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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PUBLIC WORKS AND PARKS COMMITTEE

VINCENT MUSCARELLA, Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, October 15, 2012  
3:58 P.M

REGAL REPORTING SERVICE  
(516) 747-7353

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

VINCENT MUSCARELLA,  
Chairman

HOWARD KOPEL,  
Vice Chairman

FRANCIS BECKER

NORMA GONSALVES

DAVID DENENBERG,  
Ranking

JOSEPH SCANNELL (substituted by  
Judy Jacobs)

CARRIE SOLAGES (substituted by  
Kevan Abrahams)

WILLIAM J. MULLER,  
Clerk of the Legislature

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LIST OF SPEAKERS

SHEILA SHAH, Commissioner, Nassau County,  
 Department of Public Works.....7

MAURICE CHALMERS, Nassau County  
 Office of Legislative Budget Review.....9

DR. JOE MUSCARELLA, public comment.....10

Public Works and Parks Committee/10-15-12

2 CHAIRMAN MUSCARELLA: Public  
3 Works and Parks Committee is hereby called  
4 to order. I will call the roll. I am here.  
5 Vice Chairman Kopel?

6 LEGISLATOR KOPEL: Here.

7 CHAIRMAN MUSCARELLA: Mr. Becker?

8 LEGISLATOR BECKER: Present.

9 CHAIRMAN MUSCARELLA: Ms.  
10 Gonsalves?

11 LEGISLATOR GONSALVES: Present.

12 CHAIRMAN MUSCARELLA: Ranking  
13 Member Denenberg?

14 LEGISLATOR DENENBERG: Here.

15 CHAIRMAN MUSCARELLA: Judy Jacobs  
16 substituting for Joseph Scannell?

17 LEGISLATOR JACOBS: Here.

18 CHAIRMAN MUSCARELLA: I  
19 understand Carrie Solages is not here.  
20 Kevan Abrahams is substituting for Carrie  
21 Solages.

22 LEGISLATOR ABRAHAMS: Here.

23 CHAIRMAN MUSCARELLA: We have  
24 three items today. I will call the first  
25 two together if that's okay. The first item

Public Works and Parks Committee/10-15-12  
2 is Clerk Item 596 of '12, a resolution to  
3 adopt a four year capital plan for the  
4 County of Nassau to commence on January 1st  
5 of 2012 pursuant to the provision of Section  
6 310 of the County Government Law of Nassau  
7 County and also call 597 of 2012, an  
8 ordinance to adopt a capital plan for the  
9 County of Nassau for the first year of the  
10 four year capital plan to commence on  
11 January 1st, 2012, pursuant to the provision  
12 of Section 310 of the County Government Law  
13 of Nassau County. May I have a motion,  
14 please?

15 LEGISLATOR GONSALVES: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRMAN MUSCARELLA: Moved by  
18 Legislator Gonsalves, seconded by Legislator  
19 Kopel. We're just going to tee this up,  
20 rather than go through a whole process, if  
21 that's okay with the ranking member, Mr.  
22 Denenberg?

23 LEGISLATOR DENENBERG: Yes. Our  
24 plan on behalf of the minority is to pass  
25 this through this committee with the

Public Works and Parks Committee/10-15-12

2 acknowledgment that there be a hearing on  
3 the capital budget whether it's at full or  
4 another meeting of this committee at a later  
5 date.

6 Our concerns are obviously in the  
7 timing of the 2012 capital budget being  
8 very, very late but also in a number of  
9 projects from previous budgets that we would  
10 like to see moving, namely in our districts,  
11 but, with that, to move the process forward  
12 today, we agreed with the chairman of the  
13 committee that we would pass this through  
14 public works and finance and rules today and  
15 save our questions for the hearing on this  
16 capital budget and the acknowledgment that  
17 ultimately we are going to need 13 votes for  
18 any of the bonding here.

19 CHAIRMAN MUSCARELLA: There'll be  
20 a hearing of the Full Legislature on this.

21 LEGISLATOR DENENBERG: We don't  
22 know when yet, right?

23 CHAIRMAN MUSCARELLA: I do not --

24 LEGISLATOR DENENBERG: We  
25 cancelled the next Full Leg, but you don't

Public Works and Parks Committee/10-15-12  
2 know if this will be on a separate date or  
3 together in the Full Leg?

4 CHAIRMAN MUSCARELLA: We don't  
5 know yet.

6 LEGISLATOR DENENBERG: Our  
7 preference would be separate.

8 CHAIRMAN MUSCARELLA: I  
9 understand. Commissioner, just give us a  
10 general, it's a capital plan.

11 COMMISSIONER SHAH: Yes. Sheila  
12 Shah, Commissioner of Public Works. Yes,  
13 it's a capital plan. The overall capital  
14 2012 to 2015 capital plan is worth \$371.7  
15 million and 193.9 million for sewer and  
16 storm water. That's for the next four  
17 years.

18 In 2012, basically focusing on  
19 completing projects that have already begun,  
20 without initiating new projects, in 2012,  
21 the county has proposed a budget of 68.3 3  
22 million of which 56.1 million is county  
23 funding. The rest of it being outside  
24 funding. That does not include sewer and  
25 storm water nor Environmental Bond Act

Public Works and Parks Committee/10-15-12  
2 money.

3 In addition to the general fund,  
4 capital projects, in 2012, the county has  
5 budgeted 43.9 million for sewer and storm  
6 water programs. Thank you.

7 CHAIRMAN MUSCARELLA: Again, do  
8 we have any very general comments or very  
9 general questions?

10 LEGISLATOR DENENBERG: I just  
11 wanted to complete for the minority, again,  
12 obviously we are passing it through. For  
13 the record, October 22nd was noticed both a  
14 full leg hearing but a separate notice for a  
15 capital budget hearing, public hearing on  
16 the capital budget, so -- we don't on the  
17 minority side have a cancellation or  
18 rescheduling of that yet.

19 So I think it was noticed as two  
20 separate meetings so, if there's going to be  
21 postponing or cancellation, we need to make  
22 sure we do it for both.

23 CHAIRMAN MUSCARELLA: So noted.

24 LEGISLATOR DENENBERG: I would  
25 ask if it's okay with you, Legislator



Public Works and Parks Committee/10-15-12  
2 Muscarella, I would also ask that prior to  
3 the hearing we have an analysis from our  
4 independent office of budget review for use  
5 at that hearing.

6 CHAIRMAN MUSCARELLA: I believe  
7 that would be fine, is that okay? If there  
8 are no further questions, what I would like  
9 to do --

10 LEGISLATOR DENENBERG: Just, on  
11 the record, our office of legislative budget  
12 review said that they would be able to get  
13 an analysis to us at least a few days before  
14 the hearing, is that what you said, Mr.  
15 Chalmers?

16 MR. CHALMERS: We should be able  
17 to have it this week.

18 LEGISLATOR DENENBERG: Thank you.

19 CHAIRMAN MUSCARELLA: Seeing no  
20 other questions from the members up here, we  
21 do have a slip by Dr. Joseph Muscarella from  
22 the Nassau Community College.

23 Dr. Muscarella, would you like to  
24 come up? I know you handed in a statement  
25 which will be put into the public record.

Public Works and Parks Committee/10-15-12

2                   LEGISLATOR DENENBERG: We object  
3 that there is too many Muscarellas in the  
4 room at one time.

5                   DR. MUSCARELLA: Thank you for  
6 your time. I just wanted to state that we  
7 do have a statement that we submitted. We  
8 just have some comments on behalf of the  
9 college concerning the 2012-2015 capital  
10 improvement plan, and we look forward to the  
11 opportunity of meeting with or discussing it  
12 further, whatever the schedules should  
13 allow.

14                   CHAIRMAN MUSCARELLA: Okay.  
15 Thank you very much. Hearing no other  
16 questions, all those in favor of moving  
17 these two items, all those in favor of  
18 moving these two items signify by saying  
19 aye.

20                   (Aye.)

21                   Any opposed?

22                   (No verbal response.)

23                   Those items carry. Our last item  
24 is Item 641 of 2012 which is a resolution  
25 authorizing the County of Nassau to

Public Works and Parks Committee/10-15-12  
2 participate in a federal aid transportation  
3 project providing for the resurfacing of  
4 various county roads, capital projects  
5 86158724G, pin number 0760.10, and  
6 authorizing the county executive of the  
7 county of Nassau to execute the agreement on  
8 behalf of the county with the New York State  
9 Department of Transportation for the  
10 advancement of said federal aid  
11 transportation projects in Nassau County  
12 New York.

13 LEGISLATOR KOPEL: So moved.

14 LEGISLATOR GONSALVES: Second.

15 CHAIRMAN MUSCARELLA: Moved by  
16 Legislator Kopel, seconded by Norma  
17 Gonsalves.

18 COMMISSIONER SHAH: Sheila Shah,  
19 Commissioner of Public Works. Item 641-12  
20 is for an agreement with New York State DOT  
21 to accept federal reimbursement for a  
22 resurfacing project. This project is a  
23 resurfacing phase 24 of the department's  
24 resurfacing program and it allows us to be  
25 reimbursed 80 percent of the cost of the

Public Works and Parks Committee/10-15-12  
2 construction up to a maximum of \$3 million  
3 worth of federal funds.

4 CHAIRMAN MUSCARELLA: This is  
5 scheduled for what particular project?

6 COMMISSIONER SHAH: Phase 24.  
7 Just give me a second. I left my folder.  
8 Phase 24 will have Post Avenue, Zeckendorf  
9 Boulevard, Sheridan Boulevard, Old Country  
10 Road, Stewart Avenue, Marcus Avenue, Nassau  
11 Boulevard, Commercial Avenue, Self Ridge  
12 Avenue and Ellington Avenue, west and east.

13 CHAIRMAN MUSCARELLA: This is 80  
14 percent reimbursement by the federal  
15 government?

16 COMMISSIONER SHAH: That's  
17 correct.

18 CHAIRMAN MUSCARELLA: Any other  
19 questions?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 All those in favor say aye.

24 (Aye.)

25 Any opposed?

Public Works and Parks Committee/10-15-12

2 (No verbal response.)

3 That item carries. Seeing no  
4 other business before this committee.

5 LEGISLATOR BECKER: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRMAN MUSCARELLA: Motion by  
8 Mr. Becker to adjourn, seconded by Mr.  
9 Kopel. All those in favor?

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 We are adjourned and the Health  
14 and Social Services Committee is next.

15 (Whereupon, the Public Works and  
16 Parks Committee adjourned at 4:09 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.

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FRANK GRAY