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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PLANNING, DEVELOPMENT AND THE  
ENVIRONMENT COMMITTEE

LAURA SCHAEFER, Chairwoman

1550 Franklin Avenue  
Mineola, New York

Monday, June 5, 2017  
2:59 P.M

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2     A P P E A R A N C E S :

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4     LAURA SCHAEFER,  
      Chairwoman

5

      DENNIS DUNNE  
      Vice Chairman

6

DENISE FORD

7

STEVEN RHOADS

8

      ARNOLD DRUCKER,  
9     Ranking

10    CARRIE SOLAGES

11    LAURA CURRAN

12    MICHAEL PULITZER,  
13     Clerk of the Legislature

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LIST OF SPEAKERS

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4 BOB MCMANUS . . . . . 5

5 THEODORE HOMMEL . . . . . 10

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1 Planning & Development/6-5-17

2 CHAIRWOMAN SCHAEFER: At this  
3 time I will call the Planning, Development  
4 and Environment Committee to order. I'll  
5 ask the clerk to please call the roll.

6 CLERK PULITZER: Thank you.  
7 Legislator Laura Curran?

8 LEGISLATOR CURRAN: Here.

9 CLERK PULITZER: Legislator  
10 Carrie Solages?

11 LEGISLATOR SOLAGES: Here.

12 CLERK PULITZER: Ranking Member  
13 Arnold Drucker?

14 LEGISLATOR DRUCKER: Here.

15 CLERK PULITZER: Legislator  
16 Steven Rhoads?

17 LEGISLATOR RHOADS: Present.

18 CLERK PULITZER: Legislator  
19 Denise Ford?

20 LEGISLATOR FORD: Here.

21 CLERK PULITZER: Vice Chairman  
22 Dennis Dunne?

23 LEGISLATOR DUNNE: Here.

24 CLERK PULITZER: Chairwoman Laura  
25 Schaefer?

1 Planning & Development/6-5-17

2 CHAIRWOMAN SCHAEFER: Here.

3 CLERK PULITZER: We have a  
4 quorum, ma'am.

5 CHAIRWOMAN SCHAEFER: Thank you.  
6 We have one item on the agenda for today.  
7 Clerk Item 138-17, a resolution making  
8 certain determinations pursuant to the State  
9 Environmental Quality Review Act and  
10 authorizing the County Executive on behalf  
11 of the County of Nassau to execute a lease  
12 agreement between the County of Nassau, as  
13 tenant and 114 Old County Road, TT, LLC, or  
14 OCR TT, LLC, as landlord of property owned  
15 by 114 OCR TT, LLC for use by the County of  
16 Nassau, Office of the District Attorney.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR FORD: Second.

19 CHAIRWOMAN SCHAEFER: Motion by  
20 Legislator Dunne, seconded by Legislator  
21 Ford.

22 RM. MCMANUS: Good afternoon, Bob  
23 McManus, District Attorney's Office.

24 This item before you is a lease  
25 for the District Attorney's Office to rent

1                   Planning & Development/6-5-17  
2       badly needed additional office space at 114  
3       Old Country Road.

4                   The lease is for five years with  
5       one five year renewal option. The monthly  
6       rent has been set at \$9,942 a month and  
7       electrical costs of \$1,231 per month.

8                   These months will be paid out of  
9       asset forfeiture funds controlled by the  
10      District Attorney's Office.

11                  The lease was negotiated by the  
12      County Attorney's real estate department in  
13      collaboration with our office. This  
14      additional space will greatly assist in  
15      addressing overcrowding in our offices in  
16      the courthouse complex.

17                  CHAIRWOMAN SCHAEFER: Thank you.  
18      I just have a couple of questions for you.  
19      The space itself that you're leasing, do you  
20      have an idea how many it can accommodate?  
21      What are your needs that led you to acquire  
22      some new space?

23                  MR. MCMANUS: Our current  
24      offices, we occupy parts of three buildings  
25      on Old Country Road 252, 262 and 272 Old

1                   Planning & Development/6-5-17  
2   Country Road. We have a lot of issues  
3   relating to storage.

4                   As you know we create a lot of  
5   files that have to be retained for long  
6   period of times.

7                   There has been additions made to  
8   our staff over the last couple of years.  
9   This is for 4,545 square feet of office  
10   space and we project that there will be  
11   approximately 20 people moved to this  
12   location.

13                  CHAIRWOMAN SCHAEFER: Do you have  
14   those 20 people working for you now?

15                  MR. MCMANUS: Yes. This has  
16   nothing to do with hiring or any additional  
17   cost to the county.

18                  CHAIRWOMAN SCHAEFER: Legislator  
19   Rhoads.

20                  LEGISLATOR RHOADS: Yes, in terms  
21   of the space that's actually being acquired,  
22   I used to actually work in 114 Old County  
23   Road, strangely enough, the 4,500 square  
24   feet, is that an entire floor; is that a  
25   portion of a floor?

1                   Planning & Development/6-5-17

2                   MR. MCMANUS:   A portion of a  
3 floor.

4                   LEGISLATOR RHOADS:   I noted that  
5 you are using asset forfeiture funds to pay  
6 the rent on the space that you are proposing  
7 to acquire.   Are there any restrictions on  
8 asset forfeiture funds as far as the ability  
9 to use to them pay operating expenses like  
10 that or is that -- or can you do that?

11                  MR. MCMANUS:   As long as it's  
12 related to law enforcement or criminal  
13 justice purposes and this has been approved  
14 by the state in terms of proper expenditure.

15                  LEGISLATOR RHOADS:   Was there any  
16 attempt to look at any other county owned  
17 facilities to see if there was any available  
18 space before going out to a private entity?

19                  MR. MCMANUS:   Not to my  
20 knowledge.   The problem is, one of the main  
21 criteria was that this location be in close  
22 proximity to our existing locations.   As you  
23 know, it's almost directly across the  
24 street.

25                  LEGISLATOR RHOADS: I didn't know



1                   Planning & Development/6-5-17  
2     if there was any available space in West  
3     Street.

4                   MR. MCMANUS:   We have taken space  
5     over in 240 Old Country Road in the last  
6     year, year and a half. There is no more  
7     space available in that location. That's  
8     also adjacent to our existing quarters at  
9     the courthouse complex.

10                  LEGISLATOR DRUCKER:   Madam Chair,  
11     I have one question.

12                  CHAIRWOMAN SCHAEFER:   Sure.

13                  LEGISLATOR DRUCKER:   Was the  
14     square footage and the price per square foot  
15     negotiated and was that considered a  
16     reasonable asking price or was that the  
17     price they asked and you're agreeing to pay  
18     it?

19                  MR. MCMANUS:   No. That was  
20     negotiated by the Office of the County  
21     Attorney's real estate department.

22                  We defer to them in terms of the  
23     negotiations with the property owner.

24                  LEGISLATOR DRUCKER:   Do you know  
25     if that price per square foot is in line

1                   Planning & Development/6-5-17  
2   with other space in that area?

3                   MR. MCMANUS:   That's our  
4   understanding.

5                   CHAIRWOMAN SCHAEFER:   They have  
6   gave us some comps I think of space in the  
7   area.

8                   LEGISLATOR DRUCKER:   There are  
9   comps.

10                  MR. HOMMEL:   Theodore Hommel,  
11   Deputy County Attorney.   The office of Real  
12   Estate Services did obtain comparables.   The  
13   rate per square foot is actually favorable  
14   for space on Old Country Road in Mineola.

15                  CHAIRWOMAN SCHAEFER:   Thank you.  
16   Do you have a time frame if this were to go  
17   through today and passes through Full Leg.  
18   Is there a time frame when you were looking  
19   to get in there or when you're supposed to  
20   according to the terms of the lease?

21                  I didn't see any date on it.  
22   It's probably open, I imagine.

23                  MR. HOMMEL:   The landlord has  
24   about four weeks to complete the tenant  
25   improvements, so five weeks or six weeks.

1 Planning & Development/6-5-17

2 MR. MCMANUS: As soon as those --  
3 the landlord has completed what he's  
4 responsible for, we're ready to move in.

5 CHAIRWOMAN SCHAEFER: Any other  
6 questions from the legislators?

7 LEGISLATOR RHOADS: Just for the  
8 record, I know you gave us the comps, just  
9 for the record, what's market versus what  
10 we're paying?

11 MR. HOMMEL: Let me find the  
12 comps. This is \$26.25 per square foot is  
13 what we're paying. If you look at the comps  
14 of recent deals, \$29, 27 per square foot, 28  
15 per square foot, 28 and 28, and I might add  
16 our annual escalator is only two and a half  
17 percent. If you look at the comps, most of  
18 those are higher than two and a half.

19 CHAIRWOMAN SCHAEFER: Any public  
20 discussion on this item?

21 (No verbal response.)

22 There being none, all those in  
23 favor of Item 137-17 signify by saying aye.

24 (Aye.)

25 Any opposed?

1                   Planning & Development/6-5-17  
2                   (No verbal response.)  
3                   The item passes.  
4                   Motion to adjourn.  
5                   LEGISLATOR DUNNE:    So moved.  
6                   LEGISLATOR RHOADS:   Second.  
7                   CHAIRWOMAN GONSALVES:   Moved by  
8   Legislator Dunne, seconded by Legislator  
9   Rhoads.   All those in favor of adjourning,  
10   signify by saying aye.  
11                   (Aye.)  
12                   Any opposed?  
13                   (No verbal response.)  
14                   Planning is adjourned.   Parks is  
15   next.  
16                   (Whereupon, the Planning,  
17   Development & the Environment Committee  
18   adjourned at 3:07 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 5th day of June, 2017.

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FRANK GRAY