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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE, Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, September 9, 2013  
2:41 P.M

**ORIGINAL**

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

DENNIS DUNNE,  
Chairman

JOSEPH BELESI,  
Vice Chairman

DENISE FORD

MICHAEL VENDITTO

JOSEPH SCANNELL,  
Ranking

DAVID DENENBERG

WAYNE WINK

WILLIAM J. MULLER, III  
Clerk of the Legislature

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LIST OF SPEAKERS

GREGORY MAY, Director  
County Executive's Office.....11

GREG STEPHANOFF, Sergeant,  
Nassau County Police Department.....6

KEITH SATHER, Captain,  
Nassau County Correctional Center.....11

BOB McMANUS, Nassau County  
District Attorney's Office.....14

TIMOTHY HAHN, Nassau County  
Medical Examiner's Office.....17

CHARLES THEOFAN,  
County Executive's Office.....20

KEN ARNOLD,  
Nassau County Public Works.....25

ROB WALKER,  
Deputy County Executive.....30

## Public Safety Committee/9-9-13

2 CHAIRMAN DUNNE: I'm going to  
3 call the Public Safety Committee to order.  
4 I will act as the clerk and call the roll.  
5 Legislator Wayne Wink?

6 LEGISLATOR WINK: Here.

7 CHAIRMAN DUNNE: Legislator Dave  
8 Denenberg?

9 LEGISLATOR DENENBERG: Here.

10 CHAIRMAN DUNNE: Ranking Member  
11 Legislator Joseph Scannell?

12 LEGISLATOR SCANNELL: Here.

13 CHAIRMAN DUNNE: Legislator  
14 Michael Venditto?

15 LEGISLATOR VENDITTO: Here.

16 CHAIRMAN DUNNE: Legislator  
17 Denise Ford?

18 LEGISLATOR FORD: Here.

19 CHAIRMAN DUNNE: Legislator Vice  
20 Chairman Joe Belesi?

21 LEGISLATOR BELESI: Here.

22 CHAIRMAN DUNNE: And myself, I'm  
23 here, we have a quorum. The first item  
24 coming before this committee is Item 353-13,  
25 it's an ordinance supplemental to the annual

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2 appropriations ordinance in connection with  
3 the Police Department. We have a number of  
4 Police Department items. Any objection to  
5 call them all together?

6 LEGISLATOR SCANNELL: Just the  
7 precinct, Dennis, I have a question on, the  
8 police precincts, so anything related to  
9 that I would ask you to separate it out.

10 CHAIRMAN DUNNE: All right. I  
11 will call them all and you can ask the  
12 questions when we get to that one.

13 So Item 353-13, Item 354-13, Item  
14 355-13, Item 356-13, Item 363-13, Item  
15 364-13, they all read, an ordinance  
16 supplemental to the annual appropriations  
17 ordinance in connection with the Police  
18 Department with all of those numbers.

19 LEGISLATOR BELESI: So moved.

20 LEGISLATOR VENDITTO: Second.

21 CHAIRMAN DUNNE: Motion by  
22 Legislator Belesi, seconded by Legislator  
23 Venditto on all those items.

24 The first item to be discussed is  
25 353.

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2                   SERGEANT STEPHANOFF:    Good  
3    afternoon.    Sergeant Greg Stephanoff from  
4    the police department.    Item 353 is to  
5    supplement asset forfeiture funds, according  
6    to the US Department of Justice.    These were  
7    seized funds that came in from cases and the  
8    money is going to be moved to our  
9    contractual line to be used for further  
10   police department investigations.

11                   CHAIRMAN DUNNE:    Any legislators  
12    have any questions on that?

13                   (No verbal response.)

14                   Is there any public comment?

15                   (No verbal response.)

16                   There being none, all those in  
17    favor indicate by saying aye.

18                   (Aye.)

19                   Any against?

20                   (No verbal response.)

21                   353 passes.    354.

22                   SERGEANT STEPHANOFF:    354 is from  
23    the Department of Homeland Security.    We are  
24    getting \$40,000 to be used for the  
25    infrastructure for the department to enhance

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2 against terrorism.

3 CHAIRMAN DUNNE: Any legislators  
4 have any questions?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in  
9 favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 Ayes win. 355-13.

14 SERGEANT STEPHANOFF: 355 is a  
15 grant that's going to go to our bomb squad.  
16 It's \$161,000 and this money is going to be  
17 used for training.

18 CHAIRMAN DUNNE: Any legislators  
19 have any questions?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 There being none, all those in  
24 favor indicate by saying aye.

25 (Aye.)

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2 Any against?

3 (No verbal response.)

4 Ayes win. Next item is 356-13.

5 SERGEANT STEPHANOFF: Item 356-13  
6 is another grant for exactly the same  
7 amount, \$161,000. This money is going to be  
8 used for equipment, part for equipment, and  
9 part for consulting to enhance the bomb  
10 squad as well.

11 CHAIRMAN DUNNE: Any legislators  
12 have any questions?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in  
17 favor indicate by saying aye.

18 (Aye.)

19 Any against?

20 (No verbal response.)

21 The ayes have it. Moves on to  
22 finance. The next item is 363-13.

23 SERGEANT STEPHANOFF: Item 363-13  
24 is also from our asset forfeiture. This is  
25 the misdemeanor forfeiture funds. It's



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2 \$167,063 that's going to go to our equipment  
3 line to further investigations to help with  
4 our future investigations as well.

5 CHAIRMAN DUNNE: Any legislators  
6 have any questions?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in  
11 favor indicate by saying aye.

12 (Aye.)

13 Any against?

14 (No verbal response.)

15 Ayes have it. Moves on to  
16 finance. The final one for the police is  
17 Item 364-13.

18 SERGEANT STEPHANOFF: Item 364 is  
19 a grant that's going to go to Motor Carrier  
20 Safety. Motor Carrier Safety is a unit in  
21 highway that perform inspections on the big  
22 tractor trailers and big trucks and it's  
23 going to be used for them to do extra  
24 inspections.

25 CHAIRMAN DUNNE: Excellent.

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2 That's a money-maker for us. Any  
3 legislators have any questions? Legislator  
4 Denise Ford.

5 LEGISLATOR FORD: And those  
6 inspections are done throughout the county?

7 SERGEANT STEPHANOFF: Yes.

8 LEGISLATOR FORD: Thank you.

9 CHAIRMAN DUNNE: Any other  
10 questions from any of the legislators?

11 (No verbal response.)

12 Is there any public comment?

13 (No verbal response.)

14 There being none, all those in  
15 favor indicate by saying aye.

16 (Aye.)

17 Any against?

18 (No verbal response.)

19 The ayes have it. That moves on  
20 to finance also.

21 The next item is 366-13, it's an  
22 ordinance supplemental to the annual  
23 appropriations ordinance in connection with  
24 the correctional center. Who do we have  
25 from the correctional center?

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2 LEGISLATOR BELESI: So moved.

3 LEGISLATOR FORD: Second.

4 CHAIRMAN DUNNE: Motion by  
5 Legislator Belesi, seconded by Denise Ford.

6 MR. MAY: We have Captain Keith  
7 Sather from the correctional facility.

8 CAPTAIN SATHER: Good afternoon.  
9 Captain Sather, correctional Center. Item  
10 366 is an appropriation in the amount of  
11 \$30,400 which represents the department's  
12 share of the operation impact grant. These  
13 funds will be used for trading, information  
14 sharing, and investigations conducted by the  
15 department's gang intelligence unit.

16 CHAIRMAN DUNNE: Any legislators  
17 have any questions? Yes, Legislator  
18 Denenberg.

19 LEGISLATOR DENENBERG: Hi,  
20 Captain Sather. The gang intelligence unit  
21 at the corrections, just explain what that  
22 does. We utilize this money for  
23 intelligence of gang members while they're  
24 in jail?

25 CAPTAIN SATHER: Yes, sir.

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2 Intelligence from different gang members and  
3 information sharing with both the district  
4 attorney and the police department.

5 LEGISLATOR DENENBERG: This is  
6 information we get from speaking with  
7 inmates or just overhearing, how does this  
8 work?

9 CAPTAIN SATHER: A little of all,  
10 sir. Information that they pick up from  
11 other gang members, interviews that they  
12 have. Even new admits that come through the  
13 correctional center displaying gang tattoos  
14 or gang paraphernalia, the gang intelligence  
15 unit would be notified of this.

16 LEGISLATOR DENENBERG: So,  
17 Captain Sather, the \$30,400 that the county  
18 puts in as its share from I guess from the  
19 correctional center's budget is matched by  
20 what, federal and state money?

21 CAPTAIN SATHER: I'm not sure on  
22 that. I will have to get back to you on  
23 that, sir. I'm not sure if there is a match  
24 on that.

25 LEGISLATOR DENENBERG: I thought

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2 that this was just our share of the state  
3 and the federal --

4 CAPTAIN SATHER: Actually, this  
5 is the department's share of the overall  
6 impact grant. The impact grant is also --  
7 the police department has a share of it and  
8 I believe the district attorney.

9 LEGISLATOR DENENBERG: That's the  
10 way it's broken up?

11 CAPTAIN SATHER: Yes.

12 LEGISLATOR DENENBERG: What's the  
13 total amount?

14 CAPTAIN SATHER: I don't believe  
15 I have the information. I only have what  
16 our share is.

17 LEGISLATOR DENENBERG: If you  
18 could get it back to me I would be  
19 interested.

20 CAPTAIN SATHER: Okay.

21 LEGISLATOR DENENBERG: Thank you,  
22 Captain Sather. Good job.

23 CHAIRMAN DUNNE: Any other  
24 legislators have any questions?

25 (No verbal response.)

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2           Is there any public comment?

3           (No verbal response.)

4           There being none, all those in  
5 favor indicate by saying aye.

6           (Aye.)

7           Any against?

8           (No verbal response.)

9           The ayes have it. It moves on to  
10 finance. The next item is Item 385-13, a  
11 resolution to increase the petty cash fund  
12 of the Office of the District Attorney  
13 pursuant to the Nassau County administrative  
14 code. May I have a motion on that?

15           LEGISLATOR VENDITTO: So moved.

16           LEGISLATOR BELESI: Second.

17           CHAIRMAN DUNNE: Motion by  
18 Legislator Venditto, seconded by Legislator  
19 Belesi.

20           MR. MAY: We have Mr. Bob McManus  
21 from the district attorney's office.

22           MR. MCMANUS: The district  
23 attorney's office is requesting an increase  
24 in our petty cash account amount, ceiling.  
25 It's been 20 years since the amount has been

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2 increased. We currently have 18 bureaus at  
3 three different locations and this increase,  
4 if approved, will insure that we have petty  
5 cash funds available when needed and will  
6 also reduce our administrative burden as we  
7 will not need to submit as many claims for  
8 reimbursement to the comptroller's office as  
9 we currently do under the limit that we have  
10 now.

11 CHAIRMAN DUNNE: And the increase  
12 is how much?

13 MR. MCMANUS: From \$2,000 to  
14 \$3,500.

15 CHAIRMAN DUNNE: Any legislators  
16 have any questions?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in  
21 favor indicate by saying aye.

22 (Aye.)

23 Any against?

24 (No verbal response.)

25 It passes and moves on to

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2 finance. I would like to have a motion to  
3 suspend the rules.

4 LEGISLATOR BELESI: So moved.

5 LEGISLATOR FORD: Second.

6 CHAIRMAN DUNNE: Motion by  
7 Legislator Belesi, seconded by Legislator  
8 Ford. All those in favor indicate by saying  
9 aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 All right. We suspended the  
14 rules. We're going to the addendum for the  
15 Public Safety Committee. There's two items.  
16 The first one is 404, an ordinance  
17 supplemental to the annual appropriations  
18 ordinance in connection with the Department  
19 of Forensics, Genetics, Medical Examiner.

20 LEGISLATOR FORD: So moved.

21 LEGISLATOR BELESI: Second.

22 CHAIRMAN DUNNE: Motion by Denise  
23 Ford, seconded by Joe Belesi. Who is here  
24 to speak on this? It's now on the floor.

25 MR. MAY: We have Mr. Timothy



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2 Hahn from the medical examiner's office.

3 MR. HAHN: Good afternoon. This  
4 is a grant from the New York State Division  
5 of Criminal Justice Services, aid to crime  
6 laboratories grant in the amount of  
7 \$610,800. It's used to maintain the quality  
8 of services performed by the lab and to  
9 maintain the New York State accreditation of  
10 the laboratory.

11 CHAIRMAN DUNNE: It's just pass  
12 through money?

13 MR. HAHN: It's a state grant.

14 CHAIRMAN DUNNE: Any questions?  
15 Legislator Denenberg.

16 LEGISLATOR DENENBERG: This  
17 medical examiner's lab is, as opposed to,  
18 what does it do as opposed to the lab that  
19 we still closed sending out to Westchester  
20 right now?

21 MR. HAHN: The divisions of the  
22 lab that are operating under this grant is  
23 the DNA department and the latent prints  
24 department that are supported by this grant.  
25 The other departments or sections that were

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2 originally part of the police department are  
3 currently being brought on line under the  
4 medical examiner's office.

5 LEGISLATOR DENENBERG: So that's  
6 like the clinical lab?

7 MR. HAHN: No. It's not the  
8 clinical lab. It's just the forensics lab  
9 that does DNA, toxicology, latent prints.

10 LEGISLATOR DENENBERG: That's  
11 what's closed right now?

12 MR. HAHN: No. This is the  
13 police department, I guess, operations that  
14 we are currently -- different from the  
15 clinical lab.

16 LEGISLATOR DENENBERG: So this  
17 grant is not affected by the police  
18 department lab being closed right now?

19 MR. HAHN: Absolutely not.  
20 Completely separate.

21 CHAIRMAN DUNNE: Any legislators  
22 have any questions?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

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2           There being none, all those in  
3 favor indicate by saying aye.

4           (Aye.)

5           Any against?

6           (No verbal response.)

7           It moves on to finance.

8           The next item, the final item of  
9 our committee is Item 405-13, a resolution  
10 making certain determinations pursuant to  
11 the State Environmental Quality Review Act  
12 and authorizing the county executive on  
13 behalf of the Nassau County Executive's  
14 contracts of sale between the County of  
15 Nassau and ZK Associates, Inc. and to  
16 execute all pertinent documents in  
17 connection therewith to consummate the  
18 acquisition by the county of certain  
19 premises located in Baldwin, Town of  
20 Hempstead, County of Nassau, State of  
21 New York, said property known as Section 54,  
22 Block 194, Lot 41, on the land and tax map  
23 of the County of Nassau.

24           May I have a motion, please?

25           LEGISLATOR FORD: So moved.

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2 LEGISLATOR BELESI: Second.

3 CHAIRMAN DUNNE: Motion by Denise  
4 Ford, seconded by Legislator Belesi. Who do  
5 we have to speak about this?

6 MR. MAY: We have Mr. Charles  
7 Theofan to speak on this item and we're also  
8 going to have some information available,  
9 some designs of the precinct that we can  
10 present to the legislature right now.

11 CHAIRMAN DUNNE: Excellent.  
12 Would you make that presentation and then  
13 we'll open up the questions from the  
14 legislators?

15 MR. THEOFAN: Good afternoon,  
16 Charles Theofan. I'm here with regard to  
17 the purchase of 884 Merrick Road which is  
18 the building that's located directly to the  
19 west of the existing First Precinct.

20 We have negotiated a contract to  
21 purchase that property for \$725,000 which is  
22 the exact appraised value of that property.  
23 The acquisition of that property is  
24 absolutely essential for this project to  
25 continue and, therefore, we are asking for

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2 approval of the contract.

3 CHAIRMAN DUNNE: You're going to  
4 explain to us and do a presentation with the  
5 photos showing us what's where and what this  
6 item entails?

7 MR. THEOFAN: This particular  
8 item, all it entails is the purchase of the  
9 existing structure of the Huntington  
10 Learning Center as it's been referred to in  
11 the past. So this item is related solely to  
12 the acquisition of that property.

13 CHAIRMAN DUNNE: Excellent.  
14 Legislator Scannell, you had questions about  
15 the Huntington Learning Center?

16 LEGISLATOR SCANNELL: Good to see  
17 you, Charles, how are you?

18 MR. THEOFAN: Very well. Thank  
19 you.

20 LEGISLATOR SCANNELL: Nice to see  
21 you again. I want to thank you for coming  
22 down. I think everybody, not only in  
23 Baldwin, but in the whole county is just so  
24 excited that we are moving forward finally  
25 with the First Precinct, so first I want to

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2 thank you and the county executive for  
3 literally moving forward on a project that  
4 is so important, like I said, not only to  
5 the people of Baldwin but to the people of  
6 Nassau County.

7 So my specific question is, I  
8 know it's the Huntington Learning Center  
9 that you're trying to acquisition, correct?

10 MR. THEOFAN: Yes, that's  
11 correct.

12 LEGISLATOR SCANNELL: And you  
13 need it for parking, I guess?

14 MR. THEOFAN: That's correct.

15 LEGISLATOR SCANNELL: Because the  
16 building across the street has turned into a  
17 historical society?

18 MR. THEOFAN: That's correct.  
19 The Kellogg House, because of its historical  
20 significance, that the community has made it  
21 very clear they would like to see that  
22 property preserved as has the county  
23 executive.

24 LEGISLATOR SCANNELL: So I just  
25 want to confirm that it's not the Kellogg

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2 House that the county was going to take the  
3 original spot, it's going to be across the  
4 street right next to, near Ken's house, not  
5 too far. I know a lot of people were  
6 concerned about closing Harrison Street and  
7 I think this plan is better for the people  
8 of that specific area. My specific office  
9 has gotten a lot of specific questions and  
10 concerns regarding closing Harrison Street.  
11 I know one doesn't close Harrison Street,  
12 this plan doesn't.

13 So I think you have a rendering  
14 too, can you just show us?

15 MR. MAY: Yes, we do, legislator.  
16 It's probably difficult to see, but up here  
17 in the upper right hand corner is the  
18 Kellogg House. That was the house that we  
19 originally purchased I believe back in 2010.  
20 As part of this project is now going to be  
21 the community center.

22 The, then, the property owned by  
23 ZK Associates, as it currently exists, in  
24 this area, and this would be where the First  
25 Precinct currently exists, and once

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2 construction is complete on the new  
3 building, the First Precinct is going to be  
4 demolished, this property is going to be  
5 demolished and used for parking.

6 LEGISLATOR SCANNELL: I know the  
7 people in the condos across the street had a  
8 problem with that original one because there  
9 was a huge fence that was going to be like a  
10 barrier, a voice barrier, sound barrier. I  
11 know that was a serious problem. So this  
12 solves that problem.

13 Are there any sound barriers in  
14 the new project?

15 MR. MAY: No. There is not.

16 LEGISLATOR SCANNELL: So it's  
17 basically you're now going to try to take  
18 the Huntington Learning Center, which is  
19 great, because you need the parking, and  
20 then it can all stay. Where is the precinct  
21 going to sit on the existing property?

22 MR. MAY: It's essentially going  
23 to be in the back of the property. The  
24 first precinct as you well know is on the  
25 corner, and Merrick is going to be slightly



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2 back, but still on the same property.

3 LEGISLATOR SCANNELL: And, like I  
4 said, did you have any specific rendering of  
5 the precinct itself?

6 MR. MAY: Yes, we do.

7 LEGISLATOR SCANNELL: Can  
8 everybody see?

9 MR. ARNOLD: The corner of  
10 Harrison and Merrick Road is right here.

11 LEGISLATOR SCANNELL: Ken, can  
12 you just give us a little explanation as to  
13 what type of structure it is, what it's made  
14 out of, how many stories it is?

15 MR. ARNOLD: It's a full two  
16 story, brick facade building with a third  
17 story penthouse for all the mechanicals.  
18 The existing tower for communication remains  
19 so if you want to get a point of reference,  
20 if you go out to the site, the existing  
21 tower is going to stay. We are not  
22 replacing the transition tower there.

23 Parking will be put in the front  
24 of the building. There will be access  
25 around the building with a driveway.

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2           It was important for the learning  
3 center because we had to keep the other  
4 building operating which is why we needed  
5 the room, and parking will be all in front  
6 and there will be some parking put behind  
7 the Kellogg building also for the community.

8           LEGISLATOR SCANNELL: I know that  
9 was part of the original problem was the  
10 Huntington Learning Center at the time was  
11 an existing building and they actually  
12 didn't want to be taken. So that's why  
13 initially we were looking across the street,  
14 as you know, but now I think they're out of  
15 business so it actually works out perfectly.  
16 So you're taking a building that's vacant  
17 and you're putting in a precinct in, a  
18 parking lot there as opposed to a vacant  
19 building in Baldwin. Is that right, Ken?

20           MR. ARNOLD: Yes. The Huntington  
21 Learning Center, there's been no occupant in  
22 that building for the last year and a half,  
23 I believe.

24           LEGISLATOR SCANNELL: So it's a  
25 brick facade on the outside, two story

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2 building, and it's going to sit in the back  
3 or where is it going to sit?

4 MR. ARNOLD: It sits in the back  
5 of the property, as you can see, right here,  
6 it sits in the back corner of the property,  
7 the precinct house is in this vicinity with  
8 all the parking behind it. This is the  
9 original curb cut for the Huntington  
10 Learning Center. We're not adding any new  
11 additional. Harrison remains open, remains  
12 as it is. This is also where the existing  
13 driveway cut open, the existing.

14 LEGISLATOR SCANNELL: Any  
15 community outreach?

16 MR. MAY: There has been  
17 community outreach. Legislator, we have  
18 spoken with Mr. David Viana, president of  
19 the Baldwin Civic Association, as well as  
20 Mr. Arthur Roland several times over the  
21 past month, and as recently as last week,  
22 the Chamber of Commerce as well.

23 LEGISLATOR SCANNELL: Any public  
24 hearings?

25 MR. MAY: We haven't had any

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2 public hearings yet, sir. However, this is  
3 going to be one of really four bites of the  
4 apple. We had the original purchase back in  
5 2010. We had the construction management  
6 contract which was tabled during Rules. We  
7 had this land purchase. Then there is going  
8 to be a subsequent contract for the actual  
9 construction of the building so there's  
10 plenty of opportunity for any members of the  
11 community who want to come down and comment  
12 on this plan.

13 LEGISLATOR SCANNELL: Great  
14 project, absolutely. Like Kevan said, we  
15 absolutely support it. Like I said, this is  
16 the first opportunity that we had to see the  
17 design and it looks great. We all support  
18 it without a doubt. Good job.

19 CHAIRMAN DUNNE: Thank you,  
20 Legislator Scannell. Legislator Ford.

21 LEGISLATOR FORD: Thank you very  
22 much. I concur with Legislator Scannell  
23 that this is a great move forward  
24 especially, not only for the police  
25 department, but as well as for the residents

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2 in the communities.

3 Just, what is the time frame for  
4 construction once this is all okayed, do we  
5 have any idea what it takes to build the new  
6 precinct?

7 MR. ARNOLD: The construction  
8 period is an 18 month construction period.  
9 That's what's in the construction documents.  
10 We are opening the contract documents  
11 tomorrow. We hope to be, in the next Rules  
12 meeting, what is the preferred contractor,  
13 and from there it goes to the comptroller  
14 and NIFA for approvals.

15 LEGISLATOR FORD: Okay. And, did  
16 I hear you correctly that you're looking  
17 then to put all the utilities, such as the  
18 boilers, the hearing equipment, and hot  
19 water stuff up on the third floor, you're  
20 not going to put it in the basement like we  
21 traditionally do?

22 MR. ARNOLD: No. It's all going  
23 in the penthouse on the third floor.

24 LEGISLATOR FORD: Perfect. Thank  
25 you very much.

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2           Are you looking for green  
3 construction or are you going to try to do  
4 it as green as possible or it doesn't  
5 pertain to this?

6           MR. ARNOLD: We look to be as  
7 green as possible but this is not an LED  
8 construction job.

9           LEGISLATOR FORD: Thank you very  
10 much.

11           CHAIRMAN DUNNE: Thank you,  
12 Legislator Ford. Any other questions?  
13 Legislator Dave Denenberg.

14           LEGISLATOR DENENBERG: I see  
15 Deputy County Executive Rob Walker in  
16 attendance.

17           Mr. Walker, can I ask you a  
18 question about this?

19           MR. WALKER: Depends what it is.  
20 Sure.

21           LEGISLATOR DENENBERG: I think it  
22 will be okay and I think you're the right  
23 person, but if you're not --

24           MR. WALKER: You called me on a  
25 bad day. The Giants had a very bad defeat

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2 yesterday.

3                   LEGISLATOR DENENBERG: What could  
4 be worse, the Giants losing yesterday and  
5 questions from Denenberg today?

6                   Obviously as someone who did not  
7 want to see consolidation in the First and  
8 the Seventh, I'm elated to see that we are  
9 bringing back plans to upgrade and  
10 rehabilitate or rebuild the First Precinct.

11                   Just for the record, does that  
12 mean that there will be no consolidation of  
13 the First and the Seventh?

14                   MR. WALKER: Yes. The county  
15 executive has already announced, you know,  
16 after Sandy, obviously with the devastation  
17 that affected the south shore and the  
18 Seventh Precinct that we are not moving  
19 forward with plans to consolidate the First  
20 and the Seventh. That is to remain the way  
21 that they are today.

22                   This will be a new First  
23 Precinct. This will be a prototype building  
24 that we met with the three unions and the  
25 department in developing what we believe

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2 will, again, will be a prototype for all  
3 precincts going forward and we'll continue  
4 to look at ways to obviously improve on the  
5 Seventh Precinct because of, again, the  
6 flooding situation that exists.

7           LEGISLATOR DENENBERG: So what we  
8 will look at at this point then is upgrading  
9 the existing precincts or certainly the  
10 Seventh Precinct?

11           MR. WALKER: Yes. We are looking  
12 at all of them as we speak.

13           LEGISLATOR DENENBERG: That was  
14 an issue that I know I raised but I'm sure  
15 it was looked at when the consolidation was  
16 occurring that we had two or three of the  
17 four precincts were actually located in a  
18 flood zone, which doesn't mean that we  
19 shouldn't continue to have the Seventh --

20           MR. WALKER: I understand.

21           LEGISLATOR DENENBERG: So you  
22 just said this is a prototype. What is the  
23 prototype -- what are we looking at in terms  
24 of litigation?

25           MR. WALKER: What I mean by



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2 prototype, it's literally the way the  
3 precinct is going to be structured, how it  
4 entails for the usage by the entire command,  
5 all of the police officers, the detective  
6 squad, the inspectors, the deputy  
7 inspectors, and the supervisors in the  
8 precinct, but it will be a prototype on how  
9 that building is laid out.

10 If you go to them now, pretty  
11 much all of them are laid out differently.  
12 If you look at each one, each one is a  
13 different size, it's on a different  
14 footprint, it's configured and facing  
15 different directions.

16 This will be, again, a precinct  
17 that wherever new ones can be built -- and  
18 the reason why I say it's a prototype again,  
19 a lot of extensive work went into this with  
20 the department, obviously, but more so the  
21 three unions who obviously work day in and  
22 day out, they developed just the structure  
23 and how prisoner intake is handled,  
24 questioning of individuals, things of that  
25 nature to, in fact, have a layout that

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2 really works.

3 As Mr. Arnold mentioned about  
4 having the mechanicals up in the third  
5 floor, so if you do get a massive flooding,  
6 it's not going to impact operationally the  
7 facility. As you know, in a lot of our  
8 precincts, everything is on ground level or  
9 below ground and got flooded.

10 LEGISLATOR DENENBERG: That was  
11 the issue I saw personally at the Seventh  
12 Precinct after Sandy but also at the First.  
13 So much of the operations on the first floor  
14 were infiltrated by water.

15 So what other mitigation -- and  
16 maybe at this point, if you want to take it  
17 over to --

18 MR. WALKER: Then it's all the  
19 mechanicals, it's putting the electrical  
20 distribution systems, they will be on higher  
21 ground, back up generators, things of that  
22 nature.

23 LEGISLATOR DENENBERG: Be on a  
24 higher first floor?

25 MR. WALKER: A higher playing

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2 field, obviously. And there's all different  
3 ways to do it. You have cement blocks --

4 LEGISLATOR DENENBERG: The first  
5 floor we're still going to locate some of  
6 that, or --

7 MR. WALKER: Obviously you will  
8 have some of that, but the brains for lack  
9 of a better word will be up higher, up on  
10 the third floor in this case.

11 LEGISLATOR DENENBERG: And what  
12 are we doing, like you and I both attended  
13 some mitigation meetings where contractors  
14 came and spoke of barriers to the water.

15 Are we implementing any of that  
16 in this design?

17 MR. WALKER: Here we don't need  
18 to necessarily, but throughout the county we  
19 filed with the state over \$500 million or  
20 \$700 million worth of hazard mitigation  
21 grant dollars and a lot of these are for our  
22 infrastructure throughout the county.

23 You just take the south shore  
24 parks, every one of our parks are under  
25 water. You take our bridges, the bridges,

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2 the generators were completely flooded.  
3 Obviously when you put a new bridge in, new  
4 mechanical, backup generators, you want to  
5 lift them, make them higher, flood valves,  
6 every piece of infrastructure will have a  
7 unique basis for mitigation, but that will  
8 be carried out again, place by place.

9           Again, some of them are on higher  
10 ground. You take the difference between  
11 Cedar Creek Sewage Treatment Facility  
12 compared to Bay Park, obviously Cedar Creek  
13 is up higher and they have less of an issue.  
14 So those are things that we'll take  
15 infrastructure, piece by piece, place by  
16 place, building by building.

17           LEGISLATOR DENENBERG: This might  
18 be for Mr. Theofan or Mr. May, so come back  
19 up, I'm pretty sure they can answer this.  
20 But, Rob, if you need to, feel free. Thank  
21 you.

22           In following on what Legislator  
23 Scannell had asked and what Deputy County  
24 Executive Walker had answered, this plan  
25 would be for an unconsolidated First, and

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2 the construction will be right where the  
3 existing building is, correct?

4 MR. MAY: Not exactly. It's  
5 going to be behind it.

6 LEGISLATOR DENENBERG: On the  
7 same lot?

8 MR. MAY: On the same lot, and  
9 then including the lot that we are  
10 purchasing with this item. In other words,  
11 the parking lot will be part of that now.

12 LEGISLATOR DENENBERG: The lot  
13 that we are purchasing right now is adjacent  
14 to the current lot that the precinct is on  
15 to the south -- sorry, to the northwest in  
16 this area right here?

17 MR. MAY: Of the construction,  
18 yes.

19 LEGISLATOR DENENBERG: So the  
20 construction will be to the northwest?

21 MR. MAY: The construction, this  
22 is the south end of the lot, that's where  
23 the construction is going to occur. The  
24 existing First Precinct is here. That will  
25 remain until the construction is complete,

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2 then it will be demolished, and this will  
3 be, for lack of a better word, the  
4 Huntington Learning Center, and over here is  
5 where we'll have additional parking.

6 LEGISLATOR DENENBERG: So that  
7 property we are purchasing, as Mr. Theofan  
8 said, we're purchasing for --

9 MR. MAY: \$725,000.

10 LEGISLATOR DENENBERG: Did we do  
11 two appraisals or just one, Mr. Theofan?

12 MR. THEOFAN: Just one.

13 LEGISLATOR DENENBERG: Who did  
14 the appraisal for us?

15 MR. THEOFAN: SVS.

16 LEGISLATOR DENENBERG: That  
17 appraisal was done when?

18 MR. THEOFAN: This appraisal was  
19 completed last week.

20 LEGISLATOR DENENBERG: It came in  
21 at 750?

22 MR. THEOFAN: 725, exactly the  
23 same as the purchase price.

24 LEGISLATOR DENENBERG: We're  
25 buying it from Huntington, correct?

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2 MR. THEOFAN: No, we're not.

3 LEGISLATOR DENENBERG: Who is the  
4 owner, ZK Associates?

5 MR. THEOFAN: ZK Associates, yes.

6 LEGISLATOR DENENBERG: When we  
7 tried to approach them earlier, they were  
8 not interested because they had a tenant,  
9 Huntington Learning?

10 MR. THEOFAN: ZK Associates had  
11 been approached back in 2010, but the owner  
12 was involved in some serious litigation.  
13 Just one serious litigation with his ex-wife  
14 at the time. There were some serious title  
15 concerns. I guess was thought at that time  
16 that the project could be done without  
17 acquiring it, but then it became very  
18 obvious that we needed to acquire it. It  
19 took quite a bit of discussion but then we  
20 were able to agree on the purchase price.

21 LEGISLATOR DENENBERG: That was  
22 in 2010 when we first approached ZK?

23 MR. THEOFAN: When we first  
24 approached ZK, this is the exact amount that  
25 was contemplated as a purchase price. Since

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2 that time and, at that time, if I can point  
3 out the appraised value of the property was  
4 only 600, and, I believe, 65,000. The  
5 property has appreciated in value due to  
6 certain tax certiorari proceedings that they  
7 have done and so the property is worth more  
8 now because the taxes are worth less.

9 LEGISLATOR DENENBERG: That  
10 almost sounds -- actually, that sounds  
11 counterintuitive. If I look at the tax  
12 cert, the assessed value was considered over  
13 assessed, so the owner ZK was entitled to a  
14 reduction because they were able to settle  
15 with the county and show that the value was  
16 actually less than 665.

17 So, now you're saying it went up  
18 because they got it settled lower? But the  
19 fair market value was the reason why we are  
20 paying them a settlement and giving them a  
21 payment for overpayment of property taxes  
22 based on over assessed is because we said  
23 that the assessment should be lower in the  
24 \$600,000 range.

25 MR. THEOFAN: Yes.



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2                   LEGISLATOR DENENBERG: That's why  
3 I want to understand why we are paying 750  
4 or 725.

5                   MR. THEOFAN: They also achieved  
6 a change of use of the property from a  
7 commercial certificate of occupancy to a  
8 residential certificate of occupancy and it  
9 was contemplated that the rental stream on  
10 the property increased the value as well.

11                   LEGISLATOR DENENBERG: But they  
12 got that in 2012 and that's not reflected on  
13 their assessed value at all.

14                   MR. THEOFAN: All I can tell you,  
15 Mr. Denenberg, is that was the justification  
16 for them seeking an even higher purchase  
17 price than the 725, and, again, we were able  
18 to convince them that that was appropriate.

19                   LEGISLATOR DENENBERG: You know  
20 what, I think it's the right thing to do,  
21 and I'm voting for this, don't confuse me at  
22 all. I'm very happy about what Rob Walker  
23 just said in terms of no consolidation of  
24 the First and Seventh Precinct and that we  
25 are trying to devise a prototype for all the

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2 new precinct houses, particularly one where  
3 we have three precinct houses on the south  
4 shore, and mitigation has to be a factor.

5 But I do think it's ironic that  
6 we're going to give ZK a tax refund for  
7 being overassessed when they were in the  
8 700s saying it was in the 600s, and that tax  
9 refund goes right through 2012 and now we  
10 are paying 725.

11 If ZK continued to own the  
12 property, you know for sure they were going  
13 to take advantage of assessed value after  
14 litigation and settlement in the \$600,000  
15 range. But, all of a sudden, when we're  
16 going to buy the property, then they're  
17 saying that their new use would raise the  
18 assessed value which was never their  
19 position when they challenged their assessed  
20 value.

21 MR. THEOFAN: Legislator  
22 Denenberg, I don't believe, and, again, I  
23 did misspeak to the extent that I don't  
24 believe that there was a certiorari  
25 proceeding to entitle them to a refund. I

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2 think they were just able to get the  
3 property reassessed based on the change of  
4 use.

5 LEGISLATOR DENENBERG: Near as I  
6 can tell, ZK Associates has had a challenge  
7 on their taxes going back as long as all of  
8 us have been here, I believe, I see it every  
9 year. They did get a reduction.

10 MR. THEOFAN: Right. They got a  
11 reduction but the question becomes, were  
12 they incorrectly assessed when they utilized  
13 it for commercial purposes. That's what  
14 their pending certiorari will determine.

15 LEGISLATOR DENENBERG: I'm going  
16 to move on but it's ironic that we are  
17 paying them more than what they were  
18 challenging to reduce to even under the use  
19 that they were able to get, I thought back  
20 in '11, but I'd agree with you at '12, but  
21 the assessed value they got into the 600  
22 area.

23 Let me ask you this, and then I  
24 will move on. I think that's ironic, but I  
25 will accept it to move forward.

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2           The Kellogg property was  
3 originally going to be used, not originally,  
4 originally wasn't going to be used at all.  
5 There was a plan not to have the First  
6 Precinct here anymore.

7           In 2010, when we had a plan to  
8 have the new First Precinct at this  
9 location, we were going to use the Kellogg  
10 property, correct?

11           MR. MAY: Correct. We were going  
12 to close Harrison Avenue and take the  
13 Kellogg property and I believe the footprint  
14 would have been more in that neighborhood.

15           LEGISLATOR DENENBERG: More in  
16 that empty -- the space that has the  
17 existing structure?

18           MR. MAY: Existing structure and  
19 parking lot right now, correct.

20           LEGISLATOR DENENBERG: How much  
21 did we pay for the Kellogg property?

22           MR. MAY: A million dollars for  
23 the Kellogg property.

24           LEGISLATOR DENENBERG: So the  
25 result of paying a million dollars on the

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2 bad end is that we paid a million dollars on  
3 the positive end, we now can say we own  
4 historical property, and we're going to use  
5 part of it for parking?

6 MR. MAY: Well, we were using it  
7 for parking and also, if you remember, back  
8 in 2010, the problem with the Kellogg House  
9 was that it was not originally for sale. We  
10 had to induce the seller to sell the  
11 property. He was not interested. That's  
12 why if you take a look at the documents from  
13 back in 2010 that was noted there as well.  
14 That was associated with the cost of the  
15 property then.

16 LEGISLATOR DENENBERG: That was  
17 our appraisal. So, if it had to go to  
18 eminent domain, we were confident it was a  
19 fair price.

20 CHAIRMAN DUNNE: Mr. Denenberg,  
21 can we stay with the item which is  
22 Huntington Learning Center instead of the  
23 Kellogg property?

24 LEGISLATOR DENENBERG: This is  
25 part of it. What's the problem, you don't

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2 like my questions?

3 CHAIRMAN DUNNE: Legislator  
4 Scannell has some questions.

5 MR. WALKER: If I can just touch  
6 on the Kellogg House, originally the plan  
7 was to buy both pieces of property, and,  
8 obviously wise because you need part of that  
9 for parking to make the precinct more  
10 manageable for parking.

11 At that time you heard Mr.  
12 Theofan, we had the issue around the  
13 Learning Center, due to an unfortunate  
14 situation that went on there.

15 So, as we look this direction,  
16 and, again, the plans went out to bid to  
17 build on the Kellogg House Property, that  
18 obviously was changed. We were able to get  
19 the purchase with your approval today to  
20 move forward to get the Learning Center  
21 property.

22 More importantly, during the  
23 construction process, what it was going to  
24 entail, a cost of probably over 7 to  
25 \$800,000 to all the underground utilities

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2 with Harrison we no longer have to do.

3 So, literally, the cost, it's  
4 almost -- the purchase of the Learning  
5 Center property is pretty much exact dollar  
6 to dollar what the cost of moving utilities  
7 that we no longer now have to move.

8 LEGISLATOR DENENBERG: So moving  
9 the building from where it is now slightly  
10 to the south --

11 MR. WALKER: If it was going to  
12 go here, all these utilities --

13 LEGISLATOR DENENBERG: You're  
14 showing the Kellogg property?

15 MR. WALKER: Right. All these  
16 utilities were going to have to be moved.  
17 We don't have to do that. Harrison Avenue  
18 stays open. This now goes here. And, now,  
19 with the cost of the bid, that item is no  
20 longer in the bid so the purchase is pretty  
21 much even to even with no longer having to  
22 do that.

23 LEGISLATOR DENENBERG: So the 700  
24 plus we are paying for this new property  
25 saves us having to move --

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2 MR. WALKER: Correct.

3 LEGISLATOR DENENBERG: -- what  
4 the cost of moving, or across the street  
5 would have been?

6 MR. WALKER: It's almost about a  
7 million dollars. I'm being kind of  
8 conservative saying about \$700,000.

9 LEGISLATOR DENENBERG: Does it  
10 cost anything to have the current footprint  
11 southwest of the existing footprint?

12 MR. WALKER: It will be a cheaper  
13 construction.

14 LEGISLATOR DENENBERG: I mean, as  
15 opposed to just keeping it where it was.

16 MR. WALKER: If you kept it where  
17 it was, you would then have to lease or find  
18 space to do a temporary precinct and  
19 obviously we don't want to start looking to  
20 have temporary precincts. The cost of that  
21 would -- doesn't make any sense to me at  
22 all.

23 LEGISLATOR DENENBERG: So it's  
24 your testimony that rehabbing in place would  
25 have been impossible without displacing the



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2 precinct in the meantime?

3 MR. WALKER: Correct. Because  
4 you would have had to find a new precinct,  
5 relocate, knock down, build new. Now you're  
6 going to build new while that First Precinct  
7 exists. Once that construction is complete,  
8 you knock down the old First Precinct and  
9 you have the new one, for arguments sake,  
10 say behind it.

11 LEGISLATOR DENENBERG: A maybe  
12 final question then, the precinct location  
13 to the east of Harrison, the Kellogg  
14 property, had a blueprint that we approved  
15 as a legislature and we've approved the  
16 financing, the current blueprint which is  
17 now just to the southwest of the existing  
18 lot of the current First Precinct --

19 MR. WALKER: Yes.

20 LEGISLATOR DENENBERG: Highlight  
21 the differences between those two  
22 blueprints?

23 MR. WALKER: There's really no  
24 difference.

25 LEGISLATOR DENENBERG: Well, some

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2 mitigation, right, as to where --

3 MR. WALKER: No. Because we were  
4 going to do that on that side too.

5 Literally, the building plans are basically  
6 99.9 percent the same building plans that  
7 went on there or over there.

8 LEGISLATOR DENENBERG: So we're  
9 looking at --

10 MR. WALKER: No real change other  
11 than --

12 LEGISLATOR DENENBERG: Two  
13 stories plus a penthouse?

14 MR. WALKER: That's the way it  
15 was always going to be except this building  
16 now is facing Merrick Road where before the  
17 side would have faced Merrick Road, and the  
18 layout wasn't the best layout honestly. It  
19 was a very tight space for prisoner drop  
20 off. It would have worked but it doesn't --  
21 this is a much better layout, practically  
22 speaking, facing Merrick and for the  
23 movement of prisoners and things of that  
24 nature.

25 LEGISLATOR DENENBERG: So we can

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2 tell people obviously, if you haven't  
3 already, or just if there are questions from  
4 residents in Baldwin that the street will  
5 remain open, the Kellogg property will  
6 remain preserved, any usage of parking would  
7 be within the current paved areas?

8 MR. WALKER: Yes. It doesn't  
9 take a rocket scientist to realize that  
10 that's probably not the most -- best looking  
11 area right now in terms of -- so we want to  
12 see how we can look to rehab and work with  
13 the community and civic organizations.

14 As Mr. May mentioned, we have  
15 already reached out and had meetings with  
16 the civic. We started conversations with  
17 the chamber and historical society and  
18 trying to bring others involved on how we  
19 can best utilize what's currently there now.  
20 Obviously it will assist with the parking at  
21 the police station, but we will work through  
22 that with them on the best uses.

23 LEGISLATOR DENENBERG: And for my  
24 constituents that live in the Seventh  
25 Precinct, I can tell them that even though

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2 there is a new First Precinct that means  
3 that the Seventh is staying where it is,  
4 there's no consolidation and when would  
5 there be plans -- because there had been  
6 plans in the past to upgrade several of the  
7 precinct houses including the Seventh, not a  
8 complete new construction like this, but  
9 when would we be getting plans for upgrades  
10 of existing --

11 MR. WALKER: We are currently  
12 reviewing with the department, as we speak.  
13 I don't have to tell you Bay Park not only  
14 suffered, the sewage treatment facility, but  
15 that's where the marine bureau was based.  
16 They took on -- they had boats so they  
17 continued to float, but that was about the  
18 only thing that survived that area. So we  
19 are looking to upgrade the marine bureau  
20 already. It definitely takes some  
21 mitigation.

22 So we are looking at each  
23 facility; facility by facility. We have  
24 applied for grant money so that plan will be  
25 laid out once we get a better understanding

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2 of the things that we definitely need to do  
3 immediately compared to just building new  
4 precincts. They'll be reviewed as we speak.

5 LEGISLATOR DENENBERG: I couldn't  
6 be given a more definitive time frame?

7 MR. WALKER: No.

8 LEGISLATOR DENENBERG: Or what  
9 about order?

10 MR. WALKER: I can't give that to  
11 you right now.

12 LEGISLATOR DENENBERG: All right.

13 CHAIRMAN DUNNE: Legislator  
14 Scannell.

15 LEGISLATOR SCANNELL: Rob, I  
16 couldn't agree with you more. I think the  
17 layout on the new plan is so much better.  
18 The old plan was great because it was a new  
19 precinct in Baldwin as well, but I think the  
20 layout, the new layout is great because,  
21 like you said, the Kellogg House is in the  
22 back, and it was a tight squeeze.

23 MR. WALKER: I agree.

24 LEGISLATOR SCANNELL: But it was  
25 harder, and harder on the people next door,

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2 the voice and the people having to come in  
3 and the loud sounds. I think now because  
4 the -- in the end --

5 MR. WALKER: I agree, which makes  
6 sense for a lot of reasons.

7 LEGISLATOR SCANNELL: And now you  
8 have that other side, there is so much more  
9 space on that side, taking the Huntington  
10 Learning Center, and thankfully there is no  
11 building there anymore. I think that side  
12 of the street just works so much better in  
13 terms of flow and space. And you're saying  
14 it's the same amount of square footage,  
15 right?

16 MR. WALKER: Yes.

17 LEGISLATOR SCANNELL: The last  
18 question I had was, Rob, you said you  
19 included all three precincts, all three,  
20 PBA, SOA and DAI?

21 MR. WALKER: Yes.

22 LEGISLATOR SCANNELL: So they  
23 agree?

24 MR. WALKER: 100 percent. They  
25 actually were -- the design -- we started

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2 this in 2010, 2011, with the layout. It was  
3 very important to have them involved  
4 obviously. Chief Stranicki and Commissioner  
5 Krumpster, along with all three unions  
6 literally sat down time and time and time  
7 again with our architect and engineers and  
8 they designed the layout as to the floor  
9 plan, the footprint, how it moves and things  
10 of that nature.

11 LEGISLATOR SCANNELL: And, like  
12 you said, they all support it?

13 MR. WALKER: Yes.

14 LEGISLATOR SCANNELL: Great.  
15 Thank you. Good job.

16 CHAIRMAN DUNNE: Any other  
17 legislators have any questions?

18 (No verbal response.)

19 If not, is there any public  
20 comment?

21 (No verbal response.)

22 There being none, all those in  
23 favor of 405-13 indicate by saying aye.

24 (Aye.)

25 Any against?

Public Safety Committee/9-9-13

2 (No verbal response.)

3 It moves on to finance.

4 I want to thank the Chief Deputy  
5 County Executive, the County Executive,  
6 Commissioner Dale. The vice-chairman, Joe  
7 Belesi, who was a former police officer for  
8 many many years and I, with the PBA both  
9 First and Seventh Precincts, which was in my  
10 district, a little piece of the First but a  
11 lot of the Seventh Precinct, and I  
12 represented them for ten years. They're  
13 really happy to hear the good news that you  
14 shared with us last week, our target with  
15 the consolidation of precincts and turning  
16 the other former precincts into police  
17 stations.

18 The target was \$20 million in  
19 savings and you've already reached that.  
20 This is a win-win-win. There's no downside  
21 to this and I just wanted to thank you for  
22 everything that you've done. This is passed  
23 on to the Finance Committee.

24 May I have a motion to adjourn?

25 LEGISLATOR FORD: So moved.



## Public Safety Committee/9-9-13

2                   LEGISLATOR VENDITTO:    Second.

3                   CHAIRMAN DUNNE:    Motion by Denise  
4   Ford, seconded by Legislator Venditto.    The  
5   next committee is going to be Planning,  
6   Development and the Environment.

7                   (Whereupon, the Public Safety  
8   Committee adjourned at 3:28 p.m.)

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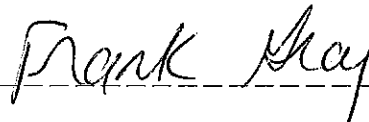
C E R T I F I C A T E

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 24th day of September, 2013.



FRANK GRAY