

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
PRESIDING OFFICER

FULL LEGISLATURE  
RECONVENED FROM AUGUST 1, 2016

NORMA GONSALVES,  
CHAIRWOMAN

1550 Franklin Avenue  
Mineola, New York

August 15, 2016  
3:51 p.m.

REGAL REPORTING SERVICES  
516-747-7353

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

NORMA GONSALVES  
Chair

KEVAN ABRAHAMS  
Minority Leader

SIELA A. BYNOE

CARRIÉ SOLAGES

DENISE FORD

LAURA CURRAN

FRANCIS X. BECKER

HOWARD J. KOPEL

VINCENT T. MUSCARELLA

RICHARD J. NICOLELLO

ELLEN BIRNBAUM

DELIA DeRIGGI-WHITTON

JAMES KENNEDY

LAURA SCHAEFER

DENNIS DUNNE, SR. (Not Present)

JUDY JACOBS

ROSE MARIE WALKER

DONALD MACKENZIE

STEVEN RHOADS

MICHAEL C. PULITZER  
Clerk of the Legislature

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2 CHAIRWOMAN GONSALVES: Even though we're  
3 reconvening from August 1, it would be nice to  
4 call the roll.

5 CLERK PULITZER: Thank you.

6 Deputy Presiding Officer Richard  
7 Nicoletto?

8 LEGISLATOR NICOLELLO: Here.

9 CLERK PULITZER: Alternate Deputy  
10 Presiding Officer Howard Kopel?

11 LEGISLATOR KOPEL: Here.

12 CLERK PULITZER: Legislator Siela Bynoe?

13 LEGISLATOR BYNOE: Here.

14 CLERK PULITZER: Legislator Carrie  
15 Solages?

16 LEGISLATOR SOLAGES: Here.

17 CLERK PULITZER: Legislator Denise Ford?

18 LEGISLATOR FORD: Here.

19 CLERK PULITZER: Legislator Laura  
20 Curran?

21 LEGISLATOR CURRAN: Present.

22 CLERK PULITZER: Legislator C. William  
23 Gaylor, III.

24 LEGISLATOR GAYLOR: Present.

25 CLERK PULITZER: Legislator Vincent

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2 Muscarella?  
3 LEGISLATOR MUSCARELLA: Here.  
4 CLERK PULITZER: Legislator Ellen  
5 Birnbaum?  
6 LEGISLATOR BIRNBAUM: Here.  
7 CLERK PULITZER: Legislator Delia  
8 DeRiggi-Whitton?  
9 LEGISLATOR DeRIGGI-WHITTON: Here.  
10 CLERK PULITZER: Legislator James  
11 Kennedy?  
12 LEGISLATOR KENNEDY: Here.  
13 CLERK PULITZER: Legislator Laura  
14 Schafer?  
15 LEGISLATOR SCHAEFER: Here.  
16 CLERK PULITZER: Legislator Dennis  
17 Dunne, Sr.? Absent.  
18 Legislator Judith Jacobs?  
19 LEGISLATOR JACOBS: Here.  
20 CLERK PULITZER: Legislator Rose Marie  
21 Walker?  
22 LEGISLATOR WALKER: Here.  
23 CLERK PULITZER: Legislator Donald  
24 MacKenzie?  
25 LEGISLATOR MACKENZIE: Here.

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2 CLERK PULITZER: Legislator Steven

3 Rhoads?

4 LEGISLATOR RHOADS: Present.

5 CLERK PULITZER: Minority Leader Kevan

6 Abrahams?

7 LEGISLATOR ABRAHAMS: Here.

8 CLERK PULITZER: Presiding Officer Norma

9 Gonsalves?

10 CHAIRWOMAN GONSALVES: Present.

11 CLERK PULITZER: We have a quorum.

12 CHAIRWOMAN GONSALVES: Thank you very

13 much.

14 First of all, we will begin with a

15 procedural resolution. This is something that

16 has been done during the history of this body.

17 It has to do with a proposal for the cemetery in

18 Old Westbury. In order for us to have a hearing

19 down the road, in October, we need to put the

20 item on the record.

21 Would you call the procedural resolution,

22 please?

23 CLERK PULITZER: Yes, ma'am.

24 Procedural Resolution 21-2016 is a

25 resolution directing the Clerk of the Legislature



2 to publish a notice of hearing on the application  
3 by the Roman Catholic Diocese of Rockville  
4 Centre, New York, Queen of Peace Cemetery to be  
5 held on October 19, 2016.

6 CHAIRWOMAN GONSALVES: Motion, please?

7 LEGISLATOR SCHAEFER: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRWOMAN GONSALVES: Moved by  
10 Legislator Schaefer, seconded by Legislator  
11 Walker.

12 Any questions regarding that procedural  
13 resolution? It's really a formality, as I just  
14 said, in order for us to hold a public hearing  
15 down the road.

16 If there are no other questions or  
17 concerns regarding the procedural resolution,  
18 then I will ask for a vote.

19 All those in favor of the procedural  
20 resolution regarding the cemetery in Old Westbury  
21 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The procedural resolution passes.

2 Now we can proceed to - there were items  
3 - I know that there are several people who are  
4 here - for the Glen Cove item. However, we did  
5 put forth two items in Rules.

6 The following items were voiced in the  
7 Rules Committee. I will begin with Item 37, a  
8 resolution declaring a capital budget emergency  
9 pursuant to §310(D) of the County Government Law  
10 of Nassau County.

11 Motion, please?

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR SCHAEFER: Second.

14 CHAIRWOMAN GONSALVES: Moved by  
15 Legislator Walker, seconded by Legislator  
16 Schaefer.

17 Any questions or comments?

18 (No verbal response.)

19 Again, I believe that there were comments  
20 in the Rules Committee. Frank, please  
21 incorporate them into this Full Legislative  
22 meeting.

23 (Whereupon, the following are the minutes  
24 of the August 15, 2016, Rules Committee meeting  
25 pertaining to Clerk Item 140-16.)

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2 Item 306-2016 is a resolution declaring a

3 capital budget emergency pursuant to §310(D) of

4 the County Government Law of Nassau County.

5 LEGISLATOR MACKENZIE: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRMAN NICOLELLO: Moved by Legislator

8 MacKenzie, seconded by Legislator Kopel.

9 Again, this resolution and the wording of

10 this resolution is the issue that the county

11 attorney must address. Rather than hold the

12 proceedings up any longer, we'll just move this

13 along and have that addressed at the time of the

14 Full Legislature. The Full Legislature meets

15 this afternoon.

16 Any comment?

17 (No verbal response.)

18 Any discussion?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 All in favor signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

2 It carries unanimously.

3 (Whereupon, the following is the  
4 continuation of the minutes of the August 15,  
5 2016, Full Legislature meeting.)

6 CHAIRWOMAN GONSALVES: Any other  
7 questions or comments other than what were raised  
8 in the committee?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 There being none; all those in favor of  
13 Resolution 37 signify by saying aye.

14 MR. BECKER: Madam Chair, we have Lisa  
15 Locurto here to answer your questions regarding  
16 the - I think the question was about votes  
17 necessary to move this forward.

18 CHAIRWOMAN GONSALVES: Is Lisa here?  
19 We're waiting for testimony.

20 MR. BECKER: I apologize, Madam Chair.  
21 One moment.

22 Madam Chair, could you move onto  
23 something else temporarily? Lisa is --

24 CHAIRWOMAN GONSALVES: I'm going to call  
25 for a motion to table.

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2 LEGISLATOR WALKER: So moved.

3 CHAIRWOMAN GONSALVES: Moved by

4 Legislator Walker, seconded by Legislator Ford.

5 MR. BECKER: We can bring that up later

6 on?

7 CHAIRWOMAN GONSALVES: Yes.

8 MR. BECKER: Thank you.

9 CHAIRWOMAN GONSALVES: It was seconded

10 by Legislator Nicoletto.

11 All those in favor of tabling Item 37

12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item is tabled.

17 I'm going to believe at this point in

18 time I may move along and just do - go back to

19 the item that we had convened this body for

20 August 1. I know there were several people who

21 spoke at the August 1 meeting and have put in

22 slips again today. I'm going to ask you very

23 nicely, okay, we heard you once, we will be

24 willing to hear you again. This time you adhere

25 to the three minute rule, and if you're not, then

2 we're going to have to ask you to step down and  
3 come back after everybody else has had an  
4 opportunity.

5 At the August 1 meeting there were -  
6 there was a motion to table Item 120 or Item 17  
7 on the calendar, and the resolution was pursuant  
8 to New York General Municipal Law with respect to  
9 the Garvies Point project in Glen Cove, New York.

10 I need a motion to untable Item 17.

11 LEGISLATOR GAYLOR: So moved.

12 LEGISLATOR RHOADS: Second.

13 CHAIRWOMAN GONSALVES: Moved by  
14 Legislator Gaylor, seconded by Legislator Rhoads.

15 All those in favor of untabling Item 17  
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item is now untabled. Here we are.

21 I don't know exactly who is here to  
22 testify on behalf of the project and also on  
23 behalf of the City of Glen Cove. I had several  
24 people who spoke at the last meeting who were  
25 members of the general public. If the Mayor is

2 here to speak, I think, Mr. Becker, please  
3 arrange for those who are from the development  
4 and from the City who are going to be here to  
5 speak.

6 MR. BECKER: Thank you, Madam Chair.  
7 The key question I think before the Legislature  
8 the last go around was the percentage that the  
9 county would be sacrificing to allow this project  
10 to move forward. There were questions as to the  
11 percentage. The last time, you may recall, the  
12 assessor's office was not asked to be here and  
13 was unavailable to give any testimony because  
14 they hadn't done any analysis.

15 CHAIRWOMAN GONSALVES: Right.

16 MR. BECKER: Since then, the assessor's  
17 office has done an analysis of the project and is  
18 capable now of answering your questions, any  
19 questions by this body. I have Steve here,  
20 Cortez, from the assessor's office.

21 I believe you all received a letter, a  
22 primary letter, I think there was some backup to  
23 it. He is here to testify and to answer  
24 questions regarding the letter that you received  
25 earlier on and any other questions you may have

2 in regards to the question that was posed and was  
3 a concern.

4 CHAIRWOMAN GONSALVES: Hold on. His  
5 being here at the present time is in keeping with  
6 a number of the legislators who had expressed  
7 more information regarding the issue.

8 Legislator Bynoe, Legislator Curran,  
9 Legislator Solages and everybody else who was  
10 interested in hearing the information that was  
11 not forthcoming on the first, primarily because  
12 of the lateness of the hour and, of course, the  
13 intention of the entire piece of legislation that  
14 is before us, I thank you for making sure that  
15 somebody is here today to address that major  
16 concern that we have. Mr. Cortez, you're on.

17 MR. CORTEZ: Good afternoon, Madam -

18 CHAIRWOMAN GONSALVES: Tell us about  
19 what you found.

20 MR. CORTEZ: I'm sorry?

21 CHAIRWOMAN GONSALVES: Tell us about  
22 what you found. Go ahead. Tell us what you have  
23 to say.

24 MR. CORTEZ: Basically, what I would  
25 like to start out with is to kind of correct what



2 former-Legislator Becker said or just modify that  
3 a little bit so there is no misunderstandings.

4 The Department of Assessment did not  
5 conduct a thorough analysis of this project, I  
6 just want that understood. We did something  
7 very, very cursory, something last minute because  
8 we were given a couple of days to review this  
9 project, a project that is very intense and very  
10 sizeable for this county.

11 What you have in that letter was the  
12 intent for us to tell you that basically the best  
13 we could do with this in the time allotted was to  
14 read the report, look at it, and analyze the  
15 methodology and some of the data that was in that  
16 report, which is basically what we've done.

17 We do agree, for the record, with the  
18 methodology that was used. We do understand that  
19 the City of Glen Cove is a homestead city, where  
20 Nassau County is a special district; so there are  
21 differences there in the methodology. We realize  
22 that they took that into consideration when they  
23 did their analysis.

24 We did do a cursory review of some of the  
25 data in the report concerning the residential and

2 rental rents and expense information that was  
3 used. We found it to be within market parameters  
4 that we generally use and that we accumulate from  
5 our ASIE findings. The best we were able to do  
6 was that and to at least ensure that what SES did  
7 was consistent with what we do in Nassau County.

8 CHAIRWOMAN GONSALVES: Any questions of  
9 Mr. Cortez? Yes. Legislator DeRiggi-Whitton,  
10 are you going to ask a question - yes, no? Not  
11 ready. Legislator Curran.

12 LEGISLATOR DeRIGGI-WHITTON: All set.

13 CHAIRWOMAN GONSALVES: You have to  
14 understand something. We are here today to  
15 determine the impact on this county. The impact  
16 on the City of Glen Cove is the concern of the  
17 mayor of Glen Cove and those who are involved in  
18 this project. So we are really concerned about,  
19 Mr. Cortez, what this impact would be on Nassau  
20 County as a whole. Correct?

21 LEGISLATOR DeRIGGI-WHITTON: Correct.

22 I sent a correspondence to Mr. Davis on  
23 August 12. Do you happen to know anything about  
24 the correspondence we sent and why we didn't get  
25 a response?

2 MR. CORTEZ: I was not in the office on  
3 Friday so I didn't get a chance to read that or  
4 go through it.

5 LEGISLATOR DeRIGGI-WHITTON: When the  
6 cursory review of this determined that seven  
7 percent was the correct number, my correspondence  
8 basically asks how you got to that number, like  
9 some type of formula, a copy of how you came up  
10 with that.

11 MR. CORTEZ: Basically, what was done  
12 there - again, it was a very, very crude  
13 methodology. I can't say that enough because  
14 there was no time to do this. The SVS report  
15 took months to produce. We were asked to do this  
16 in a couple of days. I can't emphasize that  
17 enough to you.

18 I'm sorry. I know that's not the answer  
19 you're looking for -

20 LEGISLATOR DeRIGGI-WHITTON: No.

21 MR. CORTEZ: but that's the reality of  
22 it.

23 Basically, what we did was, again,  
24 checked the methodology, used our figures. We  
25 came to 7.7 through accounting measures. That

2 was the best we could do, figuring it leads us in  
3 some direction.

4 LEGISLATOR DeRIGGI-WHITTON: There's a  
5 big discrepancy, depending on what percentage we  
6 depend on you to give us.

7 MR. CORTEZ: I understand that.

8 LEGISLATOR DeRIGGI-WHITTON: The  
9 difference just from - Legislator Laura Curran  
10 asked last time, the difference from the 15  
11 percent, which our independent financial office  
12 thought might be appropriate, down to the seven  
13 percent, which is where we are starting from, was  
14 15 million in itself, which is a lot of money to  
15 a county that has no money.

16 I don't know how anyone can vote on this,  
17 to be honest. I've said it before - and  
18 obviously I am from Glen Cove, but I also  
19 represent the Nassau County taxpayers. We're  
20 talking about a 30 year commitment and we don't  
21 know how much it's going to cost. As much as  
22 everyone might be in favor of seeing a project go  
23 forward, I think we need to do our due diligence  
24 as representatives of Nassau County and at least  
25 table this at this point.

2 MR. BECKER: Madam Chair, I'm not sure  
3 that this letter that was written by our  
4 assessor, Jim Davis, that was sent to you and I  
5 believe to everyone by e-mail. First of all, I'd  
6 like to enter this into the record, this letter.  
7 I'm not sure that it ever was. Without reading  
8 the entire letter, I'd just like to read the last  
9 paragraph to everyone.

10 CHAIRWOMAN GONSALVES: Go right ahead.

11 MR. BECKER: This is from our assessor.

12 It says, Having reviewed this data, as  
13 noted previously, we have concluded that the  
14 county's percentage of tax receipts to be 7.7  
15 percent, which is just slightly higher than the  
16 6.7 percent found by Mr. Camalere (phonetic). We  
17 attribute to this slight variance in our findings  
18 to the lack of time DOA had to conduct its  
19 analysis, along with Mr. Camalere's extensive  
20 research and reporting of income and expense  
21 data.

22 I'd just like to note that the SVS report  
23 is like this big. I think the legislature has  
24 seen copies of that. It's pretty extensive.

25 It continues, we are of the belief that

2 our slight variance is well within a margin of  
3 error such an extensive analysis and project of  
4 this size and density, which would appear to  
5 support Mr. Camalere's conclusions.

6 This is from the assessor himself. I  
7 just would like to enter this into the record.

8 CHAIRWOMAN GONSALVES: Legislator  
9 DeRiggi-Whitton.

10 LEGISLATOR DeRIGGI-WHITTON: Fran, is  
11 that letter signed?

12 MR. BECKER: Well, no it wasn't signed.  
13 I don't know why that's so funny. This is all  
14 the time. You're suggesting that because it  
15 wasn't signed that he didn't write it? I would  
16 assume that he wrote it. Because we wanted to  
17 scan and e-mail it, I think a signature is  
18 perfunctory. This is from him, underlined with  
19 his signature. I don't think that's so funny.

20 LEGISLATOR DeRIGGI-WHITTON: I think if  
21 he's standing behind it he would sign it.

22 MR. BECKER: Legislator, you're saying  
23 now that he didn't sign it because he doesn't  
24 want to stand behind the letter?

25 LEGISLATOR DeRIGGI-WHITTON: I'm asking

2 you if it's signed, Fran, and you said no.

3 That's the only question I have.

4 MR. BECKER: And I answered your  
5 question.

6 LEGISLATOR DeRIGGI-WHITTON: I  
7 appreciate it. Thank you.

8 MR. BECKER: I would be sure -

9 LEGISLATOR DeRIGGI-WHITTON: I don't  
10 need you to tell me what I'm thinking or what the  
11 point of it is.

12 MR. BECKER: I'm not suggesting what  
13 you're thinking.

14 LEGISLATOR DeRIGGI-WHITTON: I just  
15 asked if it was signed or not.

16 MR. BECKER: You're suggesting that he's  
17 not standing behind this -

18 LEGISLATOR DeRIGGI-WHITTON: Thank you  
19 very much.

20 MR. BECKER: letter -

21 LEGISLATOR DeRIGGI-WHITTON: I'm not  
22 suggesting anything.

23 MR. BECKER: because there's not a  
24 signature on it.

25 LEGISLATOR DeRIGGI-WHITTON: I'm asking

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2 if it's signed, Fran. We'll agree to disagree.  
3 MR. BECKER: Clearly written by him and  
4 his office.  
5 CHAIRWOMAN GONSALVES: Mr. Becker, let's  
6 move on.  
7 LEGISLATOR DeRIGGI-WHITTON: Can I just  
8 ask one other quick question?  
9 CHAIRWOMAN GONSALVES: Excuse me. Mr.  
10 Cortez, do you have any more to add to your  
11 statement?  
12 MR. CORTEZ: Sorry?  
13 CHAIRWOMAN GONSALVES: I said do you  
14 have any additional information?  
15 MR. CORTEZ: No. Unless there are other  
16 questions I can answer.  
17 CHAIRWOMAN GONSALVES: Legislator  
18 Nicolello has a question.  
19 LEGISLATOR NICOLELLO: Just wanted to  
20 confirm certain things. Your statement was your  
21 statement, that the party was rather short.  
22 Again, looking at the letter that former-  
23 Legislator Becker read into the record, among the  
24 other things that were stated here is we, the  
25 Department of Assessment reviewed it with in-



2 house counsel, the appropriate laws which govern  
3 the methodology that is to be used to arrive at  
4 estimating the value of real property and  
5 conducted a review of various Class 2 parcels  
6 within the City to compare in this analysis. Is  
7 that accurate?

8 MR. CORTEZ: Yes, it is.

9 LEGISLATOR NICOLELLO: It goes on to say  
10 that DOA staff, Department of Assessment staff  
11 reviewed and compared the residential and  
12 commercial income and expense data used to that -  
13 found in our database for similar type property  
14 and locations. Was that done?

15 MR. CORTEZ: Yes.

16 LEGISLATOR NICOLELLO: And the DOA came  
17 to the conclusion that the data provided by Mr.  
18 Camalere of SVS was well within market parameters  
19 for properties of this type and this location.

20 MR. CORTEZ: That's correct.

21 LEGISLATOR NICOLELLO: And that both  
22 parties, DOA, have - and SVS have utilized  
23 appropriate methodologies in accordance with  
24 prior practice and the International Association  
25 of Assessing Officers standards and appraisal

theory. Is that statement accurate?

MR. CORTEZ: That's correct.

LEGISLATOR NICOLELLO: You reviewed the methodology, reviewed the assumptions and they are appropriate?

MR. CORTEZ: We believe they are, yes.

LEGISLATOR NICOLELLO: So ultimately the percentage that you came up with was 7.7 as opposed to anything above that.

MR. CORTEZ: Yes.

LEGISLATOR NICOLELLO: I have no further questions at this time.

CHAIRWOMAN GONSALVES: Legislator Bynoe.

LEGISLATOR BYNOE: Thank you, Presiding Officer.

I don't have a question as much as a statement. I do have to render some concern here and put it on the record.

I am a proponent for development. This is something that I've dedicated my life to in developing. I'm finding myself as a crossroad here, in that I feel as though in statement Mr. Cortez has stated that there wasn't enough time allowed to really thoroughly assess and evaluate

2 the figures and also I feel as though the  
3 assessor also, in his letter, stated the same. I  
4 feel there is a disclaimer here and that we are,  
5 in fact, putting our assessment office at a  
6 disadvantage to be able to appropriately advise  
7 us.

8 I understand that there is an urgency, a  
9 sense of urgency. I think we've got to slow the  
10 train down and we've got to give them the time  
11 that they need. We need to have an assessment or  
12 we need an evaluation by the assessment  
13 department that doesn't come with a disclaimer  
14 that there wasn't enough time. I really think  
15 that we've got to pump the brakes here and we've  
16 got to slow the train down because I'm concerned.

17 LEGISLATOR SOLAGES: Legislator  
18 Nicolello - my apologies. I was still  
19 remembering the last hearing. Legislator  
20 Gonsalves, may I please speak? Thank you very  
21 much.

22 The analysis that you were discussing  
23 with Legislator Nicolello before, is that the  
24 same analysis that you called crude?

25 MR. CORTEZ: Yes.

2 LEGISLATOR SOLAGES: Okay.

3 MR. CORTEZ: Well crude to the extent  
4 that it's not as in-depth as the SVS report and  
5 it's a comparison to data that we use on a  
6 regular basis.

7 LEGISLATOR SOLAGES: But the SVS uses a  
8 different number, is that correct?

9 MR. CORTEZ: Yes.

10 LEGISLATOR SOLAGES: To my understanding  
11 they use the number that is 11 percent.

12 MR. CORTEZ: What we did was to judge  
13 whether or not what they were doing fell within  
14 market parameters, that's generally what  
15 assessing does anyway.

16 LEGISLATOR SOLAGES: And it doesn't.

17 MR. CORTEZ: You fall into that range,  
18 that's basically what this was. In other words,  
19 is there an outlier? Is he, at \$2,000 a month,  
20 say, for an apartment rent and we're at 4,000?  
21 Obviously, that would raise red flags and we  
22 would have to get further involved in that.

23 LEGISLATOR SOLAGES: I'm all about  
24 solutions. How much time would you need in order  
25 to produce a report that's not crude, as you

2 said?

3 MR. CORTEZ: I would think it might be  
4 inappropriate for my department to do that. It's  
5 not a county project. We don't do analyses of  
6 that type. To devote that kind of manpower to  
7 that during other parts of our normal timeline, I  
8 just don't know that you could do that.

9 LEGISLATOR SOLAGES: How could it not be  
10 appropriate for your office to determine how much  
11 revenue we're giving up?

12 MR. CORTEZ: I'm saying it would be  
13 inappropriate for us to do this type of in-depth  
14 study and devote that kind of time and manpower  
15 to it. Certainly, if that's the request of this  
16 group we would -

17 LEGISLATOR SOLAGES: There's a \$30  
18 million difference, to my understanding.

19 CHAIRWOMAN GONSALVES: Legislator  
20 Solages, where did you come up with 30 million?

21 LEGISLATOR SOLAGES: Just based on the  
22 report here that I was reviewing. My colleague  
23 from Glen Cove can answer that question.

24 CHAIRWOMAN GONSALVES: Legislator  
25 DeRiggi-Whitton.

LEGISLATOR DeRIGGI-WHITTON: I know we're going to have other people from the public that will come in and address this even better.

From what I'm understanding, I have the report of SVS. The 11 percent seems to be the number. It's the question of either 15 percent or 7 percent at the last meeting, now they're kind of saying it's a mixed use and 11 percent. The difference between the 11 percent and the 7 percent that they want us to think is where we're starting from is \$15 million. I know what this County - for us to give an additional \$15 million to this developer, it's a tough hit for the county, it's county taxpayers that are not in this area. I think we really have to think very serious about the commitment that we're going into for the next 30 years.

CHAIRWOMAN GONSALVES: Legislator Schaefer.

LEGISLATOR SCHAEFER: I just have a question for you, Mr. Cortez.

If you agree that the methodology is appropriate, then how can you disagree as to what they came up with? Especially if it's not

2 something that your office would do anyway, like,  
3 I'm just not understanding how you're getting  
4 there. You agree that's the way to get there but  
5 they probably -

6 MR. CORTEZ: We're doing it based on the  
7 methodology. Again, you have an issue here where  
8 you have properties that have been classified two  
9 different ways - some as a homestead property and  
10 some, as we do here, using income, so there's  
11 going to be some minor variations in there, so  
12 that's why I say our numbers are crude. Again,  
13 there might be some other things in there that we  
14 just didn't see because it got a cursory look.

15 LEGISLATOR SCHAEFER: It's also not  
16 something that you'd be able to do that type of  
17 investigation into, is that what you just said  
18 before?

19 MR. CORTEZ: We probably wouldn't  
20 because access to certain data that SVS has is  
21 just not something people are very willing to  
22 give the assessor. As you know, with ASIE it's a  
23 very difficult issue.

24 LEGISLATOR SCHAEFER: Okay. Okay.  
25 Thank you.

2 CHAIRWOMAN GONSALVES: Legislator  
3 Nicoletto.

4 LEGISLATOR NICOLELLO: Something is not  
5 computing about your representation here. You're  
6 using terms like crude and limited. I understand  
7 limited, that's one thing. Using terms like  
8 crude has a certain connotation. Yet, you just  
9 said in response to Legislator Schaefer, that  
10 there's a minor variance. In fact, Mr. Davis'  
11 letter -

12 MR. CORTEZ: There's a minor variance in  
13 the final number.

14 LEGISLATOR NICOLELLO: Right. You get  
15 to a minor variance - his term is slight  
16 variance. When you're talking about crude you're  
17 giving people concern. Ultimately, the  
18 conclusion, according to this letter, is that  
19 there was a slight variance between what the  
20 county comes up with and what the developer comes  
21 up with - the City.

22 MR. CORTEZ: Please understand when I  
23 say crude I'm talking about a cursory look versus  
24 a 300-page report that somebody spends months on  
25 versus what we did in a couple days, in that



2 sense it has to be crude.

3           The methodology is what the methodology  
4 is. So the income approach and the sales  
5 comparison approach are very well established  
6 methodologies. Their use and how they function  
7 are not crude. But the fact that we couldn't put  
8 the time and effort into this, as SVS did, makes  
9 it crude, if you will. That's our term for it,  
10 however you want to use that term.

11           CHAIRWOMAN GONSALVES: I just have a  
12 question of you, Mr. Cortez. If the methodology  
13 is the same as it would take weeks or months to  
14 do, why would it be crude?

15           MR. CORTEZ: It's just crude because we  
16 don't have access to some of the same data. In  
17 other words, I can't go out and verify every  
18 piece of data that he has in his report because I  
19 don't have access to it like he does. I don't  
20 know where he obtained it from. What we did was  
21 we looked in our database and we said do these  
22 numbers fit into normal market parameters. The  
23 answer is yes. That's as much as we can do with  
24 the information that we have. Again, it's not as  
25 refined as what Mr. Camalere did because, again,

2 he spent several months doing that and had access  
3 to a lot of other data.

4 CHAIRWOMAN GONSALVES: Legislator Kopel.

5 LEGISLATOR KOPEL: Just to sharpen this  
6 a little bit further, Steve.

7 What would you expect, reasonable expect,  
8 were you to spend the six months and whatever -

9 MR. CORTEZ: I'm sorry?

10 LEGISLATOR KOPEL: What would you expect  
11 - would you expect to find a significantly  
12 different last number by virtue of spending  
13 several months working on this? As you said, a  
14 total analysis -

15 MR. CORTEZ: I don't expect a big  
16 difference because, again, the methodology is the  
17 same.

18 LEGISLATOR KOPEL: The methodology - so,  
19 simply, all you're saying is that you're not  
20 reinventing every single piece of the wheel.  
21 You're not actually going and verifying every  
22 data point. Would that be a correct statement?

23 MR. CORTEZ: We did not verify the exact  
24 data because, again, we can't do that.

25 LEGISLATOR KOPEL: I understand. But

2 what I am asking you is whether that failure to  
3 go back and identify and verify every single data  
4 point, is that what you mean by crude?

5 MR. CORTEZ: Yes. Yes.

6 LEGISLATOR KOPEL: Okay. Given the data  
7 point, do you have any reason to expect that the  
8 data point is accurate or that it is inaccurate?

9 MR. CORTEZ: We believe the data is  
10 accurate, at least what we can determine based on  
11 -

12 LEGISLATOR KOPEL: The person who did  
13 the data, are these people reputable in their  
14 field and known to do quality work?

15 MR. CORTEZ: I believe so. I've known  
16 them for a good 30 years.

17 LEGISLATOR KOPEL: Is it reasonable for  
18 us to then accept the data points that they have  
19 provided as reasonable, as accurate?

20 MR. CORTEZ: Yes. Because, as it said  
21 in the letter, they did adhere to appraisal  
22 theory, IAA Standards.

23 LEGISLATOR KOPEL: So would it not then  
24 be wasteful for you to go back and redo all these  
25 things?

2 MR. CORTEZ: If we redid the same steps  
3 that they did, we should be at the same number.

4 LEGISLATOR KOPEL: We should be at the  
5 same number. What I asked you is would it not be  
6 wasteful then, in other words, you said that it's  
7 a reasonable thing to accept their work as  
8 accurate, in terms of their data. That's what  
9 you said, right?

10 MR. CORTEZ: Yes.

11 LEGISLATOR KOPEL: Therefore, then,  
12 would it not be wasteful to go ahead and redo all  
13 this work?

14 MR. CORTEZ: You're going to end up  
15 basically in the same place, yes.

16 LEGISLATOR KOPEL: And you would  
17 probably hire the same person or someone just  
18 like them to do it.

19 MR. CORTEZ: That's what you'd  
20 ultimately have to do -

21 LEGISLATOR KOPEL: So let's go back and  
22 reexamine the word and let me ask you if you'd  
23 like to change it and use a different word,  
24 instead of crude, would you?

25 LEGISLATOR DeRIGGI-WHITTON: I don't

2 know if you should suggest that to someone who is  
3 testifying.

4 LEGISLATOR KOPEL: I can suggest  
5 anything that I seems reasonable to me.

6 MR. CORTEZ: Again -

7 CHAIRWOMAN GONSALVES: Legislator  
8 DeRiggi-Whitton. All right. He can suggest,  
9 just like you.

10 MR. CORTEZ: Again, I used that word  
11 crude just to emphasize the fact that we don't  
12 have a 300-page report. We've got a two-page  
13 letter.

14 LEGISLATOR KOPEL: No more questions.

15 CHAIRWOMAN GONSALVES: Legislator  
16 Walker.

17 LEGISLATOR WALKER: Just for the record.  
18 We would not have done all that work because it  
19 is not our project.

20 MR. CORTEZ: That's correct.

21 LEGISLATOR WALKER: Okay. Thank you.

22 CHAIRWOMAN GONSALVES: Legislator  
23 DeRiggi-Whitton, one more thing.

24 LEGISLATOR DeRIGGI-WHITTON: In my  
25 letter I basically asked just that, I wanted to

2 see how you came up with the number that you came  
3 up with, what formula you use and -

4 MR. CORTEZ: I would have to get the  
5 accounting section to get that for you, yes.

6 LEGISLATOR DeRIGGI-WHITTON: And that's  
7 what we would like to see, because there is a  
8 discrepancy.

9 MR. CORTEZ: Okay.

10 LEGISLATOR DeRIGGI-WHITTON: Now do you  
11 know when you did your numbers, is that for when  
12 the project is fully built?

13 MR. CORTEZ: I'm sorry? I missed the  
14 last part.

15 LEGISLATOR DeRIGGI-WHITTON: How did you  
16 get your numbers? Is it when it was complete,  
17 the project, or prior to completion?

18 MR. CORTEZ: I would again have to check  
19 with the -

20 LEGISLATOR DeRIGGI-WHITTON: I think  
21 that's kind of important because there is another  
22 discrepancy as to whether or not this was looked  
23 at correctly, as far as the full built out or  
24 partial build out. We really have - it's a  
25 really important thing - right - and that's what

2 we're trying to determine. The bottom line is we  
3 don't even know if - what portion you used, as  
4 far as your analysis.

5 SVS did do a decent job, but this is also  
6 hired by the developer. So we need to just do  
7 our own due diligence, we can't just take it at  
8 its word.

9 CHAIRWOMAN GONSALVES: Legislator  
10 Jacobs.

11 LEGISLATOR JACOBS: Yes. I have just  
12 one question to ask you. I understand everything  
13 you've said; whether I agree with you, I am not  
14 an expert. I can only say that to me a \$15  
15 million difference of monies coming into the  
16 county does not necessarily render both reports  
17 within matching issues.

18 Look. I'm not an expert on this. I do  
19 live near Glen Cove. I understand the concerns  
20 there. Talking just on this issue of assessing  
21 and - I understand that there are people who are  
22 the tops and they had the time - not that you're  
23 not tops but they had the time to do what  
24 obviously you didn't. But when you say - I think  
25 it was Legislator Kopel who said this. They

2 would come up, more or less, in the same  
3 ballpark.

4 MR. CORTEZ: Assuming that the data is  
5 correct and the methodology is correct, the  
6 answer is yes.

7 LEGISLATOR JACOBS: So my dangling  
8 question here is then how could there be a \$15  
9 million difference in what comes to the county?  
10 That's my very layman type, simple concern here.  
11 Forgetting everything else about the project,  
12 that's what I'm really throwing out to you. I  
13 think that that bottom line is what really people  
14 up here are asking about.

15 MR. CORTEZ: I understand your question.  
16 It's, again, for the type of report we did I  
17 can't answer that, unfortunately, because it's  
18 not as refined as the SVS report is.

19 LEGISLATOR JACOBS: But you'd have to  
20 agree with me -

21 MR. CORTEZ: Oh, absolutely.

22 LEGISLATOR JACOBS: that \$15 million is  
23 not a tiny amount of money.

24 MR. CORTEZ: Right.

25 LEGISLATOR JACOBS: Okay. All right.



2 CHAIRWOMAN GONSALVES: Legislator  
3 Nicoletto.

4 LEGISLATOR NICOLELLO: There's a  
5 difference here because the numbers we've been  
6 provided are different. The difference between  
7 the requested allocation and the assessed  
8 allocation of 7.7 percent as opposed to 6.4  
9 percent, the difference amounts to \$4 million  
10 spread over 40 years. The discrepancy is not the  
11 number that you're talking about, based on the  
12 numbers we've been provided. In that context  
13 there is the other revenues for sales taxes, et  
14 cetera, that flow into the county that's  
15 estimated to be in the area of \$80 million over  
16 those 40 years. So there's a different universe  
17 of numbers that we're dealing with.

18 LEGISLATOR MACKENZIE: Can I just have a  
19 quick question?

20 CHAIRWOMAN GONSALVES: Legislator  
21 MacKenzie.

22 LEGISLATOR MACKENZIE: Could you just  
23 give us briefly, describe for us what SVS did.  
24 It seems to me that you're using the term crude  
25 to describe that you didn't go through specific

2 properties, specific classes and get the  
3 underlying data, which limited your review in  
4 scope. You just saw that the methodology they  
5 used for that underlying data is correct, with  
6 the assumption that their data is correct. So  
7 maybe you can give us a brief synopsis of what  
8 they did and then what you did in a review of  
9 their -

10 MR. CORTEZ: I would let them give you  
11 that synopsis. I wouldn't dare to think I could  
12 tell you what's in their report.

13 MR. BECKER: I'd just like to note,  
14 Madam Chair, that the 15 million is discussed,  
15 Mr. Cortez doesn't know where that number came  
16 from himself. Where did that number come from?  
17 SVS?

18 LEGISLATOR JACOBS: They're basing it on  
19 different percentages.

20 MR. BECKER: I'm Fran Becker. I'm  
21 Legislative Affairs from the County Executive's  
22 office. Mr. Cortez, I was just asking him about  
23 the \$15 million figure and he doesn't know where  
24 that number came from. SVS is here. If we want  
25 to talk about that 15 million, they can testify

2 to that, if that's an important question to the  
3 legislature. Would you like SVS to testify?  
4 Please.

5 MR. ALBRO: Good afternoon. Andrew  
6 Albro, Appraiser with Standard Valuation  
7 Services, and principal of the firms.

8 With respect to the \$15 million, I can't  
9 speak to that either. And I'm not sure where  
10 these numbers are coming from. I think the  
11 parties involved should speak to that. I can  
12 speak to our analysis and entertain some  
13 questions, try to respond to what the differences  
14 may be between the allocation in the county taxes  
15 as part of the whole. But I can't speak to the  
16 certain 15 million or any other number. I can  
17 speak to how we arrived at the percentage that  
18 would go to the county portion of the tax roll.

19 CHAIRWOMAN GONSALVES: So speak to that.

20 MR. ALBRO: I will.

21 We were hired - and also to correct the  
22 statement made earlier - we were hired by the  
23 City of Glen Cove. We're not working for the  
24 developer. The initial scope of work that we  
25 were asked to do was to estimate the assessments

that the project would have for the various specific components of this project and to determine a real estate tax forecast for the project for the bond financing. Having completed that, we were later asked to, quite simply, calculate, mathematically calculate and allocate the real estate taxes to the various components. There is, within the City, you have the city school district, library, and the city taxes that is readily arrived at by multiplying the concluded values, using the methodologies that are suitable for the city's tax jurisdiction by the city tax rate, the mathematical computation, and the same goes for the county.

I believe the difference or the perceived difference is in the percentage allocation is the consequence of how the different municipalities are required to do their assessments.

You've heard the term homestead, non-homestead. That is an option that a municipality like Glen Cove can adopt and they have adopted it. Homestead applies to the manner in which one would assess single family residences, which includes condominiums. The vast majority of this

complex is residential or proposed to be residential. For the homestead option, which must be done when computing the market value in assessment and, consequently, real estate taxes for the city, the methodology is called the sales comparison approach. It's simply a comparison of like-kind sales, arriving at a market value, what I would refer to as a true market value for that type.

In contrast, the county has four tax classifications. For condominiums above three stories in height, which is what is proposed here, they're classified as what is referred to as a Class 2. The Class 2 includes rental apartment buildings, and cooperatives, and condominiums above three stories in height. The valuation methodology that is mandated for that is referred to as the come capitalization approach that universally results in a more conservative, lower valuation because it takes the perspective of the investor, which is not the typical buyer for a condominium. So what we've arrived at is the fact that the City's component for that large section of the project, the

2 homestead, the condominiums, is a substantially  
3 higher value than is typically reflected. I also  
4 believe that some of the other percentages, if  
5 they're rooted in anything, except arbitrarily  
6 assigned, may represent a typical cross section  
7 of either city or another municipality. What we  
8 have done is started with the specific project at  
9 hand, analyzed and valued each component based  
10 upon the methodologies that are suitable for each  
11 jurisdiction and arrived at the market value and  
12 mathematically leads to the allocation. If one  
13 was to take an allocation, the perceived  
14 allocation that maybe representative of the city  
15 at large, it's not going to match what this  
16 project is. It's completely different. It's not  
17 going to have 80 percent residential, if not  
18 more, maybe even higher as far as the size or the  
19 complex, and certainly it's not going to have  
20 that extent of high-end condos which have to be  
21 valued at a much higher rate. So I think that's  
22 at the root of the seeming disparity of the  
23 percentages assigned.

24 CHAIRWOMAN GONSALVES: Legislator Kopel.

25 LEGISLATOR KOPEL: I was to first get to

2 some of the qualification.

3           You, by you I mean the corporate you.  
4 You do considerable work for Nassau County as  
5 well, isn't that true?

6           MR. ALBRO:     Yes.   We work for many  
7 municipalities -

8           LEGISLATOR KOPEL:   Many municipalities,  
9 I meant.   In other words, overall, you do work  
10 for various municipalities, right?

11          MR. ALBRO:     Yes.   That's correct.

12          LEGISLATOR KOPEL:   My understanding is  
13 that there are standards for appraisers that  
14 qualified appraisers are expected to adhere to,  
15 is that correct?

16          MR. ALBRO:     Yes, it is.

17          LEGISLATOR KOPEL:   And you adhere to  
18 those?

19          MR. ALBRO:     I certainly do.

20          LEGISLATOR KOPEL:   I also understand  
21 that appraisers that adhere to a set of standards  
22 would be expected to arrive at substantially the  
23 same, given a very small margin of error, you  
24 should arrive, using those standards, should  
25 arrive at the same conclusions within a small

2 margin of error. Would that be a fair statement?

3 MR. ALBRO: I would expect so if the  
4 appraisers follow the standards that they are  
5 held to they will apply the appropriate  
6 methodology.

7 LEGISLATOR KOPEL: Consistently applied  
8 you would generally come to a similar conclusion.

9 MR. ALBRO: Yes.

10 LEGISLATOR KOPEL: Okay. Now, what  
11 you're saying, if I understood you correctly, is  
12 that some of the - you don't have exactly an  
13 apples to apples comparison here due to the  
14 various different classifications.

15 MR. ALBRO: Yes, on two counts. There's  
16 not an apples to apples when one compares the  
17 methodologies that each jurisdiction must apply.  
18 I don't believe there's an apples-to-apples  
19 comparison with some of the other - some of the  
20 substantially higher percentages that have been  
21 floated around. I can't imagine that they would  
22 possibly be following the same procedure.

23 LEGISLATOR KOPEL: Right. So following  
24 those procedures you're unable to justify those  
25 higher valuations.



2 MR. ALBRO: That's correct.

3 LEGISLATOR KOPEL: That's what you're  
4 saying. Okay. No questions. Thank you.

5 LEGISLATOR DeRIGGI-WHITTON: Hi.

6 CHAIRWOMAN GONSALVES: Legislator  
7 DeRiggi-Whitton.

8 LEGISLATOR DeRIGGI-WHITTON: Oh. I  
9 apologize.

10 When you mentioned before that the condos  
11 were to the much higher extent than anything  
12 else. How many condos are there?

13 MR. ALBRO: I know it's over 500. I  
14 have the precise allocation in my report.

15 LEGISLATOR DeRIGGI-WHITTON: And how  
16 many rentals are there?

17 MR. ALBRO: There are 569 condominiums  
18 and 541 rentals.

19 LEGISLATOR DeRIGGI-WHITTON: The backup  
20 for this item says 513 condominiums and 486  
21 rentals. So to say that it's highly, much more  
22 homestead because the fact that they're condos,  
23 it's almost 50/50, correct? It's like 55/45.

24 MR. ALBRO: I'm sorry.

25 LEGISLATOR DeRIGGI-WHITTON: Before you

2 said it's primarily condominiums but it's really  
3 not. It's 55 percent to 45 percent. And the  
4 difference there, from what I understand - I  
5 understand the condominiums going under  
6 homestead, because homestead is basically what  
7 our homes are rated at, and the rentals would be  
8 more of a commercial rating because it's a  
9 commercial building, an apartment building,  
10 that's where the 15 percent came in, from what I  
11 understand, and the 7 percent was homestead. The  
12 average that I understood they worked out was to  
13 11 percent.

14 MR. ALBRO: I can't speak for that 15.  
15 I'd be pleased to review and analyze anything put  
16 forth.

17 LEGISLATOR DeRIGGI-WHITTON: How did  
18 they come up with a 10 percent that you mentioned  
19 last time, the blended 10 percent?

20 MR. ALBRO: I don't have a blended 10  
21 percent. I have a blended analyses and I've been  
22 asked to follow up and compute. I've determined  
23 the market values, the assessments, and then off  
24 the assessments the taxes. That was completed.  
25 Then I was asked to simply allocate them among

2 the various districts. I didn't compute and  
3 arrive at any percent. I've done my analysis  
4 first, had my results, and it's a mathematical  
5 truism to just take the computed taxes for each  
6 section and divide it by the total.

7 LEGISLATOR DeRIGGI-WHITTON: What  
8 percent does the county normally get for  
9 commercial buildings?

10 MR. ALBRO: I don't know if there is a  
11 standard. That's a wide-ranging question, what  
12 is normal.

13 LEGISLATOR DeRIGGI-WHITTON: Is Maurice  
14 here?

15 CHAIRWOMAN GONSALVES: No, he's not.

16 LEGISLATOR DeRIGGI-WHITTON: I think  
17 that's important. This is a mixed use project.  
18 We're saying 45 percent is going to be commercial  
19 and 55 percent will be the homestead. It's  
20 really - it's a big difference, that's where the  
21 big percentage as to how much the county is  
22 entitled to comes from.

23 LEGISLATOR NICOLELLO: The Mayor would  
24 like to speak for a moment.

25 MAYOR SPINELLO: Let me try to -

CHAIRWOMAN GONSALVES: With all due respect, whether you agree or not.

MAYOR SPINELLO: Let me try to speak in vary lay terms on this because obviously I'm not an assessor.

This 15 million or whatever number, what's going on here is quite simply the difference in the assessment is that the condos are assessed for the city. The city assessed those condos at 500 million. The county, because of the income that they assessed them at about 150 million. So your difference is 350 million. That's why the percentage is much lower, because the city can only assess the way they can, as homestead, and the county assesses in Class 2 and Class 4. There is no difference here, okay. The only difference is that one percent, that margin of error. The average distribution that the county gets of taxes in Glen Cove is about 7.5 percent. Actually, it turns out that it's less than that.

When you talk about 15 percent, what you're really referring to, that's if the county assessed the whole project. But the county isn't

2 collecting the city tax or the school tax or  
3 billing them at that rate. The city bills at  
4 their rate. The school bills at their rate. The  
5 county's portion, okay, in relation to all the  
6 taxes is about 7.5 percent, it's actually a  
7 little bit less. What we're asking for here is  
8 about 6.4 percent. So you would have 21 million.  
9 You'd be getting 21.5. Even if that 7.7 was  
10 correct there would be a delta of about \$4  
11 million.

12 The real difference here is in the  
13 recurring revenue that you're going to get, which  
14 totals about over \$60 million. There is a pot of  
15 about \$96 million for the county, of which about  
16 \$6 million is projected to be expenses. The  
17 county has about a 15 time multiple here. So  
18 there really is -

19 We're talking about something and I think  
20 we're getting off track. The fact is it is a  
21 simple deviation. The amount of money that's the  
22 difference - \$4 million is a lot of money to  
23 anyone over 40 years. In the end, the amount  
24 that you're getting - for every million that you  
25 say you're losing you're going to pick up over

2 three million. I think this is becoming  
3 something bigger than the whole project.

4 The whole project is spitting off \$622  
5 million in revenue. The school is going to get  
6 292 million. The county is going to get 96  
7 million. The City of Glen Cove is going to get  
8 76 million. The library is going to get eight  
9 million. There's over 1,000 jobs here. There's  
10 \$40 million or more in payroll. There's \$50  
11 million going into the local economy.

12 This is a project that's 20 years in the  
13 making. Everything the City has done - we  
14 followed all the rules that the City created to  
15 try to make this project work. And that brings  
16 us right to here. Your vote is critical.  
17 There's people here looking for jobs and there's  
18 a lot of jobs to be had in the county. I would  
19 appreciate you voting on this in your support.

20 MR. BECKER: Madam Chair, does any other  
21 legislators have questions for the assessor -  
22 SVS, rather?

23 CHAIRWOMAN GONSALVES: No.

24 MR. BECKER: Are we finished?

25 LEGISLATOR DeRIGGI-WHITTON: I just want

2 to make one statement.

3 You're saying it's a simple deviation -

4 CHAIRWOMAN GONSALVES: You're  
5 interrupting.

6 LEGISLATOR DeRIGGI-WHITTON: Go ahead,  
7 Norma. I'll wait for you. Go ahead.

8 CHAIRWOMAN GONSALVES: Legislator  
9 DeRiggi-Whitton. Be brief.

10 LEGISLATOR DeRIGGI-WHITTON: I just want  
11 to make one statement. To say a simple  
12 deviation, okay, that's great, but we don't know  
13 the exact number. How do we know that's a simple  
14 deviation? We don't know what we're deviating  
15 from. We don't know what we're deviating to.  
16 There are so many different formulas, Reggie.  
17 Whether or not the building is built out or half  
18 built out, the values are completely different.

19 MAYOR SPINELLO: The whole valuation is  
20 done on the build out. It's not done a partial,  
21 okay. You're figuring your tax base based on the  
22 completion of the project. And there are no  
23 different formulas. There is one formula for the  
24 City and there is one formula for the County.  
25 This is not rocket science. It's very, very

2 simple. The numbers are real.

3 The deviation is we're asking the county  
4 to take a little bit less, that's it. Everything  
5 else is full value. You get the rental taxes,  
6 you get full value after year 20. So there's a  
7 lot of different components to this. This is the  
8 smallest component of all of them in the total  
9 value of the project. I appreciate that you're  
10 trying to protect, but if we don't have this  
11 project we can be arguing about nothing times  
12 nothing is nothing. So we need this project to  
13 have something in everybody's kitty. This is  
14 cash positive from day one for every single  
15 jurisdiction.

16 LEGISLATOR NICOLELLO: My suggesting is  
17 that we open it up to the public.

18 Are you completed with your presentation,  
19 Mr. Albro?

20 MR. ALBRO: I would just like to clarify,  
21 because there was a question on the seeming  
22 discrepancy in the number of condominiums. I  
23 think the number that you had did not include the  
24 workforce housing component that I had included  
25 in my count. So that would speak to the



2 different in the count.

3 LEGISLATOR DeRIGGI-WHITTON: Just for  
4 the record, do you want to put the exact amount -

5 CHAIRWOMAN GONSALVES: What's the  
6 workforce housing? What is that number?

7 LEGISLATOR DeRIGGI-WHITTON: 111, that's  
8 separate. You have a different number for this.

9 MR. ALBRO: I can explain that.

10 CHAIRWOMAN GONSALVES: Please explain  
11 it.

12 MR. ALBRO: There are an additional 56  
13 workforce condominium apartments and 55  
14 affordable rentals, so that would add up to that  
15 figure.

16 LEGISLATOR DeRIGGI-WHITTON: So the 486  
17 for the rental, where did you get that number  
18 from? That's in the backup.

19 MR. ALBRO: The 486 is market rate  
20 housing and the additional are the affordable  
21 housing.

22 LEGISLATOR DeRIGGI-WHITTON: And how  
23 many condominiums do you have? Because this is  
24 over the number that we've been seeing then.

25 MR. ALBRO: I'm not sure of that.

2 LEGISLATOR DeRIGGI-WHITTON: If you  
3 don't know the number of condos and the number -

4 MR. ALBRO: We know the number.

5 LEGISLATOR DeRIGGI-WHITTON: It matters  
6 with the rate, just so you understand, what's  
7 commercial and what's private.

8 CHAIRWOMAN GONSALVES: Right now we have  
9 the public out there waiting to be heard. I ask  
10 you, once again, to adhere to the three minute  
11 limit. If you overstep the three minutes, I'm  
12 going to ask you step down and come back after  
13 everybody else has had a turn.

14 MR. BECKER: Madam Chair, he just needs  
15 to clarify one thing.

16 MR. ALBRO: To clarify, there are a  
17 total of 569 condominiums, of which 56 are the  
18 affordable.

19 LEGISLATOR NICOLELLO: Let's begin  
20 public comment. The first speaker is Andrew  
21 Lawrence.

22 MR. LAWRENCE: Good afternoon. My name  
23 is Drew Lawrence. I sent all the legislators an  
24 email last week outlining what taxes, based upon  
25 today's rates, would be without a PILOT and what

it would be if a PILOT occurred and was approved.

As noted in that email, I am pro-development, just opposed to financing it. I spent seven years on the Board of the City of Glen Cove Community Development Agency where we redesigned the project and came to an agreement with Rex Corp in 2012, which required them to finance, construct, and maintain the amenities that this PILOT, in part, would be slated to finance.

Legislation was passed by the City Council in 2013, further recognized the requirement for Rex Corp to finance, construction, and maintain those amenities. And although there was some consideration of a PILOT being contemplated at that time, it was never intended that a PILOT be used to finance any portion of the project. In fact, the Fourth Amendment to the contract specifically stated that neither the City nor its agencies were to provide financing.

Rex Corp claims that the increases in construction costs require the financing. But Rex Corp is not taking into consideration in the

2 discussion the downturn in the economy that drove  
3 the prices down in 2008. If anything, we are  
4 only just realizing a slight rise above costs at  
5 that time.

6 The county assessor's letter of 8/10/16  
7 addresses questions from the legislature. It  
8 outlines in spreadsheets applied that the non-  
9 homestead percentage, which is applicable to  
10 about two-thirds of the project, is seven  
11 percent. This does not mean a seven percent tax  
12 rate. Think of a pie. If you cut a small pie  
13 and take seven percent and then taken seven  
14 percent of a larger pie, you get more from the  
15 larger pie. The information provided as only  
16 based on the small pie of undeveloped land. The  
17 larger pie, or developed land, at build out is  
18 not addressed. However, this was addressed in  
19 the spreadsheet that I sent to you.

20 The PILOT proposal itself raises numerous  
21 questions. How did they arise at the figures  
22 presented? On what did they base them? What  
23 alternative was reviewed? Is the PILOT for the  
24 entire project or just the commercial portion?  
25 Why don't they ever mention the FEIS or the costs

2 associated with the project to the affected tax  
3 jurisdictions in relationship to the proposed  
4 revenue? Why haven't they applied for a  
5 supplemental EIS, as this proposal has a major  
6 impact on that document and SEQRA would require  
7 it?

8 No explanations have been offered. They  
9 continue to put the cart before the horse and  
10 both Rex Corp and the city agencies are in breach  
11 of contract by doing so.

12 It keeps being hammered into us that  
13 without the project there is no money. But  
14 without the project there are also no costs.  
15 We're told time is of the essence but the  
16 property can't be transferred until next year,  
17 when the DEC and the EPA have finished their  
18 cleanup. The only rush at hand is the mayor's  
19 need to fill a hole in his budget he created  
20 using one-shot revenue, unrealized projected  
21 revenues, and his threat of otherwise raising  
22 taxes to cover it is but a vein effort to get his  
23 way.

24 CLERK PULITZER: Sir, your time has  
25 expired.

MR. LAWRENCE: I have one more paragraph.

No matter how you look at this proposal is boils down to the losses of millions of dollars in tax revenue and provides the developer with savings that meet or exceed the entire cost of the construction of the project.

Passing of this PILOT is not in the best interest of the county residents at all. It only serves the interest of Rex Corp. I would respectfully request that this body deny this PILOT for the best interest of the people they serve. I would also further note that the Nassau County IDA has a policy of providing PILOTs that are issued for a maximum of ten years; this is 40.

I also wonder if this proposal would be considered a contract between the City of Glen Cove and the County of Nassau and subject to NIFA review.

Again, please deny this proposal for all the residents of Nassau County. Thank you.

LEGISLATOR NICOLELLO: Pasquale Cervasio.

MR. CERVASIO: Good afternoon. Pasquale

2 Cervasio, 111 Sea Cliff Avenue, Glen Cove. Thank  
3 you for the opportunity you're offering me.

4 When all the dust settles and all the fog  
5 clears there is the reality of \$622 million of  
6 revenues for all the municipalities concerned -  
7 school district, city, county, and library.

8 One would think that without the PILOTs,  
9 without the bond issue we would have more. No.  
10 In fact, it's totally not true. Without the  
11 PILOTs, without the bond issue we would have  
12 nothing. In fact, I would think that the scope  
13 of the IDA, this county, this city or whatever  
14 other incentive the municipality uses is just  
15 that, to grant facilitations and incentives to  
16 developers and investors to come into the  
17 community to invest and create jobs and create  
18 opportunities.

19 I am willing to bet that Suffolk Count,  
20 Essex County, or Sussex County would be more than  
21 happy to welcome into their neighborhoods \$1  
22 billion development, which it will create at the  
23 end of the day, \$622 million of revenues for the  
24 municipalities.

25 I beg of you - cut through the clutter,

2 cut to the chase, see through the fog. The dust  
3 has settled. It is time for you to serious give  
4 the consideration that this project deserves  
5 after having endured 20 years of agonizing  
6 scrutiny. Please, please, please approve this  
7 project. This is good for the county. It's good  
8 for the city. It's good for all the  
9 municipalities concerned.

10 Not only \$622 million, but look at what  
11 the trickle effect of \$1 billion investment will  
12 bring into the local economy. It's the factor -  
13 the multiplying factor of ten, and that is a very  
14 conservative factor, is used, that's \$10 billion  
15 worth of commerce that will be generate within  
16 the community, within the county.

17 You're not shortchanging yourself one  
18 iota. You're only shortchanging yourself of  
19 everything if you don't approve this project.

20 Thank you.

21 LEGISLATOR NICOLELLO: Paul Baserman.

22 MR. BASERMAN: Hi. Good afternoon.

23 Paul Baserman, Sea Cliff, Nassau County.

24 I basically have a question to pose to  
25 the legislature. Has the EPA ruling happened? I



2 believe on the basis of that and the assessor's  
3 report the whole subject was tabled last meeting.  
4 Could anybody answer that?

5 LEGISLATOR NICOLELLO: It was not tabled  
6 based on the EPA. It was based on the allocation  
7 of the assessor's report.

8 MR. BASERMAN: Okay. That was my  
9 understanding at five o'clock on August 1, that  
10 there was an EPA report awaiting. But anyway.

11 I'd like to make a point about the  
12 environmental impact, which is basically the  
13 increased population that will be involved in the  
14 consolidated sewage and water treatment  
15 initiative.

16 We are looking at a 20,000 resident  
17 increase on the burden that's being put upon our  
18 system, that is the treatment plant in Glen Cove.  
19 Are we prepared for that and an additional,  
20 perhaps, 7,000 more residents plus businesses,  
21 students, tourists, daily visitors to the area?  
22 Could anybody respond to that without recourse to  
23 the EPA?

24 I'm suggesting that that's a 68 percent  
25 of the present demand on the treatment plant in

2 Glen Cove, that is the increased 20,000 new  
3 residents from the surrounding communities and  
4 the development. Will our infrastructure be  
5 adequate? If not, how are we going to pay for a  
6 new treatment plant when we're basically floating  
7 a bond to pay for this development? I think this  
8 is the downstream question that I'm posing to  
9 you.

10 LEGISLATOR NICOLELLO: We'll be -  
11 apparently that was addressed in the report and  
12 we can provide you with an answer to that.  
13 Counsel is looking right now. I don't know if  
14 anyone from the city has the answer at their  
15 fingertips, in terms of whether the additional  
16 sewage capacities - whether additional capacity  
17 exists for any additional sewer usage by the  
18 development. Mayor, do you know?

19 MAYOR SPINELLO: I believe the sewer a  
20 capacity of about 5.5 million gallons per day.  
21 Right now it's somewhere between three and 3.5  
22 million a day. This project will add about  
23 350,000 a day or something. It's minimal.

24 MR. BASERMAN: I'm saying in addition to  
25 the final consolidation of four communities -

2 that is Glen Head, Glenwood Landing, Sea Cliff in  
3 addition to the present Glen Cove demand.

4           LEGISLATOR NICOLELLO:     Here's the thing.  
5 That is an issue that you can raise with the City  
6 and we'll try to get you an answer here. But our  
7 focus today is the allocation issue, as to  
8 whether the county should accept the PILOT. We  
9 are not approving the entire project. We are not  
10 overseeing the environmental remediation; that's  
11 in the hands of someone else. The only issue for  
12 us as a county is to determine we will accept an  
13 allocation that's lower than what we would be  
14 getting, in terms of taxes.

15           The report from Camoine (phonetic)  
16 Associates does indicate or bear out what the  
17 mayor just said, in terms of the additional  
18 300,000-plus gallons per day and that there is  
19 adequate capacity of the city to accommodate the  
20 project.

21           MR. BASERMAN: I just reiterate for all  
22 assembled that there will be a 68 percent  
23 increase -

24           CLERK PULITZER:     Sir, your time has  
25 expired.

2 MR. BASERMAN: My initial statement was  
3 under three minutes. I'm engaging in a dialogue.

4 LEGISLATOR NICOLELLO: Just finish up.  
5 You can finish.

6 MR. BASERMAN: I lost my train of  
7 thought.

8 My point is that the 68 percent will  
9 perhaps overwhelm the system and we will have to  
10 replace it somehow, with monies from where?  
11 Borrowing? If that's only a city matter and I'm  
12 wasting the county's time, then I apologize.

13 LEGISLATOR NICOLELLO: You made your  
14 point. There is a response from the mayor and  
15 from the analysis.

16 MR. BASERMAN: Okay. Thank you very  
17 much.

18 LEGISLATOR NICOLELLO: Thank you.  
19 Mayor Bruce Kennedy.

20 MAYOR KENNEDY: Good afternoon. Ladies  
21 and gentlemen of the Legislature, on August 13 I  
22 sent you an e-mail regarding the last hearing on  
23 this proposal. First off, as I stated in that e-  
24 mail, I reiterate that the proposal before you  
25 would aid an unlawful action taken by the Glen

Cove IDA in which it has agreed to participate in costs that is entirely the responsibility and legal liability of the redeveloper in accordance with the express terms of an agreement with the redeveloper. Yet, now on the backs of all Nassau County residents you are being asked to support this unlawful financial scheme.

The terms of the agreement cannot be more clear. Unlike the details of this application that have been hidden from your view, a copy of that agreement was provided to you well in advance, having the chance to review it before rendering a decision. Now the IDA and the redeveloper want tax breaks so that the rest of Nassau County residents can subsidize this ill-advised and unlawful financial scheme. For the legislature to approve the resolution is to become complicit in this transgression.

As a point of fact, the redeveloper is also seeking sales tax abatements and mortgage recording tax abatements. As it relates to the proposal before you, there is still a great deal of information.

The city submission of the Garvies Point

Tax Allocation Bi-parcel, as prepared by SVS, is inaccurate. The report claims that the county allocation of property taxes for Class 4 properties is 6.7 percent, but the county assessor's office states it's closer to 7.7 percent. The difference between these two allocation numbers is not within an acceptable margin of error. It is a 13 percent difference.

Despite these two numbers, I have a copy - and I will submit it as soon as I'm done. I have a copy of a 2016 City of Glen Cove tax bill for a property that clearly states the allocation of taxes to the county is 9.9 percent and that was prepared by the City.

Furthermore, the SVS report submitted recognizes that there are Class 2 parcels that provide the county with an 18.4 percent allocation. SVS blended these two allocation numbers and provided a 13.15 tax allocation to the county. I also have that and I will submit it when I'm done.

Whether you accept the 9.9 percent on the tax bill or the 13.15 percent it's a great departure from the 5.5 percent or 6.7, whatever

2 the mayor is asking for now.

3           There has been extensive talk about new  
4 revenues to the county but no discussion about  
5 the costs to the county in introducing 1110 new  
6 residential units. It is assumed that the county  
7 tax bills sent to property owners closely  
8 represent the actual costs of services provided  
9 by the county. If I'm wrong in that assumption,  
10 I ask you to stop me right now.

11           I have prepared a spreadsheet of the  
12 potential economic impact to the county by  
13 accepting the PILOT and deviation schedule being  
14 proposed by the city. The proposed properties -

15           CLERK PULITZER: Sir, your time has  
16 expired.

17           MAYOR KENNEDY: I'm just finishing up.

18           CLERK PULITZER: Thank you.

19           MAYOR KENNEDY: Proposed properties were  
20 valued by the income capitalization method, and  
21 it assumes the current value of the property  
22 being \$11 million. It allows for a ten year full  
23 build out, considerably more time than the city  
24 and the redeveloper are promising and a full  
25 build out value of \$1 billion, the amount the

2 developer is claiming that he's investing with no  
3 markup. Based on these assumptions, the city  
4 will be hemorrhaging money due to this project  
5 through 2053. While the county will be seeing 96  
6 million in new revenues, it will also experience  
7 168 million in new expenses. The next  
8 consequence will be consistent annual losses that  
9 total nearly \$72 million by 2053.

10 I ask once again why should all the  
11 current taxpayers in the county be forced to  
12 subsidize this development for the next 40 years.  
13 And I thank you for your consideration and your  
14 vote of no. I will submit those documents.

15 LEGISLATOR NICOLELLO: Amy Peters.

16 MS. PETERS: Hello. Amy Peters, Glen  
17 Cove, New York. As Mayor Kennedy noted, my tax  
18 bill as a Glen Cove taxpayer is 9.9 percent, so I  
19 don't know where they're getting that 7.5 percent  
20 or less number from. As Mayor Kennedy pointed  
21 out, I also assume that my taxes are basically in  
22 line with what the costs are. If it really is  
23 only 7.5 percent, where is the other 2.7 percent  
24 going? Is that a profit going somewhere? I'd  
25 like to know that.



The other thing I'd like to say is I understand that developments get PILOTs and tax incentives to come to municipalities to develop and to create jobs, and I am all for that. Unfortunately, this particular development is being shoved down our throats. They are saying if they can't build it big, they can't build it at all; I don't believe that's true. Long Island Business News just had an article that said When Small is Big and showing that municipalities across Long Island are building much smaller developments and having great success with them, with great resident support. I don't see the residential support for this development anywhere.

The other thing I'd like to say is regarding the tax revenue. They're getting PILOTs, which is substantially less than what the normal tax revenue stream would be. That PILOT was voted on by a non-elected body. Even when Nassau County wanted to take out a \$77 million bond for environmental preservation, they put it to a referendum and it was voted by 77 percent yes. So how can a city bond for \$97 million with

2 no referendum? I don't understand how that's  
3 even possible.

4 Now they're taking out a \$120 million  
5 bond to pay for the public amenities that the  
6 developer was contractually obligated to pay for.  
7 And now, in addition to that, they're asking the  
8 county, the schools, the library to take less  
9 when they should be giving 100 percent to each of  
10 those tax jurisdictions. I don't get it.

11 Thank you.

12 LEGISLATOR NICOLELLO: Debra Dumas.

13 MS. DUMAS: I'm Debra Dumas. I'm from  
14 Sea Cliff, New York, Nassau County.

15 When we walked in here and we were  
16 looking for a place to sit, I joked that this  
17 isn't a wedding. But actually I think an  
18 appropriate analogy might be a shot-gun wedding  
19 because, in effect, they are trying to force us  
20 into a partnership that we do not want to deliver  
21 a massive development that we do not want.  
22 Evidently, we are also being asked to supply a  
23 considerable dowry.

24 The Nassau County taxpayers, any  
25 taxpayers, should not be subsidizing this

2 development for an extremely profitable  
3 development company. This development is  
4 inadvisable anyway, being far too massive for the  
5 area. The negative impacts on the traffic,  
6 environment, and quality of life will be far  
7 reaching and permanent. If it is allowed to  
8 proceed, it will be located on what is basically  
9 a small peninsula, including several communities,  
10 with limited access and, more significantly,  
11 limited egress. It is unwise and it unnecessary.  
12 I ask you to think of your taxpayers, not the  
13 favors that you can do for this profitable  
14 company. In the end, it is your taxpayers that  
15 have to live with the consequences.

16 Thank you.

17 LEGISLATOR NICOLELLO: Ann Fisher.

18 MS. FISHER: Hi. My name is Ann  
19 Fisher. I'm from Sea Cliff. I believe the  
20 reason you have different assessment figures if  
21 you have no like building in the area to compare  
22 it to. If this private company believes their  
23 project is so great, they should fund it  
24 themselves.

25 I am against this project for

2 environmental reasons. And as a taxpayer I ask  
3 you to vote no and not subsidize private  
4 companies.

5 I would like to be able to afford to live  
6 in my home, so please do not give handouts to  
7 private developers.

8 Thank you.

9 LEGISLATOR NICOLELLO: John Robiletti.

10 MR. ROBILETTI: Good afternoon. I've  
11 been a resident of Sea Cliff for over 32 years  
12 and a taxpayer. I also happen to have degrees in  
13 environmental science, landscape architecture and  
14 civil engineering. So I know a thing or two  
15 about site planning, regional planning, and  
16 environmental impact. I can say without any  
17 shadow of a doubt in my own mind that the impact  
18 of this project, the size and scale that it will  
19 have on our harbor is going to be way beyond what  
20 it can reasonably support. I am very, very  
21 concerned.

22 Not only am I vehemently opposed to the  
23 project, but not we're being asked to subsidize  
24 it by the very developers that want to build this  
25 project. I just find this unbelievable.

It's already been pointed out by you, legislators, that you asked them to come back with an analysis, a revenue analysis that, by their own admission, was done in two days crudely. We're talking about a 40-year commitment of Nassau County subsidizing these people, i.e., the taxpayers. So I implore you to vote no against subsidizing this project.

Thank you.

LEGISLATOR NICOLELLO: Amy Marion.

MS. MARION: Thank you. I would just like to say that by speaking here today and by the public speaking here today who is against this project, nobody is raving the procedural defect that by the way in which this resolution came before this committee.

As stated last time, the Rules Committee looked at this resolution, which had an appendix attached to it. The appendix had the significant tax projections by which this committee was to rule, and then that appendix, upon which the Rules Committee voted to pass this to the entire Leg, was then changed. So the Rules Committee has never even properly voted to pass this

resolution to the Full Legislative body here.

The Rules Committee voted on an appendix that had a completely different financial analysis. So, number one, procedurally you don't have jurisdiction to act here. In addition, this same full-body Legislature was called out by the highest court in this state. This is not about the project. It's about the county taxes.

New York State Constitution, Article 16, §1, expressly in bused the state government rather than any locality with the power of taxation. The delegation of any part of that taxation power to a subdivision, yourselves, of the state must be made in express terms. Article 9 empowers municipalities, like yourself, to legislative as to a wide range of matters as long as the local legislation is not inconsistent with the State Constitution or any general law.

Nassau County Charter allows the county to pass a tax law by local ordinance and to provide for the administration of local real property taxes. And the Municipal Home Rule Law prescribes the enactment of local Charter legislation that supersedes any general or special law enacted by

2 the Legislature which - and this is critical to  
3 you - relates to the imposition of judicial  
4 review or distribution of the proceeds of taxes  
5 or benefit assessments. And that is exactly what  
6 you are doing here today.

7 The New York State Constitution and the  
8 Municipal Home Law prohibits the county from  
9 passing this resolution. Because in effect what  
10 you are doing is you are basically enacting, by  
11 this resolution, you are in direct contravention  
12 to the State Constitution which does not allow  
13 you to redistribute proceeds of the taxes or  
14 benefit assessments, and that is exactly what you  
15 are doing.

16 In addition, I implore you to look at the  
17 tax bill that Mayor Kennedy has given you as an  
18 exhibit that specifically says real estate taxes  
19 of a Glen Cove resident and the pie chart  
20 attached to the tax bill, how your tax dollar is  
21 distributed. And the pie section -

22 CLERK PULITZER: Ma'am your time has  
23 expired.

24 MS. MARION: that has county tax has 9.9  
25 percent. How is it that you could, in any way,

2 in good conscience, let alone without even having  
3 any type of SEQRA review, rule today when your  
4 own county assessor has stated that this is a  
5 crude evaluation? I don't care what kind of  
6 leading questions Mr. Kopel put to that  
7 individual, I could put just as many leading  
8 questions. When that individual was not pressed,  
9 what he specifically said was, well, we don't  
10 have the 300-page report. We had a two-page  
11 report to look at. And the two-page letter that  
12 you are relying on specifically has the wrong  
13 percentage.

14 So I implore you not only to vote no, but  
15 please table this until you have had proper time  
16 to do an in-depth analysis.

17 LEGISLATOR NICOLELLO: David Berg.  
18 David Berg.

19 MR. BERG: Yeah. I don't understand how  
20 you can do it. I really feel for the members of  
21 this board, of this legislative board.

22 You don't seem to have the proper  
23 information and the numbers seem to be shifting  
24 ever so slightly this way and that, with the  
25 least gust of wind. I think that most of the



2 numbers offered by the mayor and the developer,  
3 in most of the reports that I've seen, are  
4 speculative, at best, being that they are so far  
5 reaching 40 years in advance. I really don't  
6 know how you're going to do it.

7 I hope you'll make a wise decision,  
8 because as a resident of Glen Cove in Nassau  
9 County, I'm depending on you, as a taxpayer in  
10 Nassau County, I'm depending on you to make to  
11 make the wisest decision that you possibly can.

12 But I don't understand how you're going  
13 to do it. It must be difficult when the numbers  
14 keep changing.

15 The last, final environmental impact  
16 statement was done in 2012 based on data that was  
17 collected. It was approved in 2011 based on data  
18 that was collected in 2009. It seems like you  
19 need a little bit of updating. It seems like you  
20 don't even have the correct number of apartments  
21 and that that is even getting updated as we stand  
22 here. It just seems like the matter deserves  
23 further consideration before you jump to some  
24 type of snap judgment.

25 I watched the Mayor of Glen Cove get up

2 in front of the school board and talk about how  
3 the number of students projected from 1100 new  
4 housing units was projected to be 52, when the  
5 final environmental impact statement suggested it  
6 would be 217. Again, the word final seems to  
7 imply some kind of finality. It seems like  
8 further study needs to be undertaken about what's  
9 really going on here.

10 I think that you and the citizens of  
11 Nassau County, via your decision, may be sold a  
12 bill of goods here. I don't think it's fair.

13 When I hear the number 1,000 jobs, I  
14 frankly ask where are those jobs and what are  
15 they doing? I don't see it. I've seen other  
16 numbers that are far different from that; again,  
17 all speculative. It just seems like somebody  
18 needs to stop and take a look at what's going on  
19 here before all this money is given to a \$17  
20 billion developer.

21 Thank you.

22 I'm sorry. I forgot to say something.  
23 To quote Mr. Reckler's cousin, it seems like this  
24 is a slow start to nowhere.

25 LEGISLATOR NICOLELLO: Christie Paget.

2 MS. PAGET: Good afternoon. I'd like to  
3 start - I'd like to just thank you, to those of  
4 you up there today who continue to ask the right  
5 questions, those dangling questions, keep asking.  
6 The numbers keep changing.

7 I am so deeply disturbed by the vague,  
8 crude BS and the lack of responsibility that I  
9 have witnessed more of today, especially by the  
10 experts who are supposed to be providing that  
11 information.

12 How can you vote for something that you  
13 cannot get straight answers on? I don't  
14 understand. I beg of you - please search your  
15 conscience, vote for the taxpayers, for the  
16 people who also helped to put you where you are  
17 today.

18 My children, who were born and raised in  
19 Nassau County, will likely not be able to afford  
20 moving back here unless you vote no.

21 Thank you.

22 LEGISLATOR NICOLELLO: Wendy Rosow.

23 MS. ROSOW: I thank you all for being  
24 able to hear myself and everyone else. I'm  
25 shocked at what I have come back to hear and

2 witness.

3 First of all, moving to North Carolina is  
4 not an option. I've lived in Nassau County for  
5 61 years. I've raised my kids here. My parents  
6 have raised their children here and on and on.  
7 But what's happening right now as I'm hearing it,  
8 in Glen Cove, is something that's not okay.  
9 There's a situation that's out of hand. There is  
10 not a truth being told, it seems. What I'm  
11 hearing is numbers changing back and forth, and  
12 back and forth. It's been going on for years.  
13 I've been watching it. I've been hearing it.  
14 I've been concerned about people's health, their  
15 well being. I also would love for people to have  
16 jobs. I have no problems with having people  
17 being employed. It's a wonderful thing to be  
18 employed. But not to be employed to sit here and  
19 yell and heckle other people. That doesn't  
20 thrill me personally. If that is what's  
21 happening, that's a problem.

22 All I really have to say is very simple -  
23 I have been a resident, as I mentioned, for 61  
24 years and I implore all of you to please vote no  
25 on the county allocation of Garvies Point PILOTS.

2 I do support development, smart development,  
3 sustainable development, something that can be  
4 practiced in a small way where everyone has the  
5 opportunity to be a member of a community and not  
6 pay where they can't afford to stay.

7 Thank you for your time.

8 LEGISLATOR NICOLELLO: Judy Dibartolo.

9 MS. DIBARTOLO: Thank you. I am Judy  
10 Dibartolo. I'm a nurse living in Glen Cove. I  
11 just want to say that I don't want my portion of  
12 taxes allocated to this project. I'm very  
13 concerned.

14 As a nurse, I'm very concerned about  
15 potentially the lessening of services to our  
16 people, which are needed so badly. I'm in the  
17 healthcare field. I look at the change that  
18 might be occurring. Particularly since this is  
19 the first big meeting I've come to, though I've  
20 been reading an awful lot about what's going on.  
21 It's just too unsteady. There are just too many  
22 unknowns, too much information that is just back  
23 and forth and doesn't really jive. We have to  
24 vote no on this and not let it go on at this  
25 level without more deep study.

2 Thank you.

3 LEGISLATOR NICOLELLO: John Zazzaro.

4 MR. ZAZZARO: I'm John Zazzaro. I live  
5 in Glen Cove. I own a home in Glen Cove. I own  
6 a business in Glen Cove. So I have a lot of  
7 concerns with this project.

8 First and foremost, I have concerns with  
9 the health of people that are building there.  
10 When they are building, the ramifications of it  
11 affecting people in town, in neighboring towns,  
12 our town. I really ask the union workers to do  
13 their due diligence and make sure that you're  
14 safe. I want you here and I want you heckling us.  
15 I mean, God forbid something happens like 9-11,  
16 EPA said that everything was fine. The people  
17 that went there to work and clean up the mess,  
18 they are fighting cancer now, various types of  
19 cancers. So that's one of my main concerns.

20 Two. As a small business owner in the  
21 City, I can't afford the taxes that we are paying  
22 and can't even fathom having to pay more. These  
23 sweetheart deals only benefit the builders and  
24 hurt what few mom and pop businesses are still  
25 left in the city.

2 Three. The steal that Glen Cove City  
3 Council members and IDA members have voted on  
4 said it wasn't their deal, it far proceeded them.  
5 But I beg to differ. As of, I believe it was,  
6 November, when the whole project took on a whole  
7 completely different look and size and recently  
8 when this \$120 million bond came upon us, it  
9 became their project. The bond was never given  
10 to be handed over to RXR and should have been  
11 voted on on Election Day by the City of Glen Cove  
12 voters.

13 Nothing this big or drastic should ever  
14 be voted on by council members. Please take your  
15 time and make sure everything that is presented  
16 is all that should be considered or is there more  
17 to it.

18 If you approve this deal, this deal  
19 becomes your deal because not only does it have  
20 the GC Council and IDA fingerprints on it, it has  
21 yours as well. So please vote no.

22 LEGISLATOR NICOLELLO: Jeff Peres.

23 MR. PERES: Jeff Perez. I'd like to  
24 reiterate what the last speaker said. He's a  
25 small business owner in Glen Cove. I'm a

2 resident of Glen Cove all my life. If you're  
3 giving all these developers a break, can you give  
4 us a break? Can you give the small businesses in  
5 Glen Cove a break?

6 I urge you to vote no on this. This is  
7 taxation without representation. This is a board  
8 that votes that's appointed. The citizens of  
9 Glen Cove do not want it either, Mayor Spinello.

10 I was at the meeting a few weeks ago and  
11 it was - a month ago, rather - it was a four to  
12 three vote, which you were the tiebreaker.  
13 Obviously we don't want it.

14 We struggle. We pay our taxes. We pay  
15 our taxes in Glen Cove and Nassau County.

16 My mother can no longer afford to stay  
17 and neither can my neighbors either. Now I'm  
18 figuring out where it's going, it's subsidizing  
19 everything. I urge you to vote no and to look at  
20 it again.

21 Thank you. This is corporate welfare.

22 LEGISLATOR NICOLELLO: Marcia Silverman.

23 MS. SILVERMAN: Good afternoon. I'm  
24 Marcia Silverman, a resident of Glen Cove. Thank  
25 you for your time today.



As I mentioned on August 1 when I was here in front of you, I am a finance person. I have a masters in finance, and I am baffled by the numbers presented. So I can't imagine what all of you are going through, trying to get a straight answer on what the numbers are.

A tax revenue algebra rhythm is pretty straightforward. There are some calculations. If you know math you can calculate it. It's mostly multiplication. There are a couple of assumptions in this, on the table right now. The two assumptions are what will the value of the land be once it's developed and the other one is what is the ratio of homestead versus non-homestead or regular residential versus commercial, in layman's terms. Those are the two assumptions. We really don't have a clear answer to either one of those because the numbers keep changing. As Legislator DeRiggi-Whitton asked, the expert couldn't even answer those questions.

I'll give you a little information because I read through a ton of these documents myself, to educate myself. One assumption about the value of the land, of the project once it's

completed is this is the City's document before they voted. It says the company, meaning RXR Realty, the company provided all technical information regarding the project, including a description of the plan, uses of the project, the estimated assessed value of the project upon completion. So the numbers are based on an assessed value from the developer. I don't know about all of you but if you could choose your assessed value of your home, wouldn't you discount it a little bit, maybe a lot and pay less taxes?

Again, to Ms. DeRiggi-Whitton's point before, about documents coming from the city or coming from the developer and the county's experts not doing the due diligence that is required to really assess are these numbers right, how can you vote on anything of the sort? It baffles my mind.

On top of that, if you look at how RXR plans to spend the money on this development, you're giving away taxpayer money. We are giving away hundreds of millions of taxpayers' money. In their budget, in the last one because it

2 changes, there's \$2 million alone for advertising  
3 and PR. You know that truck that drives around  
4 Garvies Point is Great, you know the flyers we  
5 get, you know those guys sitting back there,  
6 they're probably getting paid today. \$2 million  
7 going to that when we're giving up taxpayer  
8 dollars. What if they - if this project was so  
9 great -

10 CLERK PULITZER: Ma'am your time has  
11 expired.

12 MS. SILVERMAN: Can I just finish this  
13 one thought?

14 CLERK PULITZER: Sure.

15 MS. SILVERMAN: If this project was so  
16 great why are they spending \$2 million to  
17 allocate towards advertising and PR when that \$2  
18 million could be spent out of their money instead  
19 of taxpayers subsidizing another \$2 million?  
20 Right. It's one pocket to another. So why are  
21 we paying to be convinced that this is a great  
22 project, because clearly it's not. I urge you to  
23 vote no.

24 Thank you.

25 LEGISLATOR NICOLELLO: Meta Mereday.

MS. MEREDAY: Yes. Meta Mereday.  
Concerned taxpayer, Long Island resident.

First and foremost, as someone mentioned, this definitely should be something that would be up for NIFA review. I feel if we had the inspector general, the independent authority that at least one side of this legislative group has been trying to push and it seems like the deadline is fast approaching and our esteemed county attorney seems to keep dragging out a scenario that could have been addressed weeks ago. We are not, again, affording the taxpayers all of the information that they require, despite whether the report was a two-page letter or a 300-page report.

We're taking on a number of assumptions. Again, the \$620 million of revenue, I don't know where that's coming from. People are leaving here in droves. The majority of people who are no longer shopping in malls; again, that's a number that's going down. I just read some place in *Forbes* where they're saying that online is killing the shopping mall experience. So we need to continue to look at that. From what I read,

2 1200 malls nationwide, 15 percent, are 30 to 50  
3 percent vacant. I don't know how this wish list,  
4 that they fill it, all these stores are going to  
5 be 100 percent occupied, everybody is going to be  
6 working in them, and folks are going to be  
7 shopping. When you can look around at the  
8 locations that we have now, about the only thing  
9 that we're getting more of in Nassau County are  
10 7-11's, 365 Dental, Bolla, and let's not forget -  
11 did I mention 7-11's and urgent care, and nail  
12 salons and empty buildings. If we can't fill a  
13 supermarket in needed communities, how do you  
14 think you're going to be put a whole development  
15 - people are looking for destinations now.

16 Glen Cove is beautiful. It's a beautiful  
17 area. But as has been mentioned, it is not  
18 designed for all of this traffic as well as the  
19 infrastructure demands that will be taking place  
20 there.

21 Let's just look at, again, the Nassau  
22 County track record here. How much money were we  
23 supposed to make with the NICE Bus consolidation;  
24 seems like we're paying more for that. You're  
25 also looking at privatizing the prison system

2 that you already have an independent contractor  
3 there that's up under investigation; let's check  
4 that out. Let's also talk about that illustrious  
5 police consolidation disaster and you had more  
6 reports for that, more investigations, you had  
7 more savings from these experts - I'm still  
8 trying to figure out where they are, they must be  
9 well paid and living some place in North  
10 Carolina, for whomever brought that up.

11 Again, these projected numbers, miracle,  
12 at best, to happen. The cost for the taxes.  
13 Someone mentioned that trickle effect. It's a  
14 trickle. But we have -

15 CLERK PULITZER: Ma'am, your time has  
16 expired.

17 MS. MEREDAY: I'm wrapping up. We have  
18 a tsunami of taxes and costs. And the lack of  
19 consideration for the public comment, for all of  
20 these individuals who have been sitting here all  
21 day, listening to all of this, for them to have  
22 to be subjected to a three minute time limit,  
23 when the rambling and the discussion was going on  
24 and on - and I'm going to finish before you tell  
25 me again - that you allow me to be here. And we

2 don't want to have that discussion again. I'm  
3 just saying.

4 Again, vote not. Let's get an independent  
5 auditor, inspector, or whatever we need in here  
6 so you can stop bleeding the taxpayers dry.

7 Thank you.

8 One more thing. I really have no trust in  
9 federal agencies as it stands. Again, our  
10 veterans deserve to have the representation that  
11 they have. And when we continue to have these  
12 people up here who are representing a contract to  
13 say we follow the guidelines, that is not  
14 generating the job that I keep trying to come  
15 here to demand for our veterans and for our  
16 returning veterans who are leaving here in  
17 droves.

18 Yes, I'm a 9-11 responder who was lied to  
19 by the EPA. Thank you.

20 LEGISLATOR NICOLELLO: Thank you.

21 Roger Freedman.

22 VOICE: He had to go.

23 LEGISLATOR NICOLELLO: Thomas Donnato.

24 MR. DONNATO: My name is Thomas Donnato.

25 I've been with the City as their assessment

consultant for the past five years.

I reviewed the report by SVS, okay, and I do conclude and agree with the methodology used for the allocations, okay, based on the four corners of the report.

I think the confusion goes back to the different methods that are required to be used by each municipality, as stated by the deputy assessor, Mr. Cortez, earlier. The county is required to value condominiums based on the income approach, where the city is required to value condominiums based on the sales approach. When you compare the two different methods, you're going to produce different ratios or percentages between the two approaches. If you were to value both the same, I'm sure you would see that nine percent that you see on taxpayers, okay, throughout the city. When you use the same method, you're going to have that type of outcome.

When you have different levels of assessment, you can't expect to have the same outcome, and that's what you're seeing there.

Thank you.



2 LEGISLATOR NICOLELLO: Daniela  
3 Crocciolla.

4 MS. CROCCIOLLA: Can you hear me? Just a  
5 quick question. Has it been confirmed, clarified  
6 exactly how many stories the two towers are going  
7 to be? When I watched the meeting a few weeks  
8 ago, Mayor Spinello presented one five-story and  
9 a second 11 story. From what the schematics  
10 looks like to me, there are two 11 stories. Has  
11 that been resolved?

12 LEGISLATOR NICOLELLO: Is that accurate?

13 MS. CROCCIOLLA: I am asking this so  
14 when you are voting on this you know exactly  
15 what's going on here.

16 LEGISLATOR NICOLELLO: All right. Why  
17 don't you finish with your comments?

18 MS. CROCCIOLLA: Has it been - do you  
19 have the right information, is what I'm asking.

20 LEGISLATOR NICOLELLO: We have the right  
21 information. You can continue with your  
22 comments.

23 MS. CROCCIOLLA: Can I ask you what  
24 you've been told?

25 LEGISLATOR NICOLELLO: No. You can

2 continue with your comments. It's public  
3 comment.

4 MS. CROCCIOLLA: Okay. Okay. I'm just  
5 a little late in the game here so I'm just not  
6 sure if I'm redundant.

7 In terms of flood, fire, FEMA, in the  
8 event of a catastrophe like Hurricane Sandy, who  
9 floats the bill for that? Does FEMA come in?  
10 Okay. It does come in.

11 I'm going to just kind of approach this  
12 quickly. I'm not going to take three minutes.

13 I just want to say, first of all, Glen  
14 Cove doesn't have a direct train. The Oyster Bay  
15 line is the least ridership. There is no sensor.  
16 There is no structure, no core of Glen Cove. For  
17 the past 50 years there has been urban renewal  
18 project, after urban renewal project that has  
19 failed. Delia's father was one of the only  
20 mayors that actually stood up, tried to fight  
21 some of the stuff that went on, tried to fight  
22 some of the quality of life issues. This project  
23 is not going to be the be all, end all that saves  
24 Glen Cove.

25 I give so many of you, from all your

2 districts, credit. You cleaned up your towns.  
3 Long Beach, you cleaned it up. You made it a  
4 viable city with train service and buildings  
5 where people, young people want to go. This  
6 isn't going to be the be all, end all that  
7 attracts people. We have Avalon, two of them;  
8 they are not filled. All the rest of the  
9 apartments.

10 Glen Cove has become a place where you  
11 just throw down concrete wherever and anywhere.  
12 You drive through Baldwin - somebody just said  
13 they're from Baldwin. I'm there all the time for  
14 my job. Drive through Baldwin, Sunrise Highway,  
15 you see buildings that are all of similar  
16 structure. Glen Cove is old, new, high, low,  
17 whatever it is, wherever you want. Don't  
18 continue the process. This is your chance to  
19 help make Glen Cove right. We need your input.

20 You turned Long Beach around. You turned  
21 a lot of places around.

22 By putting this through, by approving  
23 this, I urge you not to approve it, and by  
24 approving it you're just letting another concrete  
25 slab to go down that's going to be another

2 failure of urban renewal, lining the pockets of  
3 Albany down. Don't do it.

4 LEGISLATOR NICOLELLO: Frank Haitel.

5 MR. HAITEL: Good afternoon. My name is  
6 Frank Haitel and I work with RXR, the developer.

7 I want to start by saying that we have  
8 complete respect for the opposition and, in fact,  
9 have made all attempts to engage and speak to  
10 them, present the facts.

11 All of the questions, all of the issues  
12 that have arisen that have been mentioned today  
13 with regard to planning have been addressed by  
14 the planning board. We've been through this for  
15 ten years now. Questions about sewer capacity.  
16 The number of units. Where the units are  
17 located, whether it's one buildings or two  
18 buildings. These questions have all been  
19 addressed extensively by the planning board in  
20 thousands of hours of engineering, architectural,  
21 economic analyses, etcetera.

22 As I said earlier, we've reached out to  
23 those that are not happy with the project. We  
24 have a welcome center. We meet them. In fact,  
25 as recently as last Thursday night we had a large

2 number of people, including some people who are  
3 here, and tried to present the facts. The facts  
4 aren't always presented by the opposite side in  
5 an accurate way. Just a few examples.

6 Sewer capacity was represented here, that  
7 there are 20,000 residents; that's wrong by a  
8 factor of about 10. The actual number of  
9 expected residents is about one-tenth of it. The  
10 sewer capacity study was done. Again, it was  
11 determined that it was adequate.

12 More important to the issue of taxes  
13 here. The key here is without this project there  
14 is no deviation to be discussed. Without this  
15 project there are no taxes, there is no \$50  
16 million in additional economic benefit to the  
17 city and the county. The deviation is off of a  
18 hypothetical number as opposed to the reality on  
19 the ground.

20 Additionally, to address the timing of  
21 the vote. We believe the time is now and that is  
22 because the analyses have been exhausted. SVS  
23 has done an extensive analysis. Again, 300 pages  
24 of analysis. That analysis is exactly what every  
25 jurisdiction, including the county, relies on for

2 every other PILOT program that has been done,  
3 that is exactly the methodology, and this project  
4 should not be treated differently.

5 Again, without this project there are no  
6 revenues for the county, \$96 million, and \$622  
7 million in revenues for all the taxing  
8 jurisdictions, and that's net after paying all of  
9 the costs of essential services as well as the  
10 interest and principle in the bond.

11 I urge you to do what has been on the  
12 planning board for, again, over a decade.

13 CLERK PULITZER: Sir, your time has  
14 expired.

15 MR. HAITEL: Thank you.

16 CHAIRWOMAN GONSALVES: At this point in  
17 time I'm going to call the question. We have had  
18 an opportunity to listen to a number of the  
19 residents of Glen Cove. We have also had an  
20 opportunity to listen to the assessor's office,  
21 the mayor himself, and, of course, I believe to  
22 my colleagues here on the dais. I am calling the  
23 question.

24 At this time, all those in favor of - I'm  
25 sorry, this is the way it's going to go. All

2 those in favor of Item 17 as presented today  
3 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (Nay.)

7 Legislator Curran and Legislator Solages  
8 and there are 11 of us, so we have 13 as opposed  
9 to five. The item passes 13 to 5.

10 I know sometimes it's never what you were  
11 wishing for. Let's hope and pray. Mr. Spinello,  
12 make this happen and make it happen to the best  
13 of the people in Glen Cove. And if it happens to  
14 the best of the people in Glen Cove, guess what,  
15 it has to help Nassau County. Thank you.

16 LEGISLATOR NICOLELLO: Motion to untable  
17 Item 306-16.

18 We have a motion by Legislator Rhoads to  
19 untable Item 306-16, seconded by Legislator  
20 Kopel.

21 All in favor of un-tabling Item 306-16  
22 signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

2 The matter is un-tabled by a unanimous  
3 vote.

4 We were waiting for a speaker from the  
5 county attorney's office on Item 306, which is  
6 the resolution declaring a capital budget  
7 emergency.

8 Fran, do we have a speaker from the  
9 county attorney's office?

10 MR. BECKER: Deputy Presiding Officer,  
11 we have a speaker on the issue of the vote that's  
12 necessary on one of the capital projects. Mr.  
13 Grippo is going to be speaking, okay.

14 LEGISLATOR NICOLELLO: Great.

15 MR. GRIPPO: Good afternoon.

16 LEGISLATOR NICOLELLO: Mr. Grippo.

17 MR. GRIPPO: Dan Grippo, county  
18 attorney's office. I was asked to review two  
19 clerk items, they were related - 305-16 and 306-  
20 16. 306-16, the item requests the capital budget  
21 emergency resolution. As I understand it, a  
22 question has been raised whether the capital  
23 budget emergency is needed.

24 We, in the county attorney's office, have  
25 reviewed Clerk Item 306-16, the resolution for



2 the capital budget emergency. Under the Charter,  
3 §310(D) requires that amendments to the capital  
4 budget that add projects, programs, and  
5 activities require a declaration of a capital  
6 budget emergency and the vote of 13 members.

7 We, in this instance, dug into the  
8 amendment, which is the actual item which is 305-  
9 16, and to determine whether, in our view, that  
10 specific amendment that was the subject of 305-16  
11 would require a declaration of the capital budget  
12 emergency.

13 Our review has led us to conclude that  
14 310(D) requires the addition of a capital  
15 project, to keep it simple. What we have in 305-  
16 16, rather than the additional of capital project  
17 or projects, I believe there are three categories  
18 of project referenced - the West Shore Bridge,  
19 the road resurfacing, and Wantagh Park  
20 improvements. Rather than adding programs or  
21 projects what we have, essentially, is a change  
22 in the funding source needed to do the work for  
23 these projects. So -

24 LEGISLATOR NICOLELLO: So we don't need  
25 a resolution declaring a capital budget

2 emergency, is that where you're going?

3 MR. GRIPPO: That's correct. There is  
4 no capital budget emergency. You would withdraw  
5 Item 306-16. 305 is an independent item and  
6 there could be a vote on that independent.

7 LEGISLATOR NICOLELLO: Let's table that  
8 again.

9 LEGISLATOR ABRAHAMS: If I may, before  
10 you table, Deputy Presiding Officer.

11 LEGISLATOR NICOLELLO: Sure.

12 LEGISLATOR ABRAHAMS: Mr. Grippo, I  
13 don't know if you were here for the back and  
14 forth, the commentary that I had with Mr. Arnold.  
15 I thought he had mentioned on the record that  
16 some of these items would not be able to be  
17 completed if this amendment was not to take  
18 place. Does that change your opinion? I'm  
19 assuming you didn't not know that. But does that  
20 change your opinion if you did not know that? If  
21 you didn't know it and it doesn't change your  
22 opinion then it doesn't matter. I just wanted to  
23 make sure you knew that tidbit.

24 MR. GRIPPO: In other words, if the item  
25 adding - making the amendment to add the funding

2 were not approved it could jeopardize the timely  
3 completion of the bridge project, for instance.  
4 Yes, that is my understanding.

5 LEGISLATOR ABRAHAMS: So you do have  
6 the understanding that there are additional  
7 activities that are a part of what we are  
8 considering today as part of this amendment and  
9 you still believe that this legislative body does  
10 not need 13 affirmative votes of the emergency to  
11 be able to go forward.

12 MR. GRIPPO: It's our view that Item  
13 305, which is essentially a change in a funding  
14 source for the projects, is not the type of  
15 amendment under 310(D) that requires an emergency  
16 and the 13 votes.

17 LEGISLATOR ABRAHAMS: I was asking  
18 counsel then why - then why did you submit - why  
19 does it have that language when we look at the  
20 actual item?

21 MR. GRIPPO: I was asked to take a look  
22 at the two items, at the Charter. I would say  
23 that 306, that item was submitted in error. On a  
24 closer inspect, it was not necessary for this  
25 specific type of financial amendment as opposed

to a project addition. These projects already exist, is my understanding, and this is a change in a funding source, given difficulties with the originally anticipated funding sources. I understand at least on two of the projects was the county borrowing, and there seems to be a difficulty with that at the moment.

This type of financial amendment, in our view, not the type of project activity program amendment that requires the emergency.

LEGISLATOR NICOLELLO: We have a motion to table by Legislator MacKenzie, a second by Legislator Muscarella.

All in favor of tabling Item 306 signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Carries unanimously. Tabled.

Item 305-16 is an ordinance to amend the Ordinance Number 13-2016 adopting the capital budget for the year 2016 for the County of Nassau, corresponding to the first year of the four-year capital plan, pursuant to the

1 Full Legislature - 8-15-16 109  
2 provisions of Section 310 of the County  
3 Government Law.

4 LEGISLATOR FORD: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRWOMAN GONSALVES: Moved by  
7 Legislator Ford, seconded by Legislator Walker.

8 This item is before the committee.

9 This was discussed in the Rules Committee  
10 a little while earlier. Any other discussion  
11 among the legislators?

12 (No verbal response.)

13 Any public comment?

14 MS. MEREDAY: My initial question has to  
15 do with what are the projects related to this  
16 item and if it, in fact, includes anything that  
17 is tied to the project slated for Grand Avenue in  
18 Baldwin. That's my primary question for that. I  
19 don't have a breakdown of what this is for.

20 LEGISLATOR NICOLELLO: Mr. Arnold is  
21 here. Can you answer the question about whether  
22 it involves Grand Avenue in Baldwin?

23 MS. MEREDAY: It does not.

24 LEGISLATOR NICOLELLO: It does not.

25 MS. MEREDAY: So what areas does it

2 involve?

3           LEGISLATOR NICOLELLO:    I could tell you  
4 that, based on his comments before, you're  
5 talking about a global countywide project.

6           MS. MEREDAY:    The majority of this, is  
7 this also state and federally funded in some  
8 aspect?

9           LEGISLATOR NICOLELLO:    I think it's all  
10 state and federal funds.

11           MS. MEREDAY:    Okay.   Again I put forth  
12 my request, my desire, again, to have, again,  
13 some more independence and transparency with  
14 regard to this overall process, be it an  
15 independent whomever, and to also put forward  
16 that we are consistently not doing enough in  
17 Nassau County, in a progressive and aggressive  
18 aspect, to be inclusive of service disabled and  
19 veteran owned businesses, as well as minority and  
20 women owned businesses, when you have two laws  
21 that are on the state books as well as laws that  
22 are on the federal books that prescribe a more  
23 aggressive format than the best efforts and let's  
24 just put it in two-point type in *Newsday* or  
25 however it is distributed out.   We continue to

2 set up personal services agreements for all of  
3 these external consultants for legal issues and  
4 things of that nature. We're paying assessments  
5 and settlements to townships for erroneous  
6 property taxes and things of that nature when we  
7 can't seem to find a coin or two to aggressively  
8 develop our veteran-owned businesses so that we  
9 can create jobs and opportunities for them who  
10 are leaving and our young people who are getting  
11 educations on Long Island but they are leaving  
12 here.

13 With the breaths that I have left - and I  
14 am truly, after the number of procedures that I  
15 have had in these last two weeks due to my 9-11  
16 exposure - I would like to think at some point  
17 that someone up there is listening.

18 CLERK PULITZER: Madam, your time has  
19 expired.

20 MS. MEREDAY: Always. In more ways than  
21 one at this point.

22 I am again just emphasizing that we need  
23 to have more independence, we need to have more  
24 scrutiny and more review, and we need to start  
25 directing funding to really developing our

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2 veteran businesses, otherwise all of that picture  
3 taking for that Veteran Owned Business Act was  
4 just - it was just a sad, tired, and unfortunate  
5 joke, and I am not happy about it.  
6 LEGISLATOR NICOLELLO: Thank you, Ms.  
7 Mereday.  
8 Any other public comment?  
9 (No verbal response.)  
10 All in favor of Item 305-2016? All in  
11 favor signify by saying aye.  
12 (Aye.)  
13 Those opposed?  
14 (No verbal response.)  
15 It carries unanimously.  
16 Motion to adjourn by Legislator Kopel,  
17 seconded by Legislator Ford.  
18 All in favor of adjourning signify by  
19 saying aye.  
20 (Aye.)  
21 Those opposed?  
22 (No verbal response.)  
23 The meeting is adjourned.  
24 (Whereupon, the Full Legislature  
25 adjourned at 6:02 p.m.)



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 state:

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 24th day of August, 2016.

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FRANK GRAY