from Citibank.

15 LEGISLATOR FORD: It's just a
16 simple one. It's like a municipal bond that
17 they're issuing, correct?

18 MAYOR SPINELLO: No. It's not a
19 municipal bond. It's a bond, a high yield
20 bond, that has no rating that will go to a
21 sophisticated investor that basically is
22 investing in RXR to complete the deal.

23 CHAIRWOMAN GONSALVES: How about
24 that individual since that person is here
25 expressing those thoughts and putting it on

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2 the record?

3 LEGISLATOR FORD: Okay. I have
4 other questions.

5 CHAIRWOMAN GONSALVES: You can
6 ask other questions but I want that on the
7 record. Your name, sir?

8 MR. MARKOWITZ: Shan Markowitz.
9 I work in Citigroup Global Markets
10 infrastructure department. We're the senior
11 underwriter for the proposed public
12 improvement bonds.

13 As has been stated, the bonds
14 will be completely non-recourse to the city,
15 the county, the library and the school
16 district. The investors that we will be
17 selling these bonds to will be qualified
18 institutional buyers, mainly in our market,
19 those will be bond funds, high yield bond
20 funds that will be purchasing the
21 investment.

22 They are purchasing the
23 investment with the understanding that the
24 private development by RXR must be completed
25 in order for them to be repaid and the sole

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2 tax revenues that will be repaid with the
3 bonds are going to be those derived within
4 the development pursuant to the pilot
5 itself. So they understand the significant
6 risks associated with it. They understand
7 they can't look to the county or the city
8 for any repayment and are offering document
9 that will go to those prospective bond
10 holders and will detail all of that
11 information.

12 LEGISLATOR FORD: Thank you. I
13 don't know if it was better or worse. But I
14 guess just getting down to the nuts and
15 bolts to better understand it, when the bond
16 is issued and it has to be repaid back, is
17 that then through the pilot you are
18 requesting?

19 MR. MARKOWITZ: Correct. The
20 bonds are repaid from the tax agreement
21 revenues within the district itself.

22 LEGISLATOR FORD: Then what is
23 the interest I mean that you're going to
24 give -- will the pilot cover -- if they
25 purchase the bond, then you have to give

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2 them an interest on their investment,
3 correct?

4 MR. MARKOWITZ: That's right.

5 LEGISLATOR FORD: Will the pilot
6 that you are requesting cover not only the
7 cost of the bond but also the interest
8 payment as well?

9 MR. MARKOWITZ: Absolutely. The
10 projected tax revenues from the project are
11 expected to be somewhere in the neighborhood
12 of \$614 million over the term of the
13 agreement.

14 The expected debt service cost
15 principal plus interest on this proposed
16 bond issuance is about \$282 million, so it's
17 about a two to one ratio with all of the
18 excess revenues going back to the taxing
19 jurisdictions.

20 LEGISLATOR FORD: Thank you. I
21 really appreciate that.

22 So it's my understanding from
23 what everybody is saying that currently the
24 property does not generate any property tax
25 revenue?

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2 MAYOR SPINELLO: No. Not for
3 over 30 years.

4 LEGISLATOR FORD: So, by doing
5 this project then, not only the money that
6 will be from sales tax revenue like in the
7 construction costs, the money that we
8 realize from that, once this project is
9 completed, then there will be an actual
10 project tax base that will generate revenue?

11 MAYOR SPINELLO: Yes.

12 LEGISLATOR FORD: Okay. When you
13 talk about some of the costs, I know that
14 you got letters from like the school
15 district and the police department and the
16 fire department.

17 The one thing that I noticed,
18 just correct me if I'm reading this wrong,
19 it was indicated by the fire department that
20 as long as the building would not go above
21 four or five stories, there would be no need
22 for additional equipment.

23 But, from what I gather, some of
24 the buildings will be above four stories.

25 MAYOR SPINELLO: One building

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2 will be five stories and there's one
3 building that's 11 stories.

4 LEGISLATOR FORD: So then if
5 there is additional equipment needed, who
6 about will purchase that equipment?

7 MAYOR SPINELLO: The city will
8 and the city is talking with the redeveloper
9 to donate a piece of equipment.

10 LEGISLATOR FORD: Okay. That's
11 important. The portion of the bond is
12 basically covering, what portion of the
13 property? When you do the work, it's just
14 basically for public infrastructure?

15 MR. RECHLER: All the proceeds of
16 our bonds will be going to towards the
17 public improvements, the public
18 infrastructure with respect to the project,
19 none of the private development.

20 LEGISLATOR FORD: So like you
21 said the roads, the lighting?

22 MR. RECHLER: Roads, playgrounds,
23 esplanade, marinas, bulk heads, et cetera.

24 LEGISLATOR FORD: My last
25 question then I guess would be, I don't know

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2 if I got this or not, but will this be done
3 by union labor, or are you going to go
4 through the apprenticeship program or
5 hopefully maybe sign a PLA?

6 MAYOR SPINELLO: Yes. There's
7 not going to be PLA, but they'll still go
8 out to union.

9 MR. RECHLER: All infrastructure
10 will be and we have members here with us
11 today in support of the project.

12 And, again, I want to point out
13 which is unique to this bond, is because
14 we're floating that interest reserve that
15 the mayor spoke about \$30 million of
16 interest reserve, that enables us to do all
17 of the infrastructure up front.

18 So the benefit to the community
19 will be done in that first 18 to 24 months
20 versus having to wait until the other
21 buildings are built to create enough tax
22 revenue to start paying interest, we are
23 pulling all the money down to invest that
24 infrastructure in that first 18 to 24
25 months.

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2 LEGISLATOR FORD: So, when you
3 start with the project, like you were
4 saying, the infrastructure, and the
5 esplanade and the parks, that will be before
6 the other buildings?

7 MR. RECHLER: Right. The entire
8 infrastructure will be done for the entire
9 project, even though it's a five, six-year
10 full build out, it will be done in the first
11 18 to 24 months, all the way to the
12 waterfront and anything that's not built
13 will be turned into parkland until the next
14 phase of the project is moving forward.

15 LEGISLATOR FORD: Will this be
16 accessible to the residents?

17 MR. RECHLER: Fully accessible to
18 the residents of Glen Cove. It has the
19 esplanade. Really, if you look through the
20 whole process, all the residents, has
21 parking for residents, the marina is open to
22 the residents, it has water sports for the
23 residents, et cetera.

24 LEGISLATOR FORD: And this is
25 before you finished the other buildings?

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2 MR. RECHLER: Before we finished
3 the other buildings.

4 VICE-CHAIRMAN NICOLELLO: A
5 couple more follow up questions.

6 Mr. Markowitz, this form of
7 financing, is this relatively new, are there
8 other examples of this going forward?

9 MR. MARKOWITZ: Yes. This is
10 generally in the municipal finance world
11 considered a tax increment financing meaning
12 that only the incremental tax revenues
13 generated by the project itself are
14 available to repay the debt.

15 It's used fairly extensively
16 across the country. There's been more
17 limited use in New York State because of
18 applicable laws but the Citifield and Yankee
19 Stadium were done with a pilot bond and
20 there are other examples on a more local
21 level in the more recent past.

22 VICE-CHAIRMAN NICOLELLO: And the
23 bond market currently is very favorable, is
24 it not?

25 MR. MARKOWITZ: Yes. We are

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2 currently in a very favorable bond market.
3 Municipal tax exempt rates are at their all
4 time lows. There's been significant inflows
5 from these bond funds that are the big
6 investors in our market. They have been
7 individual investors who invest in these
8 bond funds have been depositing positive
9 inflows into the bond funds for 43
10 consecutive weeks at this point. So it's a
11 very favorable time to get into the market
12 and finance this transaction.

13 MR. RECHLER: There's a very good
14 point about where interest rates are because
15 any of the benefit of low interest rates
16 results in higher tax revenue to all of the
17 municipalities, so that you are able to get
18 better rates, more taxes that flow to the
19 municipalities.

20 VICE-CHAIRMAN NICOLELLO: Just
21 one other point. In terms of the
22 infrastructure in this financing mechanism
23 being used to pay for the infrastructure, if
24 that mechanism wasn't in place, wouldn't the
25 tax monies of the city of Glen Cove have to

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2 pay for the --

3 MAYOR SPINELLO: The city
4 couldn't afford it. We would have to float
5 a \$90 million GO and that would be a little
6 too much for us to bear.

7 VICE-CHAIRMAN NICOLELLO: So, if
8 you're building a park, building a roadway,
9 if you're building utility connections,
10 that's municipality expenses?

11 MAYOR SPINELLO: Yes. Part, some
12 of the items in this obviously are the road
13 for the city, some demolition, some
14 remediation we have to do, there's an
15 assortment of items in there.

16 VICE-CHAIRMAN NICOLLEO: I think
17 you described it to us, I think it's the
18 horizontal responsibility.

19 MAYOR SPINELLO: Not one penny of
20 this borrow goes for the buildings
21 themselves. This is all infrastructure and
22 public improvements.

23 VICE-CHAIRMAN NICOLELLO:
24 Minority Leader Abrahams.

25 LEGISLATOR ABRAHAMS: Thank you,

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2 Deputy Presiding Officer Nicoletto. I have
3 two questions and then I will pass it on.

4 My first question is to
5 Mr. Rechler. You had mentioned some of the
6 challenges, and I think everyone on this
7 body understands the difficulties in putting
8 together a deal, and as Legislator
9 DeRiggi-Whitton had pointed out, we all
10 agree something should be done with the
11 site.

12 Obviously, in this day and age
13 where we have young people leaving the
14 county, young people leaving the state, we
15 should be looking to develop properties all
16 throughout the county to ensure they are
17 developed properly, one for the communities
18 that reside around them as well as the
19 people we are looking to attract into the
20 community as well.

21 But I do want to ask, you had
22 mentioned some of the challenges in regard
23 to the project. Is it my understanding or
24 do I have a safe interpretation to mean that
25 if this was not passed by this Legislative

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2 body that you would look for other ways to
3 do it or you would pull out?

4 MR. RECHLER: I think the project
5 wouldn't go forward if this wasn't passed by
6 the Legislative body.

7 Unless, for example, the city
8 said, we'll increase density, and once again
9 we can have 16 story buildings and that math
10 works.

11 I mean, legislator, you and I
12 have sat through negotiations before on
13 other projects and you know there's always
14 gives and takes.

15 As I said, we have now gone
16 through nine amendments of negotiations with
17 four different administrations that have
18 changed the dynamics of the project and the
19 economics of the project all the way through
20 to where we are today.

21 So, we have now found a spot
22 where we could building something that has
23 28 acres of open space, lower buildings,
24 more public amenities along the way, lower
25 density that this mayor took 20 percent away

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2 from the number of square footage that we
3 had before we started this project.

4 So, as you reduce square footage
5 that ultimately creates revenue, then it
6 becomes less economic and, so, by doing this
7 negotiation and putting the right amount of
8 infrastructure in place, along with this, it
9 works.

10 I want to make the point, we're
11 funding \$90 million into this, this
12 horizontal part that we're referring to. So
13 \$90 million coming from the bonds, \$90
14 million is coming from us, and that was part
15 of the negotiation to be able to bring this
16 project to a point where it can make
17 economic sense.

18 LEGISLATOR ABRAHAMS: I do have a
19 question, I want to thank, the mayor took
20 the time out a couple of weeks back to meet
21 with me, I wanted to thank him for that, but
22 I presented a question to him that he wasn't
23 able to answer in regards to the price of
24 the condos. He did mention in fairness that
25 some of them will be deemed to be

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2 affordable, but he wasn't able to give me an
3 idea of what that affordable number would be
4 and then just to get an idea of framework of
5 what we're talking about here.

6 MR. RECHLER: So what we didn't
7 mention and it's worth noting, as part of
8 our agreement with the city and the IDA, ten
9 percent of the overall development will be
10 affordable, half rentals, workforce housing,
11 workforce rentals, and half for sale that's
12 going to be incorporated into the project in
13 our first phase of the project.

14 In addition to that, as we think
15 through the price points, obviously the
16 markets dictate price point, we're aiming in
17 the range of somewhere between 600 and
18 \$700,000 per unit for our first phase of the
19 condominiums that we are selling, but,
20 that's again, depends on where the market
21 goes as we move and you have to meet where
22 the market bears.

23 LEGISLATOR ABRAHAMS: That's the
24 price for everyone else, what's the
25 affordable price?

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2 MR. MARKOWITZ: That would be 60
3 percent to about 120, 130 percent AMI.

4 LEGISLATOR ABRAHAMS: For the
5 public and the folks up here, for anybody up
6 here I just want to make sure I'm talking
7 straight. What's the number? If we don't
8 know it that's fair for the record too.

9 MR. HOFTELL: Frank Hoftell with
10 RXR. It varies by year, but the SEQRA
11 requires us to, on the rental component, to
12 lease to people between 60 and 130 percent
13 AMI and the rents are set at 30 percent of
14 that tenant's income.

15 On the sale unit, for sale units,
16 the rents on that unit type are capitalized
17 at a rate that would be determined at a
18 future time, and the price is set then.

19 So the prices are aren't set
20 exactly now, but there is a formula for
21 calculating those in the future.

22 LEGISLATOR ABRAHAMS: So tell me
23 what they will be?

24 MR. HOFTELL: So AMI today is
25 109,000 or so, and so projecting that that

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2 formula forward, it would be -- if it
3 averages 100 percent, then it would be
4 \$30,000 a year in rent.

5 LEGISLATOR ABRAHAMS: For the
6 rental?

7 MR. HOFTELL: Yes.

8 LEGISLATOR ABRAHAMS: For the
9 workforce housing, you said it was \$109,000
10 per unit?

11 MR. HOFTELL: Is the AMI per
12 household, right.

13 LEGISLATOR ABRAHAMS: That's the
14 price, right?

15 MR. HOFTELL: I'm sorry, 30
16 percent of that. 30 percent of that, of
17 each tenant's income. The tenants that are
18 eligible are between 60 and 130 percent of
19 AMI and the rents are set at 30 percent of
20 that tenant's income.

21 LEGISLATOR ABRAHAMS: That was
22 the rent?

23 MR. HOFTELL: Correct.

24 LEGISLATOR ABRAHAMS: The
25 workforce housing? I heard there was

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2 mention of workforce housing as well. So if
3 somebody wanted to by a unit, it sounds like
4 the prices are 600 to \$700,000, what would
5 the workforce unit for young people or for
6 folks who do not make the amount of money
7 that --

8 MR. HOFTELL: So, based on these
9 numbers, it would be roughly about 50
10 percent of the market rate unit.

11 LEGISLATOR ABRAHAMS: So roughly
12 about 350, \$400,000?

13 MR. HOFTELL: 250 to \$300,000.

14 LEGISLATOR ABRAHAMS: Thank you.
15 My last question is for Mayor Spinello. I
16 do believe the school district is voting
17 tonight.

18 MAYOR SPINELLO: There is a
19 meeting with the school district tonight.
20 They may vote tonight they may vote a day or
21 two after.

22 LEGISLATOR ABRAHAMS: I see. And
23 based on your conversations with the school
24 district, or members of the board, they can
25 always be impacted by what they hear

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2 tonight, have you had had discussions with
3 the school board in regards to their
4 position on this proposal?

5 MAYOR SPINELLO: I'm sorry. I
6 didn't hear that.

7 LEGISLATOR ABRAHAMS: Have you
8 spoken to the school board? I know their
9 positions could change based on what they
10 hear tonight, but have you spoken to any
11 members of the school board prior to today?

12 MAYOR SPINELLO: Our attorney has
13 spoken with the school board attorney and
14 they had discussions and tonight we're going
15 in and I'm going to address the school board
16 as a whole.

17 LEGISLATOR ABRAHAMS: And based
18 on their discussions, the school board is in
19 favor of the project or not?

20 MAYOR SPINELLO: I can't comment.
21 I think that they have questions but I don't
22 think there is anything in my opinion that
23 that would be a deal breaker. But, again,
24 they have to make up their own mind. I
25 think when they hear the real facts I think

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2 it's something that they would support but
3 I'm not going to speak for them.

4 The school would receive about
5 \$292 million from this.

6 LEGISLATOR ABRAHAMS: I'm sorry,
7 \$290 million?

8 MAYOR SPINELLO: The school would
9 receive \$290 million.

10 LEGISLATOR ABRAHAMS: Over what
11 period of time?

12 MAYOR SPINELLO: Over the course
13 of 40 years.

14 LEGISLATOR ABRAHAMS: No more
15 questions. Thank you. Thank you, Presiding
16 officer.

17 VICE-CHAIRMAN NICOLELLO: The
18 members of the public have been waiting
19 patiently. Three more legislators that have
20 to speak and then we will open up to public
21 comment. What does AMI mean?

22 MR. HOFTELL: Average median
23 income.

24 VICE-CHAIRMAN NICOLELLO:
25 Legislator Curran.

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2 LEGISLATOR CURRAN: So this pilot
3 is about \$615 million over 40 years minus
4 the debt service of \$283 million which
5 leaves us with \$332 million over the various
6 jurisdictions for 40 years, right?

7 MR. TYLER: Plus there is another
8 \$292 million, so there is a total of \$622
9 million after the bond is paid.

10 LEGISLATOR CURRAN: After the
11 bond is paid, okay. So, my question is, I
12 know we are being asked today as a county to
13 accept 6.4 percent down from 7.5 percent
14 which doesn't seem like such a dramatic
15 decrease but my fundamental question is, why
16 is 5.7 percent the starting point for the
17 county?

18 I ask that because according to
19 the New York State General Municipal Law,
20 and I will read this quote very quickly,
21 pilots "shall be allocated among affect tax
22 jurisdictions and provision to the amount of
23 real property tax and other taxes which
24 would have been received by each affected
25 tax jurisdiction."

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2 So the county proportion is 15.73
3 percent which is quite a lot less,

4 MR. TYLER: Your portion is not
5 16.7.

6 VICE-CHAIRMAN NICOLELLO: Can we
7 ask Mr. Camilliri to comment on that.

8 MAYOR SPINELLO: Yes. I also
9 have Milan Tyler here.

10 MR. TYLER: Milan Tyler, Phillips
11 Lytle. I think that the confusion is the
12 fact that the city uses the Homestead rates
13 for condos. Nassau County uses a different
14 non Homestead rate, so the calculations are
15 a little bit different.

16 When we calculated the pilot, we
17 used the non Homestead rate because there is
18 no other condos in Glen Cove like this so
19 every other market comparison that the condo
20 purchasers would be looking at would be the
21 non Homestead rate for Nassau County.

22 So when we calculated both the
23 pilot and what we figured the otherwise
24 applicable taxes would be, we came up with
25 seven to seven and a half percent.

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2 As I understand it, the assessor
3 is looking at the non Homestead rate and has
4 a slightly higher rate for the condos. It
5 blended it, I would refer to Ron as what the
6 actual blended rate would be, but it's
7 somewhere like ten percent. So it's
8 somewhere between seven and a half percent,
9 or seven percent. If you use the non
10 Homestead rate and it's slightly higher
11 because the Nassau County assessor is using
12 the Nassau County rate along with the non
13 Homestead rate.

14 LEGISLATOR CURRAN: My concern is
15 that as a county legislator I'm looking out
16 for the county and every year we are
17 scrambling for buses, scrambling for youth
18 programs, and with one vote I think we can
19 be giving away a lot of money that we need
20 here.

21 I mean, we're trying to borrow
22 money and I understand the argument that
23 something is better than nothing. I'll just
24 use a very silly analogy, but if you come
25 into my restaurant and have a hundred dollar

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2 meal, but you want to pay 50 bucks, you can
3 say, hey, it's more than you had before, but
4 is that fair to us? Is that fair to the
5 county?

6 MR. TYLER: You're sitting with a
7 piece of land that has not thrown off tax
8 revenue for 30 years.

9 LEGISLATOR CURRAN: I understand
10 that.

11 MR. TYLER: In a city that is in
12 economic depression for a long time going
13 down heavily indebted, this is a chance to
14 actually do something for the positive.

15 So, you can gamble and say maybe
16 someone else is going to come along with
17 another idea that is actually going to trade
18 tax revenue, or sit with a piece of land
19 that has no taxes, and, frankly, a city
20 that's going to be in financial distress
21 because they owe money on the environmental
22 cleanup, they owe money on debt associated
23 with all of the carrying of the land. So
24 it's, really, getting something or zero, not
25 what the alternative would have been, seven

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2 percent, five percent, 12 percent, I kind of
3 think that's irrelevant in the scope of
4 things here personally.

5 LEGISLATOR CURRAN: I hear what
6 you're saying. One more quick question.
7 Has the EPA given the environmental
8 clearance for this yet?

9 MAYOR SPINELLO: One of the sites
10 received an amended decision and we're
11 waiting for one more and it's going to come
12 in two weeks and that would be on the Lee
13 Tuckston site from the EPA, so they will --
14 so no development can start until we have
15 their approval. But the approvals are
16 coming. One is coming and the other is on
17 its way.

18 LEGISLATOR CURRAN: And you're
19 confident you'll be getting the other?

20 MAYOR SPINELLO: Yes, absolutely.

21 LEGISLATOR CURRAN: Thank you.

22 MR. RECHLER: I also want to note
23 that as part of this project, to get
24 financing, we need to get environmental
25 insurance, so, beyond the state and federal

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2 regulatory EPA approvals, and all of us
3 looking at it, meeting the guidelines, we're
4 meeting also a private sector guideline in
5 terms of being environmental clean and
6 sound.

7 CHAIRWOMAN GONSALVES: Legislator
8 Dunne.

9 LEGISLATOR DUNNE: I just have a
10 few questions and a simple yes answer would
11 be good for each and every one of them.

12 The area is totally blighted now?

13 MAYOR SPINELLO: Yes.

14 LEGISLATOR DUNNE: You are going
15 to be providing jobs for the building
16 trades?

17 MAYOR SPINELLO: Yes.

18 LEGISLATOR DUNNE: After that
19 there's going to be employment for the
20 people in the community in those facilities
21 that you're building?

22 MAYOR SPINELLO: Yes, there will
23 be jobs on-site and jobs as a result of the
24 spending from the new residents.

25 LEGISLATOR DUNNE: So the

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2 infrastructure is definitely needed for
3 this?

4 MAYOR SPINELLO: Yes.

5 LEGISLATOR DUNNE: The sales tax
6 revenue, the whole time, one, is going to go
7 up because the construction work is eating
8 and using the gas stations and everything in
9 the area, and, then after, the overflow of
10 the people living there, so that the
11 economics in the area is going to be
12 improved?

13 MAYOR SPINELLO: It's
14 guesstimated that the county obviously will
15 be the biggest beneficiary of that. But the
16 county is estimated to at full build out
17 net, \$733,000 annually.

18 LEGISLATOR DUNNE: That's in
19 sales tax revenue?

20 MAYOR SPINELLO: Yes.

21 LEGISLATOR DUNNE: It looks like
22 a no brainer.

23 MAYOR SPINELLO: And another
24 \$265,000 in sewer fees.

25 LEGISLATOR DUNNE: I applaud you,

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2 I applaud the builder, and for finalizing
3 this project, and hopefully it will get done
4 by this body and tonight with the school
5 district. Thank you.

6 MAYOR SPINELLO: Thank you.

7 CHAIRWOMAN GONSALVES: Legislator
8 Bynoe.

9 LEGISLATOR BYNOE: Thank you,
10 Presiding Officer. I had a couple of
11 questions but they have been answered prior,
12 so I'm going to just go in with this one
13 question.

14 It's really for someone from
15 administration, not actually for the
16 developer or the mayor. I don't know who is
17 here from the administration who can answer
18 the question.

19 The question is regarding what we
20 are area being asked to vote on today. I
21 don't actually see the pilot agreement. I'm
22 wondering why it's not a part of it.

23 CHAIRWOMAN GONSALVES: Who is
24 going to answer?

25 MAYOR SPINELLO: You're not

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2 voting on the pilot. The pilot is approved.
3 You're voting on the deviation, the match of
4 money that's going to be allocated to you.
5 That's all you're voting on.

6 LEGISLATOR BYNOE: So the master
7 tax agreement, is that the actual document
8 that will be used for this vote?

9 MR. TYLER: The master tax
10 agreement is in fact the document by which
11 the pilot is going to be paid.

12 What is before you today is the
13 allocation of those payments. You need to
14 approve that they get allocated in a way
15 other than taxes would be.

16 LEGISLATOR BYNOE: I just needed
17 to know what document we are using to be
18 voted on today. I appreciate the answer.

19 Is it that we're waiting for
20 someone from the assessor's office to speak
21 to Legislator Curran's earlier question? I
22 understand your answer to it earlier, but I
23 am hoping that someone from the
24 administration is going to come down and
25 further elaborate.

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2 VICE-CHAIRMAN NICOLELLO:

3 Briefly, my understanding is, there's an
4 issue, not with respect to the 6.4 percent
5 which we would be agreeing upon, but there
6 is an issue as to the number that we should
7 be getting.

8 There's an indication of 7.4.2
9 percent is what's been represented to us as
10 the number that the county should be getting
11 and we just have to confirm that that is an
12 accurate number. We obviously want to know
13 exactly the scope whatever we should be
14 getting as opposed to what we will be
15 getting.

16 LEGISLATOR BYNOE: That was my
17 earlier question that was answered by these
18 individuals, but I think as a body we should
19 have that answer from the assessor.

20 CHAIRWOMAN GONSALVES: You are
21 correct.

22 LEGISLATOR BYNOE: Thank you.

23 CHAIRWOMAN GONSALVES: Now we
24 have Legislator Muscarella.

25 LEGISLATOR MUSCARELLA: If

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2 someone could answer this, it's just a
3 general overview of this entire legislature.
4 Just confirm that what we are doing if we
5 were to pass this is basically passing a
6 contingent approval; that contingency being
7 all of the other bodies that have to pass
8 upon this before this would actually be
9 implemented as law; is that correct?

10 MAYOR SPINELLO: Yes.

11 LEGISLATOR MUSCARELLA: So even
12 if we pass this today, if the other pieces
13 don't all fall into place, what we're doing
14 here really is not going to have any
15 effective law?

16 MAYOR SPINELLO: That's correct.
17 It's already been approved by the city and
18 the library, and hopefully you will, and
19 then the school will be next, either tonight
20 or within one or two days after that.

21 LEGISLATOR MUSCARELLA: And also
22 basically the EPA?

23 MAYOR SPINELLO: Yes. Can't
24 build without that, yes.

25 LEGISLATOR MUSCARELLA: Thank

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2 you.

3 CHAIRWOMAN GONSALVES: Now it's
4 time for the public speak.

5 VICE-CHAIRMAN NICOLELLO: Mayor
6 Kennedy.

7 MAYOR KENNEDY: Good afternoon.
8 Thank you for the opportunity to address the
9 Legislature again.

10 I'm here in regard to resolution
11 120-16 with respect to the Garvies Point
12 redevelopment project in Glen Cove.

13 I feel it is imperative that this
14 body vote no. If I just heard Mr. Rechler
15 correctly, he has asked this legislature to
16 bail out the city of Glen Cove and that is
17 grossly inappropriate.

18 This resolution is a request for
19 the Nassau County taxpayers to help fund the
20 highly controversial residential development
21 project proposed by RXR, a \$17 billion
22 company.

23 There are currently two separate
24 legal action in Supreme Court seeking to
25 overturn the approvals of this project and

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2 voting on this resolution while the legal
3 actions are still outstanding would be
4 unwarranted and prejudicial. To think that
5 Nassau County taxpayers should pick up the
6 county tax bill or any portion of it, for
7 1,110 new luxury residential units for any
8 period of time is outrageous.

9 I trust that you will agree that
10 the request by the Glen Cove IDA who tax
11 breaks have generated the fewest jobs in the
12 state in 2012 according to the state
13 comptroller, to saddle Nassau County
14 taxpayers with this fiscal irresponsible and
15 harmful plan is in violation of the public
16 trust.

17 To even consider this resolution
18 without first performing a SEQRA study of
19 the financial impact to the county
20 taxpayers, which includes study and
21 analyzing all of the fiscal reports,
22 studies, analyses, projections and economic
23 predictions would be considered a
24 dereliction of legislative duty.

25 The master tax agreement, to the

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2 best of my knowledge, was only submitted to
3 the Legislature on Friday, so I'm guess that
4 the Office of Legislative Budget Review, nor
5 the comptroller has had an opportunity to
6 analyze any of the details of this project.

7 The reason that the city is
8 asking for the pilot and the allocation is
9 because the city IDA has approved \$120
10 million in tax increment financing for a
11 cost that the redeveloper is solely
12 obligated to, in taking money that the
13 taxpayers are entitled to and giving it to
14 the redeveloper.

15 Now there is a lot of discussion
16 about what these amendments say. But what I
17 do know is this, amendment 4-50A of the land
18 disposition states:

19 The redeveloper shall be
20 responsible for the funding and construction
21 of all public amenities. The agencies
22 acknowledge that the redeveloper may seek
23 funding from third party sources other than
24 the City of Glen Cove and its agencies in
25 connection with and funding all or part of

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2 the public amenities.

3 This amendment is dated 6-29-2012
4 and I'm completely unaware of any amendment
5 since that date that addresses the funding
6 of public amenities and nobody has told you
7 differently yet today.

8 The city's written questions and
9 answers from the IDA's meeting of 6-22-2016
10 acknowledges amendment four in relation to
11 the question asked about the funding of
12 public amenities.

13 It does not mention any amendment
14 since that that modifies 50.A but it does
15 state that the 9th Amendment will reflect
16 many of the items being analyzed as part of
17 the public use improvement financing as well
18 as various other business and governance
19 items. It will be available to the public
20 prior to adoption once the draft is
21 negotiated and complete.

22 The action of the IDA to float
23 \$120 million tip bond to finance the public
24 amenities is a violation of the LDA. It is
25 a violation of the contract and takes future

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2 tax revenues which legally belong to the
3 taxpayers of the city which is Legislator
4 DeRiggi-Whitton's whole point, and it gives
5 it to the developer.

6 How can this be viewed as
7 anything but a gift to RXR? How can this be
8 viewed or not be viewed as a
9 misappropriation of public funds?

10 CLERK PULITZER: Sir, your time
11 has expired.

12 MAYOR KENNEDY: I'm almost done.
13 It is unfathomable for the county to approve
14 this subsidy. Why should all current
15 taxpayers in the county be forced to
16 subsidize the future owners of these multi
17 million dollar condos? Not for the next
18 year, not for the next five, not ten, not
19 20, for the next 40 years.

20 It is outrageous to expect the
21 residents of the Village of Sea Cliff or an
22 of your districts to pick up the subsidy for
23 these multi million dollar condo owners for
24 the next 40 years.

25 With all that said, I thank you

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2 for your consideration and for your vote of
3 no on this resolution.

4 VICE-CHAIRMAN NICOLELLO: Alicia
5 Pagliare.

6 MS. PAGLIARE: I just heard all
7 of the comments on how much the county is
8 going to get, and the 15 percent and
9 whatever percentage you're going to get,
10 you're going to set some money apart for the
11 road repairs. Because, during the
12 construction of these buildings, you're
13 going to have to maintain our roads, the
14 road going to Glen Cove.

15 For the past 20 years, I have
16 been asking and fighting with the Department
17 of Public Works to fix one street in Glen
18 Cove. It took almost 20 years for you, for
19 the county to fix Cottage Road. Then we
20 have Brewster Street which is caving in.

21 Glen Cove Road you can't even
22 change lanes because there is craters in the
23 middle. You have to navigate these roads
24 because just to get into Glen Cove you have
25 multiple traffic lights, multiple obstacles

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2 getting into Glen Cove.

3 I know that many of you do not
4 live in Glen Cove. You never go to Glen
5 Cove. You have never been on Glen Cove Road
6 and, before you vote on this project, that
7 will be bringing in trucks and trucks and
8 trucks first to construct it, and then after
9 it's constructed, then we're going to have
10 more than three thousand vehicles every
11 single day on our roads in our streets.

12 You're going to have to set apart
13 a lot of your money to fix our streets
14 because I know that half the streets in Glen
15 Cove are not Glen Cove, part of the city,
16 they're part of the county.

17 Every year, very sadly I see how
18 our streets are up kept or unkept. So,
19 please, do not vote yes on this project.
20 It's detrimental to our city. It's
21 detrimental to our well being. This is a
22 quality of life. All of this traffic,
23 additional traffic.

24 We were promised with other
25 projects, oh, no, no impact on the city. It

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2 is going to impact the city. Then not only
3 on our traffic, it's also going to impact it
4 on our police and our firefighters.

5 Remember, our firefighters are
6 volunteer firefighters. So, who is going to
7 pay the fire fighters? We are going to need
8 a lot more for these 15 story high
9 buildings.

10 So please do not vote yes on this
11 project. I urge you not to vote according
12 to with what Mr. Rechler says. That is not
13 what the citizens of Glen Cove need. Please
14 do not vote yes.

15 VICE-CHAIRMAN NICOLELLO: Thank
16 you. Marsha Silverman.

17 MS. SILVERMAN: Good afternoon.
18 Thank you for your time today. I'm a
19 resident of Glen Cove and I'm opposing this
20 financing scheme. I call it a scheme
21 because it is truly not in the best interest
22 of any of us as Nassau County residents.

23 I am a finance person. I have an
24 MBA in finance. I've been in corporate
25 finance for over 20 years. This really is

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2 creative financing. This is not good for
3 any of us.

4 Let me just give you a few
5 examples. You heard for the past hour or so
6 Mr. Rechler and Mayor Spinello throw around
7 hundreds of million dollars to your benefit
8 or the county's benefit. They talk about
9 revenues but they never ever mention
10 expenses. I think Mr. Kopel earlier asked
11 about the expenses associated with these
12 revenues.

13 Let me give you one example. The
14 school district in Glen Cove, the average
15 cost per student this year in their budget
16 was \$26,000 for one year for one student.
17 If you add 500 students, that's less than
18 one child for half of the apartments, that
19 would be about \$520 million in school
20 expense over the next 40 years.

21 They throw around, the schools
22 will get \$290 million in revenue over the
23 next 40 years, well, there, right there off
24 the bat is an over \$200 million gap to cover
25 that expense. So, they'll say, well,

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2 there's not going to be 500 students. You
3 know what? Even if there's 300 students,
4 one out of less than a third of the
5 apartments have one child. You cannot even
6 come close to covering that expense. That's
7 one expense.

8 Ms. Ford, you mentioned the fire
9 department. I am the spouse of a volunteer
10 firefighter in Glen Cove. We have 100
11 percent volunteers. I know you can relate
12 to this and in Long Beach you have a paid
13 fire department. We will need a paid fire
14 department.

15 Where will the revenue -- there
16 will not be enough revenue to pay for a paid
17 fire department in Glen Cove.

18 I hope to God that we don't send
19 volunteers up to the 11th, 12th, 13th, 14th
20 floors, because I would not want my spouse
21 to go in there as a volunteer.

22 On top of this, municipal bonds
23 in general, the municipal bond market is
24 highly highly susceptible to even mild
25 recessions. Is 2008 so far behind us that

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2 we can't even remember that we had a great
3 recession not a mild recession?

4 We're talking about hundreds of
5 millions of dollars in these bonds. This
6 volatility will not hurt just Glen Cove, it
7 will hurt the entire county.

8 Nassau County will be that much
9 more dependent on the overall economy and
10 even a slight recession in the next 40 years
11 will cripple this county.

12 We already have NIFA in place,
13 how many times, how many quarters so far, I
14 think the last two quarters if I recall, the
15 NIFA chairman has come back and said, cut
16 your budget in Nassau County. Are you
17 willing to continue doing that and doing it
18 even more because you are not getting the
19 revenue you should get?

20 When you ask them, they'll say,
21 well, you're not getting anything today.
22 Well, there are other alternatives between
23 nothing and this.

24 For example, you could throw
25 Rechler out. He says he's walk away. We

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2 could put a municipal green energy field in
3 that 52 acres. We wouldn't have to worry
4 about the toxicity of the land there.

5 CLERK PULITZER: Your three
6 minutes have expired.

7 MS. SILVERMAN: And that would be
8 revenue generated for the City of Glen Cove,
9 the school district, and the county forever
10 starting within one to two years.

11 There are other alternatives. It
12 doesn't have to be nothing or this. So
13 please consider all of these factors. I
14 have more if any of you are interested in
15 actually finding out the facts instead of
16 listening to Mr. Rechler and Mayor Spinello
17 made up numbers, I have many more facts if
18 you would like to be interested, and I would
19 love to talk to any of you.

20 I e-mailed each of you. You have
21 my contact information and I thank you for
22 your no votes. Thank you.

23 VICE-CHAIRMAN NICOLELLO:
24 Pasquale Cervajio.

25 MR. CERVAJIO: Thank you

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2 Presiding Officer, Minority Leader, and
3 members of the Legislature.

4 Where to begin? The first
5 information I want to give you, this project
6 has endured 20 years of incredible
7 organizing scrutiny and one of the stories
8 came up that the number of new students that
9 are going to be added to the school district
10 of this project is 56 students. You talk
11 about exaggeration, and I don't know which
12 side it was, but I'm sure Mayor Spinello
13 will be more than happy to provide you the
14 information as to where these numbers of 56
15 students came from.

16 Another misinformation that we
17 were told today is that the redeveloper is
18 responsible for the public amenities and the
19 infrastructure. I guess Mayor Ted Kennedy
20 stops half page and doesn't go on and read
21 the rest of the page where it clearly says,
22 I would offer it to you, I don't want to
23 waste my time in reading the letter, but it
24 clearly states on this document that tax
25 increase financing is contemplated in land

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2 deal that was negotiated.

3 Please feel free to read through
4 this.

5 VICE-CHAIRMAN NICOLELLO: You can
6 give it to the clerk when you're finished.

7 MR. CERVAJIO: You know, the life
8 of every Democracy starts with politics.
9 Politics by definition is the art of
10 governing. The art of governing involves
11 you as the petitioners of this activity.

12 Good politician entrusted by us
13 with our trust to do what's good for us and
14 do what's best for our welfare and well
15 being.

16 Unfortunately, among good
17 politicians there are bad politicians, and I
18 would like to single out two of them today
19 and I would like to -- please allow me to
20 evidentiate what I'm speaking about.

21 I would like to point out Mayor
22 Ted Kennedy who changes party and changes
23 position on opinion on issues just as often
24 he changes his socks.

25 VICE-CHAIRMAN NICOLELLO: Don't

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2 make it personal.

3 MR. CERVAJIO: Excuse me?

4 VICE-CHAIRMAN NICOLELLO: We
5 would appreciate it if you would confine
6 your remarks to the merits of the item. Go
7 ahead.

8 MR. CERVAJIO: It goes to you,
9 good politicians, it goes to the credibility
10 of the comments that have been made to you.
11 Because if somebody is a flip flopper and
12 changes parties and changes his position on
13 an issue, like -- excuse me, it's my time.

14 CHAIRWOMAN GONSALVES: Pasquale,
15 no. Mayor.

16 MR. CERVAJIO: I'm sorry, Mayor
17 Ted Kennedy.

18 CHAIRWOMAN GONSALVES: Out of
19 order.

20 MR. CERVAJIO: You are
21 interrupting me. Are you kidding me?
22 Ladies and gentlemen, I'm speaking the
23 truth, this is a picture of Mayor Ted
24 Kennedy and Legislator DeRiggi-Whitton
25 taking on the 9th of 2011 following a

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2 meeting.

3 CHAIRWOMAN GONSALVES: Pasquale,
4 that's enough.

5 MR. CERVAJIO: What do you mean,
6 that's enough?

7 CHAIRWOMAN GONSALVES: I don't
8 want you mentioning names.

9 MR. CERVAJIO: Okay. I won't
10 mention any names but a picture is worth a
11 thousand words. These are the individuals
12 that were supporting this project in 2011,
13 and, as a matter of fact, were thanked by
14 then Mayor Ralph Suozzi for their support.

15 CLERK PULITZER: Your time has
16 expired.

17 MR. CERVAJIO: Allow me one last
18 comment because I was interrupted, please.
19 You were called up on whether or not you
20 want to listen to the voice of reason. They
21 said, you know what, we were forced to
22 negotiate the deal.

23 VICE-CHAIRMAN NICOLELLO: Please
24 settle down.

25 CHAIRWOMAN GONSALVES: Pasquale,

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2 your time is up.

3 MR. CERVAJIO: You are about to
4 choose between the voice of reason says we
5 were forced to renegotiate by the fact that
6 we were forced to cut the tensity or we can
7 listen to the people who changed position
8 and all the people that say we are blocking
9 the sunset.

10 I urge you, please, in fact, I
11 implore you to adopt and pass this
12 resolution because this is good not just for
13 Glen Cove but the entire county. Thank you.

14 CHAIRWOMAN GONSALVES: Pasquale,
15 we heard you. Thank you.

16 VICE-CHAIRMAN NICOLELLO: Brian
17 D'Resta? He left. Patricia Tracy.

18 MS. TRACY: I'm Patricia Tracy.
19 I've been -- I'm from 17 Albin Street, Glen
20 Cove. I have been following this issue
21 since 2003. I have attended many of the EPA
22 meetings and the New York State DEC
23 meetings.

24 I would like to add a point to
25 what Mr. Reggie said, and it is true that he

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2 is going to have some records of decision
3 coming in the next couple of weeks, but with
4 the EPA and the New York State DEC, a record
5 of decision is not the same thing as a
6 project being delisted, something that is on
7 the list of super fund sites is delisted. A
8 record of decision means that there is more
9 work to be done and there is more work to be
10 done on Lee Tuckston, on Captain's Cove, and
11 Matese. Matese is an adjacent property
12 which will be an active super fund site
13 until 2026.

14 So a record of decision is not
15 the same thing as something being delisted.
16 Delisted means that the EPA and DEC have
17 stated that they are not working there
18 anymore but there is more work to do on Lee
19 Tuckston and on Captain's Cove.

20 Now, I hope I can have a little
21 more time to say what I came to say. That
22 is, we all know that middle income housing
23 is needed on Long Island. All of us know
24 somebody who can't find a place to live.
25 But that is not what this is. Starting

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2 salaries for nurses, doctors, x-ray
3 technicians, and other so-called workers are
4 only \$60,000 a year.

5 Now, as you know, you legislators
6 tried to get a figure of what the rents are
7 going to be here, and they declined to
8 provide that to you, they more or less sort
9 of said along there with this discussion
10 that they had, that the purchase price for
11 only 110 of the condos was going to be
12 between 350 and \$300,000 for the condos.

13 Information that I have says that
14 the rentals are going to be \$3,000. So we
15 have a city of Glen Cove where a person who
16 is going to afford an apartment for \$3,000
17 a month would need an income of \$144,000
18 annually. There are few young workers that
19 earn \$70,000 a year. The median household
20 income in Glen Cove is 67,5.

21 So, clearly, these units are not
22 being built for us. No one has ever
23 presented a market study that shows the
24 demand for these luxury apartments and these
25 luxury rentals.

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2 The Garvies Point development is
3 being built for some mythical rich folk
4 coming from somewhere else just for the
5 greed of the developer. The developer is
6 one of the wealthiest developers in the
7 state.

8 CLERK PULITZER: Your three
9 minutes have expired.

10 MS. TRACY: If I could please
11 just continue. Our taxes are going to pay
12 for this. I'm not going to overcome what
13 other people have said, but people in Glen
14 Cove have never asked for these amenities.
15 We have lovely parks, beaches, we have
16 walking places and people who want to use a
17 marina should pay for their own marina.

18 So, none of us have asked for
19 these amenities to be built. So I would
20 advise you to please vote no on this because
21 this is a high risk project where nobody is
22 going to buy a condo on a super fund site.
23 And nobody is going to buy these ugly condos
24 which would look better at Rikers or Attica.

25 And I would like to merely add a

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2 few points of what you had been speaking
3 about the devastation of Hurricane Sandy.
4 This is an area that was underwater in
5 Sandy, underwater in Donna in 1960, and it's
6 a sea level rise issue.

7 CLERK PULITZER: Ma'am, your time
8 is up.

9 MS. TRACY: Are you going to have
10 to rescue all these 2,200 people when
11 there's another hurricane? Thank you for
12 your time and please vote no.

13 VICE-CHAIRMAN NICOLELLO: Zefy
14 Christopoulos.

15 MS. CHRISTOPOULOS: Zefy
16 Christopoulos, Alex Lane, Glen Cove. It's
17 wonderful to be here today and see so many
18 faces from the past and to be greeted with
19 such a warm welcome. Thank you.

20 This project became a figment of
21 somebody's imagination who then worked very
22 hard to make it at least get off its feet,
23 and you can see how hard it is to get
24 something like this off its feet by some of
25 the comments today.

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2 Day one was 1995 when it became a
3 spark. We've been waiting, "we" being the
4 taxpayers of the City of Glen Cove, we've
5 been waiting all this time.

6 If something like this, a project
7 like this which is most beneficial to the
8 City of Glen Cove, to the county, to the
9 library, and to the school district, if it
10 was easy it would have been done already.

11 Why do I say that? Because two
12 people in this room are elected officials in
13 some capacity, one of whom was a city
14 council person, and if this was so
15 offensive, and if this was so ill thought,
16 she had ample opportunity as an elected
17 official of the city of Glen Cove to voice
18 her opinion and to even give us an idea of
19 how she would finance any changes.

20 The other elected official joined
21 the band wagon with every announcement of
22 EPA funding or the latest stage of cleanup
23 for the grin and grit photo op celebrating
24 that event. I'm sorry, but that doesn't cut
25 it for the taxpayers of Glen Cove.

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2 Right now, the city of Glen Cove,
3 the school district which is in dire need of
4 funding, you all saw in Newsday today, I
5 know that, just consider, and I know our
6 Presiding Officer is a former teacher, I
7 know that you know what increased tax
8 dollars mean for programs and services for
9 children. I know that.

10 Just think, from zero, right now,
11 it's zero. City, library, school district,
12 and county. You get nothing.

13 Now we have a developer who I am
14 sure without a doubt is not willing to risk
15 his reputation in the industry to do
16 something that is not right for the people
17 of the city of Glen Cove and then, in turn,
18 for everybody else in Nassau County.

19 By the way, I just heard that Sea
20 Cliff is looking for money for sewage; am I
21 right that the sewage is somehow leaching
22 into the sound and maybe they need to tap
23 into the sewage treatment plant that the
24 county owns that's in Glen Cove, did I hear
25 that? I just want to be sure about that.

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2 Just think about what this
3 financing over the years, what kind of money
4 that means to sewage up, if that's the right
5 term, Sea Cliff. Think about it. It's very
6 simple. To me it's a no brainer. To me,
7 this is a win-win. Especially for our
8 schools. You all know how I feel about the
9 schools. You know it.

10 Now, I wouldn't doubt our fire
11 department, they are volunteers, yes.

12 CLERK PULITZER: Your three
13 minutes have expired.

14 MS. CHRISTOPOULOS: Already? I
15 was speaking quickly. Let's put people to
16 work and let's do something in Glen Cove
17 that it's time.

18 LEGISLATOR DERIGGI-WHITTON:
19 Norma, can I just say one thing? Zefy, I
20 just want to mention one thing to you. When
21 I was on the city council, this project
22 looked very different than what it is now.
23 It really isn't. I know the hotel is no
24 longer there, but you have to understand
25 something, when --

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2 CHAIRWOMAN GONSALVES: Call the
3 next one.

4 LEGISLATOR DERIGGI-WHITTON: When
5 developments change and financing change,
6 your opinion might change and I'm still for
7 a development, but I want to see the best
8 deal for the city. And that's really what
9 I'm fighting for.

10 CHAIRWOMAN GONSALVES: I don't
11 want you to respond.

12 LEGISLATOR DERIGGI-WHITTON: And
13 you were part of the administration also,
14 you know that we all fought for it and we
15 all would -- I would love to see something
16 like Mr. Connecticut or something mixed use,
17 and I think that's what you wanted to see
18 also.

19 So, we've been through this for
20 years, but my whole point is I think we can
21 do better for the residents of Glen Cove.
22 We get one chance to do it. I want to do
23 it.

24 VICE-CHAIRMAN NICOLELLO: Dr.
25 Gordon Berg.

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2 MR. BERG: Hello. I'm Gordon
3 Berg and I'm a resident of Glen Cove. I've
4 been a resident of Glen Cove for close to 55
5 to 60 years, but whose counting?

6 I came from Queens because I
7 wanted to find a place that was quiet to
8 live. Glen Cove was perfect and development
9 had occurred and it's a little less quiet.
10 Now I think Queens is moving to Glen Cove.

11 In order to get here, you have to
12 take either two roads from Queens. You can
13 go through Locust Valley then you go into
14 Suffolk County.

15 But, anyway this project I'm
16 against because there is too many people,
17 too many cars already in Glen Cove since 50
18 years ago. None of the infrastructure has
19 gotten much different. The roads are going
20 to be over utilized, going to cost more
21 money. We don't have enough money as it is,
22 so we have a volunteer fire department.
23 That's going to increase expenditures. I
24 don't think it's a good deal for Glen Cove.

25 I like the development of Garvies

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2 Point. I used to swim there. It's a
3 beautiful park, but it used to be a garbage
4 dump and now it's just a toxic dump.

5 So they have to do something with
6 it, but I think it's too big. And, believe
7 me, I wouldn't want to live there. It's
8 going to take ten years to build, maybe
9 shorter, and it's going to be noise for me,
10 traffic congestion.

11 People don't want to come to Glen
12 Cove because there is too much traffic.
13 They would rather go to Glen Head or
14 Pathmark, because Glen Cove is a dead end
15 unless you can have -- it's pretty much
16 people from Glen Head don't want to shop in
17 downtown Glen Cove because there's too much
18 congestion.

19 Now there's going to be more
20 congestion. People won't want to come here.
21 They'll go someplace else. Who wants to
22 live when it takes an hour to get to
23 Northern Boulevard during rush hour? And
24 now it's going to take more.

25 Anyway, I'm against this. Thank

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2 you so much.

3 VICE-CHAIRMAN NICOLELLO: Amy
4 Marion.

5 MS. MARION: Good afternoon. I
6 would quickly like to address some lines I
7 have in quotes from just right now.

8 First of all, it was said that we
9 were talking with the redeveloper to donate
10 a piece of equipment. This is not something
11 that has been done yet, it is not a sealed
12 deal, and a piece of equipment for the fire
13 department, that was a very significant and
14 important part of the final environmental
15 impact study that was done here.

16 So that is not a done deal and
17 you cannot make a decision until that is
18 done.

19 Additionally, the quote I have
20 is, the financing here "has limited use in
21 New York because of applicable laws and
22 until you as a body have apprised yourself
23 and informed yourself of those applicable
24 laws, you cannot make a decision here. As
25 well, Mr. Rechler himself admitted that the

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2 increased density was the only way that this
3 could "work." Okay?

4 And, in addition to that, the
5 mayor him himself said some remediation is
6 needed. Well, I'm here to tell you that I
7 read the Army Corps of Engineers dredging
8 impact statement that was just done this
9 past October. And so when we talk about the
10 public amenities here, and we talk about the
11 esplanade and the parks, if you haven't seen
12 the area, that entails the esplanade and the
13 bulkhead having to be rebuilt.

14 The bulkhead is \$200 million to
15 be rebuilt. That's the estimate of that
16 being rebuilt. Before that can be rebuilt,
17 the Army Corps of Engineers has said the
18 dredging that's going to occur in this creek
19 is likely to produce contaminants.

20 So we have that report as of
21 August of 2015. As of May 26, 2016, the DEC
22 reported that there are still hot spots of
23 contaminants. As well, the EPA has still
24 not cleared this land.

25 Additionally, and I say this with

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2 all due respect to past Legislator Yatauro
3 who got up here and was politically trying
4 to influence this body by stating all of the
5 nice things that Mr. Rechler has done, and
6 by referring to the children's museum, as a
7 point of order, her comments there, because
8 it was trying to politically somehow
9 influence this body should absolutely be
10 stricken.

11 Additionally, the Town of Oyster
12 Bay in a letter, May 16th, stated in no
13 uncertain terms that the storm water
14 management plan for a development of this
15 size was absolutely incompetent and that, in
16 fact, that there were critical coastal
17 resources that are being jeopardized by the
18 present plan. This is from the Town of
19 Oyster Bay.

20 If all of you on this Legislative
21 body have not informed yourselves and read
22 these reports, then you are not in a
23 position to be voting on this, with all due
24 respect.

25 Presently before this Legislature

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2 is a request to accept reduced taxes as an
3 affected tax jurisdiction.

4 I stand here representing more
5 than 150 individuals who are also Nassau
6 County taxpayers, and to not agree to waive
7 taxes which they would and should be
8 receiving pursuant to the long standing
9 contract for this land, the land development
10 agreement, as well as the long standing
11 representation --

12 CLERK PULITZER: Ma'am, your time
13 is up.

14 MS. MARION: I respectfully ask
15 for additional time to finish what I have to
16 say. Pursuant to the long standing contract
17 here as well as the long standing
18 representations made to the public officials
19 regarding this project, as well as the facts
20 that the city officials made to the public
21 in public hearings.

22 The City of Glen Cove is agreeing
23 to take on debt, and, in doing so, even
24 after being admonished by the New York State
25 Comptroller that the city should not use the

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2 proceeds from this land to balance its
3 budget for this year.

4 Now, in direct contravention to
5 this land development contract, and in
6 direct contravention to the State
7 Comptroller's warning, the city is agreeing
8 to take on debt to induce the \$13 billion
9 company to stick with the project, touting
10 that the developer has already invested \$40
11 million.

12 When you compare the \$40 million
13 to the \$200 million that the bulkhead is
14 going to cost --

15 CLERK PULITZER: Ma'am, your
16 three minutes have expired.

17 MS. MARION: I'm asking for
18 additionally --

19 CLERK PULITZER: You already
20 have.

21 CHAIRWOMAN GONSALVES: Just wrap
22 it up. You had your three minutes and we
23 allotted you additional time. I'm asking
24 you respectfully to wrap it up. If not,
25 then we're going to call the next person.

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2 Wrap it up.

3 MS. MARION: I will respectfully
4 wrap it up and tell you that procedurally
5 you cannot vote on this because the master
6 tax agreement was submitted to this
7 Legislative body and it was dated August
8 1st.

9 It was first submitted to this
10 Legislative body on July 25th attached to
11 the resolution before the Rules Committee
12 voted. The Rules Committee then voted.
13 Then it was -- a revised master tax
14 agreement was filed at 7:40 PM on Friday
15 July 29th.

16 Thus, the resolution that the
17 Rules Committee voted on to allow this body
18 to now vote should be annulled because it is
19 procedurally defective because it in fact
20 voted on a master tax agreement that was not
21 filed within seven days prior to Legislative
22 approval.

23 VICE-CHAIRMAN NICOLELLO: Thank
24 you. Let's move on.

25 LEGISLATOR SOLAGES: Legislator

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2 Nicolello, can we get an opinion from the
3 County Attorney's Office?

4 VICE-CHAIRMAN NICOLELLO: Yes.

5 LEGISLATOR SOLAGES: Ms. Marion
6 mentioned some very important procedural
7 issues. I would like to hear from the
8 County Attorney's office on those issues.

9 CHAIRWOMAN GONSALVES: When the
10 time comes.

11 LEGISLATOR SOLAGES: Before
12 hopefully a vote, correct?

13 VICE-CHAIRMAN NICOLELLO: I think
14 as we said before we have the issue that has
15 not been resolved, so I don't know that it's
16 going to be voted on today.

17 CHAIRWOMAN GONSALVES: We have
18 issues that we need to get answered before
19 we do it, okay? I think that Legislator
20 Bynoe knows what we're talking about. And I
21 think Legislature Curran also knows what
22 we're talking about.

23 Until then we are moving along
24 with the testimony and I think those who
25 have been waiting here a long time should

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2 have the opportunity, each and every one of
3 you to adhere to the three-minute rule.

4 I know you are very anxious to
5 say everything that's on your mind, but I
6 think you also have to be cognizant of the
7 fact that there are others here who have a
8 right, who have a right to get up there.

9 I can cut public comment if I
10 wanted to, but I'm not doing it in this
11 case.

12 LEGISLATOR SOLAGES: Can we add
13 the opinion?

14 CHAIRWOMAN GONSALVES: Hold on.
15 I heard you, Legislator Solages. But I want
16 those who put in the slip and Deputy
17 Presiding Officer Nicoletto have several who
18 have not been given the opportunity to speak
19 and, until then, that's when we can do what
20 we have to do, okay?

21 LEGISLATOR SOLAGES: Thank you.

22 VICE-CHAIRMAN NICOLELLO: Tawan
23 Weber?

24 MR. ALEXANDER: I would like to
25 speak if that's okay?

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2 VICE-CHAIRMAN NICOLELLO: They're
3 both from Vision Long Island.

4 MR. ALEXANDER: Yes, we have a
5 slip in for the organization. Eric
6 Alexander, director of Vision Long Island.
7 Not a Glen Cove or Sea Cliff resident.

8 We are here to support the
9 Garvies Point project. It's been 20 years
10 of public meetings. We've observed the
11 master plan with heavy public involvement.

12 In 2011, 2012, 135 page GIS was
13 approved through the city. Mayor Spinello
14 was duly elected, worked with the developers
15 to make changes and throughout this 20 year
16 process, we've observed the federal, state
17 and county officials working together on
18 redeveloping the waterfront.

19 We have seen massive EPA cleanup
20 which would not occur without the private
21 investment occurring and tied to the city's
22 actions. Glen Cove Ferry viable, moving
23 forward. A waterfront park, investment in
24 roads and infrastructure, tax revenue would
25 not be there and has not been there for the

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2 last 30 years. Construction and permanent
3 jobs and union jobs and a local Long Island
4 developer investing in the community. Dole
5 /ER investing in the community.

6 We have also seen a reduction in
7 the overall footprint of the development and
8 a mix of housing product. Again, some of it
9 not as affordable as some of us want, but
10 clearly there.

11 The public benefit pound for
12 pound is superior than other projects that
13 have received IDA benefits across Long
14 Island, the Sororta Project in Islip, an
15 outlet mall in Deer Park, the project in
16 Long Beach that was defeated, pound for
17 pound the public benefits do hold up. Could
18 they be more, could they be this?
19 Certainly.

20 That gets us to the question of
21 other scenarios. After 20 years, this is
22 the scenario. You're either for this
23 development or you're not. Look. There was
24 a discussion 20 years ago. A former mayor
25 said, let's do a mall by the sea. That

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2 wasn't viable. Okay? A mystic seaport, we
3 don't know of a not-for-profit developer
4 that's going to build a mystic seaport. If
5 you know of that and the community wants
6 that, that's great, then suspend the process
7 and start over. If that's what folks want
8 to do. But, right now, this is viable.

9 Now the question that we are
10 asking is, are folks going to be moving into
11 these units? There are 12,000 units
12 trans-oriented development that have been
13 approved across Long Island. The ones that
14 are built and up and running which is way
15 more than half of them are 70 to 90 percent
16 filled. And in many cases very quickly. So
17 there are people that do want this type of
18 living.

19 Now, accepted. Most Long
20 Islanders probably don't. They want to live
21 in their single family home and that's okay,
22 but there should be alternatives for folks
23 who don't.

24 So I would also say related to
25 the TIF legislation, it was questioned that

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2 it should not be used. New York State did
3 pass legislation that now TIFS can be used
4 in New York State and they are used in
5 creative redevelopment projects all over the
6 country.

7 So I'm going to close and stay
8 within my time, because obviously I know
9 that's an important thing here.

10 I recognize that Long Island
11 easily has embraced small and medium scale
12 projects. We have seen 50 of the last 64
13 public hearings for the right for
14 development of housing and has had more
15 supporters than opponents. We get that.

16 Having said that, large scale
17 projects are always --

18 CLERK PULITZER: Your three
19 minutes have expired.

20 MR. ALEXANDER: -- 20 years is a
21 lot of time for process and 20 years is,
22 there is a project on the table, frankly it
23 should be celebrate and not opposed. Thank
24 you.

25 VICE-CHAIRMAN NICOLELLO: Thank

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2 you, Eric. Kristie Paget.

3 MS. PAGET: Good afternoon. I
4 don't have a lot to say, I just want to let
5 you know that I am a Nassau County resident.
6 I oppose the Garvies Point project and all
7 of its overdevelopment size that they're
8 proposing. I cannot fathom who will flock
9 to purchase high end condos on top of a
10 super fund site.

11 I don't care what kind of water
12 views you have over there. It makes no
13 sense. I think the county is putting
14 everybody in jeopardy if you support the
15 project. Our taxes are high enough.

16 I implore you to vote no. This
17 does not make sense. A smart bill makes a
18 lot of sense, but not this. Thank you.

19 VICE-CHAIRMAN NICOLELLO: Meta J.
20 Mereday.

21 MS. MEREDAY: Meta J. Mereday,
22 Baldwin, New York.

23 As I stand here just taking my
24 own moment of silence for the loss of
25 Tuskegee Airmen, Julius Freeman, I don't

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2 know if that was mentioned earlier, one of
3 my ongoing concerns from the time that I've
4 sat here is that I have not heard anything
5 yet that pertain to, even if this project
6 goes through, what is the inclusion, once
7 again, for veteran owned businesses,
8 minority women owned businesses.

9 It just boggles my mind that, you
10 know, these certain hotbed issues kinds of
11 brings out residents when the ongoing
12 processes that take place in this
13 legislature just continue to drain our
14 coffers and chase away our students.

15 I, for one, my own Godson, who
16 graduated from RPI with a bachelor's in
17 engineering is now working in Hartford,
18 Connecticut because he couldn't find a job
19 here. And most of his classmates who were
20 successful in graduating from Freeport High
21 School are working in various and sundry
22 locations outside of this area.

23 So, to the project at hand, just
24 hearing the conversation, and, again, the
25 previous speaker, I wholeheartedly agree

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2 with her because, again, the issue about the
3 remediation, because that was also slid into
4 the conversation that part of that funding
5 would address some of those issues and
6 remediation was one of those.

7 We also have a contamination are
8 in northern Baldwin that we can't even put a
9 park there because of the level of
10 contamination. And the fact that we have an
11 area that has super fund classification and
12 you're still waiting for a report from the
13 EPA, it just boggles my mind that you would
14 even consider that.

15 Not only that, being a first
16 responder and being down at 911, I'm really
17 not impressed about the view from the
18 observatory. I can't even get there without
19 having major physical and emotional trauma
20 from my experience there.

21 So, the whole RXR scenario and
22 what they've done and what they're doing, it
23 really doesn't impress me. When you look at
24 the paper, read the paper about North Hills,
25 and I know this group is over here caucusing

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2 and being rude and disrespectful, I'll get
3 over it, it's not like it hasn't happened
4 before. And I'm not saying up there, I'm
5 saying back here in the audience, because
6 they have made snide comments.

7 When their side has gone over the
8 time because the mayor, the developer, the
9 bank, everybody else got time to say what
10 they needed to say, rebut what they needed
11 to rebut, and you're cutting off the
12 taxpayers, the residents, those who have
13 stuck through thick and thin in their own
14 respective jurisdictions, and now you're
15 sticking to the three minute rule, again,
16 that is disgraceful to me.

17 So let's talk about all of this
18 largess that we received and then we see in
19 the paper, and you know me about putting up
20 Newsday, because, again, those additional
21 tax breaks that come in later, let's talk
22 about the coliseum projects and those
23 related projects.

24 CLERK PULITZER: Your three
25 minutes have expired.

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2 MS. MEREDAY: The residents in
3 North Hills who are challenging RXR and the
4 fact that they are now getting tax breaks
5 for that. So where is this perceived money
6 going to come from? Who are these people
7 who are going to be paying for the
8 residents?

9 The newspaper may say that we're
10 getting an increase in jobs on Long Island,
11 but they're lower income jobs. That means
12 that somebody is still going to be living in
13 somebody else's home on somebody's else's
14 dole.

15 And, again, there is no issue of
16 affordable housing. The people that you're
17 looking at, as far as the middle class,
18 can't live in these condos. Okay? You have
19 a development coming up. You're building
20 out Roosevelt Field. You've got a
21 development coming up with stores and
22 locations in Uniondale with the coliseum
23 that you didn't give the Uniondale residents
24 the \$10 million they were promised by a
25 developer, so, again, what guarantees are

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2 you going to be giving?

3 CHAIRWOMAN GONSALVES: Ms.

4 Mereday, please wrap it up.

5 MS. MEREDAY: I am wrapping up as
6 you well know and I'm going to keep on
7 speaking until you let me finish what I have
8 to say because I'm not going to allow you to
9 take ten minutes to tell me that I need
10 three. I am being respectful but enough is
11 enough.

12 These residents over here had an
13 opportunity that they had information to
14 share and they were cut off if the
15 opportunity to share it. So all of you
16 going to make your decisions anyway to vote
17 yes because of your own situations and your
18 own balances and things that you get from
19 the political maneuvering.

20 CHAIRWOMAN GONSALVES: Now you've
21 said it all.

22 MS. MEREDAY: I have no problem
23 with saying it.

24 CHAIRWOMAN GONSALVES: That's it.
25 Wrap it up.

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2 MS. MEREDAY: Then let me wrap it
3 up.

4 CHAIRWOMAN GONSALVES: And that
5 means one sentence.

6 MS. MEREDAY: Then let me wrap it
7 up. I can make a long sentence. I'm a long
8 form writer and I can keep on talking
9 without a comma and without a period if I
10 need to do so. So you said one sentence.

11 My request, a recommendation and
12 strong suggestion is that you, as a body,
13 look at the details with regard to this
14 because we have enough issues with the plume
15 in Bethpage and all the other cancers and
16 cancer related areas in this area that you
17 support this, it will be a major problem and
18 give everyone their fair due to speak and
19 say what they need to say. Thank you.

20 CHAIRWOMAN GONSALVES: Fine.
21 Thank you. Nicole Loizides.

22 MS. LOIZIDES: Thank you so much.
23 This is exhilarating. I first want to say
24 with all due respect that this obviously has
25 been going on for 20 years. That it has

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2 been going on for 20 years is just shocking
3 to me that I would expect more of innovation
4 to this project than what is currently being
5 suggested.

6 Plus, as far as tax revenue and
7 more money coming in, we all know that
8 retail is on a fall and people are paying
9 more into experience right now. This is a
10 fact.

11 My name is Nicole Loizides. I'm
12 a homeowner and small business owner as well
13 as a private contractor living in Glen Cove.

14 I'm here today, although I wait
15 with anger and panic regarding how the
16 Garvies Point project is unfolding.

17 I want to offer insight as to
18 what the citizens of Glen Cove are talking
19 about on a day-to-day and minute to minute
20 basis. Including right now as we speak live
21 streaming.

22 I'm originally from Huntington, I
23 live in Glen Cove for the last two years. I
24 lived in Sea Cliff for five years.

25 The reason I chose to live in

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2 this area is because it was quiet as many of
3 the residents have said.

4 This has been the main point of
5 thousands of Glen Cove residents who oppose
6 the enormity of this Garvies Point plan.

7 I need to say that none of us
8 oppose workers come to the site. None of us
9 are opposing the development. None of us
10 are opposing, in 2016 that a U.S. citizen
11 not work. That is not the point.

12 The point is the enormity of this
13 project and the harm that it will bring to
14 it this area that will not be reversible.

15 I have traveled for 20 years, 6
16 continents over 40 countries, performing and
17 meeting country leaders, choreographing and
18 directing some of the world's largest shows
19 to date.

20 When I travel in America, what
21 draws people and makes people flock to
22 unique areas are the unique history which we
23 have in Glen Cove. The certain maintenance
24 and the feeling of respect for the land that
25 they utilize. That's what brings people

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2 there, as well as the food.

3 What I see happening on Long
4 Island, as many of you do, is that there are
5 many, for lack of a better way to put it,
6 cookie cutter developments being put in.
7 Cities within cities. More retail shops in
8 which many of them are closing. The
9 entirety of the west side of Manhattan is in
10 the process building as well as Brooklyn.

11 The very reason our home is so
12 precious is because we can start from
13 scratch as was pointed out before. We are
14 looking to build and develop an area that is
15 on its own. There are communities 50 feet
16 from there. So don't let it be stated that
17 this -- it stands on its like its own little
18 island, it's not.

19 50 years ago, Glen Cove was a
20 destination from knowing and working with
21 some of the countriest, wealthiest, I've
22 seen first hand how popular and advantageous
23 an area can be when you add entertainment.
24 Way more than hotels and casinos combined.
25 There is much more revenue from

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2 entertainment.

3 I do not believe in the enormity
4 of this project as currently proposed and I
5 certainly would vote no to the pilots
6 especially when the idea offers no
7 originality and completely disregards the
8 opinions of Glen Cove residents.

9 With all due respect, Mayor
10 Spinello, you hold the diamond in the rough
11 here, and this is a point that could be made
12 to the entire east coast of the United
13 States.

14 CLERK PULITZER: Your three
15 minutes have expired.

16 MS. LOIZIDES: Thank you. I
17 understand that we need an increase in
18 residence but I really believe it could be
19 more of a destination and less money can be
20 put into it, clean it up, bring people out,
21 it could really be a shining star that would
22 attract tourists from all over the place.
23 I'm talking about Cirque De Soleil, and I'm
24 talking about Broadway and huge projects
25 that I've been personally involved in. I

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2 would do this for free to be able to connect
3 the citizens to this. You can employ just
4 as many, if not more people, within a
5 theatre that attracts tourists from all over
6 the place.

7 You have people working there,
8 you've got -- you can employ veterans, you
9 can start an arts and education program, you
10 can build the city from the children up, and
11 this is what I firmly firmly believe in,
12 this is my life passion, 40 years.

13 I really hope that you will think
14 about this and that, obviously, this has
15 been on the plate for 20 years, something
16 has to change, and I hope that you will take
17 that into consideration. Thank you.

18 CHAIRWOMAN GONSALVES: Thank you.

19 That ends the requests for public
20 comment. I have to say thank you to all of
21 you who were extremely patient and waited
22 for the opportunity to get your voices
23 heard.

24 Now you're going to hear
25 something else from me. We are waiting at

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2 this particular time for additional
3 information. It has not been forthcoming at
4 this point.

5 At this time, until physical we
6 get the information that was requested, I'm
7 going to ask for a motion to table.

8 Motion, please.

9 LEGISLATOR GAYLOR: So moved.

10 LEGISLATOR DUNNE: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Gaylor, seconded by Legislator
13 Dunne. All those in favor of tabling this
14 item signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 We are tabling.

19 Now, that does not mean, and we
20 will be here for at least another hour or
21 so. I am not going to adjourn this meeting.
22 I'm going to recess this meeting so we can
23 entertain this item at another date once we
24 get the information, the information that we
25 have requested.

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2 This is the thing that we, as a
3 body, are obligated to do on behalf of not
4 only the residents of Glen Cove, but the
5 residents of Nassau County as a whole.

6 This is usually the way we do
7 things. We request information and it's not
8 forthcoming, the only opportunity we have is
9 to table. And my apologies to the mayor and
10 those who have been here for a while.

11 I have now made a motion to table
12 there is no further discussion and that's
13 it. We're going to be here for at least
14 another hour and possibly we will get the
15 information we are seeking.

16 So we're not saying no to the
17 project, we're not saying yes, but we are
18 saying get us to the information that we
19 have requested.

20 So we're going to move on mayor.
21 I know we would all like to say what we have
22 to say but we have a lot on the calendar and
23 we have time to get this information if it's
24 not forthcoming, this meeting will be
25 recessed. That's why it was important for

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2 us to hear all of the testimony today, so
3 people who can't come back for the next time
4 don't have to worry about having their
5 voices heard. Yes. It will be if it's
6 satisfactory to us then it will be. We
7 don't know what that information is. And
8 I'm telling you right now, it is now 5
9 o'clock. I have a lot on this calendar and
10 another meeting that was recessed that I
11 have to reconvene.

12 So it's possible that we're going
13 to be here for a while. So I don't know if
14 we're going to get that information and if
15 we don't get it, guess what? It will be
16 postponed for another day.

17 MS. MARION: So does the public
18 stay or does the public go?

19 CHAIRWOMAN GONSALVES: That's up
20 to you, your decision. Amy, that's your
21 decision. Amy, I need to move on. I cannot
22 say definitively we're going to get this
23 information today. It's now after 5
24 o'clock.

25 LEGISLATOR BYNOE: Presiding

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2 Officer, even if we receive it today, this
3 body wouldn't have time to vet it or even
4 really have any kind of analysis done on it.

5 CHAIRWOMAN GONSALVES: Right now,
6 Siela, it's tabled. Let's take it from
7 there, all right? I think we are being as
8 fair as we can be to everybody involved.
9 I'm sorry. Kevan, let's go. I'm moving on.

10 MS. MARION: I need to wait for
11 three hours for you to make a decision?

12 CHAIRWOMAN GONSALVES: I'm moving
13 on. Item 5, Ordinance 93, a bond ordinance
14 for \$2,200,000 to finance such expenditures
15 pursuant to the Local Finance Law of
16 New York and the County Governmental Law of
17 Nassau County.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR FORD: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Ford. Who is here to speak on this item?

24 MS. GOETZ: We have Ken Arnold
25 from DPW.

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2 MR. ARNOLD: Good evening, Ken
3 Arnold from Nassau County Public Works.

4 The item before you is a bond
5 ordinance related to traffic signal
6 inspection, phase 5. This is a state funded
7 project. After my last meeting up here I
8 did go back to the state to discuss further
9 what penalties they would have if this
10 project was delayed.

11 They have insured me while the
12 department had thought if we would be
13 obligated, we would not receive all our
14 funding in return.

15 They have said that is not the
16 case, that they will re-obligate. However,
17 they appear that their obligation -- the
18 project will not be eligible for any
19 reimbursement of funds. The county has to
20 expend funds to keep it obligated, so there
21 will be some loss of money which I cannot
22 detail how much that would be because the
23 project is not under construction yet.

24 This is an important project,
25 it's part of signals on Middle Neck Road and

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2 Lakeville Road. It is holding up further
3 resurfacing on Middle Neck Road that is
4 required to be done but we cannot do that
5 work until the signal work is completed as
6 there is a conflict

7 LEGISLATOR CURRAN: Hi, Mr.
8 Arnold. What is the drop dead date for
9 missing out on federal money for this?

10 LEGISLATOR CURRAN: There is no
11 drop dead date. This project as I mentioned
12 is already delayed. At some point, I would
13 think in the next two or three months they
14 will de-obligate the funding, but there is
15 no drop dead date when that will occur.

16 LEGISLATOR CURRAN: So sometime
17 within the next two or three months?

18 MR. ARNOLD: That is correct but
19 also understand that this project cannot
20 really occur during the winter so it's in
21 the best interest to get this project
22 started as soon as possible.

23 If we don't start the project by
24 October, this project won't go into
25 construction probably until April of next

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2 year which then we'll definitely be looking
3 at de-obligation.

4 LEGISLATOR CURRAN: And
5 de-obligation means that we're not going to
6 get the money?

7 MR. ARNOLD: What the state has
8 told me is that they will de-obligate the
9 funds means that we can not look for any
10 reimbursement during the time period of
11 de-obligation. We can ask them to
12 re-obligate the project, but in that period
13 of time when it's de-obligated, those funds
14 will not be reimbursable by the state.

15 LEGISLATOR CURRAN: Okay. So
16 when you say start the work by October, that
17 means the approval would have to come in
18 September?

19 MR. ARNOLD: I would need -- if
20 we don't get bond ordinance today, I would
21 think that we would not start till April
22 because I still have some approvals to get
23 these contracts through and that I would do
24 over the next month period. So it's a very
25 tight time frame. So if I don't get bond

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2 ordinance today, it's very unlikely that we
3 would be able to stop by October.

4 LEGISLATOR BYNOE: Thank you.

5 CHAIRWOMAN GONSALVES: Thank you,
6 Mr. Arnold. Any one else? Legislator Ford.

7 LEGISLATOR FORD: So if we get
8 de-obligated by New York State, do we then
9 have to reapply to see if we could get the
10 funding or is that always a given that you
11 would get the funding?

12 MR. ARNOLD: The way they word it
13 to me is that we would have to do the
14 project during its de-obligated period. Put
15 in the expenses that shows that we have a
16 good faith effort that we're doing the
17 project, and then they would re-obligate the
18 funding.

19 But, during that period of
20 de-obligation, those expenses will not be
21 reimbursable.

22 LEGISLATOR FORD: So it would be
23 something if we had to spend a million
24 dollars, we would not get that back from New
25 York State?

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2 MR. ARNOLD: Right. Now we would
3 look to limit the damage of course, to as
4 little as possible, but I can't guarantee
5 how long it would take to get the project
6 re-obligated once I deal with the state.

7 LEGISLATOR FORD: So what happens
8 if we don't do this at all, and then -- so
9 then, like, even next April, you're not even
10 finishing the traffic signals, you can't
11 repave. What happens, then we have to
12 restart this process all over again?

13 MR. ARNOLD: We have bid this
14 project. We have a contractor lined up.
15 Probably would have to rebid the contract.
16 I can't guarantee what the bid prices would
17 be or how that would affect the budget.

18 LEGISLATOR FORD: Thank you.

19 CHAIRWOMAN GONSALVES: Minority
20 Leader.

21 LEGISLATOR ABRAHAMS: Thank you,
22 Madam Presiding Officer. Mr. Arnold, I just
23 want to make sure I understood because I was
24 listening to the question and answer with
25 regard to Legislator Curran.

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2 So there isn't a drop dead date
3 to the grant fund or is there?

4 MR. ARNOLD: No. The state has
5 told us that at some point they will look to
6 de-obligate this contract.

7 LEGISLATOR ABRAHAMS: At some
8 point, what does that mean?

9 MR. ARNOLD: I would think that
10 this job, if they don't see progress at our
11 next quarterly meeting, there will be
12 conversations about de-obligation of funds.

13 LEGISLATOR ABRAHAMS: Did they
14 say that or did you say that now?

15 MR. ARNOLD: They have indicated
16 to us.

17 LEGISLATOR ABRAHAMS: Did they
18 indicate that in writing by emailing, by
19 letter?

20 MR. ARNOLD: No.

21 LEGISLATOR ABRAHAMS: So they
22 said it over the phone?

23 MR. ARNOLD: Correct.

24 LEGISLATOR ABRAHAMS: So there's
25 nothing that you can prove to this

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2 Legislature that there will be some type of
3 de-obligation happening?

4 MR. ARNOLD: I cannot guarantee a
5 hard date of when they're going to
6 de-obligate.

7 LEGISLATOR ABRAHAMS: So they can
8 de-obligate in December, January?

9 MR. ARNOLD: Correct.

10 LEGISLATOR ABRAHAMS: April? So
11 it doesn't seem to me that this Legislature
12 is jeopardizing anything to insure that -- I
13 don't want to get into that debate today.
14 It's been a long day.

15 But we are jeopardizing a whole
16 lot more by not having the proper contract.
17 Do we really want to go into that debate
18 today?

19 What I will say is, it doesn't
20 seem like action not taking place today and
21 say it doesn't take place at the end of the
22 year or next year, I don't see any evidence
23 that's been presented to this Legislative
24 body today that indicates that we are
25 subject to any level of de-obligation from

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2 the state. I don't see a letter, an email,
3 or anything.

4 MR. ARNOLD: All I can tell you
5 is that once we get de-obligated, the county
6 will expend funds and not be reimbursed to
7 bring the --

8 LEGISLATOR ABRAHAMS: And Mr.
9 Arnold, no one disagrees with you that when
10 that de-obligation happens that that will
11 happen. But you have not provided any
12 evidence that that will happen today,
13 tomorrow, next month or the month after.

14 MR. ARNOLD: And also let me just
15 say --

16 LEGISLATOR ABRAHAMS: Am I
17 incorrect by saying that?

18 MR. ARNOLD: I will not disagree,
19 no. But let me also bring up the point that
20 these contracts that are part of this
21 project that are reviewed by the state and
22 the procurement is reviewed and approved by
23 the state.

24 LEGISLATOR ABRAHAMS: Okay. But
25 I don't see any evidence that de-obligation

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2 is going to happen next month, next year, I
3 don't know. I think there's a risk in
4 everything. There's a risk by not having
5 proper contract reform. There's a risk in a
6 lot of things.

7 But I will say this, I don't see
8 any risk in this body not acting today to
9 insure that the people of Nassau County have
10 their voices hearing in regard to contract
11 reform.

12 CHAIRWOMAN GONSALVES: If these
13 projects are important to many of our
14 districts and if you don't see the futility
15 involved in this, that's not my problem, not
16 Mr. Arnold's problem, it's your problem.
17 I'm sorry, but this has been a long day for
18 all of us, not just you.

19 LEGISLATOR ABRAHAMS: I have to
20 correct the record, first of all, let me
21 correct the record. I hate to take a shot
22 at the presiding officer with her bad back
23 and all that, but I will say --

24 CHAIRWOMAN GONSALVES: I've got a
25 cane, be careful.

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2 LEGISLATOR ABRAHAMS: I will say
3 this, let me correct the record. Our
4 position has nothing to do with the merit of
5 these projects. We actually believe traffic
6 signal maintenance and many other projects
7 carry a lot of merit. That is not the
8 issue.

9 The problem is, and you guys want
10 to ignore it, but the problem is the county
11 does not have a substantial adequate
12 contract reform that is necessary to protect
13 the taxpayers of this county.

14 Short of that, we cannot support
15 projects and bond for projects which we know
16 full well will come back to this Legislature
17 in the form of the Rules Committee for
18 subject to vote for these particular
19 contracts without having the proper reform.
20 That's what this is about.

21 So please don't say that we don't
22 see the merit or the good in these projects.
23 We see the good. We want to vote for these
24 projects. But we cannot vote for anything
25 blindly realizing that we do not have the

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2 reform necessary to make sure that this is
3 possible.

4 CHAIRWOMAN GONSALVES: Okay. You
5 said what you had to say.

6 LEGISLATOR ABRAHAMS: And just
7 for the record I want to also indicate, I
8 don't know if she's here today, but Ms.
9 Donna Myrel who is the new Inspector
10 General, or Commissioner of Investigations,
11 whatever you want to call it, in the county
12 had a meeting scheduled with me today -- I'm
13 sorry, tomorrow, and in light of the story,
14 I'm guessing, in the light of the story that
15 hit the paper a couple of days ago, suddenly
16 cancelled on me after the meeting was
17 scheduled for weeks.

18 We all saw in the paper who
19 cancelled the meeting. It wasn't Ms. Myrel.
20 She got a call from Mr. Nevin. Now, to me,
21 it's mind boggling how somebody can claim
22 there's independ -- well, you guys claim
23 that she's independent, and she has a call
24 from the administration on her behalf
25 cancelling the meeting. That is

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2 unconscionable in this day and age. And did
3 not reschedule.

4 To me, I truly believe we need
5 independence whether you want to advocate it
6 or not.

7 CHAIRWOMAN GONSALVES: Samantha,
8 relay that disappointment to you know who.
9 I'm not talking to the county executive or
10 Mr. Brian Nevin, I'm talking right to the
11 Commissioner of Investigations. She had a
12 meeting scheduled with him. She should have
13 kept that meeting.

14 There could not have been
15 anything so imperative that she could not
16 keep that meeting. She could have scheduled
17 something else with Mr. Nevin and I don't
18 think he takes priority. That's my opinion.

19 I want that relayed to her and
20 let her know that it's not only a
21 disappointment to him but a disappointment
22 to us. So that's it.

23 MS. GOETZ: I will. I will do
24 so.

25 CHAIRWOMAN GONSALVES: She's not

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2 to do that again and she's to get back to
3 him as soon as possible to have the meeting
4 with him. Is that clear? If not, I'm going
5 to have a meeting with her and then she's
6 going to be in trouble.

7 VICE-CHAIRMAN NICOLELLO: I just
8 wanted to add one point which is this,
9 putting aside the motivation for voting no
10 on the bonding and all that, the word risk
11 was brought up. This is a risk here with
12 the delay in public work projects. You may
13 have a worthy traffic safety issue, a road
14 configuration, waiting six or eight months
15 to do it poses a risk to the public.

16 Aside from any de-obligation or
17 anything like that, we all have projects in
18 our districts that we know need to get done
19 as soon as possible. The longer they get
20 delayed by us not voting is the longer it's
21 going to take to get them done.

22 There is a risk that what's
23 happening here, it's not even a risk, it's a
24 reality that's going to have negative
25 consequences for the county.

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2 CHAIRWOMAN GONSALVES: Any public
3 comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of Item 5, Ordinance 93 signify by
7 saying aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 Any abstentions?

12 (Abstain.)

13 So we have 12, 5, and 1
14 abstention. So the item fails.

15 Item 6, Ordinance 94. This is
16 another capital project authorizing \$1
17 million in bonds of Nassau County to finance
18 such expenditures pursuant to the local
19 Finance Law of New York and the County
20 Government Law of Nassau County.

21 Motion, please.

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR WALKER: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Dunne, seconded by Legislator

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2 Walker. Mr. Arnold, I guess you are there
3 again.

4 MR. ARNOLD: Yes. Item 6 is a
5 bond ordinance related to paving markings
6 throughout Nassau County. Like Item 5 it is
7 a state funded project so all my discussion
8 on that point remains the same.

9 I would just happen to mention on
10 this project though that paving markings are
11 critical for delineation of the roadway and
12 any delay in this project will definitely
13 impair the ability of the lane markings to
14 be redone and could bring liability to the
15 county.

16 CHAIRWOMAN GONSALVES: Legislator
17 Dunne.

18 LEGISLATOR DUNNE: The paving
19 markings are schools will be coming in at
20 the end of the month, that kind of paving
21 marking too?

22 MR. ARNOLD: Yes. We have both
23 long lines which are and the lines on the
24 road, and the markings which include the
25 crosswalks, grid boxes, stop lines.

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2 The state contract associated
3 with long lines but this money is also used
4 for that other work also.

5 LEGISLATOR DUNNE: Thank you.

6 CHAIRWOMAN GONSALVES: Any other
7 questions from the legislators? Legislator
8 Walker.

9 LEGISLATOR WALKER: Those
10 markings would also be like turning lane
11 markings and so on and so forth on county
12 roads?

13 MR. ARNOLD: Yes.

14 CHAIRWOMAN GONSALVES: Thank you.
15 There being no other questions or comments,
16 all those in favor of Item 6, Ordinance 94
17 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (Nay.)

21 Any abstentions?

22 (Abstain.)

23 12 for, five against, and one
24 abstention.

25 Item 7, Ordinance 95, another

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2 bond ordinance to the tune of \$1,509,000 to
3 finance such expenditures pursuant to the
4 Local Finance Law of New York and the County
5 Government Law of Nassau County. Item 7.

6 Motion, please.

7 LEGISLATOR DUNNE: So moved.

8 LEGISLATOR FORD: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Dunne, seconded by Legislator
11 Ford. Mr. Arnold, tell us about this one.

12 MR. ARNOLD: Item 7 is a bond
13 ordinance associated with a bridge painting
14 contract for the department. In addition to
15 painting the two bridges, there are also
16 safety flags being addressed. As my
17 testimony went beforehand, it is a state
18 contract, and my testimony applies.

19 CHAIRWOMAN GONSALVES: Failure to
20 pass this item as well as the last one could
21 de-obligate us from the federal funds?

22 MR. ARNOLD: Yes. The same as I
23 discussed in Item Number 5.

24 CHAIRWOMAN GONSALVES: And the
25 bridges involved are?

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2 MR. ARNOLD: It's the two bridges
3 over the Meadowbrook, I think Lindbergh and
4 Earl Ovington. Are there any other comments
5 or questions from the legislators?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item 7, Ordinance 95 signify by
11 saying aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 Any abstentions?

16 (Abstain.)

17 We have 12, 5, 1. Okay.

18 I'm going to item 8, Ordinance
19 96, I need a motion to suspend the rules.

20 Motion, please.

21 LEGISLATOR DUNNE: So moved.

22 VICE-CHAIRMAN NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Nicolello. All those in favor of suspending

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2 the rules signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The motion to suspend the rules
7 passes unanimously.

8 Now, for 8, which is Ordinance
9 96, another bond ordinance for \$25,250,000
10 to finance such expenditures pursuant to the
11 Nassau County Law and the County Government
12 Law of Nassau County.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR GAYLOR: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Gaylor. Here we go, another one for you.

19 MR. ARNOLD: Item 8 is a bond
20 ordinance for two projects, Sea Cliff sewers
21 and pump station rehabilitation. Sea Cliff
22 sewer project would be the connection of the
23 downtown already completed sewers to Shore
24 Road's pump station that will allow service
25 to that community and the pump station

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2 project is upgrading of various pump
3 stations, the majority which are in the Glen
4 Cove district, that are maintenance heavy
5 items, and not up on our current standards
6 in codes.

7 CHAIRWOMAN GONSALVES: Legislator
8 DeRiggi-Whitton.

9 MR. ARNOLD:

10 LEGISLATOR DERIGGI-WHITTON: Hi,
11 Mr. Arnold. Are the buildings -- is the
12 sewer all set to go, have all the buildings
13 been hooked up?

14 MR. ARNOLD: Are you talking
15 about the Sea Cliff sewers?

16 LEGISLATOR DERIGGI-WHITTON: Yes.
17 How many hookups have you had so far?

18 MR. ARNOLD: I'd have to talk to
19 the health department, they regulate that.

20 LEGISLATOR DERIGGI-WHITTON: I
21 don't think we've had any. Nothing has been
22 hooked up yet because we have to get grants
23 to help all the businesses and everything
24 else. I'm hearing it could be up to \$30,000
25 each. So we have no money to hook up any of

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2 these residents or commercial buildings yet.
3 So it's not ready to go. I
4 really do want it to happen one day, but I
5 can tell you right now that nothing is
6 hooked up yet. You kind of misrepresented
7 it saying it was ready to --

8 MR. ARNOLD: I did not
9 misrepresent it.

10 LEGISLATOR DERIGGI-WHITTON:
11 Saying it's ready to go, it's not.

12 MR. ARNOLD: They requested that
13 the department put in a bond ordinance to
14 build the project.

15 LEGISLATOR DERIGGI-WHITTON:
16 Right. But you just said that we can have
17 the sewage go. It's not ready to go because
18 nothing has been hooked up yet.

19 MR. ARNOLD: Well, the project
20 itself is going to take over a year to
21 construct.

22 LEGISLATOR DERIGGI-WHITTON:
23 Right. But the sewer that's there now, the
24 pipe there now in Sea Cliff Avenue, there is
25 nothing hooked up to it yet. We have to get

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2 grants to hook up the buildings to the
3 sewers.

4 MR. ARNOLD: I would defer to the
5 health department, but my understanding is,
6 if you make sewers available, it is the
7 obligation of the property owners to
8 connect, regardless of grant or no grant.

9 LEGISLATOR DERIGGI-WHITTON:
10 Because it cost \$30,000 per household. So
11 we are trying to get grants.

12 MR. ARNOLD: I'm not going to
13 argue.

14 LEGISLATOR DERIGGI-WHITTON:
15 There's nothing to argue about, but I'm just
16 saying we are so far away.

17 CHAIRWOMAN GONSALVES: I want to
18 clarify something. Many of our communities
19 in Nassau County were obligated to hook up
20 to the sewer system and we had to pay to do
21 it. Okay?

22 LEGISLATOR DERIGGI-WHITTON: We
23 don't have the money right now.

24 CHAIRWOMAN GONSALVES: Do you
25 think the homeowners had the money to do it?

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2 LEGISLATOR DERIGGI-WHITTON: No.
3 It's \$30,000.

4 MR. ARNOLD: Presiding Officer,
5 may I say something?

6 CHAIRWOMAN GONSALVES: Yes, you
7 may. It's your turn.

8 MR. ARNOLD: I would ask the
9 Health Department, when we did the Burchess
10 Project, once sewers are available, people
11 have a year to connect regardless of this
12 grant funding or not.

13 LEGISLATOR DERIGGI-WHITTON: But
14 it hasn't in Sea Cliff.

15 VICE-CHAIRMAN NICOLELLO: Madam
16 Presiding Officer?

17 CHAIRWOMAN GONSALVES: Yes, go.

18 VICE-CHAIRMAN NICOLELLO: There's
19 no urgency to this matter and you had the
20 mayor of Sea Cliff saying that there was.
21 So I don't know who to believe.

22 LEGISLATOR DERIGGI-WHITTON: We
23 would like to have it done, but it's another
24 problem. I know what you're saying. I
25 would like to have it done, but it's not

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2 going to be done immediately because no one
3 is hooked up yet, so it's going to take a
4 while.

5 CHAIRWOMAN GONSALVES: I'm going
6 to say to you again that we as homeowners
7 are obligated to hook up and we had to pay
8 for the hook up. That's it.

9 LEGISLATOR DERIGGI-WHITTON: But
10 I'm just saying, it's not as if all of Sea
11 Cliff is hooked up. Unfortunately it hasn't
12 happened yet.

13 CHAIRWOMAN GONSALVES: Legislator
14 Ford.

15 LEGISLATOR FORD: Mr. Arnold, you
16 also indicated in your statement before
17 about this bonding, that there were pump
18 stations involved as well?

19 MR. ARNOLD: There's a second
20 capital project on this same item which is
21 pump stations that require rehabilitation.
22 They have various concerns for the
23 department, whether it's back up generation,
24 communication, age of the equipment and
25 that's also part of this item.

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2 LEGISLATOR FORD: And where are
3 they, are they pumping sewage now?

4 MR. ARNOLD: Yes, they are. And
5 a majority of them are located in the Glen
6 Cove District that the county took over.

7 LEGISLATOR FORD: So there might
8 be some environmental concerns in regard to
9 these pump stations?

10 MR. ARNOLD: There has been
11 sanitary overflows when these pumps have
12 gone down.

13 LEGISLATOR FORD: So we don't
14 have to worry about the environment up in
15 Glen Cove. All right. Works for me.

16 LEGISLATOR RHOADS: Just one
17 quick question. Mr. Arnold, when you say
18 sanitary overflow when one of these pump
19 stations go down, what exactly do you mean
20 by that?

21 MR. ARNOLD: If the pump station
22 fails, back up power fails, back up
23 generation does not work, the sewage will
24 come out of the wet wells and run into the
25 street drains.

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2 LEGISLATOR RHOADS: So you
3 actually get sewage running into the
4 streets?

5 LEGISLATOR DERIGGI-WHITTON:
6 Which pump is that? Which pump station is
7 that?

8 MR. ARNOLD: I would have to look
9 at my notes but I believe one or two
10 stations have had issues.

11 LEGISLATOR DERIGGI-WHITTON: I
12 would love to see these projects go through.
13 Don't get me wrong. I just didn't want it
14 to be misrepresented that Sea Cliff Avenue
15 was ready to go. It's not. And that's
16 another issue. I would really hope that we
17 will try to get some federal funding for it
18 and I understand that other places have paid
19 for it, but it's just such a burden on our
20 district.

21 Anyway, again, I would love to
22 see this go through but we need to have some
23 kind of reassurance that these contracts are
24 being handed out properly.

25 From what I hear with the Newsday

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2 article and what just happened with the
3 Minority Leader, we don't have any
4 independent oversight, and, until we do, as
5 much as I care about the environment and I
6 care about my district, we have to get this.

7 I don't understand. It's so much
8 easier for you guys to approve what we're
9 asking for which is a contract for an
10 independent overseer, Inspector General, or
11 we would even take somebody else as long as
12 they had -- as long as we're protected by a
13 contract.

14 It would be easier for you to
15 just basically go ahead with contract reform
16 which is what we have been asking for for
17 months and then we can go ahead with these
18 contracts and then we all know that the
19 county money is being spent correctly.

20 CHAIRWOMAN GONSALVES: Let's move
21 on. I'm going to gather that we have
22 several more of these bond ordinances. Are
23 we wasting our time at this point?

24 We will call them. We will have
25 Mr. Arnold talk about them. And we will

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2 move on with each and every one of them.

3 I have news for you. The hour is
4 5:30. I don't know whether you like it or
5 not. But sitting here almost five hours is
6 not a picnic.

7 LEGISLATOR ABRAHAMS: I agree
8 with you. I will say this, and, to me, I
9 don't understand, some of this stuff was a
10 part of the capital plan which we voiced our
11 concerns on why we were hesitant about the
12 capital plan -- I'm sorry, the capital
13 budget.

14 What I want to say is that some
15 of these items have been singled out and
16 they have been presented on the calendar now
17 more than once.

18 Our position hasn't changed. I
19 thought we have been very consistent over
20 the last six months on where we stood on
21 this issue.

22 I think this would be more
23 beneficial, Madam Presiding Officer, I think
24 that you and I should meet so we don't --
25 Norma, I called you, I don't want to say too

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2 much on that, but I will say what we should
3 do is meet. Because I don't see the point
4 of taking a half hour, 45 minutes out of a
5 meeting, and you know where we stand, and I
6 know where you stand.

7 So I don't know if you guys are
8 trying to do it to make us look like we're
9 voting no to this stuff.

10 LEGISLATOR RHOADS: You are
11 voting no. And the public deserves to know
12 though that when you take the position in
13 the newspaper that you're in favor of a
14 project and then when that project comes up
15 for a vote in this legislature and you vote
16 squarely against it after you have made
17 publicity in newspapers --

18 LEGISLATOR ABRAHAMS: But you
19 know why we're voting no. Do you understand
20 why we're voting no?

21 CHAIRWOMAN GONSALVES: No. Okay.

22 LEGISLATOR RHOADS: One day it's
23 about the financing, one day it's about the
24 oversight of contracts.

25 LEGISLATOR ABRAHAMS: We've been

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2 pretty clear about contract reform.

3 CHAIRWOMAN GONSALVES: I said
4 that's enough. I'm sorry. Deputy Presiding
5 Officer.

6 VICE-CHAIRMAN NICOLELLO: Just
7 real quick as why these keep coming up and
8 why we would do something like that. In
9 fact, there was an issue, a bond issue with
10 respect to computers inside of police
11 vehicles that you voted no for and voted
12 down, we brought it back up and you voted
13 for it.

14 And there is also the armor for
15 police officers which you voted no, and in
16 committees you voted for it. So we think
17 there is a chance that maybe you will see
18 the light of day. That's the reason you're
19 seeing these things over and over again.

20 We think each one of these things
21 are important, some more than others maybe
22 have more urgency, but the reason you're
23 seeing them again is because there has been
24 a little bit of movement.

25 LEGISLATOR ABRAHAMS: Rich, you

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2 know what, that's fair. I think, like I
3 said before, I will reach out to the
4 Presiding Officer tomorrow morning and we
5 can -- I will put you in the same realm as
6 the Commissioner of Investigators. All
7 right. So we'll give it a week and we'll
8 both cool off. I'm very cool. I'm very
9 okay to be honest. You're right. You
10 pulled a Becker on me. But we will schedule
11 a time for us to meet.

12 CHAIRWOMAN GONSALVES: Item 8,
13 Ordinance 96, roll call, please. Just do
14 it. There is a request for a roll call.

15 CLERK PULITZER: Deputy Presiding
16 Officer Nicolello?

17 VICE-CHAIRMAN NICOLELLO: Yes.

18 CLERK PULITZER: Alternate Deputy
19 Presiding Officer Kopel?

20 LEGISLATOR KOPEL: Yes.

21 CLERK PULITZER: Legislator Siela
22 Bynoe?

23 LEGISLATOR BYNOE: No.

24 CLERK PULITZER: Legislator
25 Carrie Solages?

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2 LEGISLATOR SOLAGES: No.
3 CLERK PULITZER: Legislator
4 Denise Ford?
5 LEGISLATOR FORD: Yes.
6 CLERK PULITZER: Legislator Laura
7 Curran?
8 LEGISLATOR CURRAN: Abstain.
9 CLERK PULITZER: Legislator C.
10 William Gaylor, III?
11 LEGISLATOR GAYLOR: Yes.
12 CLERK PULITZER: Legislator
13 Muscarella?
14 LEGISLATOR MUSCARELLA: Yes.
15 CLERK PULITZER: Legislator Ellen
16 Birnbaum?
17 LEGISLATOR BIRNBAUM: No.
18 CLERK PULITZER: Legislator
19 DeRiggi-Whitton?
20 LEGISLATOR DERIGGI-WHITTON: Did
21 we have public comment on this?
22 CHAIRWOMAN GONSALVES: We're
23 voting, let's go.
24 LEGISLATOR DERIGGI-WHITTON:
25 Without public comment, okay, then I vote

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2 no.
3 CLERK PULITZER: James Kennedy?
4 LEGISLATOR KENNEDY: Yes.
5 CLERK PULITZER: Legislator Laura
6 Schaefer?
7 LEGISLATOR SCHAEFER: Yes.
8 CLERK PULITZER: Legislator
9 Dennis Dunne?
10 LEGISLATOR DUNNE: I don't want
11 to see sewage in the streets in Glen Cove or
12 any street so I vote yes.
13 CLERK PULITZER: Thank you.
14 Legislator Judith Jacobs is absent.
15 Legislator Rose Marie Walker?
16 LEGISLATOR WALKER: Yes.
17 CLERK PULITZER: Legislator
18 Donald MacKenzie?
19 LEGISLATOR MACKENZIE: Yes.
20 CLERK PULITZER: Legislator Steve
21 Rhoads?
22 LEGISLATOR RHOADS: Yes.
23 CLERK PULITZER: Minority Leader
24 Kevan Abrahams?
25 LEGISLATOR ABRAHAMS: No.

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2 CLERK PULITZER: Presiding

3 Officer Norma Gonsalves?

4 CHAIRWOMAN GONSALVES: Yes. What
5 do we have?

6 CLERK PULITZER: 12, 5, 1
7 abstention.

8 CHAIRWOMAN GONSALVES: Failed by
9 one vote.

10 Let's go. Item 9, Ordinance 97,
11 another bond ordinance for \$5 million.

12 Mr. Arnold, explain what this one is about
13 and we shall move on as quickly as we can.

14 MR. ARNOLD: Item 9 is the bond
15 ordinance associated with the traffic signal
16 reconstruction and modification. It is the
17 capital project that the department uses for
18 all signals that need to be reconstructed,
19 new signals or any modification based on
20 safety concerns and complaints.

21 CHAIRWOMAN GONSALVES: I'm sorry,
22 a motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSALVES: Moved by

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2 Legislator Dunne, seconded by Legislator
3 Nicolello. Go ahead.

4 LEGISLATOR DUNNE: These are the
5 larger LED lights, is that them?

6 MR. ARNOLD: Yes. These are the
7 traffic signals at the intersections. It
8 also deals with any type of electronic
9 device that will be on a county road,
10 whether it's a speed awareness device, it
11 could be a flashing beacon or anything of
12 that sort.

13 LEGISLATOR DUNNE: I understand
14 that because they're larger lights, being
15 LED, they're brighter, the accidents have
16 cut down on Hempstead Turnpike?

17 MR. ARNOLD: Well, Hempstead
18 Turnpike, that's a state road, so that would
19 be data from the state. But my
20 understanding is Chris Mistrone would have a
21 better understanding of those details.

22 LEGISLATOR DUNNE: But people see
23 it from further away and they're more likely
24 to pay attention to the light.

25 CHAIRWOMAN GONSALVES: Anyone

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2 else who has a comment?

3 (No verbal response.)

4 Any public comment? Go ahead,
5 Ms. Mereday.

6 MS. MEREDAY: I don't need that
7 much at this point. With regard to the
8 traffic safety and the previous one and the
9 bond issue, again, the public has a right to
10 know in terms of how these funds are being
11 broken down and how these contracts, whether
12 they -- when they ever get approved.

13 In terms of the utilization of
14 funds outside of the county, if it's state
15 and federal, I have continued to request --
16 and I don't really feel that I need to take
17 the time since I sit here for the six plus
18 hours and you all have gotten your increase
19 that you are making money as well as your
20 staff, I'm not making a dime standing here,
21 or whatever it is, you all are still getting
22 paid something. You're getting paid
23 something and I'm not making anything, but
24 the way you all keep voting, my taxes are
25 going up. So I'm going to have to do

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2 something at some point.

3 So, what I'm saying is, so I
4 don't use up my time, is that if we not
5 start to put some classifications together
6 to get veteran investment and economic
7 development and business development in this
8 county, we are going to continue to lag
9 behind, because New York state in total is
10 no longer basically known as the Empire
11 State, it's known as the embarrassment
12 state.

13 We have got situations now where
14 we are behind every one else in the country
15 and particularly as it pertains to our
16 veterans and the fact that we have so many
17 in Nassau County, and about the only time
18 you see any recognitional classification,
19 and it's not to take anything away from the
20 memorials in the parades, but we have got to
21 do a better job to build the businesses.

22 We have no directory in New York
23 State and no directory in Nassau County.
24 And to Legislator DeRiggi-Whitton's issue
25 with regard to funding. We are all being

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2 taxed and if you want to know about sewage
3 in the streets, welcome to Baldwin Harbor
4 because this county funded project at Bay
5 Park did little to help the residents in
6 that area when Sandy ran over. At least the
7 north shore has a little more protection
8 than the South Shore.

9 And if you want to talk about how
10 work does not get done, I'm still fighting
11 New York Rising because they want to take
12 the few little coins they gave me for the
13 work they did inside my house, but they
14 don't want to pay for the work outside my
15 house. So I don't know how a storm can
16 impact inside someone's house but not impact
17 outside the house. So can somebody explain
18 that to me?

19 But we need to take this
20 seriously and if you have the minority
21 leader who could not get a meeting because
22 someone in the County Executive's Office
23 called it off, and you're just finding out
24 about it and making a comment about it, I
25 have a problem with that.

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2 Last point, why don't you use
3 some of the millions of dollars that are
4 building up in this litigation fund to pay
5 for this inspector that they're looking for
6 that might be able to also address some
7 procurement and outreach funding that could
8 provide training and resources for our
9 veterans and for our students to do projects
10 such as this project, the sewage project,
11 because we don't have inclusion. We don't
12 have diversity. And I'm done.

13 CHAIRWOMAN GONSALVES: Thank you
14 very much, Ms. Mereday. All those in favor
15 of Item 9, Ordinance 97 signify by saying
16 aye.

17 (Aye.)

18 Any opposed?

19 (Nay.)

20 Any abstentions?

21 (Abstain.)

22 The item fails by one vote; 12,
23 5, 1.

24 Item 10, Ordinance 98, another
25 bond ordinance to the tune of \$26,200,000 to

1 Full Legislature/8-1-16
2 finance such expenditure pursuant to the
3 Local Finance Law of New York and the County
4 Government Law of Nassau County.

5 Motion, please.

6 LEGISLATOR DUNNE: So moved.

7 LEGISLATOR RHOADS: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Dunne, seconded by Legislator
10 Rhoads. And we have Mr. Arnold.

11 MR. ARNOLD: Item 10 is a bond
12 ordinance associated with the county's
13 resurfacing program. It's for \$26.2 million
14 to fund our upcoming projects. Without this
15 funding, a lot of the projects looked to be
16 done this fall will be moved to the spring
17 of next year in anticipation of funding will
18 be approved over the winter.

19 CHAIRWOMAN GONSALVES: What are
20 those?

21 MR. ARNOLD: The various phases
22 throughout the county, resurfacing.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments for Mr. Arnold?
25 Legislator Ford.

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2 LEGISLATOR FORD: Mr. Arnold, so
3 if we don't pass this, what will happen is
4 that because of the weather situation, roads
5 that may require resurfacing right now for
6 maybe safety reasons --

7 MR. ARNOLD: We have a couple of
8 roads that we have lined up through our
9 requirements that we have funding for, but
10 the phases that were anticipated which are
11 the larger projects to be done this fall
12 will have to be moved to the spring. And we
13 will have a delay in starting design for any
14 new projects until funding is approved.

15 LEGISLATOR FORD: I just have one
16 general question in regards to all of the
17 capital bonding that we have gone through so
18 far that have been voted down.

19 Is this work, it's usually either
20 done by county workers or CSEA workers, but
21 when we contract it out, it's always done by
22 union workers, correct?

23 MR. ARNOLD: We always pay
24 prevailing wage rate and they also have the
25 apprenticeship program.

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2 LEGISLATOR FORD: Okay. So then
3 actually what happens is, it's union workers
4 that are being denied this work?

5 MR. ARNOLD: Yes. And also
6 there's county staff that does some of this
7 work also, like you said.

8 LEGISLATOR FORD: Well, they're
9 union workers. Thank you.

10 CHAIRWOMAN GONSALVES: Legislator
11 Gaylor.

12 LEGISLATOR GAYLOR: Just a quick
13 question. I think I heard earlier a
14 constituent from Glen Cove said that the
15 roads were in disrepair. Are there any Glen
16 Cove projects, roads, in this proposed piece
17 of legislation?

18 MR. ARNOLD: I would have to
19 look. I believe there were some.

20 LEGISLATOR GAYLOR: So if we
21 don't pass it, the residents of Glen Cove
22 are denied repaving?

23 MR. ARNOLD: There is a phase of
24 work that's ongoing right now, doing some OF
25 the Glen Cove roads, including the ones that

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2 were mentioned earlier.

3 LEGISLATOR GAYLOR: And they'll
4 be delayed until whenever, next year some
5 time?

6 MR. ARNOLD: Yes.

7 LEGISLATOR GAYLOR: Okay. Thank
8 you.

9 MR. ARNOLD: Let me bring up
10 another point that I was reminded that the
11 capital back charges to labor by the
12 department without the funding also will
13 cause an operating deficit in our operating
14 fund because if I can't have my guys back
15 charge projects, I don't have the money for
16 them to pay the bills.

17 CHAIRWOMAN GONSALVES: Any other
18 comments or questions from the legislators?

19 (No verbal response.)

20 Is there any public comment?

21 (No verbal response.)

22 There being none, all those in
23 favor of Item 10, Ordinance 98 signify by
24 saying aye.

25 (Aye.)

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2 Any opposed?

3 (Nay.)

4 Any abstentions?

5 (Abstain.)

6 12, 5, 1. The item fails by one
7 vote.

8 The next one is Item 11,
9 Ordinance 99, another bond ordinance for \$1
10 million in pursuit of, I believe, again, it
11 has to do with whatever it is. I believe
12 traffic studies.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator
18 Walker. Talk to us.

19 MR. ARNOLD: Item 11 is a capital
20 bond ordinance related to our traffic study
21 work. When the department receives
22 complaints from constituents or the
23 legislative body, we assign consultants or
24 staff to investigate for safety concerns.
25 This is the capital project that is used for

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2 that work. They develop work orders or
3 construction contracts that we would use our
4 other capital project which was previously
5 denied.

6 CHAIRWOMAN GONSALVES: Are there
7 any other comments or questions from the
8 legislators?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item 11, Ordinance 99 signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 Any abstentions?

19 (Abstain.)

20 Again the item fails by one vote.

21 On to Item 17, that was tabled.

22 Then, guess what, everything else was part
23 of the consent calendar and I think we did
24 have an emergency item.

25 First of all, Mr. Pulitzer, call

1 Full Legislature/8-1-16

2 the emergency item and then I will call for
3 a motion.

4 CLERK PULITZER: Thank you. An
5 emergency resolution declaring an emergency
6 for immediate action upon a resolution
7 approving a tax exemption from real property
8 taxes pursuant to Private Housing Finance
9 Law, 5771A to a joint venture to be formed
10 between the Freeport Housing Authority and
11 the Georgica Green Venture, L.L.C. pursuant
12 to the provision of Section 310 of the
13 County Government Law of Nassau County.

14 Motion, please.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR SCHAEFER: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Schaefer. All those in favor of
20 establishing the emergency indicate by
21 saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The emergency has been

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2 established.

3 Now for the item, which is Clerk
4 Item 301-16, and it's a resolution as the
5 clerk mentioned, including a tax exemption
6 from real property taxes pursuant to the
7 Private Housing Finance Law, Section 577 to
8 a joint venture to be formed between
9 Freeport Housing Authority and Georgica
10 Green Venture.

11 Now I need a motion for that.

12 LEGISLATOR RHOADS: So moved.

13 LEGISLATOR GAYLOR: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Rhoads, seconded by Legislator
16 Gaylor. Who is here to speak for this? You
17 are?

18 MR. DEEGAN: Daniel Deegan, the
19 law firm of Porchelli, Curto, Deegan.

20 CHAIRWOMAN GONSALVES: Okay,
21 Daniel. What are you going to tell us about
22 this?

23 MR. DEEGAN: Okay. I will be
24 brief. I know it's been a long afternoon.

25 As I said, I'm here representing

1 Full Legislature/8-1-16
2 the joint venture that's been formed between
3 the Freeport Housing Authority and Georgica
4 Green Developer. We have John Havartan as
5 Executive Director of the Housing Authority
6 and Dave Gallo who is a principal of
7 Georgica Green, the developers for this
8 project.

9 Some of the legislators, I know
10 this project is in Legislator Rhoads'
11 district. I know that Legislator Abrahams
12 and Legislator Curran have also been
13 supportive of this project generally. This
14 involves the Rigby Moxie Housing Authority
15 Project, which is 100 units of existing
16 authority property which is in terrible
17 condition right now.

18 It's 100 units, built probably 60
19 years ago, that is functionally obsolete.
20 It was terribly damaged in Super Storm Sandy
21 which had flooding in its basement, ruining
22 the building systems, and the sewage and
23 gasoline and all kind of terrible things
24 happen to it. The property was built as I
25 said 60 years ago so it doesn't meet current

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2 building codes.

3 The plan is to knock down --
4 before we knock down that building, to build
5 a brand new building on an adjacent piece of
6 property, which is 100 units plus one unit
7 for a superintendent. That new building
8 would be built using various federal and
9 state funds that are going to come in0 and
10 make it possible to build this building in a
11 way that is storm resistant, that has larger
12 units than the ones currently in place.
13 That's a state of the art building brand new
14 building with adequate parking and a lot of
15 other positive amenities.

16 The project has received
17 tremendous support from the resident of
18 Moxie and from the Freeport community. I
19 think the legislators that represent that
20 area can attest to that.

21 The plan is to actually take the
22 existing residents of the existing
23 dilapidated Moxie and after the new building
24 is built be able to move those same
25 residents into the new facility and then to

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2 knock down the old facility and ultimately
3 put that old facility and the land that it's
4 on back on to the tax rolls and hopefully
5 redeveloped in a way by the private sector.

6 What we are here for today and
7 what is necessary for this project to work
8 and to take place is for an exemption
9 pursuant to the Private Housing Finance Law.

10 The entity that's being formed is
11 a community housing development fund company
12 under the Private Housing Finance Law which
13 qualifies for this exemption.

14 We have submitted with our
15 package to the legislators a pro forma that
16 shows that this exemption is necessary for
17 this property and project to work
18 financially.

19 The village has supported the
20 project. We have also had discussions with
21 the president of the school board and they
22 indicated their support for both the project
23 and for the exemption.

24 As I have indicated to some of
25 the legislators, their concern is that they

1 Full Legislature/8-1-16
2 want to make sure that the old Moxie
3 property, once it's demolished, does get put
4 back on the tax rolls.

5 On behalf of my clients, which
6 are the Housing Authority and the private
7 developer, we can inform and state for the
8 record that that is the intention of the
9 Housing Authority to have that property be
10 put back on the tax rolls. We do not plan
11 on coming back with any request for
12 exemption with regard to that property.

13 What we're asking for is a 32
14 year exemption which is co-terminus with the
15 bond financing that gets put in place.
16 There is low income tax credits that are
17 being utilized here.

18 This will be a project based
19 Section 8 housing project. These are public
20 housing. Hopefully it's a win-win, and
21 hopefully it's something that everyone can
22 get behind and support. We're here for any
23 questions.

24 CHAIRWOMAN GONSALVES: You are
25 not adding housing, it's pretty much the

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2 same as the original; am I correct?

3 MR. DEEGAN: That's correct. One
4 additional unit for a building
5 superintendent. So going from 100 to 101.

6 CHAIRWOMAN GONSALVES: And it's
7 Section 8 as well you said?

8 MR. DEEGAN: Yes.

9 CHAIRWOMAN GONSALVES: That
10 sounds good. How many stories is this?

11 MR. DEEGAN: Five stories.

12 CHAIRWOMAN GONSALVES: Which
13 means there is an elevator in the building?

14 MR. DEEGAN: Yes, there will be
15 an elevator. Right now there is no
16 elevators in the existing building.

17 CHAIRWOMAN GONSALVES: Which is
18 extremely importing. I know, climbing
19 stairs is not easy. Any questions?
20 Legislator Gaylor.

21 LEGISLATOR GAYLOR: How many
22 units are currently in the existing
23 structure versus the new structure to be
24 built?

25 MR. DEEGAN: There is 100

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2 existing units, and there will be 101 in the
3 new. But for residents it's 100 and 100 and
4 we're adding one more unit.

5 The good thing is the new units
6 will be much larger than the current units,
7 the bedrooms. So it's a much upgraded
8 facility. The parking will be upgraded.
9 There's only 12 spots for 100 units where it
10 is now. There will be sufficient parking in
11 the new project.

12 LEGISLATOR GAYLOR: One
13 follow-up. Your intent to return the
14 existing property back to the tax roll, is
15 that in writing or is that just your verbal
16 intent right now?

17 MR. DEEGAN: Well, verbal intent
18 right now but it could be in writing.
19 That's the Housing Authority is the owner of
20 the property. Once this is knocked down,
21 it's not clear exactly what will happen with
22 it, but the plan is, we have the executive
23 director here, the plan certainly is to
24 hopefully sell that property and get the
25 money from it to be utilized in continuing

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2 operations of the Housing Authority and
3 other places.

4 LEGISLATOR GAYLOR: Thank you.

5 CHAIRWOMAN GONSALVES: Legislator
6 Rhoads, go.

7 LEGISLATOR RHOADS: Mr. Deegan,
8 just a couple of quick followup questions.

9 It's my understanding based on my
10 attendance at the press conference and my
11 attendance at the hearing before the village
12 of Freeport that the residents are being
13 moved into the building at the no expense to
14 them, is that correct, from the old building
15 to the new building?

16 MR. DEEGAN: That's correct.

17 LEGISLATOR RHOADS: It's also my
18 understanding that even though the square
19 footage of the individual apartments is
20 slightly larger, there is going to be no
21 difference in rent from what their paying at
22 the old building to the new building; is
23 that also correct?

24 MR. DEEGAN: That's correct.

25 LEGISLATOR RHOADS: Is it also

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2 correct that what we are applying for today
3 was actually an exemption that existed on
4 the old building?

5 MR. DEEGAN: That's correct. The
6 property has been exempt since the 1950s.

7 LEGISLATOR RHOADS: So this is
8 just continuing what was previously there?

9 MR. DEEGAN: Yes, in a more
10 modern fashion.

11 CHAIRWOMAN GONSALVES: Any other
12 questions or comments? Legislator Birnbaum.

13 LEGISLATOR BIRNBAUM: I
14 understand the project. I'm just curious
15 why is it presented to us today as an
16 emergency?

17 MR. DEEGAN: Well, because it's I
18 think the Governor's Office of Storm
19 Recovery, they have cycles and we're coming
20 into the next fall cycle. They really want
21 to get this project underway because one of
22 the big impetuses for this was Super Storm
23 Sandy and they don't want to let another
24 cycle go by. There's financing cycles that
25 happen.

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2 Unfortunately a lot of materials
3 to get together for you guys to get together
4 and apparently we missed the day for the
5 committees and the next meeting of the
6 Legislature isn't until the end of September
7 which is really going to put the whole cycle
8 back and in jeopardy of not getting it done
9 quick enough for these residents who are in
10 dire need. There are real life and safety
11 issues with the existing building so every
12 day of delay is really an emergency and
13 that's kind of our rationale for it.

14 CHAIRWOMAN GONSALVES: Legislator
15 Curran.

16 LEGISLATOR CURRAN: I just want
17 to say that this is a really good example of
18 different levels of government working
19 together with public -- with private
20 developers for the benefit of the people and
21 it's really nice to see that and I'm very
22 enthusiastically going to vote yes for this.

23 CHAIRWOMAN GONSALVES: Ms.
24 Mereday.

25 MS. MEREDAY: Meta J. Mereday.

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2 Okay, I have a few questions and issues and
3 considering that my family actually knew the
4 actual Moxie Rigby and you may all just know
5 him from the name on a development.

6 My concern has to do with the
7 fact that, from my understanding, where this
8 new development is going to be built is
9 basically considered a flood plain, and I'm
10 just really concerned hearing about how this
11 is going to be structurally secure in terms
12 of the storm, considering the mayor of
13 Freeport fought with our organization along
14 with Deputy Speaker Hooper in terms of
15 trying to get space in the Freeport Armory
16 because he wanted to move the trucks that
17 were also parked close to this proposed area
18 because of the "flooding issue."

19 So, it's nice that we want to
20 move trucks that are running on the highways
21 into a facility that was used to train our
22 military, but we can't use it to support the
23 residents in that particular area who were
24 impacted by Super Storm Sandy.

25 It's the same armory where the

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2 governor promised fuel and you had residents
3 in the south shore who waited for hours for
4 fuel trucks that never showed up.

5 So, again, I'm concerned, and
6 having worked with a number of the residents
7 in Freeport who were impacted by Sandy, who
8 could not get to the emergency shelters that
9 were set up in Bethpage as well as the
10 Nassau Community College are, which was
11 impacted with a MRSA strain, that, again,
12 the legislators are aware and ask informed
13 questions as it pertains to this building.

14 And, if it's so dilapidated, and
15 it has been dilapidated for a long period of
16 time prior to Sandy, and, as the gentleman
17 noted, it was built over 60 years ago, and
18 it wasn't named after Mr. Rigby until he
19 passed away, and, as I said, he was a friend
20 of my family. My family, we have a long
21 history in Nassau County, and many of the
22 roads that now need repair were laid with
23 the concrete by some of my older relatives.

24 So, I'm just saying, I need you
25 to ask the questions, because it's in a

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2 flood plain that the trucks were moved, so
3 you're going to put people there, who were
4 already impacted by Super Storm Sandy, and
5 the protections that they claim will be in
6 place will not be and then they will be
7 coming back to you again with those same
8 issues and concerns.

9 LEGISLATOR FORD: I have a
10 question. I'm hoping, sir, is this building
11 built to FEMA standards? Is it FEMA
12 compliant?

13 MR. DEEGAN: Yes. I wanted to
14 point out in response to those comments, the
15 Governor's Office of Storm Recovery is
16 giving \$15 million to this project for the
17 sole purpose of building and fortifying it
18 and making sure it is storm resistant,
19 that's one of the reasons why this money is
20 coming into play to begin with.

21 There will be no residents on the
22 first floor, all the building systems are
23 moved up out of the way of the flood plain
24 so that nothing is ever flood proof, but
25 it's flood resistant, and is built to the

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2 state of the art standards.

3 LEGISLATOR FORD: You will put in
4 a generator so that the elevator will work?

5 MR. DEEGAN: Yes.

6 LEGISLATOR FORD: Thank you very
7 much, sir.

8 CHAIRWOMAN GONSALVES: There are
9 no other questions or comments. All those
10 in favor of the item that was just called,
11 it's Item 301-16 signify by saying aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 I guess this item passes
16 unanimously. 18 to nothing.

17 Now, I'm sorry that those people
18 from Glen Cove have waited so long but
19 unfortunately we heard nothing from those
20 that we heard the information from so, guess
21 what, I have to put this meeting in recess.
22 Unfortunately, I don't like putting meetings
23 in recess, and now we have to come up with a
24 date that everybody can come to, and August
25 becomes a very difficult time, but we will

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2 do everything we can do to get a meeting
3 sooner than possible. So this meeting is
4 now in recess.

5 I am not going to ask for five
6 minutes to get up and get out for the simple
7 reason, I know what happens, the five
8 minutes becomes 20 minutes.

9 (Whereupon, the Full Legislative
10 recessed at 6:03 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of August, 2016.

FRANK GRAY