

NASSAU COUNTY LEGISLATURE

PETER J. SCHMITT,  
PRESIDING OFFICER

PLANNING, DEVELOPMENT AND  
THE ENVIRONMENT COMMITTEE

NORMA GONSALVES,  
CHAIRWOMAN

1550 Franklin Avenue  
Mineola, New York

July 23, 2012  
2:17 p.m.

REGAL REPORTING SERVICES  
516-747-7353

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

NORMA GONSALVES  
Chair

DENNIS DUNNE (Not Present)  
Vice-Chair

VINCENT MUSCARELLA (Sitting in for Richard Nicoletto)

RICHARD NICOLELLO (Not Present)

ROSE WALKER (Sitting in for Vincent Muscarella)

DENISE FORD

JUDY JACOBS  
Ranking

DAVID DENENBERG (Not Present)

JOSEPH SCANNELL (Sitting in for David Denenberg)

KEVAN ABRAHAMS

LIST OF SPEAKERS

ROBERT MARIN. . . . . 5  
MICHAEL KELLY . . . . . 15  
ROSEANN D'ALLEVA. . . . . 19  
ROB WALKER. . . . . 21

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

4 Substituting for Mr. Nicolello will be  
5 Mr. Muscarella.

6 CLERK MULLER: Legislator Abrahams?

7 LEGISLATOR ABRAHAMS: Here.

8 CLERK MULLER: Legislator Denenberg?  
9 (No verbal response.)

10 CLERK MULLER: Legislator Jacobs?

11 LEGISLATOR JACOBS: Here.

12 LEGISLATOR ABRAHAMS: I'm sorry.

13 Legislator Scannell is sitting in for Legislator  
14 Scannell.

15 CLERK MULLER: Okay. Legislator  
16 Scannell?

17 LEGISLATOR SCANNELL: Here.

18 CLERK MULLER: Legislator Ford?

19 LEGISLATOR FORD: Here.

20 CLERK MULLER: Legislator Muscarella,  
21 substituting for Legislator Nicolello.

22 LEGISLATOR MUSCARELLA: Yep.

23 CLERK MULLER: Legislator Walker  
24 substituting for Vice Chairman Dunne?

25 LEGISLATOR WALKER: Here.

2 CLERK MULLER: Chairwoman Gonsalves?

3 CHAIRWOMAN GONSALVES: Present.

4 CLERK MULLER: We have a quorum.

5 CHAIRWOMAN GONSALVES: Okay. We have  
6 two items on the agenda. Item 463, which is a  
7 resolution approving the Office of Community  
8 Developments Annual Action Plan for submission to  
9 the United States Department of Housing and Urban  
10 Development.

11 Motion, please?

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRWOMAN GONSALVES: Moved by  
15 Legislator Muscarella, seconded by Legislator  
16 Walker.

17 Who is here to speak on this item,  
18 please?

19 MR. MARIN: Rob Marin, counsel for  
20 Office of Community Development and Office of  
21 Housing and Homeless Services.

22 This represents our annual funding for  
23 several of our programs. The Community  
24 Development Block Grant, or the CDBG program, the  
25 Home Investment Program, and the Emergency

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2 Solution Grants, formerly known as the Emergency  
3 Shelters Grant.

4 Through this funding, this is the annual  
5 awards that we then distribute to local  
6 municipalities and other non-profits or for-  
7 profit developers for affordable housing, down  
8 payment assistance program, etcetera, etcetera,  
9 various programs dealing with the low to moderate  
10 income family residents of Nassau County.

11 CHAIRWOMAN GONSALVES: Kevan.

12 LEGISLATOR ABRAHAMS: How are you?

13 MR. MARIN: How are you, sir?

14 LEGISLATOR ABRAHAMS: I don't want to  
15 dive too much in this because I know this is  
16 going to come up again in the Full Leg. I guess  
17 it's also the responsibility of this legislature  
18 to know that the program is being monitored and  
19 it's being done in a fair and appropriate manner.  
20 And is it by your testimony today, what's being  
21 presented to us, is done in a fair way and the  
22 money is being spent in an equitable way and it's  
23 going to the areas that have the greatest needs,  
24 based off the Census?

25 MR. MARIN: Our programs are monitored

2 annually by HUD to ensure that very statement.

3 Thus far, yes is the simple answer.

4 LEGISLATOR ABRAHAMS: Okay. Thank you.

5 MR. MARIN: You're welcome.

6 CHAIRWOMAN GONSALVES: Legislator Ford.

7 LEGISLATOR FORD: Good afternoon. How

8 much has this program been reduced overall?

9 MR. MARIN: We were cut 18 percent last  
10 year and this year is an additional 14 percent on  
11 top of that for this Community Development Block  
12 Grant Program. The HOME program was cut almost  
13 50 percent, and that is just a countrywide  
14 phenomenon that is not attributed to anything  
15 that we did or did not do.

16 LEGISLATOR FORD: When you then decide  
17 on the allocations to the various, whether or not  
18 it's the Town of Hempstead, Town of Oyster Bay,  
19 City of Long Beach, when you're saying that the  
20 cuts were 18 percent last year, 14 percent this  
21 year, did you make those cuts equal to all  
22 entities or did some of the municipalities maybe  
23 get a 20 percent reduction, where somebody only  
24 got a 10 percent reduction.

25 MR. MARIN: For the majority, yes, the

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2 cuts were across the board. We tried to do a  
3 three-year snapshot over the last three years of  
4 each municipality and cut in that proportion. So  
5 that percentage wise over a three year period,  
6 the percentage in decreases is stagnant or at  
7 least very comparable.

8 LEGISLATOR FORD: Basically, like, say  
9 the Town of Hempstead was cut 14 percent, as was  
10 the City of Long Beach, correct?

11 MR. MARIN: In theory yes. The exact  
12 percentage, but yes.

13 LEGISLATOR FORD: My concern though,  
14 too, is that -- maybe I share some of Legislator  
15 Kevan's concerns as well when we look at this,  
16 with the distribution -- when we allocate the  
17 funding, when we pay for programs, when we pay  
18 for projects. I know way back in the past it had  
19 been some of the areas used the funding to repave  
20 roads that were in areas that were not minority,  
21 like, the minority sections, but then you had  
22 buildings that went into disrepair that were in  
23 need of that money. I see even in my own  
24 district that I'm concerned about the way the  
25 money is allocated and where they spend this



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2 money. So how do -- if we see this, how is it --  
3 and I understand that you say HUD comes in. But  
4 who reports to HUD how this money -- and who does  
5 the actual on-site inspections?

6 MR. MARIN: Our agency as well as HUD.  
7 The municipalities that receive the funding have  
8 their own community development agencies and they  
9 determine and assess the needs of that community,  
10 we do not. They present us annually with an  
11 application for funding and they prioritize,  
12 which I believe correctly so because they know  
13 the needs of their populous better than our  
14 office would. They prioritize what is -- what  
15 they deem as an appropriate project for their  
16 municipality. So long as it is in the federal  
17 guidelines and within HUD criteria, we then -- I  
18 don't want to say we fund it, but just for  
19 simplicity, we fund it essentially in that  
20 regard.

21 As the cuts are coming and will continue  
22 to come, we pass the pain along to the  
23 municipalities and we've also told them that we  
24 will look to see that you are funding areas of  
25 priority.

2 Again, to say that it's a non-minority,  
3 minority area, our programs are income based. So  
4 it's areas based on a HUD census track, based on  
5 income eligibility, which, quite frankly and  
6 unfortunately, that's outdated. HUD has not  
7 adopted the new Census track numbers from 2005 to  
8 2009, so we are still using old numbers required,  
9 we don't have a choice. Through that, the areas  
10 which you may correctly perceive as needing  
11 additional attention, we may not be able to,  
12 based on HUD regulations, fund them because they  
13 haven't caught up with the economics of Nassau  
14 County.

15 LEGISLATOR FORD: This is no reflection  
16 -- I want to be quite clear. This is no  
17 reflection upon the job that you're doing. I  
18 think your presentation that came I guess it was  
19 a couple of months ago, very information and very  
20 helpful.

21 MR. MARIN: Thank you.

22 LEGISLATOR FORD: But my concern is  
23 that, you know, it's through no fault of your  
24 own, like trying to watch everybody. But a lot  
25 of times I've seen it where somebody will put in

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2 and say that we're allocating money for this,  
3 this, this, we're going to do this program or  
4 whatever, and we all say okay and pass it  
5 through. Then, all of a sudden they decide that  
6 they're not going to use the money for that, they  
7 hold the money, and then they transfer it into  
8 something else a year or two years later to be  
9 used for something that they really would like to  
10 do. So the project you think that should be  
11 funded is not being funded and the work is not  
12 being done.

13 MR. MARIN: Sure.

14 LEGISLATOR FORD: How is that we correct  
15 it? And you're right. Like, the people that do  
16 monitor the CDBG, those agencies within each  
17 municipality, yes, they know the needs of the  
18 community but a lot of times we, as legislators,  
19 are also fully aware of the needs within our  
20 community. Even so, we may raise concerns or  
21 questions about this. It seems that some bad  
22 behavior is continuously going on, and that's my  
23 concern.

24 MR. MARIN: With regard to bad behavior,  
25 I don't know what to say about that. We do

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2 monitor and we are monitored by HUD. Do things  
3 slip through the crack? I think it would be  
4 disingenuous to say that, of course it does.  
5 It's important to note that we do allocate these  
6 funds. As part of the consortium -- we are given  
7 these as part of the consortium. That's why  
8 we're given such a large amount, because we  
9 administer it, we collect and do a lot of lay  
10 work on behalf of the municipalities. There are  
11 36.

12 To administer that, yes, of course  
13 something will fall through the cracks. But  
14 those municipalities do identify and then through  
15 that identification are awarded a contract. In  
16 that contract it spells out what the funds -- the  
17 county contract -- it spells out what the funds  
18 will be used for. Then, when they submit the  
19 voucher, it has to be from the contract. In  
20 order to be eligible it has to be funds expended  
21 based on the contract with the county, and if  
22 it's not, it's simply not paid.

23 Do we do amendments? Of course, because  
24 the needs change, etcetera, etcetera. I don't  
25 know what you would be looking for us to do more

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2 than that, in terms of checks and balances, but  
3 we are certainly always available to listen to  
4 suggestions.

5 LEGISLATOR FORD: I know that. I  
6 appreciate that. But I just want to make sure  
7 that my concerns are put on record, because I do  
8 have -- you know, there are just some things that  
9 I'm not particularly happy about, not so much on  
10 this level at all.

11 Since the funding is becoming tighter and  
12 tighter the need is greater. We have to make  
13 sure that we utilize this money in the best way  
14 possible to help the communities as best as we  
15 could.

16 MR. MARIN: Absolutely. I agree 100  
17 percent.

18 LEGISLATOR FORD: And I thank you for  
19 your good job. And thank you for your answer.

20 MR. MARIN: Thank you.

21 CHAIRWOMAN GONSALVES: Any further  
22 discussion?

23 (No verbal response.)

24 Any public debate?

25 (No verbal response.)

2 There being none, all those in favor say  
3 aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 MR. MARIN: Thank you.

9 CHAIRWOMAN GONSALVES: The next item is  
10 Item 491, an ordinance supplemental to the annual  
11 appropriation ordinance in connection with the  
12 Office of Real Estate Services.

13 Motion, please?

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR MUSCARELLA: Second.

16 CHAIRWOMAN GONSALVES: Moved by  
17 Legislator Walker, seconded by Legislator  
18 Muscarella.

19 At this point I'd like to offer an  
20 amendment to this item. The amendment to this  
21 item I believe requires a motion. Motion,  
22 please, to accept the amendment to this  
23 ordinance.

24 LEGISLATOR MUSCARELLA: So moved.

25 LEGISLATOR WALKER: Second.

2 CHAIRWOMAN GONSALVES: Motion by  
3 Legislator Muscarella, seconded by Legislator  
4 Walker.

5 We have Michael Kelly here to speak on  
6 both of them.

7 MR. KELLY: Good afternoon. Michael  
8 Kelly, Acting Director, Nassau County Department  
9 of Public Works, Division of Real Estate  
10 Services.

11 Item 491-12 is a supplemental  
12 appropriation appropriating approximately \$34.9  
13 million. This is the 2013 capital program for  
14 the county's bus system. This money is for  
15 things such as buying buses, support equipment,  
16 and other capital purchases for the bus system.  
17 This is the usually yearly appropriation for the  
18 FTA grants that the county receives.

19 CHAIRWOMAN GONSALVES: Does this  
20 represent a decrease or an increase?

21 MR. KELLY: Every year is different  
22 depending on what things need to be bought. Some  
23 years it's up, some years it's down. It's not  
24 like a formula. We apply for grants for certain  
25 things and that's what's awarded back to us.

2 CHAIRWOMAN GONSALVES: Okay. Any  
3 questions of Mr. Kelly? Yes. Legislator Jacobs.

4 LEGISLATOR JACOBS: Mr. Kelly, just a  
5 very quick question.

6 MR. KELLY: Sure.

7 LEGISLATOR JACOBS: First place, I  
8 believe -- this is just an observation from the  
9 very beginning -- that they're doing a good job.  
10 When I say that, I'm referring to things when I  
11 called them and they're response time is very,  
12 very good and appropriate in getting back. Let  
13 me ask you a question about the grant money.

14 When grant money comes in in a certain  
15 year and it adds to the amount of money that we  
16 have for expenditures within, let's say, Veolia  
17 or whatever, what happens when you're preparing  
18 the budget for 2013? Are you using that as the  
19 baseline for the budget?

20 MR. KELLY: We're talking about two  
21 different things here. This is not for the  
22 Veolia contract.

23 LEGISLATOR JACOBS: What is this for?

24 MR. KELLY: This is for the capital  
25 assets, the actual system, the buses, the signs,



2 things like that.

3 LEGISLATOR JACOBS: I know. So what  
4 happens -- my question to you is this. What is  
5 this one for? How much of a grant are we hoping  
6 for?

7 MR. KELLY: The total grant is \$34.9  
8 million; of that the County contributes 10  
9 percent.

10 LEGISLATOR JACOBS: So my question I  
11 guess is really leading to this. \$34.9 million  
12 for the assets, let's say we hopefully get it for  
13 2012. What do you base your 2013 budget on, that  
14 extra amount of money coming in again or how does  
15 that get logged in in the finance?

16 MR. KELLY: This isn't general fund.  
17 Let me take a step back for a second. The  
18 county's share in all of this is 10 percent.  
19 That 10 percent is usually funded by the county's  
20 capital budget. So we bond for our 10 percent  
21 share. That's one thing. So that goes into our  
22 budget. When we budget for capital assets, it's  
23 whatever capital assets we need. We apply for a  
24 grant from the federal government. They decide  
25 whether or not we're going to get the grant. We

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2 get the grant. That's how we budget. So this is  
3 all just money that comes in. It's not for  
4 operating expenditures or anything like that.  
5 There could be a certain amount that could be  
6 used for administration, things like that. But  
7 mostly what we're talking about is capital purses  
8 here.

9 LEGISLATOR JACOBS: So the line for the  
10 coming year would be set as if this did not come  
11 in? You know what I'm trying to ask. This is  
12 monies that we hope we're going to be getting  
13 this year.

14 MR. MARIN: Yes. This is for federal  
15 fiscal year 2013, which starts in October of this  
16 year.

17 LEGISLATOR JACOBS: So this is for 2013?

18 MR. MARIN: It's for 2012/2013.

19 LEGISLATOR JACOBS: Okay. So now my  
20 point is -- and maybe I'm on the wrong track.  
21 I'm not a finance person. My point is you get  
22 the money, hopefully.

23 MR. MARIN: We've already been awarded  
24 this. This is just the appropriation so we can  
25 have it available for spending.

2 LEGISLATOR JACOBS: Okay. How do you  
3 log that? How does finance assume that, let's  
4 say, in the next budget that's coming up for  
5 this?

6 MS. D'ALLEVA: This is in the capital  
7 program.

8 MR. MARIN: This isn't general fund.

9 MS. D'ALLEVA: This is not operating  
10 dollars.

11 MR. MARIN: This isn't like STOA, where  
12 we get a certain amount from the state every year  
13 and we try to get that same amount for the next  
14 year. This is completely dependent on the grants  
15 that we apply for and the things that we need to  
16 buy.

17 MS. D'ALLEVA: It's to buy the buses.  
18 It's actually to capitally expend for buses.

19 MR. MARIN: It's not for projecting  
20 forward.

21 LEGISLATOR JACOBS: Okay. So, in other  
22 words, if we don't get it, we don't buy the  
23 buses. Right?

24 MR. MARIN: Right.

25 LEGISLATOR JACOBS: Okay. Thank you.

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2 CHAIRWOMAN GONSALVES: Any other  
3 comments?  
4 (No verbal response.)  
5 There being none, we need a motion to  
6 vote to accept the amendment.  
7 All those in favor of the amendment?  
8 (Aye.)  
9 Any opposed?  
10 (No verbal response.)  
11 The ordinance, as amended, all those in  
12 favor?  
13 (Aye.)  
14 Any opposed?  
15 (No verbal response.)  
16 The motion carries unanimously.  
17 MR. MARIN: Thank you.  
18 CHAIRWOMAN GONSALVES: Now we need --  
19 we have an addendum, so we need a motion to  
20 suspend the rules, please.  
21 LEGISLATOR MUSCARELLA: So moved.  
22 LEGISLATOR WALKER: Second.  
23 CHAIRWOMAN GONSALVES: Moved by  
24 Legislator Muscarella, seconded by Legislator  
25 Walker.

2 All those in favor of suspending the  
3 rules say aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The motion carries.

8 The first item is Item 533, an ordinance  
9 supplemental to the annual appropriation  
10 ordinance in connection with the Office of Real  
11 Estate Services.

12 Motion, please?

13 LEGISLATOR MUSCARELLA: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: Motion by  
16 Legislator Muscarella, seconded by Legislator  
17 Walker.

18 And before us we have?

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
20 Chief Deputy County Executive Rob Walker.

21 CHAIRWOMAN GONSALVES: Nice to see you.

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
23 You too.

24 This item before you and the item that  
25 hopefully we'll hear next is additional dollars

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2 that the amount is putting forth and working with  
3 the state government. And this goes in line with  
4 what Legislator Jacob was just talking about,  
5 with operating dollars. It's going to be pushed  
6 to aid with our bus services.

7 Everyone knows, with the implementation,  
8 and we believe the implementation has gone very  
9 well, with the dollars that are going bus system.  
10 The operator was given the opportunity to  
11 actually -- if they so chose, to cancel and end  
12 routes for basically as long as they wanted to,  
13 up to, I believe, four routes they could have  
14 eliminated, and they didn't. One of the main  
15 reasons for this elimination and why this is  
16 before you today and the amendment to the  
17 contract that will be before the Rules Committee  
18 is putting an additional 7.3, \$7.4 million,  
19 mostly that's coming from the state that we were  
20 able to, during budget negotiations, and working  
21 with our Senate and Assembly delegation, achieve  
22 four million in additional dollars that were used  
23 to make sure that those routes were not  
24 eliminated. Instead, we had the realignment and  
25 the addition of several routes to our bus system.

2 So this \$3.3 million is actually coming from the  
3 FTA in the forms of dollars that's going to go  
4 directly to handling the operation of assisting  
5 with Able Ride and also our fixed bus route  
6 system, again \$3.357 million for your  
7 consideration.

8 CHAIRWOMAN GONSALVES: Any questions of  
9 Mr. Walker? Legislator Jacobs.

10 LEGISLATOR JACOBS: Rob, hi. This is  
11 when I should have been asking my question. I'm  
12 sorry. You're absolutely right. I was ahead of  
13 myself.

14 My concern is, again, what I had said  
15 before. I do think they're doing a good job. I  
16 am always concerned with Able Ride. Obviously  
17 getting these grants would be terrific. What  
18 happens? What happens? You're preparing your  
19 budget, maybe they're more relaxed about not  
20 cutting routes, we hope, and then what happens if  
21 it doesn't come through?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
23 It's a great question. Again, I think it  
24 behooves all of us -- we always don't have to  
25 agree, and in many cases we do come together, and

2 I think on this issue it's important we all agree  
3 to the importance of the bus system, especially  
4 Able Ride. In your community, it's not too far  
5 from where I live, and we had one of the highest  
6 areas of people that actually lost --

7 LEGISLATOR JACOBS: I've lost it in all  
8 my area.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
10 Exactly. One thing that we've done I think  
11 collectively as we go forward, we must continue  
12 over the next -- the amendment that's before the  
13 Rules Committee on the contract, which you'll see  
14 is for 15 months which gets us until basically  
15 April 1, 2013 --

16 LEGISLATOR JACOBS: Right.

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
18 And why that's done is for the very -- we can't  
19 speak for the State, although there are many  
20 times we wish we could, and we can't speak for  
21 the federal government. But the one thing is  
22 certain, I think that all of us together over the  
23 course of the next eight, nine months, into the  
24 budget season, we must make sure that we don't  
25 use STOA dollars.



2 The reason why we did 15 months is  
3 because you start getting a good outlook on where  
4 we are going to be. First, we believe the fare  
5 box revenue is up. More and more people are  
6 actually taking the bus system now than they did  
7 previously, which I think is a tell tale sign of  
8 what you talked about before, that it is being  
9 run pretty efficiently. We're always going to  
10 have some problems. But we work through those  
11 problems. We have to continue to urge our state  
12 colleagues to put the dollars forth. If they  
13 don't, we're going to be left with decisions at  
14 that point, this legislative body and the county  
15 executive, if we put additional dollars from the  
16 county budget into 2013. We can see how the  
17 budget is going at that point. You really can't  
18 speak in hypotheticals, and I would be doing an  
19 injustice to you to say that this becomes the  
20 baseline number forever. No. It doesn't.

21 I think we have to look at it each year  
22 as we proceed. And, more importantly, again, I  
23 think the collectively wisdom of everyone here,  
24 on both sides of the aisle, to talk to our state  
25 colleagues, we were able to get \$4 million more

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2 this year from the state, when in other areas  
3 we're not seeing those gains. We're fortunate we  
4 have this Senate transportation -- chairman of  
5 the Senate Transportation Committee, with Chuck  
6 Foscillo, that's a Nassau County resident. That  
7 helps us.

8 We must continue on those paths. We have  
9 worked with Veolia on efficiencies. We are going  
10 to look to create additional efficiencies for  
11 them, possibly the use of purchasing power that  
12 we have in the county. Just utilizing our county  
13 contract for natural gas, which has saved this  
14 county over \$7.5 million, has saved Veolia even  
15 additional dollars on top of that. They're going  
16 to continue to look for operational efficiencies.  
17 We're going to look forward to putting dollars  
18 forth. We're going to continue to urge our  
19 colleagues in the state that we were successful  
20 in this year. As we go forward we want to make  
21 sure that the residents that rely on this bus  
22 service are receiving it, and that's what they  
23 actually have.

24 LEGISLATOR JACOBS: So the bottom -- I'm  
25 sorry. The bottom line then, obviously this

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2 would be a great thing to have happen. We could  
3 hit a pretty big hiccup at the end of March.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
5 We always could. We're speaking totally in  
6 hypotheticals. The state may give us additional  
7 dollars, or the state may come in and say you  
8 know what, Nassau County and the rest of New York  
9 State, we're cutting STOA by 50 percent. It  
10 totally is an unknown. I would never speak for  
11 them. Again, I think we have some very good  
12 supporters in our camp that we're going to  
13 continue to rely upon.

14 LEGISLATOR JACOBS: Okay. Thank you.

15 CHAIRWOMAN GONSALVES: Any other  
16 questions for Mr. Walker?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 There being none. All those in favor of  
21 this item signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The motion carries unanimously.

2 I'm sorry. I could have called the two  
3 of them together.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
5 You just wanted to see my beautiful face.

6 CHAIRWOMAN GONSALVES: I know.

7 Item 534, an ordinance supplemental to  
8 the annual appropriation ordinance in connection  
9 with the Office of Real Estate Services.

10 A motion, please?

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRWOMAN GONSALVES: Moved by  
14 Legislator Walker, seconded by Legislator  
15 Muscarella.

16 Mr. Walker.

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
18 This is additional dollars. This is the actual  
19 STOA aid that I was discussing before that comes  
20 as pass through from the state. Again, \$4  
21 million that will go to increase the overall  
22 contract that will be before the Rules Committee  
23 later.

24 CHAIRWOMAN GONSALVES: Any other  
25 questions?

2 LEGISLATOR JACOBS: It's not really a  
3 question. I would just say that any comments  
4 that were made on 533 be carried over to this.  
5 Obviously, it seems to me that this money will  
6 help to not allow more routes to be cut.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
8 Correct.

9 LEGISLATOR JACOBS: And that's what we  
10 have to keep striving for as we go ahead.

11 Thank you.

12 (Whereupon, the following is the  
13 testimony pertaining to Clerk Item 533-2012.)

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
15 You too.

16 This item before you and the item that  
17 hopefully we'll hear next is additional dollars  
18 that the amount is putting forth and working with  
19 the state government. And this goes in line with  
20 what Legislator Jacob was just talking about,  
21 with operating dollars. It's going to be pushed  
22 to aid with our bus services.

23 Everyone knows, with the implementation,  
24 and we believe the implementation has gone very  
25 well, with the dollars that are going bus system.

2 The operator was given the opportunity to  
3 actually -- if they so chose, to cancel and end  
4 routes for basically as long as they wanted to,  
5 up to, I believe, four routes they could have  
6 eliminated, and they didn't. One of the main  
7 reasons for this elimination and why this is  
8 before you today and the amendment to the  
9 contract that will be before the Rules Committee  
10 is putting an additional 7.3, \$7.4 million,  
11 mostly that's coming from the state that we were  
12 able to, during budget negotiations, and working  
13 with our Senate and Assembly delegation, achieve  
14 four million in additional dollars that were used  
15 to make sure that those routes were not  
16 eliminated. Instead, we had the realignment and  
17 the addition of several routes to our bus system.  
18 So this \$3.3 million is actually coming from the  
19 FTA in the forms of dollars that's going to go  
20 directly to handling the operation of assisting  
21 with Able Ride and also our fixed bus route  
22 system, again \$3.357 million for your  
23 consideration.

24 CHAIRWOMAN GONSALVES: Any questions of  
25 Mr. Walker? Legislator Jacobs.

2 LEGISLATOR JACOBS: Rob, hi. This is  
3 when I should have been asking my question. I'm  
4 sorry. You're absolutely right. I was ahead of  
5 myself.

6 My concern is, again, what I had said  
7 before. I do think they're doing a good job. I  
8 am always concerned with Able Ride. Obviously  
9 getting these grants would be terrific. What  
10 happens? What happens? You're preparing your  
11 budget, maybe they're more relaxed about not  
12 cutting routes, we hope, and then what happens if  
13 it doesn't come through?

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
15 It's a great question. Again, I think it  
16 behooves all of us -- we always don't have to  
17 agree, and in many cases we do come together, and  
18 I think on this issue it's important we all agree  
19 to the importance of the bus system, especially  
20 Able Ride. In your community, it's not too far  
21 from where I live, and we had one of the highest  
22 areas of people that actually lost --

23 LEGISLATOR JACOBS: I've lost it in all  
24 my area.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

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2 Exactly. One thing that we've done I think  
3 collectively as we go forward, we must continue  
4 over the next -- the amendment that's before the  
5 Rules Committee on the contract, which you'll see  
6 is for 15 months which gets us until basically  
7 April 1, 2013 --

8 LEGISLATOR JACOBS: Right.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
10 And why that's done is for the very -- we can't  
11 speak for the State, although there are many  
12 times we wish we could, and we can't speak for  
13 the federal government. But the one thing is  
14 certain, I think that all of us together over the  
15 course of the next eight, nine months, into the  
16 budget season, we must make sure that we don't  
17 use STOA dollars.

18 The reason why we did 15 months is  
19 because you start getting a good outlook on where  
20 we are going to be. First, we believe the fare  
21 box revenue is up. More and more people are  
22 actually taking the bus system now than they did  
23 previously, which I think is a tell tale sign of  
24 what you talked about before, that it is being  
25 run pretty efficiently. We're always going to



2 have some problems. But we work through those  
3 problems. We have to continue to urge our state  
4 colleagues to put the dollars forth. If they  
5 don't, we're going to be left with decisions at  
6 that point, this legislative body and the county  
7 executive, if we put additional dollars from the  
8 county budget into 2013. We can see how the  
9 budget is going at that point. You really can't  
10 speak in hypotheticals, and I would be doing an  
11 injustice to you to say that this becomes the  
12 baseline number forever. No. It doesn't.

13 I think we have to look at it each year  
14 as we proceed. And, more importantly, again, I  
15 think the collectively wisdom of everyone here,  
16 on both sides of the aisle, to talk to our state  
17 colleagues, we were able to get \$4 million more  
18 this year from the state, when in other areas  
19 we're not seeing those gains. We're fortunate we  
20 have this Senate transportation -- chairman of  
21 the Senate Transportation Committee, with Chuck  
22 Foscillo, that's a Nassau County resident. That  
23 helps us.

24 We must continue on those paths. We have  
25 worked with Veolia on efficiencies. We are going

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2 to look to create additional efficiencies for  
3 them, possibly the use of purchasing power that  
4 we have in the county. Just utilizing our county  
5 contract for natural gas, which has saved this  
6 county over \$7.5 million, has saved Veolia even  
7 additional dollars on top of that. They're going  
8 to continue to look for operational efficiencies.  
9 We're going to look forward to putting dollars  
10 forth. We're going to continue to urge our  
11 colleagues in the state that we were successful  
12 in this year. As we go forward we want to make  
13 sure that the residents that rely on this bus  
14 service are receiving it, and that's what they  
15 actually have.

16 LEGISLATOR JACOBS: So the bottom -- I'm  
17 sorry. The bottom line then, obviously this  
18 would be a great thing to have happen. We could  
19 hit a pretty big hiccup at the end of March.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:  
21 We always could. We're speaking totally in  
22 hypotheticals. The state may give us additional  
23 dollars, or the state may come in and say you  
24 know what, Nassau County and the rest of New York  
25 State, we're cutting STOA by 50 percent. It

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2 totally is an unknown. I would never speak for  
3 them. Again, I think we have some very good  
4 supporters in our camp that we're going to  
5 continue to rely upon.

6 LEGISLATOR JACOBS: Okay. Thank you.

7 CHAIRWOMAN GONSALVES: Any other  
8 questions for Mr. Walker?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 There being none. All those in favor of  
13 this item signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 The motion carries unanimously.

18 (Whereupon, the following is the  
19 continuation of the minutes of the July 23, 2012  
20 Planning, Development and Environment Committee.)

21 CHAIRWOMAN GONSALVES: Any other  
22 comments?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

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2 All those in favor signify by saying aye.  
3 (Aye.)  
4 Any opposed?  
5 (No verbal response.)  
6 Motion carries unanimously.  
7 Thank you, Mr. Walker.  
8 There being no other business before the  
9 committee, a motion to adjourn, please?  
10 LEGISLATOR MUSCARELLA: So moved.  
11 LEGISLATOR WALKER: Second.  
12 CHAIRWOMAN GONSALVES: Moved by  
13 Legislator Muscarella, seconded by Legislator  
14 Walker.  
15 All those in favor?  
16 (Aye.)  
17 Any opposed?  
18 (No verbal response.)  
19 The motion to adjourn carries  
20 unanimously.  
21 (Whereupon, the Planning, Development and  
22 the Environment Committee is adjourned at 2:41  
23 p.m.)  
24  
25

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby 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 7th day of August, 2012.

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FRANK GRAY