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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Wednesday, October 19, 2016
1:05 P.M.

1

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

3 NORMA GONSALVES, Presiding Officer

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

8 STEVEN RHOADS

9 DENISE FORD

10 LAURA CURRAN

11 C. WILLIAM GAYLOR III

12 VINCENT MUSCARELLA

13 ELLEN BIRNBAUM

14 LAURA SCHAEFER

15 DONALD MACKENZIE

16 KEVAN ABRAHAMS,
17 Minority Leader

18 ROSE MARIE WALKER

19 DENNIS DUNNE

20 JAMES KENNEDY

21 DELIA DERIGGI-WHITTON

22 CARRIE SOLAGES

23 SIELA BYNOE

24 MICHAEL PULITZER,
25 Clerk of the Legislature

LIST OF SPEAKERS

JOANNE URBAN	8
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INSERTS

Refer to Committee Minutes dated
10-5-16 pertaining to:
Item 22, Resolution 172;
Item 23, Resolution 173;
Item 24, Resolution 174;
Item 26, Resolution 176;
Item 27, Resolution 177;
Item 28, Resolution 178.....65

Incorporated Finance/Planning Minutes
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409 of 2016.....75

(Page 75, Line 11 to Page 96, Line 16.)

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2 CHAIRWOMAN GONSALVES: With
3 everyone in their seats, we will begin.
4 Dennis Dunne, please lead us in the Pledge
5 of Allegiance.

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

8 CHAIRWOMAN GONSALVES: I will ask
9 the clerk to please call the roll.

10 CLERK PULITZER: Thank you,
11 Presiding Officer. Calling the roll.
12 Deputy Presiding Officer Richard Nicoletto?

13 LEGISLATOR NICOLELLO: Here.

14 CLERK PULITZER: Alternate Deputy
15 Presiding Officer Howard Kopel?

16 LEGISLATOR KOPEL: Here.

17 CLERK PULITZER: Legislator Siela
18 Bynoe?

19 LEGISLATOR BYNOE: Here.

20 CLERK PULITZER: Legislator
21 Carrie Solages?

22 LEGISLATOR SOLAGES: Here.

23 CLERK PULITZER: Legislator
24 Denise Ford?

25 LEGISLATOR FORD: Here.

1 Full Legislature/10-19-16
2 CLERK PULITZER: Legislator Laura
3 Curran?
4 LEGISLATOR CURRAN: Here.
5 CLERK PULITZER: Legislator
6 Vincent Muscarella?
7 LEGISLATOR MUSCARELLA: Here.
8 CLERK PULITZER: Legislator C.
9 William Gaylor III?
10 LEGISLATOR GAYLOR: Here.
11 CLERK PULITZER: Legislator Ellen
12 Birnbaum?
13 LEGISLATOR BIRNBAUM: Here.
14 CLERK PULITZER: Legislator Delia
15 DeRiggi-Whitton?
16 LEGISLATOR DERIGGI-WHITTON:
17 Here.
18 CLERK PULITZER: Legislator James
19 Kennedy?
20 LEGISLATOR KENNEDY: Here.
21 CLERK PULITZER: Legislator Laura
22 Schaefer?
23 LEGISLATOR SCHAEFER: Here.
24 CLERK PULITZER: Legislator
25 Dennis Dunne, Sr.?

1 Full Legislature/10-19-16
2 LEGISLATOR DUNNE: Here.
3 CLERK PULITZER: Legislator
4 Rosemarie Walker?
5 LEGISLATOR WALKER: Here.
6 CLERK PULITZER: Legislator
7 Donald MacKenzie?
8 LEGISLATOR MACKENZIE: Here.
9 CLERK PULITZER: Legislator
10 Steven Rhoads?
11 LEGISLATOR RHOADS: Present.
12 CLERK PULITZER: Minority Leader
13 Kevan Abrahams?
14 LEGISLATOR ABRAHAMS: Here.
15 CLERK PULITZER: Presiding Officer
16 Norma Gonsalves?
17 CHAIRWOMAN GONSALVES: Present.
18 CLERK PULITZER: We have a
19 quorum, ma'am.
20 CHAIRWOMAN GONSALVES: Thank you
21 very much, Mr. Pulitzer.
22 As is customary, we begin each
23 legislative meeting with 30 minutes of
24 public participation.
25 It is now 1:10 and I have several

1 Full Legislature/10-19-16
2 slips. I remind each one that there is a
3 three minute limit to your comments so we
4 can move on and hopefully I have a lot and
5 we can get all, if not most of the
6 residents' comments in before the half hour
7 is over.

8 I'm going to begin with Joann
9 Urban. Joann, come on up. Good afternoon.

10 MS. URBAN: Good afternoon. I'm
11 from Uniondale. I've been a resident since
12 1969. I'm here to talk about the street
13 scaping project.

14 I have a photo here of the happy
15 day when we broke ground. Every one here is
16 smiling and happy because the street scaping
17 was going to start in the spring, the first
18 phase, then it would continue.

19 This photo was taken in 2012. We
20 are extremely disappointed that nothing has
21 been done since the little patch that was
22 done by the library.

23 We understand the money is there,
24 but we don't understand what's holding it up
25 and why it hasn't been completed.

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2 It's a tremendous disappointment
3 when we go to a place like Westbury and we
4 see how beautiful it's been done, and we
5 have been promised this since 2012. It
6 hasn't gone any further like I said besides
7 that little patch right across the library.

8 I'm in the community since 1969.
9 I'm presently on the board of trustees at
10 the Uniondale library. I see the beautiful
11 sign outside, but when I walk up and down
12 Uniondale Avenue nothing has been done.

13 So, can you please explain to me
14 why, if the money is there, the project
15 isn't completed or even gone past the little
16 bit that was done at the library which is
17 actually lovely. Is there someone that can
18 help me and tell me what can be done?

19 CHAIRWOMAN GONSALVES: Minority
20 Leader.

21 LEGISLATOR ABRAHAMS: How are
22 you, Joann?

23 MS. URBAN: Hi Kevan.

24 LEGISLATOR ABRAHAMS: I can tell
25 you with confidence because I've been to the

1 Full Legislature/10-19-16
2 civic association meetings and I've said
3 this before, you are absolutely correct.
4 This was promised, I couldn't see your photo
5 from here, but I know --

6 MS. URBAN: Anybody can have it,
7 but you're in there, I'm in there.

8 LEGISLATOR ABRAHAMS: I believe
9 the former supervisor of the Town of
10 Hempstead, Kate Murray, was she there?

11 MS. URBAN: Yes.

12 LEGISLATOR ABRAHAMS: And
13 Councilwoman Goosby?

14 MS. URBAN: Yes.

15 LEGISLATOR ABRAHAMS: I do
16 remember the day.

17 MS. URBAN: And Supervisor
18 Mangano is in here also. And everybody is
19 smiling because they're so happy.

20 LEGISLATOR ABRAHAMS: Yes, yes.
21 And I remember when we were able to get that
22 into the capital plan back in -- might have
23 been 2013 to pay for the street scape.

24 Let me tell you, the bonding for
25 that particular project has already been

1 Full Legislature/10-19-16
2 bonded in previous bond plans. Also, that
3 contract sits in the clerk's office.

4 The Presiding Officer has made
5 the decision not to call it. I can give you
6 the clerk item number and I can give you all
7 the information.

8 The only person that can decide
9 what is on our calendar today which we will
10 go into after the 30 minutes of public
11 comment is one person. It's Madam Presiding
12 Officer Norma Gonsalves.

13 For whatever reason, she has
14 decided not to call it. It has nothing do
15 with bonding, nothing to do with anything
16 that you're reading about. They made a
17 calculated decision not to call that
18 contract which would start this phase.

19 The money was awarded in March.
20 The contract was implemented since then.
21 There is no reason for this contract not to
22 come before this committee for a vote.

23 MS. URBAN: Thank you for that
24 information, but what can we do as a
25 community to make sure this project is

1 Full Legislature/10-19-16

2 finished and completed?

3 LEGISLATOR ABRAHAMS: Not to
4 point fingers, but you need to -- I've
5 already conveyed to my staff, my office has
6 already conveyed to Norma Gonsalves, she is
7 sitting right next to us, but we already
8 conveyed that we would require and encourage
9 that this contract come before us and it
10 just not has been called.

11 To me, it really comes down to,
12 the Presiding Officer putting it on a
13 calendar.

14 We're a caucus that sits on this
15 side, the caucus that sits on that side, no
16 one has the authority other than the
17 presiding officer. So we need to get a
18 commitment.

19 I'm asking you again, Madam
20 Presiding Officer, to put this contract on
21 so that we can vote for it so that the
22 people of Uniondale can feel like their tax
23 dollars are working for them.

24 There is no reason why this
25 contract has sit idle for four or five

1 Full Legislature/10-19-16
2 months in the clerk's office and not been
3 calendered. So now I'm publicly asking
4 again that this item be called.

5 CHAIRWOMAN GONSALVES: Ms. Urban,
6 I'm going to ask you to speak to our
7 attorney and he'll explain the process and
8 why it has not been called.

9 MS. URBAN: Thank you. There are
10 also other representatives actually from the
11 beautification team.

12 CHAIRWOMAN GONSALVES: I will
13 definitely call them if they put in a slip,
14 I will call them as well.

15 MS. URBAN: Thank you.

16 CHAIRWOMAN GONSALVES: Robert
17 Lane.

18 MR. LANE: Good afternoon, ladies
19 and gentlemen. My name is Robert Lane. I
20 live in Massapequa Park. I have a growing
21 concern about the safety of the people in
22 Massapequa Park.

23 We have a number of speeding cars
24 in the village. We have cars that
25 constantly blow through stop signs. I live

1 Full Legislature/10-19-16
2 on a corner where there was an accident
3 involving a Nassau County police ambulance
4 with lights going and siren going with a
5 patient in the car. The girl that was
6 driving the car that broad sided the
7 ambulance wasn't even paying attention.

8 It's just getting to be a little
9 on the crazy ridiculous side. There's cars
10 driving around with broken headlights and
11 tail lights. Cars in the wintertime and
12 trucks with mounds of snow and ice piled on
13 top of the cars. Nothing being done about
14 this.

15 It's the public safety of not
16 just Massapequa Park but all of Nassau
17 County. I would like to see something done
18 about this.

19 I had a whole list of things I
20 wanted to say but I have only three minutes.
21 I will keep it as short as possible.

22 I would be more than happy to
23 come to anybody's office to speak more in
24 detail about my concerns in regards to this.

25 Like I said, I do live on a

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2 corner where there has been a few accidents
3 and a few people told me, don't stir up any
4 problems. Don't complain or anything.

5 But I'm not going to stand there
6 and find one of my neighbors dead in the
7 street and saying, you know what, I should
8 have said something.

9 Well, there is a thing going
10 around about if you see something say
11 something. Well, I see it and I'm saying
12 something.

13 I hope this will get through to
14 whoever needs to be spoken to, and this can
15 be rectified. Thank you.

16 CHAIRWOMAN GONSALVES: Thank you,
17 Mr. Lane. Would you like talk now or go
18 down there?

19 LEGISLATOR KENNEDY: If you
20 wouldn't mind, can I come down and speak to
21 you?

22 MR. LANE: No problem, Mr.
23 Kennedy.

24 CHAIRWOMAN GONSALVES: Andrew
25 Clavin.

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2 MR. CLAVIN: Good evening
3 everyone. My name is Andrew Clavin and I'm
4 a resident of North New Hyde Park.

5 Pretty much I'm echoing the same
6 statement that the last gentleman addressed
7 to you. It's pretty crazy over there.

8 I'm a big pro-police citizen and
9 taxpayer. Also, a big supporter of POP cops
10 and vehicle and traffic enforcements.

11 I remember at one point we had
12 five in what is now the Third Precinct
13 South, and, again, this is my area. I
14 believe countywide that this should be
15 addressed, but in my area alone, when I say
16 POP cops, they were in the Third Precinct
17 South. At that time it was just the Third
18 Precinct before it was merged with the
19 Sixth.

20 It went from five, if not six,
21 but at least five, and then it went down to
22 four, then to one, and then they said, okay,
23 when you shut down the Sixth make it into
24 Third North Third South. You know it's
25 going to, "restore the cuts," and that

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2 restoration gave us three.

3 Then a few months down the road
4 we were at zero. Now it's back up to two.
5 They're fantastic.

6 However, this does not by any
7 stretch of the imagination cure the issues
8 with, again, blowing through stop signs,
9 speeding.

10 People on the cell phone, you
11 call up, they say to call 911. This place,
12 your Third Precinct, I mean, it covers all
13 over -- I mean, Hofstra, you know, Winthrop
14 right here in Mineola. It covers this area.
15 It's too much already.

16 If you have the normal guys, the
17 normal post cars doing enforcement whatever,
18 and then they need to get taken out with a
19 call, we need to have more officers assigned
20 to VTL enforcements, and POP cops
21 specifically that could address the concerns
22 of the residents without needing to answer
23 the emergency calls.

24 Again, when you can complain,
25 sometimes there is like a temporary cure.

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2 It's terrific for a day or a week or
3 whatever. And then it goes away.

4 I'm looking for more consistency
5 and back to the numbers where it should be.
6 And a constance not, again, location, but
7 county wide for cell phones and other
8 violations to be addressed so that there's
9 just general VTL enforcement for the police
10 and increased public safety for the officers
11 that are not doing VTL enforcement so that
12 we have more manpower allotted. I would
13 appreciate it whoever here is responsible to
14 make the decision to increase that, and
15 increase the number of Nassau County police
16 officers that we have in Nassau County and
17 especially being that I live there, the
18 Third Precinct is now Third South. Thank
19 you. Appreciate it.

20 CHAIRWOMAN GONSALVES: Legislator
21 Birnbaum.

22 LEGISLATOR BIRNBAUM: Andrew, I
23 want to say thank you for coming and talking
24 to us about the issue and all the
25 legislators have been asking for more POP

1 Full Legislature/10-19-16
2 cops. Acting Commissioner Krumpter, when he
3 was testifying before the budget hearing, he
4 did hear us all ask for four rather than
5 two. I know we are two for each of our
6 districts.

7 But I'm in total agreement with
8 you that we need better VTL enforcement and
9 I've been working really hard to get the
10 Sixth Precinct reopened because I think to
11 bring it back to our neighborhood would do a
12 great service to all of us.

13 MR. CLAVIN: Whether it be
14 bodies, additional officers, POP cops, VTL
15 enforcement in general, something needs to
16 be done. I appreciate it if you guys can do
17 something about the matter. Thank you.

18 CHAIRWOMAN GONSALVES: Jack
19 McCloy.

20 MR. McCLOY: Members of the
21 Legislature. Thank you for allowing me to
22 speak with you again today. I will try to
23 keep it as quick as possible. There are a
24 few topics I want to stay under my three
25 minute limit.

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2 The first one is the topic I
3 speak to you most about which is the Grand
4 Avenue reconstruction proposal.

5 I was disappointed to read in
6 Newsday that it seems there had been an
7 agreement by my legislator to support
8 overall budget projects in return for
9 getting her local pet project through. This
10 is a bad idea. I mentioned to you why I
11 feel it's a bad idea.

12 I would like to you consider not
13 allowing it to go through on its merits.
14 Those of you who are on the other side of
15 the aisle, I would like you to reconsider
16 any support that you might give to a project
17 like that because it's just a bad project.

18 Many people in our area are
19 opposed to it. I mentioned why. I won't
20 renew those explanations today, but, please,
21 don't let Grand Avenue be reconstructed from
22 the two lanes in each direction that they
23 currently have to only one lane in each
24 direction.

25 The next topic I wanted to speak

1 Full Legislature/10-19-16
2 to you briefly about is red light camera
3 timing. I wanted to mention to you that I
4 have been an advocate for a long time of not
5 removing red light cameras but making them
6 fair to the motoring public.

7 The best way that can occur is if
8 we have count down timers posted at each
9 intersection where red light cameras are
10 being installed. That's why approaching
11 motorists can see if they have five, four,
12 three -- if it's getting close to the zero
13 mark, if they actually begin slowing up
14 before they hit that intersection it will
15 prevent rear end collisions or reduce them
16 dramatically.

17 It will not eliminate the revenue
18 that they generate from motorists who blow
19 through the red lights which they should be
20 held responsible for, but especially with
21 the surcharge that is being proposed right
22 now. Before you approve the budget that
23 would allow those surcharges to be attached
24 to those tickets, I would strongly suggest
25 that you consider mandating the fact that

1 Full Legislature/10-19-16
2 count down timers be placed at those
3 intersections where the red light cameras
4 are going to be installed.

5 Finally, very briefly, there will
6 be a public hearing on the proposed water
7 increase for American Water which affects
8 most of Nassau County and the proposal is
9 for between an eight and nine percent
10 increase.

11 Myself and many of our local
12 residents have been at the Baldwin Civic
13 Association meeting, the Baldwin Oak Civic
14 Association meeting.

15 I applaud Kevan Abrahams, Laura
16 Curran and Eric King Sweeney from coming
17 down on Tuesday and Thursday for those
18 meetings and listen to how the Baldwin
19 residents are opposed to a hike like that.

20 The reason I'm mentioning that --

21 CLERK PULITZER: Your three
22 minutes have expired.

23 MR. MCCLOY: Very quickly. The
24 reason I'm mentioning it to you, this is
25 what happens when a public water utility

1 Full Legislature/10-19-16
2 changes to a public water utility. I hope
3 you will keep the same concerns in mind when
4 it comes to decide whether we should do the
5 same public to private transfer for the
6 sewer system. Thank you.

7 CHAIRWOMAN GONSALVES: Thank you,
8 Mr. McCloy. Legislator Rhoads.

9 LEGISLATOR RHOADS: Just to
10 follow-up on the speaker's point. The
11 public hearing which is being hosted by the
12 Public Service Commission will be taking
13 place on October 26th at 7 p.m. at the
14 Wantagh High School on Beltaugh in Wantagh
15 and the public is urged to attend.

16 MR. MCCLOY: Correct. There will
17 be one earlier in the day but I believe most
18 working people will probably want to come to
19 the seven o'clock meeting. Thank you for
20 pointing that out.

21 CHAIRWOMAN GONSALVES: Susan
22 Gottehrer.

23 MS. GOTTEHRER: Hi. My name is
24 Susan Gottehrer. I'm the new Chapter
25 direction with the New York Civil Liberties

1 Full Legislature/10-19-16
2 Union so I'm hoping to get to know everybody
3 over the coming months.

4 I specifically have questions
5 today about the Nassau County jail. One of
6 my questions is, if you have a candidate
7 when will that candidate be made public and
8 available for public scrutiny?

9 Also, how often is somebody from
10 the Nassau County government inside the jail
11 to see how the transition is going other
12 than the sheriff's department, and is the
13 nonprofit that the Legislature hired, are
14 they currently physically inside the jail
15 overseeing the transition?

16 CHAIRWOMAN GONSALVES: Mr. Becker,
17 Susan gave us three questions that need to
18 be answered. Would you follow-up on the
19 answers to her questions, please?

20 Susan, Mr. Becker will follow-up
21 on those questions to get you those answers.

22 Barbara Salva.

23 MS. SALVA: Good afternoon
24 everyone. My name is Barbara Salva. I'm
25 sure you remember me. Just a few things. I

1 Full Legislature/10-19-16
2 won't take up much of your time. Just some
3 things for you to know.

4 As a deputy executive director
5 that I am of LITAC -- first of all, our
6 condolences for the passing of Legislator
7 Judy Jacobs. She was a friend of mine as
8 well as an advocate for the transgender
9 community and she will surely be missed.

10 A little update for Joanne
11 Borden. I guess you remember her. I spoke
12 with her yesterday. First of all, she was
13 in the hospital for two weeks with
14 pneumonia. To be honest with you, at the
15 time I spoke with her at the hospital, I
16 didn't think she was going to make it. She
17 sounded terrible and in a lot of pain.

18 Then again, I spoke to her
19 yesterday and I think she's ready to play
20 tennis. She's doing really really well and
21 she told me to tell you that she'll be back
22 next month with a vengeance. So be
23 prepared.

24 One other thing. November coming
25 up is Transgender Awareness Month. During

1 Full Legislature/10-19-16
2 that month, as a committee member of the
3 Transgender Day of Remembrance Committee, we
4 invite you all to our program at the
5 Unitarian Universalist Congregation at
6 Shelter Rock. That will be held November
7 19th. That's a Saturday night at seven
8 o'clock. I urge you to please come and
9 attend that event. It's very moving. It
10 brings life to a point where some people
11 have lost their lives.

12 At this point as it is right now
13 21 people I believe have been murdered in
14 the United States just because of who they
15 are. This will be a tribute to them as well
16 as some international folks that have been
17 murdered which goes into the hundreds.

18 Also, during that event there
19 will be a short tribute to Judy Jacobs by
20 Legislator Laura Curran. I totally thank
21 her for being there and for the tribute.
22 That's all I have now. We're not going to
23 wave and scream and finger point, but I
24 truly invite every one of you to come to our
25 event for the Transgender Day of Remembrance

1 Full Legislature/10-19-16
2 at the Unitarian Universalist Church Shelter
3 Rock on November 19th. Thank you very much.

4 CHAIRWOMAN GONSALVES: Thank you,
5 Barbara. Is a person here with the name of
6 Jacobs? I cannot read the first name.

7 MS. JACOBS: My first name is
8 Willene. The Uniondale community has
9 strongly advocated for community improvement
10 beautification for many years.

11 Community leaders and residents
12 have sat at countless meetings with our
13 elected officials and to date very little
14 improvement has materialized.

15 We do recognize the investment
16 and development that is currently occurring
17 in Uniondale north of Hempstead Turnpike.
18 We are one Uniondale. We will not validate
19 a north side Uniondale divide.

20 Investment and beautification
21 should transcend the north side of Hempstead
22 Turnpike into the residential neighborhoods
23 of our community.

24 It is a fact that the
25 neighborhoods of Uniondale have been allowed

1 Full Legislature/10-19-16
2 to deteriorate over many years despite the
3 continuous advocacy and outcry from the
4 community that improvement is desperately
5 needed.

6 These actions speak to the
7 residents of Uniondale as manipulative
8 disinvestment in a minority community. Let
9 me say that again. Manipulative
10 disinvestment in a minority community.

11 Your indecisiveness in fighting
12 has had adverse effects on the people that
13 you were elected to serve. Unfortunately,
14 the citizens of Nassau County have to endure
15 the consequences of our inactions, however,
16 you do not. Thank you.

17 CHAIRWOMAN GONSALVES: Thank you,
18 Willene. Heidi Sanft.

19 MS. SANFT: Good afternoon. My
20 name is Heidi Sanft. I'm the vice president
21 of the Nostrand Garden Civic Association in
22 Uniondale. I have been on the board for
23 eight years.

24 My family has owned a house in
25 the Uniondale area since 1967. I have three

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2 short points I would like to make:

3 Last November, to be exact,
4 November 14th, we were advised by the Nassau
5 County Department of Public Works that,
6 "work was expected to begin in the spring."
7 In other words, this past spring. It didn't
8 happen.

9 The contractor Valenti has
10 already been selected. Everything is ready
11 for the shovel to go into the ground for
12 Uniondale street scaping on Uniondale
13 Avenue.

14 This is a community
15 revitalization project which will enhance
16 the quality of life in Uniondale.

17 Please do not put our community's
18 well being on the back burner. Resolve
19 whatever issues you have regarding this
20 independent person to investigate contracts
21 directly with one another and move our
22 project forward.

23 Now, Ms. Gonsalves, we understand
24 that you have chosen to not put the contract
25 on the agenda. I have with me the plans

1 Full Legislature/10-19-16
2 from the Department of Public Works. The
3 note says design 90 percent complete. This
4 was printed March of 2014. It's almost
5 2017.

6 Ms. Gonsalves, with all due
7 respect, I'm asking you put the Uniondale
8 street scaping project on the agenda now.
9 To do anything else would be so wrong for
10 our community, so wrong for Nassau County.
11 This is one Long Island and we should all be
12 treated with respect. Thank you.

13 CHAIRWOMAN GONSALVES: Thank you.
14 Marie Catanese.

15 MS. CATANESE: I lived in
16 Uniondale for an awfully long time. You can
17 tell that because I'm awfully old.

18 I came today because I've been
19 writing letters and they don't seem to do
20 any work, any good. It was over ten years
21 ago that a whole group of us, including
22 Heidi that just spoke, Dorothy Goosby, and
23 half of our community walked down Uniondale
24 Avenue and we were promised we would have
25 street scape. I'm talking about ten years

1 Full Legislature/10-19-16

2 ago.

3 My husband took pictures and we
4 sent them to Mr. Kreen. We had meetings
5 with him. We had meetings with everybody.
6 Yet, nothing has ever been done. Not
7 really. You can't call advertisements
8 across the library on the benches street
9 scape. We kind of wanted the lanterns and
10 the garbage pails and all the rest of the
11 good stuff. We just don't have it.

12 I kind of feel that because I
13 live in an interracial community that people
14 are saying, they can wait, they can wait.
15 Its been over ten years.

16 I read in the paper all the time,
17 all the different areas that get street
18 scape. Now I think it was Valley Stream
19 last week is getting a parking lot done.
20 What is this nonsense? A parking lot is not
21 going to make the whole community feel
22 great. But if you put a couple of flowers
23 and a couple of garbage pails and a couple
24 of benches on Uniondale Avenue and
25 Jerusalem, both of them are county roads, we

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2 would all be a little bit happier.

3 Our children are just as
4 important as the children that live in other
5 communities and it's about time that this
6 area here, this Legislature is aware of
7 that.

8 We want our children to grow up,
9 be good citizens. We tell them all the
10 time, you know, when you read in the paper
11 that something happened in Uniondale, read
12 down a little further and you'll find out
13 that it wasn't done with the people in
14 Uniondale, it the people that came into
15 Uniondale and did this. They think it's the
16 dumping ground.

17 It's also the same with all the
18 signs stuck up, half the signs are voting
19 signs. They're on all the fences yet we
20 have information you should not do that.
21 What do you call that, when they take the
22 signs down?

23 We don't want any government
24 signs on our fences, on our buildings, or
25 anywhere. Our coliseum was ruined with the

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2 signs going across the top. I hope when the
3 place gets finished there are no signs on
4 the building. It's terrible. Uniondale is
5 not a dumping ground. Even though you think
6 maybe it is because there is open space. We
7 were very careful about the open space.

8 You know, years ago, and I'll go
9 back many many years ago, our school
10 district asked for about eight acres of
11 Mitchell Field so we could have a special
12 school for our kids; for all the kids on
13 Long Island, a very good school, engineering
14 whatever. Thank you very much. I'd like to
15 see that changed.

16 Oh, oh. I want to say, I sent a
17 letter last week talking about the pictures
18 we took and so forth. I never get answers
19 from any of your letters. I mean, I make
20 sure the addresses are correct, to who it's
21 going to is correct. I have an awful lot of
22 trouble writing these letters. But it would
23 be fun once in a while to get an answer.
24 Thank you very much

25 CHAIRWOMAN GONSALVES: Meta

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2 Mereday. You have several items on your
3 slip that pertain to the calendar, would you
4 prefer just to speak on veterans taxpayers
5 diverse businesses or all of the items?

6 MS. MEREDAY: No. Just that one
7 for now. Meta J. Mereday, Wesley Street,
8 Baldwin resident.

9 I concur, it's always nice to see
10 more people from the public here. Just wish
11 they would come more often to see what's
12 going on around here, how our tax dollars
13 are being spent.

14 My primary concern as always has
15 to do with the lack of inclusion with our
16 veteran businesses and, looking at the paper
17 today, with the scrutiny on our state
18 contracts, and the ongoing scrutiny in
19 Nassau County with our county contracts and
20 there is still that dearth of information
21 because there is no veteran business
22 development on the county level, on the town
23 level, or state level in this that is known
24 as the Empire State.

25 In this county, we have the

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2 second largest population of veterans in New
3 York State, and potentially the northeast
4 region.

5 That is deplorable and I continue
6 to be on the record in fighting that. This
7 has nothing to do with this side or that
8 side because we don't elect parties. I
9 think people seem to be forgetting that.

10 Our officials are elected by the
11 public. We've got to get back to that
12 awareness that we can put you in office but
13 we can just as easily put you out, even
14 though unfortunately some are getting out a
15 lot sooner because the justice department
16 and various and other sundry activities.

17 I am hoping again we can look
18 toward all of this money we hope to generate
19 which is, again, this budget which is based
20 upon some factors that seem magical to me in
21 terms of how they're going to raise money.
22 Unfortunately, it's going to raise whatever
23 you want to call it, a fee, a surcharge, a
24 levy, because we still want to promote that
25 we're not raising property taxes even though

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2 we now have a fund to address the zombie
3 houses as opposed to trying to keep the
4 people in the house before they leave in the
5 middle of the night.

6 I know once again I'm just
7 speaking in the wind, but since I pay such
8 high taxes for that right I will continue to
9 do so as my health allows me.

10 Also, to concur with my neighbor
11 and friend Jack McCloy, I, too, oppose the
12 shortening or whatever you want to call the
13 structural design with regard to our roadway
14 on Grand Avenue.

15 I applaud the residents from
16 Uniondale to stand up and get street
17 scaping. We would just like to have some
18 safe streets and all of those promises that
19 were made when we were initially fighting to
20 have the First Precinct moved in front of
21 our high school that a number of you don't
22 really know because, again, some of those
23 people who sat on those chairs were voted
24 out of the office for some of the fool hardy
25 decisions they made with regard to that.

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2 So there are those of us who are
3 sitting out here who should be in the
4 forefront of the ribbon cutting for the
5 First Precinct because we fought to keep
6 that precinct where it is and built up to
7 what it needed to be.

8 CLERK PULITZER: Ma'am, your time
9 is up.

10 MS. MEREDAY: Always. And we
11 also need to have more police officers and
12 funding for our POP. Thank you.

13 CHAIRWOMAN GONSALVES: That ends
14 public comments.

15 LEGISLATOR ABRAHAMS: If I may.

16 CHAIRWOMAN GONSALVES: Yes, you
17 may.

18 LEGISLATOR ABRAHAMS: Thank you.
19 And, again, I want to thank the people of
20 Uniondale for coming down today speaking
21 very passionately about the Uniondale street
22 scape.

23 I don't think you should leave
24 here today without a response from the
25 Presiding Officer which indicates when this

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2 contract will be before the committee.

3 The contract has an item number,
4 since the time Joanne has spoke, it's
5 B-11-16. It was clocked into the
6 Legislature in May of 2016.

7 In the NIF account for this
8 project there is \$1.3 million. The first
9 phase of this project is \$919,000. There is
10 money there. The Presiding Officer
11 indicated that you would get a communication
12 from her attorney. Whether that's
13 Mr. Ostuni or Mr. McCloy, they should speak
14 at the podium before these people leave
15 today and give the justification on why this
16 item has not been called for five months. I
17 would love to hear that response today.

18 You should not leave here
19 thinking and hoping that folks in this body
20 will do the right thing.

21 So I encourage you to demand that
22 today before you leave because we have been
23 demanding it for five months and my
24 interests for this particular project have
25 been ignored.

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2 I would love to hear the
3 rationale when we have seem items clocked in
4 afterwards since May of this year, come
5 through this committee and come through this
6 body and get voted on, but this item has not
7 even been called, not even been calendared.
8 It's not even on the calendar. What else
9 needs to happen? What other analysis needs
10 to happen? It's been five months.

11 So I would love to hear the
12 rationale but I think it's more important
13 that you demand the rationale before you go
14 home today.

15 CHAIRWOMAN GONSALVES: I'm ready
16 to give the rationale, Mr. Abrahams. I have
17 to say to you, we have a capital plan. In
18 that capital plan there are capital
19 projects.

20 For the most part, there has not
21 been consensus on the minority side of the
22 aisle to make some of these projects go
23 through.

24 Until there is consensus, the
25 blame is not put on one side or the other.

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2 When we put contracts before this body, most
3 of the times the minority votes those
4 contracts down. So the contract that you're
5 talking about, Mr. Abrahams -- excuse me --
6 I did not interrupt you.

7 LEGISLATOR ABRAHAMS: You are way
8 off base.

9 CHAIRWOMAN GONSALVES: I did not
10 interrupt you. I'm sorry, but you have your
11 opinions. I have mine.

12 LEGISLATOR ABRAHAMS: Finish with
13 your rhetoric, go ahead.

14 CHAIRWOMAN GONSALVES: That
15 capital project may have been filed in the
16 clerk's office but it has not reached my
17 desk. So, until that happens, it does not
18 come before this body.

19 LEGISLATOR ABRAHAMS: Is that
20 true, Mr. Pulitzer?

21 CHAIRWOMAN GONSALVES: It has not
22 come before my desk.

23 CLERK PULITZER: I don't know at
24 the moment, sir.

25 LEGISLATOR ABRAHAMS: That's the

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2 right question, why not? The other response
3 to what the Presiding Officer just said,
4 look, folks, this has nothing -- our counsel
5 just told me it was emailed to her like it
6 was emailed to everyone when we get the item
7 send down to us.

8 This has nothing to do with
9 bonding or contracts. Folks, you know this.
10 You're too smart for this. This was done in
11 2012. The bonding was in 2013. The money
12 is in the account. Anything that she's
13 talking about what happened in 2016. She
14 knows the money is there. But you know what
15 it is? Because I'm the representative of
16 Uniondale, and because I lead this caucus in
17 what we believe is our convictions in what
18 we want to see the transparency in this
19 county, this is being done out of spite.

20 If this was done -- if this
21 project was done in anyone else's district,
22 it would have passed through the Rules
23 Committee and been calendared already.

24 This is being done out of spite
25 more than anything else. You're not spiting

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2 me. I represent the area. I would love to
3 see this get done, but you're spiting
4 taxpayers, people that have given their time
5 up to being here today. There is no other
6 reason, Madam Presiding Officer.

7 You are using the excuse. This
8 item has been bonded for -- there is \$1.3
9 million that sits in the account that would
10 pay for this contract. It doesn't need any
11 bond proceeds. You sat on it out of spite
12 which to me is unbelievable that you would
13 actually sit here and do that.

14 CHAIRWOMAN GONSALVES: I'm not
15 going to defend -- thank you very much but I
16 will tell you this. Capital projects come
17 before this body that affect every community
18 in Nassau County. Most of the times, if not
19 all of the times, they have been voted down
20 by the minority.

21 So I don't want to risk putting
22 up a contract that will not be passed by my
23 delegation because they are not going to do
24 what they're supposed to do governmentally.
25 So that's it. I have Legislator Nicoletto,

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2 I wasn't going to make it a debate, but
3 obviously it has turned in a debate.

4 LEGISLATOR ABRAHAMS: I'm sorry,
5 I can't just sit here idle while you just
6 totally lied to these people.

7 CHAIRWOMAN GONSALVES: I did not
8 interfere with --

9 LEGISLATOR ABRAHAMS: The bottom
10 line is very simple. This legislative body
11 passed two CRP projects which Newsday
12 documented, I believe one is -- I know
13 Legislator Kennedy and Legislator Gaylor, so
14 don't sit here and tell us how this
15 legislative body is going to vote for
16 contracts like this. Let's be honest. You
17 did this out of spite. If you don't want to
18 admit it on the record, give --

19 CHAIRWOMAN GONSALVES: I'm sorry.
20 I'm not going to address that.

21 LEGISLATOR ABRAHAMS: I'm sure
22 you won't because you won't give --

23 CHAIRWOMAN GONSALVES: Enough.
24 Mr. Kevan Abrahams, don't you call me
25 spiteful.

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2 LEGISLATOR ABRAHAMS: Give them
3 the justification of why either Mr. Pulitzer
4 didn't send it to you or you weren't
5 cognizant enough to read your email to know
6 that this contract was sitting in your
7 office for five months.

8 Please do not let these people
9 leave today thinking that somehow
10 miraculously you're going to call this in
11 the next few weeks because you're not.
12 Let's call it for what it is. Please tell
13 them why -- I would love to hear the
14 justification why this didn't called for
15 five months while it sat in the Clerk's
16 office.

17 CHAIRWOMAN GONSALVES: I'm going
18 to --

19 LEGISLATOR SCHAEFER: For five
20 months you didn't vote on anything in all of
21 our districts.

22 LEGISLATOR ABRAHAMS: Laura, you
23 are wrong. We just said we voted for
24 Legislator Kennedy's CRP. You are wrong.

25 LEGISLATOR SCHAEFER: I have

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2 stuff in my district that I was waiting for
3 months for.

4 LEGISLATOR ABRAHAMS: Laura,
5 you're just wrong. More importantly, Laura,
6 you're missing the point.

7 LEGISLATOR SCHAEFER: I'm not
8 missing the point. The point that we dealt
9 with for five months was we weren't getting
10 things done in our district.

11 LEGISLATOR ABRAHAMS: But this
12 was bonded money from 2013. This was a
13 contract that was awarded sent down by the
14 County Executive in May of 2016.

15 You're missing the point. The
16 point is this has nothing to do with 2016.

17 CHAIRWOMAN GONSALVES: You made
18 your point. Okay? You made your point.

19 LEGISLATOR ABRAHAMS: No. I
20 haven't made my point until they get the
21 project they deserve.

22 CHAIRWOMAN GONSALVES: No. You
23 have interrupted me several times.

24 LEGISLATOR ABRAHAMS: Obviously
25 you are not getting it.

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2 CHAIRWOMAN GONSALVES: Oh, I get
3 it.

4 LEGISLATOR NICOLELLO: There is a
5 ton of projects in my district that my
6 residents are not getting. Let me just say
7 this. I met with somebody from Winthrop
8 Hospital today. There is a problem on
9 Mineola Boulevard and Second Street where
10 there's been pedestrian accidents. There's
11 been a fatality. A woman was just recently
12 hit and severely injured. There was an
13 accident the same day three hours later.

14 I said to them, look, we're going
15 to try to take a study of this and maybe
16 improve the safety of that area, but we
17 can't do that. Do you want to know why?
18 Because there's a bond issue for traffic
19 studies that's been held up since the
20 beginning of the year by the minority.

21 So there's all these projects
22 that are going on and are being held up and
23 we're supposed to stop and say, we don't
24 care about traffic safety, we don't care
25 about our project, we don't care about Bay

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2 Park. We have to take care of Legislator
3 Abrahams' district. It doesn't work that
4 way, number one.

5 Number two, they have abstained
6 on almost every contract that's come before
7 this committee, Rules Committee.

8 Now they're saying, pass it
9 because it's my district. It doesn't work
10 that way. Either you are part of the
11 process or you're not. They have absented
12 themselves from the process and they have no
13 right to come and demand anything from this
14 majority.

15 LEGISLATOR ABRAHAMS: You're
16 missing the point. I don't care if I'm
17 interrupting because you're off.

18 LEGISLATOR NICOLELLO: Start
19 voting for stuff in my district and I'll
20 vote for yours.

21 LEGISLATOR ABRAHAMS: There it is
22 folks, we just got some truth. Quid pro
23 quo. Vote for my stuff and then you'll get
24 your stuff. We finally got the truth.

25 LEGISLATOR NICOLELLO: I'll tell

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2 you what I want. I love street scaping it's
3 great. But I want traffic safety in my
4 district. And you guys will not pass
5 traffic safety, and my constituents, my
6 citizens are at risk because of you so I
7 will give you street scaping and you give us
8 traffic safety.

9 LEGISLATOR ABRAHAMS: So we got
10 the understanding, it's all quid pro quo
11 here in Nassau County.

12 CHAIRWOMAN GONSALVES: You know
13 that better than anybody, Mr. Abrahams.

14 LEGISLATOR ABRAHAMS: This
15 contract has been sitting idle for five
16 months.

17 MS. URBAN: We have the pictures.

18 LEGISLATOR ABRAHAMS: Joann,
19 you're absolutely right.

20 CHAIRWOMAN GONSALVES: We're
21 going to move on with the calendar.

22 LEGISLATOR ABRAHAMS: No. We're
23 not going to move on with the calendar until
24 you give --

25 CHAIRWOMAN GONSALVES: You're not

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2 going to tell --

3 LEGISLATOR ABRAHAMS: -- until
4 your attorney gives the justification to
5 these people. You're telling me you're not
6 going to give the justification to these
7 people so they can go home thinking they're
8 going to get a project?

9 There is no obstruction. You're
10 missing the point, Dennis. You are missing
11 the point. This was bonded money. Let me
12 speak slower. Dennis, you're missing the
13 point. This was a project that was bonded
14 for in 2013.

15 LEGISLATOR NICOLELLO: You
16 abstained.

17 LEGISLATOR ABRAHAMS: You're
18 missing the point.

19 LEGISLATOR NICOLELLO: You
20 abstained on a regular basis on bond --

21 LEGISLATOR ABRAHAMS: And that's
22 the reason you're not calling it?

23 LEGISLATOR NICOLELLO: In other
24 words, you're going to vote for stuff for
25 your district but nothing else?

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2 LEGISLATOR ABRAHAMS: That hasn't
3 stopped the Presiding Officer from calling
4 other items that we've abstained for.

5 Just admitted in the record that
6 you only do it --

7 CHAIRWOMAN GONSALVES: You know
8 the game quid pro quo more than anybody
9 else.

10 LEGISLATOR NICOLELLO: I want to
11 see public safety in my district.

12 CHAIRWOMAN GONSALVES: You know
13 that game very well. Mr. Pulitzer, please
14 call --

15 LEGISLATOR ABRAHAMS: And, folks,
16 to Ms. Mereday's point, Heidi --

17 MS. SANFT: B-11-16, put us on
18 the agenda now. It's very simple. In life
19 there are many things that need to be taken
20 care of. Quite frequently, it boils down to
21 just a few words, not nonstop talk for weeks
22 and months and years.

23 This is all you need to do.

24 B-11-16, put us on the agenda. I know you
25 are a decent human being.

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2 CHAIRWOMAN GONSALVES: You're
3 damn right I am.

4 MS. SANFT: And it's obvious you
5 are a bright woman otherwise you wouldn't be
6 sitting up there. Do right by our
7 community. Do the right thing.

8 LEGISLATOR ABRAHAMS: Heidi, just
9 to also add to the point, we just found the
10 certification, and, to Mrs. Mereday's point,
11 when she has come down, this is also a
12 contract, the Valenti Contracting Corp also
13 received from the Office of Minority Affairs
14 dedication that this would be a MWBE
15 project. Sorry. This is a MWBE contract.
16 It has multiple positive facets to it.

17 It also speaks to multiple
18 possible things on why it's not being
19 approved. So I can't understand it for the
20 life of me. We are demanding today, please,
21 give the justification on why this item has
22 not been called and give these folks the
23 opportunity to come back down when it will
24 be called.

25 MS. SANFT: We want the item

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2 called today.

3 CHAIRWOMAN GONSALVES: We are not
4 calling it today, Heidi. It has to go
5 through committee.

6 MS. SANFT: Why can't it be
7 called today?

8 LEGISLATOR ABRAHAMS: So will it
9 be called on the 6th?

10 CHAIRWOMAN GONSALVES: I'm not
11 going to commit to anything.

12 LEGISLATOR ABRAHAMS: She can't
13 even commit it will be called on the 6th.

14 CHAIRWOMAN GONSALVES: We don't
15 even have a meeting on the 6th.

16 LEGISLATOR ABRAHAMS: Can't even
17 commit, I wonder why.

18 MS. URBAN: You can make this
19 right by calling it today, B-11-16, prove to
20 us that this is not discrimination. Prove
21 to us that you care about our community,
22 B-11-16.

23 MS. SANFT: Prove to us you know
24 how to do the right thing, Ms. Gonsalves. I
25 know you do.

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2 CHAIRWOMAN GONSALVES: I got news
3 for you, it must go through the process.

4 MS. SANFT: What's the process?

5 CHAIRWOMAN GONSALVES: Committees
6 first.

7 LEGISLATOR ABRAHAMS: Let's be
8 clear, committees meet on -- Heidi,
9 committees meet on November 6th.

10 CHAIRWOMAN GONSALVES: No, it's
11 the 7th.

12 LEGISLATOR ABRAHAMS: The 7th,
13 one day off. On November 7th, will this
14 item be called on the calendar?

15 LEGISLATOR KOPEL: Kevan, how
16 about somebody else gets a chance to talk?
17 How about it?

18 LEGISLATOR ABRAHAMS: With all
19 due respect to you, no disrespect to you --

20 LEGISLATOR KOPEL: But you're
21 running in circles.

22 LEGISLATOR ABRAHAMS: That's what
23 you want. And that's what you forgot,
24 neither you nor I run the place.

25 LEGISLATOR KOPEL: I would like

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2 to answer you.

3 Legislator Nicoletto and
4 Legislator Abrahams are both right in a way.
5 Traffic safety is much more important --

6 MS. URBAN: We're not talking
7 about Mineola, we're talking about
8 Uniondale.

9 LEGISLATOR KOPEL: Ladies,
10 ladies. My turn.

11 MS. SANFT: Mineola is beautiful.
12 They're obviously getting all that they
13 need, we get nothing. This is about
14 Uniondale.

15 LEGISLATOR KOPEL: However,
16 traffic safety is important. The way this
17 organization runs is the same way most
18 political shops run, you negotiate.

19 And nobody gets in life or in
20 politics everything that they want. It's
21 just not how it work.

22 MS. URBAN: But we've been
23 waiting for years.

24 LEGISLATOR KOPEL: You have a
25 representative here. You have somebody who

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2 is representing you. In life nobody gets
3 everything they want.

4 If your representative is willing
5 to talk with the representatives of other
6 districts who have, let's just say equally
7 -- excuse me, I'm talking now -- at least
8 equally important items, we can sit down, we
9 can come to some agreement, and we can
10 decide what things get funded.

11 However, and I can guarantee you,
12 that if they agree to take care of some of
13 the items that we consider important, we
14 will reciprocate and take care of some of
15 the items they consider important.

16 Ladies, I'm talking now.

17 If you really want to get this
18 done, you should talk to your
19 representative. This is not a discussion
20 back and forth. I'm still talking. Tell
21 your representatives to cooperate with us.
22 I think we should just move on.

23 LEGISLATOR ABRAHAMS: We're not
24 going to move on just to move on.

25 MS. URBAN: I'm very sorry about

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2 what's happened in Mineola that you need
3 that, but this is from 2012. This is not
4 something that happened last week or last
5 month, this project is promised to us in
6 2012. Here is a photo with Mr. Mangano
7 standing there and the plan there.

8 LEGISLATOR NICOLELLO: That's one
9 example.

10 MS. URBAN: I'm not finished
11 speaking now. We're talking about what was
12 promised in 2012. You can see the people
13 there, the happy faces, and they were going
14 to start with the library across the street
15 and then in the spring it was going to
16 continue. The money has been there. We
17 have been told that after Super Storm Sandy.
18 All of that whole thing was taken for
19 something else.

20 There is a contract with Valenti.
21 Your project is important, but we're talking
22 about something that as started in 2012.
23 This is now going to be 2017. And all we
24 have is that one strip. Not to say what you
25 have is not important, but we were promised

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2 something.

3 We are a global village. We are
4 an interracial community. We all work
5 together and we would like you to somehow
6 work together.

7 This is dysfunctional what is
8 going on. You have to work together. And
9 it shouldn't be quid pro quo. It should not
10 be. This is a project that has been voted
11 on and it should start immediately.

12 We should not have to come here
13 and banter and carry on like this.

14 LEGISLATOR NICOLELLO: Just one
15 point. She directed her comment to me. Let
16 me respond to her. Let me respond.

17 The capital plan is just not
18 what's happening now. All these projects
19 have been going on for years, planning stage
20 for years. All of that is being held up.

21 So if you think I'm voting for
22 something for Legislator Abrahams' district
23 when things in my district and all the other
24 districts in the county are being held up by
25 him, why would I do that? Why would I?

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2 MS. SANFT: You need to sit down
3 like adults and iron out whatever it is out.

4 LEGISLATOR ABRAHAMS: Heidi,
5 don't feed into their spin. This is their
6 spin. The bottom line is -- and Joanne said
7 it so perfectly. This is it.

8 Legislator Kopel explained that
9 there are negotiations, yes. The
10 negotiation took place in 2013. We already
11 incorporated Uniondale Avenue into the
12 capital plan.

13 What I believe Legislator
14 Nicolello is insinuating is that somehow,
15 some way we are supposed to negotiate twice
16 to ensure that the project actually gets
17 done. To me, that's unheard of.

18 This money was bonded for in
19 2013. The contract for whatever reason took
20 three years to come to fruition in 2016.
21 There is no reason -- they have called
22 plenty of contracts. There is no reason
23 that this item is not called for any other
24 reason than spite. It's just a fact. You
25 can't run away from it.

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2 The Presiding Officer has to call
3 the item. She is the only person that can
4 call the item. In fairness, it cannot be
5 called. The earliest it can be called is
6 November 7th. I'm asking that you call it
7 on November 7th?

8 CHAIRWOMAN GONSALVES: We will
9 take it under advisement.

10 LEGISLATOR ABRAHAMS: There you
11 go. That's the answer. It's a quid pro
12 quo. They want something from us.

13 CHAIRWOMAN GONSALVES: Come on.
14 You're good at that game, for two years you
15 are.

16 MS. URBAN: Presiding Officer
17 Gonsalves, can we come on November 7th and
18 be assured --

19 CHAIRWOMAN GONSALVES: I need to
20 move on. Come November 7th. Fine.

21 MS. URBAN: Can we be sure this
22 is going to be on the agenda?

23 CHAIRWOMAN GONSALVES: I said I
24 would take it under advisement. I will not
25 commit right now. Okay? I have others to

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2 talk to. I don't make decisions by myself
3 even though Mr. Abrahams thinks I do. I may
4 be the Presiding Officer, but I do listen to
5 my colleagues. I do listen.

6 MS. URBAN: You represent East
7 Meadow. Uniondale is right next door. All
8 you need to do is drive through.

9 CHAIRWOMAN GONSALVES: I know
10 where Uniondale is.

11 MS. URBAN: And it definitely
12 needs this kind of work.

13 CHAIRWOMAN GONSALVES: In fact, I
14 know Marie Catanese for God knows how many
15 years and I know how hard she fought for the
16 Uniondale community. I know how hard you
17 are fighting as well.

18 But let me do my job and I don't
19 do my job without conferring with my
20 colleagues. That's the way it goes.

21 Now I'm going to move on to the
22 calendar.

23 MS. JACOBS: I just want to say
24 that this is a sad state of affairs. This
25 is so sad for the community and the

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2 constituents of Nassau County and a
3 microcosm of what goes on at the national
4 level. You hold people in limbo. I pay
5 taxes.

6 CHAIRWOMAN GONSALVES: So do I,

7 MS. JACOBS: The residents pay
8 taxes. And to quote the late great Melvin
9 Harris, Junior, former president of Nostra
10 Garden Civic Association, we are not begging
11 crumbs from the kings table. This will only
12 escalate.

13 CHAIRWOMAN GONSALVES: Let's go.
14 Mr. Clerk, we're going to go on and call
15 Item 20 which is Resolution 156. This is a
16 resolution to confirm the County Executive's
17 reappointment of Eric Swenson to the Soil
18 and Water Conservation District.

19 Motion, please.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Nicolello. Item 20, Resolution 156.

25 MR. BECKER: Good afternoon,

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2 Madam Chair. Mr. Swenson was away on
3 vacation when the other members of the Soil
4 and Water Board were inducted and improved
5 and he's here today to meet and greet
6 everyone, and perhaps even maybe share his
7 vision. Anyway, this is Mr. Swenson.

8 MR. SWENSON: Good afternoon.

9 I'm sincerely hoping that this resolution
10 will be not as controversial as the last
11 one. But I am currently on the board of the
12 Nassau County Soil and Water Conservation
13 District.

14 I'm an at large member
15 representing the Hempstead Harbor Protection
16 Committee of which the County of Nassau is
17 also a member.

18 I am currently serving as the
19 treasurer for the Soil and Water
20 Conservation District. My term is up for
21 reappointment.

22 I am very pleased that the County
23 Executive has recommended me for
24 reappointment so I am here to appear before
25 you and take any questions you may have

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2 before you make this decision.

3 CHAIRWOMAN GONSALVES: Any
4 questions or comments from the legislators?

5 (No verbal response.)

6 Is there any public comment?

7 LEGISLATOR MACKENZIE: I just
8 want to make a comment that I know Eric a
9 little bit and I know how active he is in
10 supporting environmental causes in the area
11 where I live and represent, Friends of the
12 Bay and other organizations. I would
13 wholeheartedly support his reappointment to
14 the board.

15 MR. SWENSON: Thank you,
16 legislator.

17 LEGISLATOR WALKER: Norma, may I?

18 CHAIRWOMAN GONSALVES: Legislator
19 Walker.

20 LEGISLATOR WALKER: I would just
21 echo what Legislator MacKenzie just said.
22 We worked together for a long time and
23 you've done a wonderful job so far and I
24 would hope that the approval would go
25 through and that you will continue to do

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2 that. I thank you for all you have done up
3 to this point.

4 MR. SWENSON: Thank you.

5 CHAIRWOMAN GONSALVES: Legislator
6 DeRiggi-Whitton.

7 LEGISLATOR DERIGGI-WHITTON: And
8 I think this is bipartisan agreement, if
9 anyone wants to know anything about a sewer,
10 they'll call you. So we appreciate your
11 time and expertise.

12 MR. SWENSON: I wish I can use
13 the sewer at home.

14 CHAIRWOMAN GONSALVES: There
15 being no other comments, all those in favor
16 of confirming the County Executive's
17 reappointment of Eric Swenson to the Soil
18 and Water Conservation District signify by
19 saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 You are confirmed unanimously.

24 MR. BECKER: And thank you for
25 calling Mr. Swenson at the top the agenda.

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2 Appreciate that.

3 CHAIRWOMAN GONSALVES: Now we
4 have a consent calendar and for those that
5 don't know what that means, it means that
6 the items that are going to be called have
7 been agreed upon by both the majority and
8 the minority as well.

9 So I'm going to call those items.
10 Item 22, Resolution 172; Item 23, Resolution
11 173; Item 24, Resolution 174; Item 26,
12 Resolution 176; Item 27, Resolution 177;
13 Item 28, Resolution 178; and as always we
14 incorporate the testimony by reference from
15 the committees for these items.

16 (Whereupon, please refer to
17 Committee Minutes dated October 5, 2016
18 pertaining to above referenced clerk items.)

19 A motion please for the items
20 that were just called.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Walker. Any comments, any questions?

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2 (No verbal response.)

3 Is there any public comment
4 regarding any of those items?

5 (No verbal response.)

6 There being none, all those in
7 favor signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (No verbal response.)

11 The items pass unanimously.

12 Now let's go to the first item on
13 the calendar which is a hearing.
14 Mr. Pulitzer, call the hearing resolution
15 please.

16 CLERK PULITZER: Thank you. Item
17 Number One on the calendar is a hearing on
18 proposed Resolution 171-16, a resolution
19 consenting to the acquisition and use by the
20 Roman Catholic Diocese of Rockville Centre,
21 New York, DBA, Queen of Peace Cemetery for
22 certain land for cemetery purposes.

23 CHAIRWOMAN GONSALVES: A motion
24 to open the hearing.

25 LEGISLATOR SCHAEFER: So moved.

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2 LEGISLATOR DUNNE: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Schaefer, seconded by Legislator
5 Dunne. Who is here to speak on this item,
6 please?

7 MR. BECKER: Madam Chair, this is
8 Nathan Jones from the Diocese to testify on
9 this.

10 MR. JONES: Good afternoon.
11 Nathan Jones. I represent the Diocese of
12 Rockville Centre.

13 The purpose of this application
14 before you is to approve the Diocese's use
15 of the property for cemetery purposes under
16 New York Real Property Law 451. The subject
17 property is 97 total acres and is situated
18 in the Village of Old Westbury on the
19 northern side of Jericho Turnpike between
20 Hitchcock and Powells Lane.

21 In the mid '90s the Diocese
22 determined that it would reach capacity in
23 the current cemetery, Holy Rood in Westbury.
24 And undertook to find a new cemetery to
25 serve the Catholic community in Nassau

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2 County.

3 The property was a vacant horse
4 farm and was selected because of its central
5 location proximity to major arteries and
6 highways and the open pastoral topography.

7 For the last 20 years, the
8 Diocese has struggled with the village for
9 approval of the cemetery including
10 litigation before the Supreme Court and
11 Appellate Division and litigation in Federal
12 Court more recently.

13 As we indicated in our
14 application, in 2010 the village approved a
15 combined cemetery and residential
16 development after a lengthy SEQRA process.
17 Now, as part of the settlement of the
18 federal lawsuit, the Diocese resubmitted a
19 plan dropping the residential component and
20 developing most of the property, 87 acres or
21 so, as a cemetery.

22 In the EAF compares the new
23 proposal to the prior approval, or explains
24 the differences between the plans. In July,
25 the village declared itself lead agency in

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2 determining whether the change proposal
3 would require further environmental review
4 compared to the SEQRA process already
5 concluded.

6 When we noticed this hearing for
7 today, we expected that second SEQRA review
8 to be concluded before now and having gone
9 before the Planning Commission which I
10 understand has not occurred yet.

11 The reason for this delay is that
12 an issue was raised whether the state DEC
13 had the property on a list of suspected
14 former landfills.

15 Through communication with the
16 DEC, we determined that the property was not
17 on any such list. We provided the DEC with
18 evidence regarding the historical use of the
19 property including archaeological surveys
20 from the SEQRA review.

21 Last week the DEC issued a
22 statement that, based on the evidence, they
23 had no reason to suspect landfill activity
24 and there being no further investigation.

25 Now that that's resolved, the

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2 village has communicated that they are
3 prepared to move forward with the SEQRA
4 process and we expect that to be resolved by
5 the end of the month, therefore we ask that
6 this hearing be recessed and decision
7 reserved until such time as the SEQRA
8 process is concluded and the Planning
9 Commission has had a chance to review this.

10 If there are any questions for me
11 now, I will provide other testimony.

12 CHAIRWOMAN GONSALVES: Any
13 questions for Mr. Jones? Legislator
14 Schaefer.

15 LEGISLATOR SCHAEFER: Good
16 afternoon, Mr. Jones. You said that you
17 anticipate the SEQRA process being finished
18 by the end of the month.

19 MR. JONES: That's correct.

20 LEGISLATOR SCHAEFER: When would
21 any type of development start going on?
22 Do you have any time frame when they would
23 plan to start any different construction or
24 anything they need to do there?

25 MR. JONES: I believe as soon as

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2 the Legislature approves this application,
3 and the village approves the amended
4 resolution for the updated site plan
5 approval, at least excavation work will
6 begin as soon as possible, whether above
7 ground developments -- I don't have a
8 timetable as far as excavation versus above
9 ground development. But if that's something
10 helpful, I can provide that when I come
11 back.

12 LEGISLATOR SCHAEFER: Okay. Is
13 there going to be one entrance and exit into
14 the cemetery?

15 MR. JONES: One entrance and two
16 exits and I guess a service entrance.

17 LEGISLATOR SCHAEFER: Can you
18 tell me where those will be, which roads?

19 MR. JONES: The main entrance is
20 on Jericho Turnpike, north side, and then
21 there's an exit onto I believe Hitchcock
22 Lane, but I will have to check the map
23 again.

24 LEGISLATOR SCHAEFER: So there is
25 an exit obviously where there is an entrance

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2 as well on Jericho?

3 MR. JONES: Yes.

4 LEGISLATOR SCHAEFER: Thank you.

5 CHAIRWOMAN GONSALVES: Any other
6 questions of Mr. Jones? Legislator
7 DeRiggi-Whitton. Just ask your questions.

8 LEGISLATOR DERIGGI-WHITTON: Has
9 there been any mention, there have been a
10 few lawsuits, but has there been any public
11 or community feedback on the proposal other
12 than that, any opposition?

13 MR. JONES: I don't know if
14 there's any opposition to this application.
15 The village had been fighting the Diocese on
16 this in the past which is part of the reason
17 for all the litigation; the approvals over
18 time. But the village is now behind the
19 project, kind of everyone is getting on the
20 same page, so I don't expect any opposition
21 from the village itself.

22 LEGISLATOR DERIGGI-WHITTON: That
23 includes the community, I'm assuming?

24 MR. JONES: That's my
25 understanding.

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2 LEGISLATOR DERIGGI-WHITTON: Thank
3 you.

4 CHAIRWOMAN GONSALVES: There
5 being no other questions or comments from
6 the legislators?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 As you request, Mr. Jones, and as
11 we were prepared to do, we are going to
12 recess this hearing primarily because we
13 need the information that's still
14 outstanding. So this hearing is now in
15 recess. We will move on to next month.
16 Hopefully all will be resolved.

17 MR. JONES: Hopefully.

18 (Whereupon, the hearing was
19 recessed pertaining to Item 1; 10-19-16)

20 CHAIRWOMAN GONSALVES: Okay. The
21 next item is Item 19, Ordinance 176, an
22 ordinance making certain determinations
23 pursuant to the State Environmental Quality
24 Review Act and authorizing the County
25 Executive on behalf of the County of Nassau

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2 to accept on behalf of the County of Nassau
3 an offer of purchase from Namdar Realty
4 Group, L.L.C. of certain premises located in
5 the Incorporated Village of Hempstead, Town
6 of Hempstead, County of Nassau, State of New
7 York, said real property known as Section
8 34, Block 333-3, Lot 2 on the land and tax
9 map of the County of Nassau and authorizing
10 the County Executive to execute a deed
11 contract of sale intermunicipal agreement
12 for mortgage and tax pay off and all
13 pertinent documents in connection therewith
14 to consummate the sale and cancelling all
15 county held tax liens and any and all tax
16 obligations not yet ripe for lien status
17 related to such property.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Kopel. Can we have someone speak on this
24 item?

25 MR. BECKER: Yes, Madam Chair.

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2 Kevin Walsh is here to speak on this item
3 and perhaps you want to incorporate the
4 committee testimony into today's hearing.

5 CHAIRWOMAN GONSALVES:

6 Incorporate the testimony provided in the
7 committee.

8 (Whereupon, the following are the
9 minutes of the Finance Committee pertaining
10 to Clerk Item 19; 10-5-16.)

11 VICE-CHAIRMAN MUSCARELLA: Item
12 409 of '16, an ordinance making certain
13 determinations pursuant to the State
14 Environmental Quality Review Act and
15 authorizing the County Executive of the
16 County of Nassau to accept on behalf the
17 County of Nassau an offer of purchase from
18 Namdar Realty Group, L.L.C. of certain
19 premises located in the incorporated Village
20 of Hempstead, Town of Hempstead, County of
21 Nassau, State of New York, said property
22 known as Section 34, block 333-03, lot 2 on
23 the land and tax map of the County of Nassau
24 and authorizing the County Executive to
25 execute a deed, contract of sale

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2 intermunicipal agreement for mortgage and
3 tax payoff and all pertinent documents in
4 connection therewith to consummate the sale
5 and vacating and cancelling all county held
6 tax liens and any and all tax obligations
7 not yet ripe for lien status related to such
8 property.

9 Motion, please.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR WALKER: Second.

12 VICE-CHAIRMAN MUSCARELLA: Motion
13 by Mr. Dunne, seconded by Ms. Walker. The
14 item is before us. Do we have somebody to
15 report on this?

16 MR. WALSH: Good afternoon, Kevin
17 Walsh, Office of Real Estate. This is the
18 sale of 100 Main Street in Hempstead. It's
19 a couple of matters. It's a contract of
20 sale to sell the property. It was sold to
21 through an RFP, two RFPs were issued for
22 this.

23 In addition to the contract of
24 sale, it's an intermunicipal agreement with
25 the village of Hempstead to disburse the

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2 proceeds of the sale which will go first to
3 pay off the outstanding Section 108 loan
4 which has been in foreclosure for quite a
5 few years, working through that.

6 And also to pay the county
7 closing costs in connection with this and
8 then anything remaining will go to taxes
9 between the county and the village, 57
10 percent to the county, 43 percent to the
11 village of Hempstead.

12 VICE-CHAIRMAN MUSCARELLA: And
13 basically what we are doing is putting this
14 property back on the tax rolls?

15 MR. WALSH: Correct. And we hope
16 that we have a contract with no conditions
17 and hope to close in October.

18 VICE-CHAIRMAN MUSCARELLA: Thank
19 you. Any questions? Ms. Bynoe.

20 LEGISLATOR BYNOE: I would just
21 that we incorporate the transcript from the
22 Planning Committee into the Finance
23 Committee.

24 VICE-CHAIRMAN MUSCARELLA: So
25 noted.

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2 (Whereupon, the following are the
3 minutes of the Planning Committee pertaining
4 to Clerk Item 409-16; 10-5-16.)

5 CHAIRWOMAN SCHAEFER: We have to
6 untable this item. Motion to untable.

7 LEGISLATOR RHOADS: So moved.

8 LEGISLATOR WALKER: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Rhoads, seconded by Legislator
11 Walker. All those in favor of untabling
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 We have one item on the agenda.
17 The item is now on the floor, is there
18 anyone here to testify on this item?

19 MR. WALSH: Kevin Walsh from the
20 Office of Real Estate Services. You have an
21 item before you, actually it's an ordinance
22 for a few contracts, actually a contract of
23 sale to sell property and an intermunicipal
24 agreement with the Village of Hempstead.
25 It's relating to 100 Main Street, a retail

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2 office building in Hempstead that the county
3 acquired in late December 2014 for
4 nonpayment of taxes.

5 The county worked with the
6 village, worked out an intermunicipal
7 agreement to take the building basically in
8 foreclosure and hopefully will be sold.

9 We issued two RFPs and have
10 recommended it be awarded to Namdar Realty
11 Group who has owned many other similar
12 buildings both on Long Island and nationally
13 and we hope to get this building back to
14 productive use and back on the tax rolls and
15 move forward. Any questions?

16 CHAIRWOMAN SCHAEFER: Legislator
17 Bynoe.

18 LEGISLATOR BYNOE: Thank you,
19 Chair. Hi Mr. Walsh. I have some questions
20 regarding the transaction and I want to
21 start with getting some clarity on the exact
22 amount that HUD would be paid out of the
23 proceeds.

24 MR. WALSH: Yes. As of September
25 15th, I guess an exact number as of that

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2 date, it should be pretty much the same.
3 The principal is about \$2,944,000. The
4 interest is just less than 200,199.

5 So the total payoff, I guess
6 principal and interest as of mid September
7 is \$3,143,432. Obviously that can change if
8 we don't close. Our goal is to close in
9 this month.

10 In the staff summary, you will
11 see that I estimated the payoff, may be a
12 little more, \$3,350,000. The reason for
13 that is, in addition to the closing costs,
14 which I don't think will be that
15 significant, there are defeasance costs.

16 The HUD loan is part of I guess a
17 pool of other loans just like any bond.
18 There are costs -- HUD will have costs which
19 we have not got exact numbers but we've been
20 told it will be approximately \$200,000 to
21 defease these bonds for this purpose.

22 LEGISLATOR BYNOE: That clears up
23 my confusion because on certain documents I
24 saw it as 3.1 and on other documents 3.3.

25 So the closing costs or the costs

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2 that the county has approximated as \$60,000,
3 is that a close figure?

4 MR. WALSH: That's a close
5 figure. I think what that is made up of is
6 a combination of legal fees. We engaged an
7 outside attorney as did the village to
8 represent us in the negotiation of the IMA.

9 But, also, when we took title to
10 this property in December of 2014 we did it
11 through a treasurer's deed, a tax deed, we
12 wanted to confirm that we had good
13 marketable title so we can convey it free of
14 liens. So we retained an attorney, acquire
15 title, serve all the people that may have
16 been interested in this building. This
17 building has a long history with a lot of
18 various tenants, people who were owners,
19 interested in the building.

20 In addition to that, I'm hoping
21 that I can -- the IMA spells out a lot of
22 the details, things like if there are any
23 fees for commissions or things like that.
24 But I estimated it would be about \$60,000,
25 also maybe like appraisal costs is about

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2 \$3,000.

3 Then the balance of the proceeds
4 out of the \$4 million will be split between
5 the county and village; 57 percent to the
6 county, 43 percent to the village.

7 Just historically there were tax
8 liens outstanding on this property over four
9 and a half million to the county and I
10 believe the village can speak to this but I
11 think it was over 3 million to the village
12 as well.

13 LEGISLATOR BYNOE: So the
14 approximate figures on that split, 57, have
15 you done that number as well?

16 MR. WALSH: I don't have a
17 breakdown, but that is the percentage of the
18 breakdown between the two parties we
19 negotiated.

20 LEGISLATOR BYNOE: So there are
21 current tenants in there and a property
22 manager that you are looking to extend the
23 contract until which time this property is
24 sold.

25 So there would have been rent

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2 collected up until the point of I guess the
3 sale. So do we have an idea of what that
4 amount is the property manager would have on
5 the books or any account and how that would
6 be split?

7 MR. WALSH: Yes. The property
8 manager does have to account to us by
9 quarterly reports each month and he insures
10 the building, pays all the charges on the
11 building.

12 Currently, the building I believe
13 is only 37 percent occupied. We've lost a
14 lot of tenants because what happened when we
15 took title in December 2014, all the tenants
16 became month-to-month tenants, so some
17 tenants decided with the future being
18 uncertain not to stay in the building.

19 The property manager collects all
20 the revenues, pays out all the expenses.
21 He's also held money because the building
22 had been in receivership from about 2006
23 through 2014. All those monies go into the
24 pod and the intermunicipal agreement spells
25 out how that money is disbursed; priority

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2 one, to pay off the HUD loan and all
3 expenses.

4 Number two, the county closing
5 costs.

6 And the third is the split
7 between the county and the village.

8 LEGISLATOR BYNOE: So it goes all
9 into the same pool?

10 MR. WALSH: That's correct. The
11 IMA. And the IMA has been approved and
12 executed by the village and the village CDA.

13 LEGISLATOR BYNOE: Do we have an
14 idea of exactly to this quarter or the last
15 quarter what the property manager estimated
16 the amount that was on account there?

17 MR. WALSH: For rent?

18 LEGISLATOR BYNOE: Yes.

19 MR. WALSH: I believe the total
20 rent for 15, I can give you a number there,
21 maybe work from that, was approximately
22 gross income was about \$900,000 for income.
23 Obviously you have expenses, everything from
24 the repairs, the maintenance, the insurance
25 on the building.

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2 The county is holding some of
3 that money for reserve. We've made no major
4 capital improvements to the building. We're
5 not really -- the county doesn't hold many
6 commercial buildings like this. This is
7 kind of like a foreclosure workout.

8 All those monies have to be
9 accounted for and work through the closing
10 and distributed through the intermunicipal
11 agreement which spells it out pretty clearly
12 I believe.

13 LEGISLATOR BYNOE: I would like a
14 copy of the last quarterly report that the
15 county received.

16 MR. WALSH: I can get you that,
17 absolutely.

18 LEGISLATOR BYNOE: I also want to
19 talk about the tenants in the building at
20 this point. I believe that some of the
21 tenants that are there have, I know one in
22 particular, has asserted that he has a lease
23 that runs through 2018.

24 So I really have a concern as to
25 what's going to happen to the existing

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2 tenants that are there and if there's been
3 any communication between the county, and
4 the prospective buyer relative to those
5 tenants?

6 MR. WALSH: Yes. Obviously we
7 don't have a contract that's executed yet so
8 the prospective purchaser can't speak yet as
9 an owner of the building. The owner is not
10 here today, he's traveling, like I said he
11 owns many buildings, but I have his
12 representative here. Maybe he can answer
13 that question.

14 MR. SOMACK: My name is Richard
15 Somack. To answer your question regarding
16 the tenants, I think what he wants to do
17 initially is just assess what tenants are
18 there, who wants to stay, who wants to go.

19 He's the type of owner that wants
20 to keep the tenants, but he has not spoken
21 to any of the tenants so he doesn't even
22 know who he's got and what they are
23 thinking. I think that's what he wants to
24 do once he gets ownership.

25 LEGISLATOR BYNOE: Good

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2 afternoon. So I understand that the sellers
3 intent or it's his I guess best practice to
4 attempt to work out I guess and new lease?

5 MR. SOMACK: Yes. There would be
6 no reason why he would want to kick any of
7 the tenants out. It would be the only
8 revenue stream he's got. So I think that's
9 what his intention would be.

10 LEGISLATOR BYNOE: What is the
11 intended use of the property?

12 MR. SOMACK: That's a great
13 question. I think he's going back and forth
14 with a lot of different ideas. As far as
15 maybe something in the medical, something in
16 educational. There was a school in there.
17 That would be his preference.

18 Any kind of office tenant. It's
19 across the street from the courthouse. I
20 think he wants to assess the damage first.
21 See what he needs to do to get it.

22 Currently I would say it's a C
23 minus to a D building quality wise. He
24 wants to put the money into it to get it up
25 and then start bringing tenants through.

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2 LEGISLATOR BYNOE: So we don't
3 think that there will be any future requests
4 for a variance or change to the local
5 municipality?

6 MR. SOMACK: At this point I
7 don't think so. Currently it's a zoned
8 business which gives you a pretty broad --

9 MR. WALSH: Correct. It's a
10 zoned business, a pretty broad spectrum. I
11 know that the village now has downtown
12 overlay zones. The way I read those to be
13 very flexible. The village still obviously
14 has control of the zones and change of zones
15 and so forth so they will clearly be working
16 with the village, especially if there's any
17 change.

18 First of all, the building is
19 predominantly retail. I believe there was a
20 McDonald's there, now a Dunkin Donuts.
21 Couple of small restaurants, couple of
22 travel agencies, a sneaker place.

23 I know the second floor has been
24 predominantly vacant. Some of that space
25 will be developed. Needs to be medical

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2 clinic up there, looks like an old dentist
3 office, and clinic.

4 So the building does have a
5 history of medical use as well. So it
6 sounds like with the right money putting in
7 the right way, it's going to attract tenants
8 and help that part of the village.

9 LEGISLATOR BYNOE: Is there any
10 anticipation for Pilots or request for Pilot
11 to the local municipality?

12 MR. WALSH: That was a discussion
13 we had when we were in negotiations and
14 there is no condition in this contract that
15 conditions the contract in any way in any
16 kind of Pilot, IDA, or otherwise.

17 I would think it's his
18 prerogative if the law would allow him to
19 apply for something, but his indications to
20 me is that he intends on -- he knows what
21 the numbers were and to go forward with this
22 on the tax rolls.

23 LEGISLATOR BYNOE: You've
24 answered all of my questions. I have one
25 other question, sorry.

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2 I didn't have the privilege of
3 touring the facility but a member of my
4 staff and also of the senior staff did on my
5 behalf, and so there was some concerns,
6 potential environmental issues there.

7 Are you aware of those things and
8 prepared to deal with those accordingly?

9 MR. WALSH: Yes. I walked
10 through with your representatives and others
11 and, yes, there were a lot of issues.
12 Obviously we walked through the entire
13 building, the roof, I think the basement and
14 so forth.

15 I think that's something the
16 buyer realizes he has to deal with right
17 away. As a seller, you sell property as is
18 what's the level playing field.

19 One of the things we did in this
20 process and one of the reasons it did kind
21 of take a lot longer than we anticipated,
22 and this has been kind of from our
23 experience, we didn't want to do a contract
24 that was subject to due diligence and
25 environmental, we asked our short list of

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2 proposers to do that environmental
3 investigation up front so it wouldn't linger
4 on and on.

5 I don't want to be held up by
6 closing because I'm still not sure what the
7 environmental situation is, what it's going
8 to cost me.

9 He's done his environmental
10 investigation. He knows what he needs to do
11 but, yet, whatever it could be, you know,
12 lead paint, whatever it is. It is an older
13 building. So that is not a condition for
14 the county. It's going to be passed on to
15 the buyer and the risks he takes on.

16 LEGISLATOR BYNOE: Great. It
17 seems like you did a lot of upfront due
18 diligence including, as you stated, title to
19 insure there is no last minute liens that
20 we're going to learn about at closing or
21 anything like that.

22 We are hoping to close at the end
23 of this month, correct?

24 MR. WALSH: Correct. He's trying
25 to do a 1031 like kind of change. So we

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2 would like to see if we can get this done in
3 October to close which is best for all
4 parties.

5 LEGISLATOR BYNOE: I thank you
6 for your time and answers.

7 CHAIRWOMAN SCHAEFER: Any other
8 legislators have questions?

9 (No verbal response.)

10 Any public comment on this issue?
11 Ms. Mereday.

12 MS. MEREDAY: Meta Mereday,
13 Baldwin resident. I'm encouraged with the
14 developments with this and the responses
15 that were received are really the types of
16 responses that I think you all, as elected
17 officials, should receive from the
18 individuals who are representing the
19 interests of those in the community.

20 I have a lot of history with this
21 particular property. So I'm very happy to
22 see that there's some movement going forward
23 and I do know there are some significant
24 environmental issues.

25 I'm hoping that the new owners of

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2 the property look at that community in terms
3 of getting the interests and needs and ties
4 that into the whole downtown Renaissance
5 process that's taking place in the Village
6 of Hempstead. It's a very diverse
7 community.

8 I do hope that all those that are
9 involved with the related projects reflect
10 that diversity because unfortunately it's
11 still something that I'm fighting diligently
12 for in this county but particularly in that
13 Village of Hempstead because it has a lot of
14 history, and that property itself has a lot
15 of history and that we are inclusive of,
16 once again, service disabled veterans,
17 veteran-owned businesses and minority and
18 women owned firms and, once again, that the
19 community has some input with regard what is
20 going to go into that building and how it's
21 going to be handled. Thank you.

22 CHAIRWOMAN SCHAEFER: Thank you.
23 Is there a Ms. Debra DiSalvo here to speak
24 on this?

25 MS. DISALVO: My name is Debra

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2 Urbano DiSalvo, I'm the village attorney for
3 the village of Hempstead.

4 This piece of property doesn't
5 fall within the downtown plan overlay zone.
6 However, it's adjacent to it.

7 I would hope that the purchaser
8 of the property does what is expected of
9 those people who are developing within the
10 downtown plan and that's a minimum of 25
11 percent minority hiring, minority
12 contractors, minority workers, minority
13 laborers. That's very important to a
14 village like Hempstead.

15 Moreover, one of the questions I
16 do have, have they applied for a Pilot in
17 any fashion, either the county or town at
18 this point.

19 Often times when people are
20 anticipating the purchase, simultaneously
21 they're looking for a Pilot, if the
22 developer can respond to that I would
23 appreciate that.

24 And when do we anticipate this
25 property going back on the tax rolls? And

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2 has there been a discussion with your
3 appraiser or my appraiser, because I'm not
4 aware of one of what the appraised value
5 will be when it does get back on the tax
6 rolls given the fact that the current
7 condition of the property, are they going to
8 be filing for a tax certiorari?

9 These are things that are
10 important to us because we're anticipating
11 that this is going to be a property that's
12 going to benefit the village of Hempstead
13 and the village residents and not burden it.

14 CHAIRWOMAN SCHAEFER: Mr. Walsh,
15 do you have any answers to any of those
16 questions?

17 MR. WALSH: Yes. I just wanted
18 to point out again, the prospective
19 purchaser made clear he was not intending to
20 pursue a Pilot. I believe his offer of
21 price was based on that.

22 The property will go back on the
23 tax rolls upon closing. It was taken off
24 the tax rolls as since when the county took
25 title in 2014. As soon as it closes, it is

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2 back on the tax rolls both for county and
3 village purposes. Hopefully it will be this
4 month.

5 The value of the building is in
6 the neighborhood of \$4.4 million, we
7 believe. We know tenants have left even
8 since we have had the appraisal updated.

9 CHAIRWOMAN SCHAEFER: Thank you.
10 There being no other comments on this
11 ordinance, all those in favor of passing
12 ordinance number 409-16 please say aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 (Whereupon, the following is the
18 continuation of the minutes of the Full
19 Legislative Committee, 10-19-16.)

20 MR. WALSH: Good afternoon.
21 Kevin Walsh, Office of Real Estate Services.

22 This is an ordinance seeking
23 approval of a few separate agreements; a
24 contract of sale to sell real property in an
25 intermunicipal agreement with the Village of

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2 Hempstead in connection with the 100 Main
3 Street property.

4 This is a property that the
5 county acquired for nonpayment of taxes in
6 December of 2014. A property that had been
7 in foreclosure as well.

8 The county issued RFPs in late
9 2014 and is recommending an award to the
10 highest proposal Namdar Realty Corp for \$
11 million.

12 The proceeds of the sale will be
13 disbursed as spelt out in the intermunicipal
14 agreement and in the ordinance first to pay
15 off the Section 108 HUD loan and all the
16 costs in connection with that. That's
17 firstly.

18 Secondly to pay any of the county
19 costs in the municipal agreement and if
20 there are any sales proceeds remaining, we
21 would be distributing 57 percent to the
22 county and 43 percent to the village.

23 CHAIRWOMAN GONSALVES: Any
24 questions or comments from the legislators?
25 Legislator Bynoe.

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2 LEGISLATOR BYNOE: Good

3 afternoon. Just wanted to know whether you
4 were able to narrow down the exact figures
5 since we last spoke?

6 MR. WALSH: For the pay off of
7 the principal, nothing I don't think has
8 changed. The principal balance is only paid
9 twice a year in August and February. I
10 believe the principal is still
11 \$3,143,432.40. We know the feasance cost to
12 be approximately \$200,000.

13 Until we get to closing, which we
14 obviously we hope is very soon, we hope even
15 if possible to close this month. The
16 purchaser is very motivated. Part of an
17 exchange. All the proceeds are spelled out
18 very clearly with the Village in the IMA and
19 the goal is obviously to try to get this
20 back on the tax rolls. We don't expect
21 there to be any overage funds.

22 There's even money that was
23 collected when the property was in
24 foreclosure by the receiver as part of the
25 operating income spelled out in the

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2 intermunicipal agreement that's included.

3 So the proceeds will probably be
4 mostly disbursed to pay off the loan.
5 Secondly, like I said, to pay any of the
6 costs of the county and then disbursed
7 between the parties.

8 LEGISLATOR BYNOE: I guess that's
9 decided day of basically?

10 MR. WALSH: Yes. Exactly. It
11 will be like when we close, I will share a
12 closing statement with you.

13 LEGISLATOR BYNOE: I would
14 appreciate that. Thank you.

15 CHAIRWOMAN GONSALVES: Any other
16 comments or questions from the legislators
17 on this item?

18 (No verbal response.)

19 Is there any public comment on
20 Item 19? Meta Mereday.

21 MS. MEREDAY: Meta J. Mereday,
22 Baldwin. My questions, I think I'm
23 repeating my questions and my concerns and I
24 know a lot of the history of this facility.
25 I'm thinking more so than the majority of

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2 you, not all of you, by the majority of you.

3 My concern still has to relate to
4 where it says "vacating and cancelling all
5 county held tax liens and any and all tax
6 obligations not yet ripe for lien status."

7 I'm concerned if the cost to the
8 developer is not inclusive of making that
9 whole, then who, I don't know why I'm even
10 asking that question, because I already know
11 the answer, who will be responsible for that
12 tax responsibility since we are talking
13 about a commercial property and we know how
14 this county seems to believe that these
15 businesses are going to generate revenue and
16 offset the taxes that the residents have to
17 end up paying in the long run?

18 So I'm still unclear and you all
19 have the documents there. So if someone can
20 explain to me what exactly is that tax
21 responsibility that we are just vacating and
22 cancelling and the future, in terms of the
23 not yet ripe lien status.

24 I know you're going to approve it
25 anyway, but I'm saying for the record I

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2 don't want it said that we're bringing in
3 all these businesses and these commercial
4 properties and commercial developers, but we
5 keep giving out all of these tax breaks to
6 everybody except the individual taxpayer.
7 Just saying.

8 CHAIRWOMAN GONSALVES: Thank you.

9 LEGISLATOR BYNOE: Presiding
10 Officer?

11 CHAIRWOMAN GONSALVES: Legislator
12 Bynoe.

13 LEGISLATOR BYNOE: Can we ask
14 that someone attempt to answer her question?

15 CHAIRWOMAN GONSALVES: Mr. Walsh,
16 can you answer the question that was
17 addressed to this body?

18 MR. WALSH: Yes. In terms of
19 taxes and lien status, as of the date the
20 county took title, which is December 29th,
21 2014, taxes were taken off the roll at that
22 point.

23 We acquired a tax deed at that
24 point. We brought an action to get
25 marketable title.

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2 The day we close is the day for
3 tax purposes when it gets to the next
4 taxable status date, it will relate back to
5 that date, and it will be on the rolls as of
6 that date. Another reason why I'm motivated
7 obviously to close.

8 Not to confuse the other taxes or
9 the taxes in connection with the closing,
10 for example, things like transfer taxes at
11 the closing, that has to be paid by the
12 purchaser. The county -- normally sellers
13 pay transfer tax. The county is exempt by
14 law that passes on to the purchaser. It's a
15 state tax. But the real property taxes will
16 be reimposed, it will be back on the rolls.

17 It's the main reason the county
18 and the village work together to get this
19 moving.

20 LEGISLATOR BYNOE: I just wanted
21 to make sure too, because I believe you
22 answered or you provided some information
23 that might satisfy Ms. Mereday's question in
24 the testimony during committees.

25 It was my understanding that you

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2 had completed a title search to ensure that
3 there really wouldn't be any opportunity for
4 some unknown tax burden to be placed on the
5 property or to come due at closing that you
6 wouldn't be aware of to this point; am I
7 correct?

8 MR. WALSH: That's correct.
9 Through the foreclosure there were title
10 searches done and updates and an action as
11 well to confirm that there were no other
12 liens. So there is nothing else.

13 LEGISLATOR BYNOE: Thank you.

14 CHAIRWOMAN GONSALVES: Thank you
15 very much, Mr. Walsh.

16 There being no other questions or
17 comments regarding Ordinance 176, all those
18 in favor signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 We are going to move to Item 25
24 and at this point Legislator MacKenzie needs
25 to recuse himself. So he is now recused.

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2 It's Item 25, Resolution 175, a
3 resolution authorizing the County Executive
4 to execute a license agreement with the
5 Oyster Bay Water District in relation to the
6 use of water tower located at plant number
7 five, School House Place, Oyster Bay, to
8 install, maintain and operate a county wide
9 public safety radio system.

10 Motion, please.

11 LEGISLATOR RHOADS: So moved.

12 LEGISLATOR DUNNE: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Rhoads, seconded by Legislator
15 Dunne. Who is here to speak on this item?

16 MR. BECKER: We're talking about
17 the license agreement, number 25?

18 CHAIRWOMAN GONSALVES: Absolutely.

19 MR. BECKER: This is Lieutenant
20 Stephanoff is here to talk about this as
21 well as Nick Serandis.

22 MR. SERANDIS: This is the public
23 safety antennae located on the water tower,
24 School House Place of Oyster Bay Water
25 District.

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2 The original agreement was
3 entered into in 2006 which has a five year,
4 has a five year renewal. Expired this year.
5 Actually was entered into in 2005 and
6 expired in August of 2015.

7 We have a new license agreement
8 to reinstate the agreement under the same
9 terms and conditions of the original
10 agreement so that the items that are placed
11 on the tower by the police department and
12 other public safety organizations of the
13 county, including DPW, the DA's office, OEM
14 and Homeland and other public safety can
15 remain on the tower and serve the needs of
16 the public.

17 CHAIRWOMAN GONSALVES: Lieutenant,
18 do you want to add to that?

19 LIEUTENANT STEPHANOFF: The
20 antennas are crucial in the location of the
21 antennas because you don't want any dead
22 spots.

23 So this site in particular for
24 this antennae was chosen so that there's
25 transmission and, way back when we

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2 instituted these systems, that was one of
3 the crucial items that we eliminate the dead
4 spots from the prior radio systems.

5 This spot is crucial to us, this
6 location, is crucial to us for that reason.

7 CHAIRWOMAN GONSALVES: Any
8 comments or questions from the legislators?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item 25, Resolution 175 signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 At this point, there being no
20 other items on the calendar today, I'm going
21 to call for a recess, primarily because,
22 remember, we put the hearing in recess and
23 therefore we need to recess this calendar or
24 this agenda.

25 So at this point that's it.

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2 Thank you very much and I appreciate all the
3 comments and the back and forth and
4 sometimes it's very healthy and I know what
5 it is to be a community leader because
6 that's my background.

7 So have a good day. Safe home.
8 And hopefully all will go well.

9 (Whereupon, the Full Legislative
10 Committee recessed 2:25 P.M.)

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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set
my hand this 1st day of November, 2016.

FRANK GRAY