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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PLANNING, DEVELOPMENT AND THE  
ENVIRONMENT COMMITTEE

LAURA SCHAEFER, Chairwoman

1550 Franklin Avenue  
Mineola, New York

Monday, March 13, 2017  
3:11 P.M

1

2     A P P E A R A N C E S :

3

4     LAURA SCHAEFER,  
      Chairwoman

5

      DENNIS DUNNE  
      Vice Chairman

6

DENISE FORD

7

STEVEN RHOADS

8

      ARNOLD DRUCKER,  
9     Ranking

10    CARRIE SOLAGES

11    LAURA CURRAN

12    MICHAEL PULITZER,  
13     Clerk of the Legislature

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LIST OF SPEAKERS

KEVIN WALSH . . . . . 6

1                   Planning & Development /3-13-17

2                   CHAIRWOMAN SCHAEFER:   At this  
3   time I will call the Planning, Development  
4   and Environment Committee to order.   I'll  
5   ask the clerk to please call the roll.

6                   CLERK PULITZER:   Thank you.  
7   Planning Development and the Environment  
8   roll call.   Legislator Laura Curran?

9                   LEGISLATOR CURRAN:   Here.

10                  CLERK PULITZER:   Legislator  
11   Carrie Solages?

12                  LEGISLATOR SOLAGES:   Here.

13                  CLERK PULITZER:   Ranking Member  
14   Arnold Drucker?

15                  LEGISLATOR DRUCKER:   Here.

16                  CLERK PULITZER:   Legislator  
17   Steven Rhoads?

18                  LEGISLATOR RHOADS:   Present.

19                  CLERK PULITZER:   Legislator  
20   Denise Ford?

21                  LEGISLATOR FORD:   Here.

22                  CLERK PULITZER:   Vice Chairman  
23   Dennis Dunne?

24                  LEGISLATOR DUNNE:   Here.

25                  CLERK PULITZER:   Chairwoman Laura

1                   Planning & Development /3-13-17

2       Schaefer?

3                   CHAIRWOMAN SCHAEFER:    Here.

4                   CLERK PULITZER:    We have a  
5       quorum, ma'am.

6                   CHAIRWOMAN SCHAEFER:    Thank you.

7                   We have one item on the agenda  
8       for today.  It is Clerk Item 95-17, an  
9       ordinance making certain determinations  
10      pursuant to the State Environmental Quality  
11      Review Act and authorizing the County  
12      Executive on behalf of the County of Nassau  
13      to accept on behalf of the County of Nassau  
14      an offer of purchase from Breezy Hill Group,  
15      L.L.C., of certain premises located in  
16      Westbury, Town of North Hempstead, County of  
17      Nassau, State of New York, said property  
18      known as Section 11, Block 504, Lot 7, on  
19      the land and tax map of the County of Nassau  
20      and authorizing the County Executive to  
21      execute a deed contract of sale and all  
22      pertinent documents in connection therewith  
23      to consummate the sale.

24                  May I have a motion?

25                  LEGISLATOR DUNNE:    So moved.

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2 LEGISLATOR RHOADS: Second.

3 CHAIRWOMAN SCHAEFER: Moved by  
4 Legislator Dunne, seconded by Legislator  
5 Rhoads. Anyone here to speak on this?

6 MR. WALSH: Good afternoon, Kevin  
7 Walsh from the Office of Real Estate  
8 Services. One thing I just noticed on the  
9 ordinance, one technical point, it says Lot  
10 7, it's actually part of Lot 7.

11 Just to give a little bit of  
12 background, this is a property, a surplus  
13 county property located at 930 Brushhollow  
14 Road in the area that many of you know where  
15 all the parkways intersect by the NYC B  
16 Theatre that we issued an RFP in 2015. We  
17 issued an RFP again in mid 2016 and got best  
18 and final offers and we are selling the  
19 property for \$1,200,000 which is in excess  
20 of the appraised value.

21 The Nassau County Planning  
22 Commission unanimously approved the sale on  
23 December 15th of last year.

24 One thing the purchaser is going  
25 to be required to do is, this property

1                   Planning & Development /3-13-17  
2       entails a small industrial commercial  
3       building with several garages and about half  
4       of it is old office space.

5                   Behind this property is an active  
6       storm basin that the county still uses and  
7       maintains. So that portion of the lot will  
8       have to be subdivided by the purchaser at  
9       his cost. That will be another visit to the  
10      Planning Commission and upon the completion  
11      of the subdivision we will close.

12                  CHAIRWOMAN SCHAEFER: There was a  
13      discrepancy in the amount of money between  
14      the bidders; is that correct?

15                  MR. WALSH: In terms of the  
16      bidders, we had issued the RFP in 2015. We  
17      didn't get acceptable bids. We received  
18      again in 2016. We received two proposals,  
19      one from a successful proposer of a million  
20      dollars and the second proposal highest was  
21      only half that, \$500,000.

22                  CHAIRWOMAN SCHAEFER: Yes,  
23      Legislator Drucker.

24                  LEGISLATOR DRUCKER: You said  
25      that the storm basin in the back of it is

1                   Planning & Development /3-13-17

2           going to subdivided.   So, we are selling it  
3           now or we're not selling it now?

4                   MR. WALSH:   We are not selling  
5           the storm basin, selling the portion in  
6           front of the storm basin.

7                   LEGISLATOR DRUCKER:   So the lot  
8           that's being sold doesn't include the storm  
9           basin?

10                  MR. WALSH:   Right.   And the good  
11           news is, we were concerned with selling the  
12           small piece, which we would need to access  
13           the storm basin through this property we're  
14           selling, but we do have other ways to access  
15           the storm basin.   So I believe it's  
16           separated, fenced in, but all that will have  
17           to be done in the subdivision.   In other  
18           words, just creating one separate lot.

19                  LEGISLATOR DRUCKER:   Has there  
20           been any discussion on what price would be  
21           generated from the storm basin once it's  
22           subdivided?

23                  MR. WALSH:   Well, the storm basin  
24           is going to remain a storm basin.   We are  
25           only selling the surplus piece.   We don't



1                   Planning & Development /3-13-17  
2    need anymore.   The storm basin we are  
3    keeping title because it's still an active  
4    storm basin.

5                   LEGISLATOR DRUCKER:   But you said  
6    it would be revisited after the subdivision  
7    went through.   What would be revisited?

8                   MR. WALSH:   I think what I mean  
9    is we would be closing on the piece that we  
10   are selling, unless I was unclear, I  
11   apologize.

12                  LEGISLATOR DRUCKER:   So the  
13   closing won't take place until the  
14   subdivision is done?

15                  MR. WALSH:   Correct.   Usually  
16   it's one trip to the Planning Commission and  
17   it's just really a matter of doing the maps  
18   and the surveys and the purchaser has  
19   already engaged in that.   They already  
20   worked with an engineer and surveyor.

21                  LEGISLATOR DRUCKER:   Thank you.

22                  CHAIRWOMAN SCHAEFER:   Legislator  
23   Ford.

24                  LEGISLATOR FORD:   Kevin, do we  
25   know what he's going to use the property

1                   Planning & Development /3-13-17

2       for?

3                   MR. WALSH:    I believe the company  
4       that purchased it is currently a small  
5       construction company based in Syosset.

6                   I think it's just a matter of  
7       expanding his business and use it for  
8       predominantly the same use.

9                   CHAIRWOMAN SCHAEFER:   Legislator  
10      Curran.

11                  LEGISLATOR CURRAN:   This is  
12      listed as surplus property, what does that  
13      mean and why is it surplus?

14                  MR. WALSH:    Well, it was the  
15      building portion we're selling was used by  
16      the police department for one of its units,  
17      the property crimes unit, which they are not  
18      going to consolidate to another space, I  
19      believe to the Second Precinct Policing  
20      Unit, upon completion, if necessary, in the  
21      interim, I have spoke with the  
22      commissioner's office, they can have it in  
23      Bellmore.

24                  But it's a unit that also  
25      services a couple of like police cars.   But

1           Planning & Development /3-13-17  
2   they can also do that at fleet, so it's  
3   really and truly surplus property. We  
4   obviously look at opportunities where we can  
5   consolidate space and put properties back on  
6   the tax rolls. There's not too many of  
7   these opportunities but this is one.

8           LEGISLATOR CURRAN: Okay. And  
9   according to the appraisal, if I read it  
10   correctly, there is a gasoline pump serving  
11   a 10,000 gallon in-ground tank. Would there  
12   be any question of liability for us, for the  
13   county on this?

14          MR. WALSH: Yes. That's correct.  
15   Like I mentioned, the police vehicles have  
16   been serviced there. One of the things that  
17   took a lot of time even to get to this, the  
18   purchaser had concerns with that. He  
19   engaged some environmentalists to look with  
20   due diligence and so forth.

21          We have tank records we have to  
22   maintain. I don't know. It will be up to  
23   the new purchaser to decide if he intends to  
24   continue to use those tanks or abandon them  
25   by law.

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2                   But we are selling this property,  
3   as is where is, and we are not keeping any  
4   liability. Usually one of the challenges to  
5   get a deal done but at least we have a  
6   contract with no conditions, we have no  
7   contingency for financing and nothing for  
8   environmental.

9                   LEGISLATOR CURRAN: So the buyer  
10   buys it as is and we are off the hook?

11                  MR. WALSH: Correct.

12                  LEGISLATOR CURRAN: Thanks.

13                  CHAIRWOMAN SCHAEFER: Any  
14   questions from any other legislators?

15                  LEGISLATOR RHOADS: I do have a  
16   question. Did OSPAC make a recommendation  
17   on this?

18                  MR. WALSH: Yes. OSPAC did  
19   authorize and approve this with obviously  
20   the condition that the storm basin portion  
21   be retained. And DPW was only willing to  
22   approve the sale also with the storm basin  
23   being retained. They were consistent with  
24   DPW.

25                  LEGISLATOR RHOADS: Thank you.

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2                   CHAIRWOMAN SCHAEFER:   There being  
3   no other questions, all those in favor of  
4   Clerk Item 95-17 say aye.

5                   (Aye.)

6                   Any opposed?

7                   (No verbal response.)

8                   The item passes.

9                   MR. WALSH:   Thank you.

10                  CHAIRWOMAN SCHAEFER:   Motion to  
11   adjourn.

12                  LEGISLATOR DUNNE:   So moved.

13                  LEGISLATOR RHOADS:   Second.

14                  CHAIRWOMAN SCHAEFER:   Moved by  
15   Legislator Dunne, seconded by Legislator  
16   Rhoads. All in favor say aye.

17                  (Aye.)

18                  Health and Social Services is  
19   next.

20                  (Whereupon, the Planning,  
21   Development and the Environment Committee  
22   adjourned at 3:18 p.m.)

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24

25

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 27th day of March, 2017.

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FRANK GRAY