

NASSAU COUNTY LEGISLATURE

NORMA GONSLAVES,
PRESIDING OFFICER

GOVERNMENT SERVICES &
OPERATIONS COMMITTEE

HOWARD KOPEL,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

February 10, 2014
3:45 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

HOWARD KOPEL
Chair

DENISE FORD (Not Present)
Vice-Chair

ROSE MARIE WALKER (Sitting in for Denise Ford)

FRANCIS BECKER

LAURA SCHAEFER

ELLEN BIRNBAUM
Ranking

DAVID DENENBERG

KEVAN ABRAHAMS

WILLIAM J. MULLER, III
Clerk

LIST OF SPEAKERS

GREG MAY. 5
TOM DELANEY 5
KEVIN WALSH 9

2 CHAIRMAN KOPEL: I'll call the roll.
3 Legislator Walker, sitting in for
4 Legislator Ford?

5 LEGISLATOR WALKER: Here.

6 CHAIRMAN KOPEL: Legislator Becker?

7 LEGISLATOR BECKER: Present.

8 CHAIRMAN KOPEL: Legislator Schaefer?

9 LEGISLATOR SCHAEFER: Here.

10 CHAIRMAN KOPEL: Legislator Birnbaum?

11 LEGISLATOR BIRNBAUM: Here.

12 CHAIRMAN KOPEL: Legislator Denenberg?

13 (No verbal response.)

14 Legislator Abrahams, you're here.

15 We've got a quorum.

16 I'm here.

17 We've got one item on the agenda today,
18 and that will be number 29-14.

19 Item Number 29-14 is a resolution --
20 Legislator Denenberg is here -- allowing the
21 county executive to execute a lease between the
22 County of Nassau, as Tenant, and Steel-Los III
23 Limited Partnership, as Landlord, in connection

2 with leasing of certain space at 700 Hicksville
3 Road, Bethpage.

4 May I have a motion, please?

5 LEGISLATOR WALKER: So moved.

6 LEGISLATOR BECKER: Second.

7 CHAIRMAN KOPEL: Moved by Legislator
8 Walker, seconded by Legislator Becker.

9 May I have a motion, please?

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR BECKER: Second.

12 CHAIRMAN KOPEL: Moved by Legislator
13 Walker, seconded by Legislator Becker.

14 The matter is before us.

15 MR. MAY: We have Mr. Tom Delaney from
16 the Office of Emergency Management to speak on
17 this item.

18 MR. DELANEY: Hi. Tom Delaney, Nassau
19 County Office of Emergency Management.

20 Before you is a lease for warehouse space
21 to replace our existing warehouse, which we found
22 during Sandy greatly limited our ability to
23 respond.

24 This warehouse space is for 33,000 square
25 feet. It's \$7 a square foot. We're currently

2 paying about \$11 a square foot, so it's actually
3 a little bit of a savings for us. It's a five
4 year term. And it is 100 percent grant funded.

5 CHAIRMAN KOPEL: Very nice. So we're
6 paying \$11 a foot for a smaller space; is that
7 right?

8 MR. DELANEY: Smaller space currently.
9 Yes, sir.

10 CHAIRMAN KOPEL: So we'd be giving up
11 that space?

12 MR. DELANEY: As soon as we can. It's
13 with the exact same landlord.

14 CHAIRMAN KOPEL: Oh. Same landlord.

15 MR. DELANEY: So transitioning from our
16 current space to the new space is going to be
17 pretty smooth.

18 CHAIRMAN KOPEL: Okay. And what are we
19 storing there?

20 MR. DELANEY: Critical emergency
21 supplies, for the most part, these would include
22 MREs, water. We also have other emergency
23 supplies that need to be warehoused to help
24 prevent deterioration, such as some mobile
25 generators, our command vehicle. This new space

is also going to -- excuse me.

It was previously leased by 1-800 Flowers. There are several refrigerated areas, large refrigerated areas within this. If the need be, it could be set up as portable morgue space also for such an event.

CHAIRMAN KOPEL: Okay. So the location, is this serving the entire county or just that portion?

MR. DELANEY: I'm sorry. I didn't hear that.

CHAIRMAN KOPEL: Is this warehouse intended to serve the entire county?

MR. DELANEY: It is primarily --

CHAIRMAN KOPEL: Do we have more than one? Are there a few? Is this centrally located enough so that it can serve the entire county?

MR. DELANEY: It is centrally located to Nassau County Office of Emergency Management. It's just around the corner from our current operation. Could it be utilized for other things? Yes, it could, but I'm not going to say that that's what the primary intent is.

The primary intent, because it's funded

2 with federal homeland security funds --

3 CHAIRMAN KOPEL: That wasn't my
4 question.

5 MR. DELANEY: Okay. I'm just saying
6 that's the primary intent.

7 CHAIRMAN KOPEL: Right. Any other
8 questions from legislators? Legislator Walker.

9 LEGISLATOR WALKER: This facility will
10 also be able to hold -- you can put a lot of
11 things. We have our pet sheltering needs, there
12 will also be room in there for those also.

13 MR. DELANEY: That's absolutely correct.
14 Our emergency supplies include our pet sheltering
15 supplies.

16 LEGISLATOR WALKER: Thank you.

17 MR. DELANEY: You're welcome.

18 CHAIRMAN KOPEL: Any other legislators?

19 LEGISLATOR DENENBERG: Yeah. I do.

20 CHAIRMAN KOPEL: Legislator Denenberg.

21 LEGISLATOR DENENBERG: Who did the SEQRA
22 review on this?

23 MR. DELANEY: The review was done by --
24 what was his name -- Kelly. You're saying the
25 review on this, you're saying doing an assessment

on it?

LEGISLATOR DENENBERG: It says in the second whereas clause that this was found to be an unlisted action pursuant to SEQRA. And the County Department of Public Works has further reviewed the EAF. So that means someone must have found it to be an unlisted action and someone must have filled out the form for public works. So when I asked who, I meant who did it.

MR. WALSH: Yes. Good afternoon. This is Kevin Walsh from the County Attorney's Office.

I believe Mike Kelly originally worked on this EAF form. Subsequently, it was worked on by myself together with Deputy County Executive Charles Thiaphan (phonetic) with assistance from planning. I believe the short form was completed.

CHAIRMAN KOPEL: And your finding was it's an unlisted action because why?

MR. WALSH: Because there was no change, no effect on the environment.

LEGISLATOR DENENBERG: So this would have no adverse impact because it's what the current use is now?

2 MR. WALSH: That's correct. Basically,
3 it's an industrial use that is staying
4 essentially the same, probably less of a use.

5 LEGISLATOR DENENBERG: Okay. Right now
6 we have -- this might be repetitious but I'm not
7 sure.

8 We currently use space on Grumman Road
9 West for OEM, right?

10 MR. DELANEY: That's correct.

11 LEGISLATOR DENENBERG: And we're going
12 to move from there to here or are we going to
13 just lease this in addition?

14 MR. DELANEY: No. We are going to move.
15 We're going to transition from our one warehouse
16 space to another single location.

17 LEGISLATOR DENENBERG: And is there
18 anyone here from OEM?

19 MR. DELANEY: That's me, Tom Delaney.

20 LEGISLATOR DENENBERG: Oh. Okay. So
21 OEM obviously is fine with this?

22 MR. DELANEY: Again, we found during our
23 response to Sandy our capabilities were limited
24 because of the warehouse space or the limited
25 warehouse space that we have.

2 LEGISLATOR DENENBERG: So who did the
3 negotiations of the new lease for us? OEM didn't
4 do it itself, did it?

5 MR. DELANEY: Yes. Yes. We did. My
6 boss told me to get them to sharpen their
7 pencils. We certainly did. We pushed it to them
8 as hard as we could, that's why we got a very,
9 very good rate of \$7 a square foot versus, again,
10 the 11 that we're paying.

11 LEGISLATOR DENENBERG: And you're a real
12 estate attorney as well?

13 MR. DELANEY: No, I'm not. But I'm a
14 pretty good negotiator --

15 LEGISLATOR DENENBERG: If you do say --

16 MR. DELANEY: when it comes to --

17 LEGISLATOR DENENBERG: so yourself.

18 MR. DELANEY: They were very
19 accommodating. They know it's a long-term
20 commitment from us.

21 LEGISLATOR DENENBERG: Did anyone from
22 the county attorney's office look at this?

23 MR. WALSH: Yes. I worked on this. And
24 I did negotiate this lease, as I did the original
25 one with OEM which we are now a holdover tenant

1 on.

2
3 LEGISLATOR DENENBERG: Okay. And you
4 think that this lease represents a good lease
5 legally for the county?

6 MR. DELANEY: I do.

7 LEGISLATOR DENENBERG: Okay. And the
8 rate, you find no reason -- you believe that this
9 will be -- this is a more preferential rate than
10 what we have in the current lease?

11 MR. WALSH: I think Mr. Delaney is
12 correct. I think OEM did a good job. They
13 needed space. They found available space with
14 refrigeration units available in the same
15 complex. One thing that was not submitted but I
16 did have that Mr. Kelly had in his file, he did
17 do an appraisal of the space, which shows a
18 market rent of about \$9 a square foot. So we are
19 saving significantly below market.

20 LEGISLATOR DENENBERG: In proximity, Mr.
21 Delaney, this is basically in almost the same
22 area we are now, right?

23 MR. DELANEY: That's correct.

24 LEGISLATOR DENENBERG: All right. Thank
25 you.

2 CHAIRMAN KOPEL: Any other comments from
3 the legislators?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Hearing none. Will all those in favor of
8 this item please so signify by saying aye?

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The item passes unanimously.

13 Thank you.

14 One more item, which is Item 44-14, an
15 ordinance supplemental to the annual
16 appropriation ordinance in connection with Nassau
17 Community College.

18 Motion, please?

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR BECKER: Second.

21 CHAIRMAN KOPEL: Moved by Legislator
22 Walker, seconded by Legislator Becker.

23 MR. MAY: I apologize, Mr. Chairman.

24 This is -- Clerk Item 44-14 we're talking about
25 now?

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CHAIRMAN KOPEL: Yes.

MR. MAY: Originally we were going to have Mr. Ted Gutman (phonetic) from the Community College here. He has not yet arrived. I will field questions on this item, and if it's not satisfactory, we'll deal with this from there.

CHAIRMAN KOPEL: Why don't you tell us what it is, first of all?

MR. MAY: It is a supplemental appropriation in the amount of about \$37,000. It is to fund a program that shuttles Brazilian students from SUNY Old Westbury, where they're dorming, to Nassau Community College, where they participate in an intensive English language course.

CHAIRMAN KOPEL: Brazilian students?

MR. MAY: Brazilian students, yes.

CHAIRMAN KOPEL: What's this all about? Why is Nassau County paying to educate Brazilian students?

MR. MAY: We're actually not paying. We're laying out the money. But the appropriation is from the Brazilian government. If you look at the paperwork where it says where

the funds come from, it's coming from the
Brazilian government.

CHAIRMAN KOPEL: Fully funded?

MR. MAY: Yes.

CHAIRMAN KOPEL: Okay. Any questions
from legislators?

LEGISLATOR DENENBERG: Yes.

CHAIRMAN KOPEL: Legislator Denenberg.

LEGISLATOR DENENBERG: Just along those
lines. Why do we have to then have a
supplemental if the money is --

MR. MAY: We're laying --

LEGISLATOR DENENBERG: not moving from
one county account to another. This doesn't say
to accept a gift. It's a supplemental
appropriation, right?

MR. MAY: It's a supplemental
appropriation. My understanding is that it's not
a gift. This is a program being administered by
the SUNY system and that the College is
participating in. They are laying out the money
and we are appropriating the money from the
Brazilian government to pay for this.

LEGISLATOR DENENBERG: So we have to

2 take the money from Brazil and give it to NCC?

3 MR. MAY: That is kind of my
4 understanding of it, yes.

5 LEGISLATOR DENENBERG: Okay.

6 MR. MAY: It's interesting. This really
7 was very interesting when it came across my desk.
8 But that's the idea.

9 The program is that these Brazilian
10 students will then go on to stem class
11 throughout, I believe, the entire SUNY system.
12 They are coming to Nassau County and
13 participating in this intensive English language
14 course. It's really very interesting.

15 CHAIRMAN KOPEL: Does the county make
16 money on this?

17 MR. MAY: I don't believe the county is
18 making money on this.

19 CHAIRMAN KOPEL: So it's just dollar for
20 dollar?

21 MR. MAY: Dollar for dollar.

22 CHAIRMAN KOPEL: I'm kind of mercenary.
23 Why not?

24 LEGISLATOR JACOBS: I think this is
25 great.

2 MR. MAY: I think it's great too.

3 LEGISLATOR JACOBS: I think it's nice to
4 take care of each other and make sure we all get
5 a chance to survive. Good idea.

6 MR. MAY: Excellent. Thank you.

7 CHAIRMAN KOPEL: Thank you, Legislator
8 Jacobs.

9 LEGISLATOR WALKER: I have to say I
10 think it's a good idea too. I just really don't
11 understand. I don't expect us to have the
12 answer. But why aren't we sending the teacher to
13 SUNY Old Westbury instead of transporting all of
14 the kids over to Nassau Community College. They
15 live at SUNY but they're taking the class --

16 MR. MAY: I think it's an intensive
17 English language program. I think it's more like
18 an emergent course. I don't know for sure, but I
19 believe based on what I read, it's not like
20 they're just going to take an English course.
21 It's like a full English emerging. It's supposed
22 to be a very intense course to get these kids up
23 to English proficiency. So I don't think they're
24 just doing like an hour at NCC and then going
25 back. I believe it's an all-day program, based

on what I read.

LEGISLATOR WALKER: Okay.

LEGISLATOR JACOBS: I don't mean to interrupt. But because I assume Nassau Community College doesn't have the facility to house anybody.

MR. MAY: Correct.

LEGISLATOR JACOBS: So they're being housed at Old Westbury.

MR. MAY: Correct.

LEGISLATOR JACOBS: Educated at Nassau Community.

MR. MAY: Correct.

LEGISLATOR WALKER: Maybe we could just find out that information, that they really are going to Nassau Community but just living in --

MR. MAY: They are living at SUNY Old Westbury. But I could certainly find out why we're shuttling the kids instead of shuttling the teachers.

LEGISLATOR WALKER: Right. Not that it matters. It's great. Thank you.

MR. MAY: You're welcome.

CHAIRMAN KOPEL: Anybody else?

2 LEGISLATOR DENENBERG: I just think, for
3 the record, we've never spent -- hopefully we'll
4 never spend this much time on \$37,000 that isn't
5 coming from the county and --

6 CHAIRMAN KOPEL: Would anybody else here
7 --

8 LEGISLATOR DENENBERG: accepting
9 comments from non-committee members.

10 CHAIRMAN KOPEL: Would anybody else here
11 like to be part of this committee for today?

12 Okay.

13 No more comments?

14 (No verbal response.)

15 All those in favor please so signify by
16 saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 We've got a unanimous vote.

21 Motion to adjourn, please?

22 LEGISLATOR BECKER: So moved.

23 LEGISLATOR WALKER: Second.

24 CHAIRMAN KOPEL: Moved by Legislator
25 Becker, seconded by Legislator Walker.

1 Government Services & Operations Committee - 2-10-14 20
2 All those in favor of adjourning say aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 We are adjourned.
7 (Whereupon, the Government Services &
8 Operations Committee adjourned at 3:59 p.m.)
9
10

C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of February, 2014.

FRANK GRAY