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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

PLANNING, DEVELOPMENT AND THE
ENVIRONMENT COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, October 15, 2012
3:47 P.M

REGAL REPORTING SERVICE
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A P P E A R A N C E S :

NORMA GONSALVES,
Chairwoman

DAVID DUNNE,
Vice Chairman

RICHARD NICOLELLO

DENISE FORD

JUDY JACOBS,
Ranking

DAVID DENENBERG

KEVAN ABRAHAMS

WILLIAM J. MULLER,
Clerk of the Legislature

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LIST OF SPEAKERS

BRIAN SCHNEIDER, Nassau County
 Department of Public Works..... 5

MICHAEL KELLY, acting director,
 Nassau County Department of
 Public Works,
 Division of Real Estate
 Services..... 9

Planning & Development Committee/10-15-12

2 CHAIRWOMAN GONSALVES: Mr. Clerk,
3 please call the roll.

4 CLERK MULLER: Legislator
5 Abrahams?

6 LEGISLATOR ABRAHAMS: Here.

7 CLERK MULLER: Legislator

8 Denenberg?

9 LEGISLATOR DENENBERG: Here.

10 CLERK MULLER: Ranking Member

11 Jacobs?

12 LEGISLATOR BOSWORTH: Here.

13 CLERK MULLER: Legislator Ford?

14 LEGISLATOR FORD: Here.

15 CLERK MULLER: Legislator

16 Nicoletto?

17 LEGISLATOR NICOLELLO: Here.

18 CLERK MULLER: Vice Chairman

19 Dunne?

20 LEGISLATOR DUNNE: Here.

21 CLERK MULLER: Chairwoman

22 Gonsalves?

23 CHAIRWOMAN GONSALVES: Present.

24 CLERK MULLER: We have a quorum.

25 CHAIRWOMAN GONSALVES: Thank you

Planning & Development Committee/10-15-12
2 very much. We have one item on the regular
3 agenda, that's Item 640-12.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Nicoletto. Who do we have here to speak on
9 this item?

10 MR. SCHNEIDER: Good afternoon.
11 Brian Schneider from Public Works. This
12 item is an inter-Nassau agreement with the
13 Town of Oyster Bay for the formation of an
14 Oyster Bay/Cold Spring Harbor Protection
15 Committee.

16 The Town of Oyster Bay will act
17 as the administrator for this program. The
18 Town of Oyster Bay will pay a coordinator
19 which consists of many villages along the
20 north shore which will conform to the storm
21 water management program for Nassau County.
22 It allows for a payment of \$9,750 towards
23 the committee.

24 This is an annual payment for
25 storm water management work that will be

Planning & Development Committee/10-15-12

2 done by the committee.

3 CHAIRWOMAN GONSALVES: Any
4 legislators have any questions? Mr.
5 Denenberg.

6 LEGISLATOR DENENBERG: When you
7 say "annual payment," that's every year for
8 how long?

9 MR. SCHNEIDER: It's an ongoing
10 program similar to the payments to the
11 Hempstead Harbor Protection Committee and
12 the Manhasset Bay Protection Committee. The
13 county has made contributions to those
14 committees on an annual basis. It's been
15 going on for Hempstead Harbor and Manhasset
16 Bay for the last ten to 12 years. This is
17 the first year of the Oyster Bay Protection
18 Committee.

19 LEGISLATOR DENENBERG: My
20 question was, how much is it and for how
21 long?

22 MR. SCHNEIDER: Well, this is a
23 one year agreement for \$9,750. We will have
24 to come every year to either amend this IMA
25 for our contribution going forward.

Planning & Development Committee/10-15-12

2 LEGISLATOR DENENBERG: The
3 funding comes out of what?

4 MR. SCHNEIDER: It comes out of
5 our county storm water -- one of our capital
6 projects, 82010, which is for storm water
7 management.

8 LEGISLATOR DENENBERG: Okay.

9 CHAIRWOMAN GONSALVES: Any other
10 questions from 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 of this motion signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The motion carries unanimously.

20 It moves on and it moves on to finance. Now
21 we have an addendum. I need a motion to
22 suspend the rules.

23 LEGISLATOR JACOBS: So moved.

24 LEGISLATOR DUNNE: Second.

25 CHAIRWOMAN GONSALVES: Moved by

Planning & Development Committee/10-15-12
2 Legislator Jacobs, seconded by Legislator
3 Dunne. The item is 645-12 and I don't know
4 if you would like to read it. All those in
5 favor of suspending the rules signify by
6 saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 None. Okay. The item is 645-12.
11 We vote on this item and then I believe
12 there is an amendment to this item as well.
13 We made the motion for this. So we've had
14 legislator I believe Jacobs and I believe
15 Legislator Dunne.

16 This ordinance has an amendment
17 in the nature of a substitution. So I would
18 like to make a motion to amend this item.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR JACOBS: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Jacobs. So the amendment in the nature of a
24 substitution to this item is -- who is going
25 to read it for me?

Planning & Development Committee/10-15-12

2 CLERK MULLER: I'll read it.
3 645-12, an ordinance making certain
4 determinations pursuant to the State
5 Environmental Quality Review Act and
6 authorizing the county executive on behalf
7 of the County of Nassau to execute the lease
8 between the County of Nassau as tenant and
9 89 Jamaica Realty Company LLC in connection
10 with a lease of real property known as Block
11 9795, Lot 65 on the tax map of the City of
12 New York located at 89th Avenue and Merrick
13 Boulevard in Jamaica, Borough of Queens,
14 City of New York, State of New York.

15 For those of you who want to know
16 what was amended, the original item did not
17 have a lease attached to it, and that's why
18 we amended the item. Am I correct, Mr.
19 Kelly?

20 MR. KELLY: Yes, that's correct.
21 Michael Kelly, acting director, Nassau
22 County Department of Public Works, Division
23 of Real Estate Services.

24 Item 645-12 is to authorize the
25 county executive to execute a lease between

Planning & Development Committee/10-15-12
2 the county and 89 Jamaica Realty Company,
3 LLC. This lease is for six bus bays located
4 at the Jamaica bus terminal at the corner of
5 89th Avenue and Merrick Boulevard in
6 Jamaica, Queens.

7 The lease will be for a period of
8 five years commencing from July 1st, 2012
9 and ending five years later with an
10 extension option to bring to March 31st,
11 2021.

12 The cost for the lease is
13 \$175,000 for the first year increasing three
14 percent in future years with a tax payment
15 of \$30,000 in the first year increasing
16 three percent in future years. This is for
17 the continued occupancy of the bus bays by
18 Nassau County's bus system operated by
19 Veolia Transportation System.

20 CHAIRWOMAN GONSALVES: Any
21 legislators have any questions? Legislator
22 Nicolello.

23 LEGISLATOR NICOLELLO: Mr. Kelly,
24 why wouldn't Veolia pay this directly?

25 MR. KELLY: This is a county

Planning & Development Committee/10-15-12
2 expense under Veolia's contract. The county
3 either owns or leases all of the properties
4 that the bus operates on. So one of the
5 provisions in our contract was, there are
6 certain non-county properties, one being
7 also Roosevelt Field, there is a bus
8 terminal there, that we would provide to
9 them in order to operate the bus system.
10 This is just one of those properties.

11 LEGISLATOR NICOLELLO: Was the
12 MTA leasing the bays?

13 MR. KELLY: The MTA was
14 continuing from an expired lease on this
15 property dating back to 1936. There was a
16 recent change in ownership in the realty
17 company that owns the property so we were
18 approached about finalizing a new lease on
19 the property as that one -- could be
20 continued --

21 LEGISLATOR NICOLELLO: Do we know
22 how much the MTA was paying for it?

23 MR. KELLY: The MTA was paying a
24 nominal amount for that period of about \$400
25 per month. They also have another lease of

Planning & Development Committee/10-15-12
2 property right next to it under similar
3 terms, but they're also paying less money on
4 that one. That one was entered into in
5 1991.

6 LEGISLATOR NICOLELLO: The
7 alternative would be to what?

8 MR. KELLY: The alternative would
9 be to put the buses pretty much back on the
10 street or find an alternative location,
11 being Jamaica Queens is a congested place.
12 It's not really the place to put buses on
13 the street. There are crowded sidewalks,
14 subway stations, things like that.

15 LEGISLATOR NICOLELLO: This
16 location is easily accessible by someone
17 taking a subway so they could just walk
18 right to the --

19 MR. KELLY: Well, the subways
20 are located I believe on 165th Street and
21 Hillside Avenue, and this is also close by
22 the Jamaica Long Island Railroad terminal,
23 about ten blocks away.

24 LEGISLATOR NICOLELLO: Thank you.

25 CHAIRWOMAN GONSALVES: Legislator

Planning & Development Committee/10-15-12

2 Ford.

3 LEGISLATOR FORD: Are there any
4 other properties that we're going to be
5 paying leases on for the NICE system?

6 MR. KELLY: This is right now one
7 of two. The other is the Roosevelt Field
8 terminal which we pay a small amount for
9 maintaining the blacktop, but that's the
10 only other one that we have for now.

11 LEGISLATOR FORD: Thank you.

12 CHAIRWOMAN GONSALVES: Any other
13 comments or questions from any of the
14 legislators?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 All those in favor of this item
19 as amended signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously. I
24 believe this is the last of the planning
25 committee's items. A motion to adjourn,

Planning & Development Committee/10-15-12

2 please.

3 LEGISLATOR DUNNE: So moved.

4 LEGISLATOR FORD: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Dunne, seconded by Legislator
7 Ford. All those in favor signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The committee is adjourned.

13 Public Works is next.

14 (Whereupon, the Planning,
15 Development and Environment Committee
16 adjourned at 3:56 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, 2012.

FRANK GRAY