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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO
PRESIDING OFFICER

LEGISLATIVE SESSION

County Executive and Legislative Building
1550 Franklin Avenue
Mineola, New York

Monday, June 29, 2020
1:25 P.M.

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

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4 LEGISLATOR RICHARD J. NICOLELLO

5 Presiding Officer

6 9th Legislative District

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8 LEGISLATOR HOWARD KOPEL

9 Deputy Presiding Officer

10 7th Legislative District

11

12 LEGISLATOR DENISE FORD

13 Alternate Presiding Officer

14 4th Legislative District

15

16 LEGISLATOR KEVAN ABRAHAMS

17 Minority Leader

18 1st Legislative District

19

20 LEGISLATOR SIELA BYNOE

21 2nd Legislative District

22

23 LEGISLATOR CARRIE SOLAGES

24 3rd Legislative District

25

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3 LEGISLATOR DEBRA MULE

4 5th Legislative District

5

6 LEGISLATOR C. WILLIAM GAYLOR III

7 6th Legislative District

8

9 LEGISLATOR VINCENT T. MUSCARELLA

10 8th Legislative District

11

12 LEGISLATOR ELLEN BIRNBAUM

13 10th Legislative District

14

15 LEGISLATOR DELIA DERIGGI-WHITTON

16 11th Legislative District

17

18 LEGISLATOR JAMES KENNEDY

19 12th Legislative District

20

21 LEGISLATOR THOMAS MCKEVITT

22 13th Legislative District

23

24 LEGISLATOR LAURA SCHAEFER

25 14th Legislative District

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3 LEGISLATOR JOHN FERRETTI, JR.

4 15th Legislative District

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6 LEGISLATOR ANDREW DRUCKER

7 16th Legislative District

8

9 LEGISLATOR ROSE WALKER

10 17th Legislative District

11

12 LEGISLATOR JOSHUA LAFAZAN

13 18th Legislative District

14

15 LEGISLATOR STEVEN RHOADS

16 19th Legislative District

17

18 MICHAEL PULITZER

19 Clerk of the Legislature

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2 LEGISLATOR NICOLELLO: I'm going
3 to call the meeting of the legislature to
4 order and ask that Legislator Rose Walker lead
5 us in the Pledge of Allegiance.

6 I will act as the clerk and call
7 the roll. Deputy Presiding Officer Kopel.
8 Howard can you hear us? Howard is here. We
9 just heard you.

10 Legislator Ford.

11 LEGISLATOR FORD: Here.

12 LEGISLATOR NICOLELLO: Legislator
13 Bynoe.

14 LEGISLATOR BYNOE: Here.

15 LEGISLATOR NICOLELLO: Legislator
16 Solages.

17 LEGISLATOR SOLAGES: Here.

18 LEGISLATOR NICOLELLO: Legislator
19 Mule.

20 LEGISLATOR MULE: Here.

21 LEGISLATOR NICOLELLO: Legislator
22 Gaylor.

23 LEGISLATOR GAYLOR: Present.

24 LEGISLATOR NICOLELLO: Legislator
25 Muscarella.

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2 LEGISLATOR MUSCARELLA: Here.

3 LEGISLATOR NICOLELLO: Legislator

4 Birnbaum.

5 LEGISLATOR BIRNBAUM: Here.

6 LEGISLATOR NICOLELLO: Legislator

7 DeRiggi-Whitton.

8 LEGISLATOR DERIGGI-WHITTON:

9 Here.

10 LEGISLATOR NICOLELLO: Legislator

11 Kennedy.

12 LEGISLATOR KENNEDY: Here.

13 LEGISLATOR NICOLELLO: Legislator

14 McKevitt.

15 LEGISLATOR MCKEVITT: Here.

16 LEGISLATOR NICOLELLO: Legislator

17 Schaefer.

18 LEGISLATOR SCHAEFER: Here.

19 LEGISLATOR NICOLELLO: Legislator

20 Ferretti.

21 LEGISLATOR FERRETTI: Here.

22 LEGISLATOR NICOLELLO: Legislator

23 Drucker.

24 LEGISLATOR DRUCKER: Here.

25 LEGISLATOR NICOLELLO: Legislator

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2 Walker.

3 LEGISLATOR WALKER: Here.

4 LEGISLATOR NICOLELLO: Legislator
5 Lafazan. We'll go back to him. Legislator
6 Rhoads.

7 LEGISLATOR RHOADS: Present.

8 LEGISLATOR NICOLELLO: Legislator
9 Abrahams.

10 LEGISLATOR ABRAHAMS: Here.

11 LEGISLATOR NICOLELLO: And I'm
12 here. Josh is here. That makes all 19 of
13 us. We have a quorum.

14 I'm going to call two emergency
15 items. We may have another emergency item or
16 two after we go through the full legislative
17 calendar. We are working on that.

18 148 of 2020, an ordinance
19 supplemental to the annual appropriation
20 ordinance in connection with the Office of
21 Management and Budget.

22 We need a motion to establish the
23 emergency. Moved by Legislator Ford.

24 Seconded by Legislator Walker. Anyone here to
25 discuss? First question is why is this an

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2 emergency?

3 MR. PERSICH: Good afternoon.

4 Andy Persich, Office of Management and
5 Budget.

6 The reason that it became an
7 emergency was just the timing of the calendar
8 with how we have to move appropriations in and
9 out of the funds that have incurred expenses.
10 So we finally wrapped our hands around a plan
11 of how to spend the money. I think I would
12 have done it in July but I'm going to have to
13 move money in departments like DPW and
14 everywhere else. So it would have either come
15 with the polling request or this way and I
16 prefer to do it this way. Because the items
17 supplementally appropriates half the money we
18 received in CARES funding and \$5 million in
19 what we consider to be FEMA-eligible
20 expenses. The majority of the expenses are
21 going to be public safety related that we
22 incurred during the crisis and we're analyzing
23 the balance of the money to see how it can be
24 spent.

25 LEGISLATOR NICOLELLO: This is

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2 federal money under the CARES Act?

3 MR. PERSICH: That is correct.

4 LEGISLATOR NICOLELLO: Anyone
5 have any questions on the emergency? Hearing
6 none, all in favor of the emergency signify by
7 saying aye. Those opposed? Carries
8 unanimously.

9 Now we have to call the item. An
10 ordinance supplemental to the annual
11 appropriation ordinance in connection with the
12 Office of Management and Budget.

13 Moved by Legislator Ford. Seconded
14 by Legislator Walker. I think Andy covered
15 the merits of this. Anyone else have any
16 questions on the substance or merits of this?
17 Hearing none, all in favor signify by saying
18 aye. Those opposed? Carries unanimously.

19 MR. PERSICH: Thank you.

20 LEGISLATOR NICOLELLO: Thanks.
21 Item 146 of 2020 is a resolution authorizing
22 the county executive to execute a grant
23 agreement between the county, acting on behalf
24 of the Department of Parks, and the Museums at
25 Mitchell d/b/a Cradle of Aviation.

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2 A motion to establish the
3 emergency. Moved by Legislator Drucker.
4 Seconded by Legislator Ferretti. What is the
5 emergency on this one?

6 MR. PERSICH: Why it became an
7 emergency is the Cradle is having a funding
8 issue and the original plan was to pay out of
9 a different funding source when we did this
10 back in April. But it came to our attention
11 that because of the declines in revenue in
12 hotel-motel tax that we need to reallocate or
13 how we appropriate the money into a different
14 fund in using hotel-motel tax.

15 So, we are only encumbering half
16 the amount even though it's a \$600,000
17 contract. But because of the way this
18 pandemic has decimated the county budget and
19 all the revenue sources we are trying to be a
20 little bit more proactive in how we are
21 allocating contracts and doing appropriations.

22 LEGISLATOR NICOLELLO: Did we
23 previously approve this this year?

24 MR. PERSICH: You did. I don't
25 remember the meeting. It was either March or

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2 April but we did, and it was the funding
3 source that we were actually paying it out of
4 was general fund. After review with NIFA and
5 everybody else we thought this was the best
6 way to use the funding that's in the
7 hotel-motel tax grant fund to get the money
8 through. They are running a little short
9 because I don't know what the museum is going
10 to look like as a result of this. But this is
11 just a small step in what is yet to come.

12 LEGISLATOR NICOLELLO: This is
13 \$300,000 as opposed to \$600,000?

14 MR. PERSICH: Correct. And we
15 will see how things go and if we have to
16 readjust then we will come back to you with
17 it. I think that's the approach we are taking
18 with a lot of things.

19 LEGISLATOR NICOLELLO: Any other
20 questions? Legislator Ford.

21 LEGISLATOR FORD: So the funding
22 for the money that we're going to give to the
23 museums will not come out of the general fund
24 but will come out of the motel-hotel grant
25 funding?

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2 MR. PERSICH: That's correct.

3 LEGISLATOR FORD: The museums and
4 all of them are closed currently and that's
5 why that they're not getting any type of
6 revenue at all.

7 MR. PERSICH: That's correct.

8 LEGISLATOR FORD: So the funding
9 that we are giving them is this to pay the
10 people that maintain the property and to make
11 sure that it is --

12 MR. PERSICH: Some of it is
13 maintenance really. I think the other part is
14 some of the people are on staff at the
15 Cradle. They used to do events and everything
16 else that used to occur there. They still
17 have a staff on board. Where this lands I
18 don't know but this is a carry-over to keep
19 some funding in place in the future.

20 LEGISLATOR FORD: Perfect. Thank
21 you.

22 LEGISLATOR NICOLELLO: Anyone
23 else?

24 LEGISLATOR DERIGGI-WHITTON:
25 Andy, can I ask you a quick question? I'm

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2 sure you don't know exactly yet, but where
3 does this leave with us a hotel-motel funds?
4 Is it pretty much going to wipe it out?

5 MR. PERSICH: No. There's some
6 other funding in there and some other
7 contracts that probably will be charged
8 against it. We're doing it very carefully now
9 of how we are approving these contracts
10 because we don't know how much funding will be
11 left. It's all based on collections which is
12 down. Across the board the county is, as you
13 are hearing, municipalities' revenue streams
14 are drying up. So some things what's
15 affordable to us at this point? So.

16 LEGISLATOR DERIGGI-WHITTON: Good
17 luck with your job.

18 MR. PERSICH: Thank you very
19 much.

20 LEGISLATOR NICOLELLO: Anyone
21 else? Hearing none, all in favor of
22 establishing the emergency signify by saying
23 aye. Those opposed? Carries unanimously.

24 146-2020. Call the actual item. A
25 resolution authorizing the county executive to

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2 execute a grant agreement between the county
3 and the Museums at Mitchell d/b/a the Cradle
4 of Aviation.

5 Moved by Legislator Ferretti.

6 Seconded by Legislator Drucker. Any further
7 questions for Andy Persich on this item?
8 Anyone on video? No? All right. Hearing
9 none, all in favor signify by saying aye.
10 Those opposed? Carries unanimously.

11 MR. PERSICH: Thank you again.

12 LEGISLATOR NICOLELLO: Thank you.

13 As we said, we may have another
14 emergency item but we are going to go to the
15 regular calendar of the legislature. Just
16 note for the record that we have received
17 public comment from John Budnick, Peter
18 Gaffney and George and Denise Baird. We will
19 give this to the clerk's office and ask that
20 these comments be made part of the record for
21 the meeting.

22 LEGISLATOR FORD: In regard to
23 the public comment, I know Mr. Gaffney has
24 been before us on numerous occasions in regard
25 to this issue of this Meadowbrook Parkway

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2 embankment in the Westbury area. Do we have
3 any resolution on this or any feedback as to
4 where we stand with this issue?

5 LEGISLATOR NICOLELLO: I don't.
6 I don't know if Legislator Schaefer is working
7 on this. Any information? I don't know if
8 she heard us. Legislator Schaefer.

9 LEGISLATOR SCHAEFER: Yes, I'm
10 sorry. Yes, the state came and -- they come
11 and I believe they did at one point but things
12 just keep, you know, throw garbage there and
13 it's not a well maintained area. So the last
14 that I recall is DPW is still working with the
15 state trying to figure out whether or not
16 they're going to come more than once a year,
17 twice a year. It's just not satisfactory.
18 It's not going to work. That's pretty much
19 what I have.

20 They're not as responsive as they
21 should be. They did come and finally did
22 respond and there was a meeting so to speak
23 held down in the area. They said they would
24 clean it up. But once a year is not going to
25 cut it. I don't know what else DPW can come

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2 up with. But we have been in touch with them
3 consistently about it.

4 LEGISLATOR FORD: I just want to
5 make sure that Mr. Gaffney then realizes and
6 I'm sure that' you've communicated that to
7 him.

8 LEGISLATOR SCHAEFER: He emails
9 us consistently and we email him back as we
10 get more information. It's frustrating.

11 LEGISLATOR FORD: Thank you.

12 LEGISLATOR NICOLELLO: We have a
13 consent calendar made up of items that went
14 through the committees three weeks ago. We
15 had debate or discussion at that time. It's
16 been determined by the minority and majority
17 that no further debate or discussion is needed
18 at this point and we will be voting upon them
19 as a block.

20 Item 5, Ordinance 54. Item 6
21 Ordinance 55. 7, Ordinance 56. 8 is
22 Ordinance 57. 9 is Ordinance 58. 10 is
23 Ordinance 59. 11 is Ordinance 60. 12 is
24 Ordinance 61. 13, Ordinance 62. 14,
25 Resolution 47. 15, Resolution 48. 16,

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2 Resolution 49. 17, Resolution 50. 18,

3 Resolution 51. 19, Resolution 52. 20

4 Resolution 53.

5 Motion by Legislator Mule.

6 Seconded by Legislator Kennedy. Any

7 discussion or debate on these items? Hearing

8 none, all in favor signify by saying aye.

9 Those opposed? Carries unanimously.

10 Item 1 is a hearing on ordinance

11 number 51. An ordinance to adopt the Nassau

12 County budget for Nassau Community College for

13 the fiscal year commencing September 1, 2020

14 and ending August 31, 2021 and to appropriate

15 revenues and the total amount of monies to be

16 raised by taxation within the county of Nassau

17 for the purposes of Nassau Community College

18 for such fiscal year.

19 Moved by Legislator Rhoads.

20 Seconded by Legislator Lafazan. Motion to

21 open the hearing was just made. All in favor

22 of opening the hearing signify by saying aye.

23 Those opposed? The hearing is now open. This

24 is the hearing on the college budget.

25 MR. WILLIAMS: Good afternoon.

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2 Thank you Presiding Officer. Thank you entire
3 legislative body. My apologies for that. I
4 thought I was missing a step.

5 LEGISLATOR NICOLELLO: I didn't
6 recognize you.

7 MR. WILLIAMS: My sincere
8 apologies. Jermaine Williams, college
9 president, Nassau Community College. And our
10 vice president of finance is here and he will
11 be able to answer questions later if need be.

12 I want to share that I'm truly
13 humbled to have this role and my first time in
14 front of this body in regards to our
15 board-approved budget and looking for your
16 support. And one of the opportunities that I
17 have in this role is to be an advocate for the
18 college. One of the huge pieces I do.

19 I would be remiss if I didn't share
20 what we already know and that is our college
21 in the county is home to largest single campus
22 SUNY community college. Of all of the 30 SUNY
23 community colleges Nassau County has the
24 largest. We boast 62 degree programs. Twenty
25 certificate programs. Our average class size

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2 is 22 students.

3 Our economic impact on the county
4 is roughly \$1.4 billion of added income a
5 year. When we talk about an investment in
6 Nassau Community College we look at for every
7 dollar invested by students that equals \$3.70
8 over the course of time. For every dollar
9 invested by taxpayers that's equal to \$4.50 in
10 added tax revenue and public sector savings.

11 So, again, this is part of what I
12 do. I sing the praises of this great
13 community college that we have here in Nassau
14 County.

15 In regards to our budget ever so
16 briefly so we can get to questions, our
17 revenue assumptions we are expecting a ten
18 percent decrease in traditional enrollment.
19 We have a \$100 per semester increase in
20 tuition. We are expecting our other
21 enrollments. This would be our noncredit
22 opportunities to decrease by 20 percent and we
23 are expecting a 50 percent decrease in our
24 commissions. That is primarily two
25 components, our bookstore and our third-party

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2 food service vendor.

3 A couple of other assumptions to
4 note is that in state funding we are expecting
5 a \$4 million -- and we know it will happen --
6 decrease due to the funding formula. Those of
7 you who were here you recall is that we had a
8 floor last year from the state. This is state
9 funding. This year they are going back to the
10 FTE formula. Which means it's a \$4 million
11 hit to our state funding.

12 Other opportunities that we are
13 preparing for is a potential 3 to \$5 million
14 decrease in this fiscal year from the state
15 and anywhere from a 20 to 25 percent fiscal
16 year '21 decrease from the state. Those are
17 not in the budget that you have in front of
18 you. We don't know the exact numbers as of
19 yet. We just want to be transparent with the
20 legislative body and say that we know that
21 those are coming and we are trying to prepare
22 for those.

23 And the last assumption is that we
24 are hopeful and planning for the same level of
25 support from the county.

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2 As we look into that, as we go
3 through your slide deck, you will see that the
4 2020 revenue budget how that impacts and you
5 will see the decrease in regards to our 2020
6 budget of student revenues and you will see
7 our decrease by about \$4 million for 2021.
8 Same thing for student fees. And you will see
9 the revenue and sponsor share. That is our
10 noncredit opportunities. You will see the
11 decrease there by about \$3 million.

12 As you look at the spreadsheet you
13 will see how the decrease in enrollment
14 impacts. As you move further down that sheet
15 you will see the state aid, that is third from
16 the bottom, and you see how that goes from \$42
17 million to 38. That's the \$4 million hit from
18 state aid that we know we are going to take.

19 The \$52 million is the county
20 support, which we are always appreciative of.
21 And then we look at, in preparation for the
22 further cuts that we know we will receive, and
23 based on our policies that we need to adhere
24 to with a goal of adding to our fund balance.
25 And this cannot be understated. Our fund

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2 balance is at the absolute lowest it should be
3 based on our board-approved policy, which is
4 4.27 percent. We are at four percent. The
5 actual SUNY and Middle States would have us at
6 five percent. In order to prepare for what
7 cuts we know are coming and actually try to be
8 aligned with where we should be that's why you
9 see that increase in fund balance. Just want
10 to make sure we are all on the same page with
11 that.

12 As you skip to the next page you
13 will see essentially what Nassau Community
14 College spends their money on. Eighty seven
15 percent of that is salary and fringes. That
16 would make sense because we are educating
17 students. That's where the overwhelming
18 majority of our funds should go to, to our
19 faculty, to our administrators, for that
20 classroom teaching and for that cocurricular
21 support. And you can look down and see how
22 the rest is divvied up.

23 I'm almost done. Two more slides
24 before we open it up to questions.

25 Our expense assumptions, a 12

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2 percent reduction of salaries and benefits. A
3 ten percent reduction of general expenses.
4 Five percent reduction of contractual
5 agreements. You can see nine percent in
6 utilities. Nine percent increase in
7 equipment. This is largely due in part with
8 the fact that we will be pretty heavily
9 remote, at least in the fall. We need to go
10 with a plan that is safety first and that
11 means decreasing the density on our large 225
12 acre 50 building campus.

13 Then \$500,000 you will see to
14 increase enrollment and retention efforts and
15 that will be decided in alignment with our
16 strategic plan and with a core group of
17 individuals.

18 The last slide on the presentation
19 that you have in front of you is you will see
20 proposed expense budget and fund balance
21 impact. You can see what that percentage of
22 decrease does to the salaries and fringes.
23 You can see it's quite a decrease from
24 approximately 119 to about \$104 million in
25 salaries over 2020 to 2021.

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2 You will also look at the other
3 components. I want to just bring your
4 attention to is you will see the general
5 expenses. As you go down a decrease in those
6 as we are always trying to create cost
7 containment measures for anything that we
8 can. Also a decrease in utility costs as we
9 are expecting and you can look at the other
10 pieces as we go down the line.

11 Then we go back to the fund
12 balance, which is, as I just mentioned, in
13 regards to preparation and policy alignment.
14 If you look all the way down that gets us to a
15 little bit more than five percent. Five point
16 five. So, we will be able to ideally, it's
17 not ideal, but we will be able to absorb those
18 state cuts with the fund balance piece.

19 I thank you again for your time and
20 definitely open to any comments, questions,
21 concerns that the legislative body might have.

22 LEGISLATOR NICOLELLO: Thank you
23 Dr. Williams. Did you want to just touch on
24 real quickly the ASPIRES and Achilles programs
25 and restoration.

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2 MR. WILLIAMS: Certainly. Thank
3 you Presiding Officer for the opportunity to
4 do that. Both of these programs, ASPIRES and
5 Achilles, as our dedication to equitably
6 providing resources for students. Those
7 programs will continue in their entirety and
8 in the same way with the same leadership in
9 regards to the faculty members that they have
10 in the past. We have been having several
11 conversations with the faculty who have been
12 guiding those programs and we are excited
13 about the future of both of those.

14 LEGISLATOR NICOLELLO: Thank
15 you. I know we've had extensive discussions
16 and we reached a place that the professors and
17 parents are by and large happy that the
18 programs are moving back. That their
19 recruitment will continue. I want to thank
20 you because you personally became involved to
21 help resolve this. I want to thank you for
22 your efforts and I think we are all thrilled
23 to see those programs restored.

24 Legislator Ford you had question.

25 LEGISLATOR FORD: Good afternoon

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2 and welcome. You did very well. I just have
3 I guess you had touched upon one of the
4 questions that I had that classes will not be
5 resumed come the fall. I guess you're
6 planning on doing basically virtual classes?

7 MR. WILLIAMS: Thank you for the
8 opportunity to address that. What we are
9 looking at right now is classes that must be
10 face-to-face, have a pedagogical need to be
11 face-to-face. We've identified those classes
12 in consultation with our faculty and chairs
13 and our deans. And now we are at a stage of
14 saying what classes can we potentially offer
15 under the umbrella of social distancing. We
16 will have face-to-face classes. It will be
17 pedagogically driven. And again it will be
18 also safety first. That's what we are looking
19 to do.

20 LEGISLATOR FORD: I guess even
21 with the other programs, I guess that would be
22 for the degree. I know sometimes you always
23 have those extra classes that people can just
24 take whether or not it's tennis or golfing or
25 whatever you have like on Saturdays,

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2 enrichment classes, you will be abandoning
3 them for the fall semester?

4 MR. WILLIAMS: I definitely would
5 not say that we are in a position to make that
6 call as of right now. Everything that we are
7 looking at is if it can be done remotely and
8 we can maintain the educational effectiveness
9 of that teaching and learning opportunity for
10 our students, obviously for the benefit of the
11 county, then we would look to do that.

12 However, if there is an
13 opportunity, a safe opportunity, to meet
14 face-to-face then we are pursuing that. So we
15 are looking at -- we just had a meeting about
16 our apps and having people check in and
17 temperature checks and all these components.
18 We definitely will have a thriving campus in
19 some way, shape or form. We just are still
20 figuring out the number of courses that will
21 be face to face.

22 LEGISLATOR FORD: I understand
23 because I know like a lot of times there's
24 other classes that, you know, like, say
25 somebody, I would like sign up for a class and

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2 go and that is a source of revenue because
3 it's something aside from the normal courses
4 that people go to for their degrees and stuff
5 like that.

6 So then when you say that you're
7 going to be hopefully opening the campus come
8 the fall, will you still then be providing
9 food services or it would be something that
10 the students would have to bring their own?

11 MR. WILLIAMS: That's a
12 contractual piece and vice president Izquierdo
13 can speak a little bit more if I leave
14 something. But it will be based on demand.
15 So once we have clearly identified the
16 percentage of density, then we can work with
17 those entities to identify what type of food
18 service is needed. We have already been in
19 negotiations or conversations with our
20 bookstore. So, we are identifying ways for
21 our students to receive their learning
22 materials. That will go off without a hitch.
23 That will be planned. There's always things
24 that happen. But we have been in those
25 conversations for weeks now.

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2 LEGISLATOR FORD: And you
3 anticipate keeping the same amount of
4 professors and adjunct professors on staff
5 adjunct or are looking -- for the courses?

6 MR. WILLIAMS: We would love to
7 have actually more. It would be great for us
8 to increase enrollment. That's the ultimate
9 goal. We talk about cutting expenses and cost
10 containment but please know that we're also
11 focused on increasing students, increasing
12 revenue which means we would be increasing
13 support of those in classroom. I think that
14 would be the ultimate goal. That's what we
15 all want to see Nassau Community College go.

16 As of right now -- I'm sorry, the
17 noise in background. I would say that's based
18 off of demand as well. Particularly when it
19 comes to our adjunct population. Our
20 full-time faculty will be receiving their
21 courses and then depending on the amount of
22 courses the number remaining that's kind of
23 when our adjunct comes in.

24 LEGISLATOR FORD: Do you foresee,
25 considering the impact of the coronavirus and

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2 on the fact that a lot of people have not been
3 at work, they may not have jobs to go back to
4 can.

5 Can everybody who called in can you
6 make sure you are muted. Somebody is not
7 muted. Sorry about that. Interesting.

8 Considering the impact of the
9 coronavirus on the economy and everything, do
10 you foresee that there could be a possibility
11 that you might find all of a sudden come
12 August an uptick in the number of students
13 that may enroll to come to Nassau Community
14 College rather than perhaps they can't afford
15 to go to universities right now and try to get
16 some of their basic courses through Nassau
17 Community College? Do you think that's
18 something that might happen?

19 MR. WILLIAMS: That's a
20 possibility that we are aggressively embracing
21 and trying to create as fact for the rest of
22 the college. I will say one of the very
23 promising components is that our summer
24 enrollment is up. So that's extremely
25 promising when we look at it. Right now fall

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2 enrollment is not where we want it to be. At
3 the same time, our teams know from contacting
4 students that they are ultimately waiting for
5 a decision. What's face-to-face, what's
6 remote. That is really kind of I would say a
7 it's determining factor for a lot of our
8 students.

9 And where we are right now is we
10 have submitted our plan for approval and it
11 should be about seven days when we get our
12 plan back and we can make an official
13 announcement and share where we actually are.

14 LEGISLATOR FORD: Wonderful. I
15 always have a great amount of respect for
16 Nassau Community College. I love it. I love
17 the institution. So, I thank you very much
18 for answering the questions and guiding us
19 through these difficult times. And obviously
20 you are doing something right. I guess so
21 many students miss school that they're all
22 signing up to be part of your campus life.
23 But thank you very much.

24 LEGISLATOR NICOLELLO: Just one
25 follow-up. In difficult economic times often

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2 the community colleges see an increase in
3 their enrollment because people who may
4 unfortunately have lost their position may
5 look at it as a time to go back to school and
6 get those degrees. Hopefully you will get a
7 little surge in enrollment for the college.

8 MR. WILLIAMS: We are hoping.
9 We've also been working with the county
10 executive's office in regards to what the
11 workforce is going to look like. What is
12 changing. What the foreshadowing is so that
13 we can be in a good position to provide those
14 opportunities for our residents.

15 LEGISLATOR NICOLELLO: Legislator
16 Drucker.

17 LEGISLATOR DRUCKER: Thank you
18 Presiding Officer. Thank you Dr. Williams for
19 your presentation. You know that NCC always
20 holds a special place in my heart. I
21 appreciate and sympathize with the revenue
22 constraints that you are under, and I realize
23 you're going to have to make some tough
24 decisions down the road.

25 In your presentation you talk about

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2 revenue assumptions. They're not factored
3 into the '20-'21 budget yet but you stated
4 that you will have to deal with them as they
5 come forward. I'm wondering if your '20-'21
6 budget with regard to salaries, you have a
7 retirement incentive program within the budget
8 which anticipated 90 retirements and you've
9 received 51. So that right away is a little
10 bit concerning. How do you plan on dealing
11 with that?

12 MR. WILLIAMS: You are absolutely
13 correct it was 51. We have other retirements
14 that will happen kind of natural. Attrition.
15 Individuals who did not or would not decide to
16 do that or maybe were not impacted by. That
17 was a specific retirement incentive for our
18 faculty union and we have several other
19 entities at the college. So other people will
20 retire.

21 Another piece is we know the state
22 is also considering a retirement incentive as
23 well that employees of Nassau Community
24 College would be able to take advantage of.
25 Another component is looking at obviously our

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2 enrollment. I don't know if anyone saw
3 recently we have been in Newsday. We are
4 doing different things with marketing. We are
5 really reaching out to the diversity of Nassau
6 County and the entire island. Rethinking what
7 we're doing. It's going to be a multifaceted
8 approach and we are endeavored to do
9 everything we can do to preserve jobs. That's
10 really where we are.

11 LEGISLATOR DRUCKER: So, as you
12 deal with these possible revenue shortfalls,
13 are there any other immediate things you
14 anticipate having to do? Some of the hard
15 decisions that you will have to make? For
16 example, with the state's contribution being
17 \$4 million less. Things like that. Do you
18 anticipate some immediate decisions that
19 you're trying to hold off on but they would
20 have to be implemented right away?

21 MR. WILLIAMS: Really at this
22 point in time we are focusing on fall
23 enrollment. So to answer your question, no,
24 there is no decision tomorrow or on the fourth
25 or the 17th. We are really looking at the

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2 enrollment piece that does drive a lot of
3 where we are as a community college.

4 LEGISLATOR DRUCKER: You still
5 anticipate being within the realm of
6 acceptability by Middle States via fund
7 balance, your fund balance, right?

8 MR. WILLIAMS: So many things I
9 can say about that. I think when that was put
10 into place I don't necessarily know that
11 Middle States was expecting state support to
12 decrease by 20 to 25 percent in one year. So
13 what I would say is that if that situation
14 were to occur we would be in constant
15 communication with them, sharing the
16 situation, identifying a plan. Obviously the
17 goal is to not fall out of that category and
18 be in alignment. But if it were to happen
19 because of unprecedented times we have a
20 strategy and we would be communicating with
21 them.

22 LEGISLATOR DRUCKER: Just one
23 final question. Going back to the ASPIRES and
24 Achilles programs. It pleases me to know that
25 you are reinstating those programs. They will

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2 be an important part of the services and the
3 curriculum that you provide for these
4 students. Can you just explain, because in
5 your communication with us on the legislature,
6 you indicated that you have are
7 transitioning. You used the word transition
8 the ASPIRES and Achilles programs from
9 academic affairs to academic student
10 services. Can you explain what that means for
11 many of us here who really don't understand
12 the distinction? And does it involve any
13 difference in the services that these students
14 get?

15 MR. WILLIAMS: That last question
16 is really -- I'll answer that one first. No,
17 nothing will change. Nothing will change for
18 students. Nothing will change for parents.

19 What our academic student services
20 area is is it's student support and student
21 advocacy. When you look at what the programs
22 do it's student support and student advocacy.
23 There are several areas within academic
24 student services such as transfer counseling
25 and women's resource center and a multitude of

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2 services and programs that are all about
3 student advocacy and student support.

4 LEGISLATOR DRUCKER: So your
5 words of transitioning means that you are
6 actually going to augment the services that
7 have already been provided?

8 MR. WILLIAMS: The services will
9 remain the same.

10 LEGISLATOR DRUCKER: So what's
11 the transition then?

12 MR. WILLIAMS: Is that the
13 oversight essentially is in academic student
14 services. The faculty will remain. The
15 services will remain. But having them in an
16 actual student support and student advocacy
17 area is more aligned with our organizational
18 structure.

19 LEGISLATOR DRUCKER: So just the
20 organizational structure there. It doesn't
21 affect the actual services that are being
22 given?

23 MR. WILLIAMS: No, it does not.

24 LEGISLATOR DRUCKER: Will you
25 ever anticipate it going back to academic

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2 affairs?

3 MR. WILLIAMS: I never want to
4 say never about anything, but at this point in
5 time academic student services is an
6 appropriate fit for these two programs.

7 LEGISLATOR DRUCKER: You think
8 that the parents of the students are on board
9 with this type of transition?

10 MR. WILLIAMS: We've been
11 communicating a lot with the students, with
12 the parents, with the faculty members who have
13 been coordinating. I'm hopeful that they
14 are. I'm hopeful that they are trusting to
15 know that nothing is going to change.
16 Regardless of where it is organizationally
17 services will not change.

18 LEGISLATOR DRUCKER: That's all I
19 have. Thank you very much Dr. Williams. I
20 wish you the best of luck. I know there's
21 some challenging times ahead but I hope and
22 trust you get through them.

23 MR. WILLIAMS: Thank you.

24 LEGISLATOR NICOLELLO: Legislator
25 Rhoads.

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2 LEGISLATOR RHOADS: Thank you
3 Mr. Presiding Officer. Thank you Dr. Williams
4 for your testimony we appreciate it. Just a
5 couple of follow-up questions on Achilles and
6 ASPIRES. My understanding is and you've
7 indicated that it will be the same leadership
8 team essentially, the same faculty that's
9 handling the program. So that would be Dr.
10 Lagakis and Professor Viscovich?

11 MR. WILLIAMS: Yes, sir.

12 LEGISLATOR RHOADS: And they've
13 each been approved for nine hours of
14 reassigned time per week for the upcoming fall
15 and spring semester as part of this college
16 budget, right?

17 MR. WILLIAMS: That is accurate.

18 LEGISLATOR RHOADS: With respect
19 to the transition from academic student
20 service from academic affairs, it is my
21 understanding that you have just hired a new
22 academic affairs vice president who will be
23 starting on July 1st; is that correct?

24 MR. WILLIAMS: That is accurate.

25 LEGISLATOR RHOADS: My

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2 understanding as well is that once that vice
3 president takes office next month they are
4 scheduled to meet with Dr. Lagakis and
5 Professor Viscovich to discuss the future of
6 the programs and hopefully returning the
7 academic component to the direction of
8 academic affairs; is that correct?

9 MR. WILLIAMS: So the programs
10 are primarily -- they are student support and
11 student advocacy programs. I would say that
12 we will always continue to meet and have that
13 communication flow.

14 LEGISLATOR RHOADS: But the
15 academic component of the program, even though
16 it will be part of academic student services,
17 the academic component of the program is still
18 going to be under the direction of academic
19 affairs?

20 MR. WILLIAMS: The components of
21 the program are going to be with academic
22 student services. Nothing about the programs
23 change.

24 LEGISLATOR RHOADS: So the new
25 academic affairs vice president still will

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2 have no responsibility with respect, other
3 than meeting with the professors, will have no
4 direct oversight over the program?

5 MR. WILLIAMS: They would meet
6 with the professors. So the vice president of
7 academic affairs I'm sure and I know the vice
8 president of academic student services will
9 continue to work hand and glove as they had
10 before to ensure that all of our students are
11 able to achieve their goals.

12 LEGISLATOR RHOADS: So the
13 academic affairs vice president essentially
14 will be consulting with Dr. Lagakis and
15 Professor Viscovich but won't have direct
16 supervisory control?

17 MR. WILLIAMS: And this is
18 similar to before when there was a working
19 relationship and there has been in the past
20 with academic student services. So this is --

21 LEGISLATOR RHOADS: But
22 essentially the way the programs have been run
23 through academic affairs -- I understand that
24 the reason for the transition is one that you
25 believe better accommodates the structure of

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2 the college. However, I think what we are
3 looking for is the assurance that academic
4 affairs will have some input into the process
5 as to how the program is being run.

6 MR. WILLIAMS: I appreciate the
7 opportunity to clarify. I would say that's
8 something we want to do all the time. I know
9 we are specifically talking about these two
10 programs, but in order for us to be as
11 effective as we possibly can that's kind of
12 the cabinet level conversations where we're
13 figuring out where the connectivity is between
14 everything we do across the college.

15 We have those conversations all the
16 time in regards to -- just because it's
17 something and it's vice president Izquierdo's
18 area, there is input, there's interplay to
19 make sure we can totally optimize what we are
20 offering students.

21 LEGISLATOR RHOADS: And who is
22 the new academic affairs vice president as of
23 July 1st?

24 MR. WILLIAMS: Certainly. Dr.
25 Mark Lausch.

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2 LEGISLATOR RHOADS: Any idea how
3 to spell it?

4 MR. WILLIAMS: L-A-U-S-C-H. I
5 can get you that officially. If I transposed
6 the S and H.

7 LEGISLATOR RHOADS: But Mark
8 Lausch will be meeting then with Dr. Lagakis
9 and Professor Viscovich?

10 MR. WILLIAMS: Yes.

11 LEGISLATOR RHOADS: My
12 understanding is this obviously is not just a
13 commitment for the 2020-2021 academic year.
14 The plans of the college are that the ASPIRES
15 and Achilles programs will continue
16 indefinitely beyond that, correct?

17 MR. WILLIAMS: Correct.

18 LEGISLATOR RHOADS: And they are
19 going to continue to be accepting students up
20 to the program's capacity?

21 MR. WILLIAMS: That is accurate.

22 LEGISLATOR RHOADS: And the
23 college will be including the Achilles and
24 ASPIRES program in the college directory,
25 organizational chart, web links so that they

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2 can continue to recruit and provide those
3 benefits to students who might meet the
4 program criteria?

5 MR. WILLIAMS: Full support, yes.

6 LEGISLATOR RHOADS: Thank you.

7 LEGISLATOR NICOLELLO: One
8 follow-up for clarity Dr. Williams. So the
9 program is going to remain basically,
10 primarily an academic program?

11 MR. WILLIAMS: The program
12 doesn't change. And programs, I'm sure some
13 of you are familiar with the programs'
14 offering and they were support and advocacy
15 components of the program. So nothing changes
16 with the programs.

17 LEGISLATOR NICOLELLO: But it's
18 primarily academic though, are you able to say
19 that?

20 MR. WILLIAMS: They support the
21 students' academic endeavors like all of our
22 support programs do, yes.

23 LEGISLATOR NICOLELLO: Any other
24 questions? Legislator Ferretti.

25 LEGISLATOR FERRETTI: Thank you

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2 Dr. Williams for your presentation. Just
3 piggybacking off of what the presiding officer
4 was just talking about. I only have a few
5 questions. What other academic programs, if
6 any, fall under the purview of academic -- I'm
7 sorry -- of student services? Academic
8 student services.

9 MR. WILLIAMS: So, other advocacy
10 programs? Like ASPIRES and Achilles there are
11 several. There's transfer counseling.
12 There's the women's center. There is
13 psychological services. There is I believe
14 student clubs that --

15 LEGISLATOR FERRETTI: Not to
16 interrupt you but are those academic programs
17 you're listing?

18 MR. WILLIAMS: They're advocacy
19 programs similar to ASPIRES and Achilles.
20 ASPIRES and Achilles are providing advising.
21 They're providing counseling. They're
22 providing student support in advocacy similar
23 to the programs that are in academic student
24 services.

25 LEGISLATOR FERRETTI: What's the

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2 difference between an advocacy program and an
3 academic program? Are you using those terms
4 interchangeably?

5 MR. WILLIAMS: Technically an
6 academic program is one that you would leave
7 an institution of higher education with a
8 credential. So that's technically an academic
9 program. As I leave with a credential in
10 engineering. I leave with a degree,
11 certificate in this discipline.

12 LEGISLATOR FERRETTI: Are there
13 any advocacy programs that fall, currently,
14 under academic affairs?

15 MR. WILLIAMS: That I would have
16 to scour through all of our programs, we are a
17 large institution, and I'd have to find out.
18 But I know that our goal is that the programs
19 that are advocacy and in support of that
20 nature we have tried to put them in academic
21 student services, which has a chair, which has
22 faculty members, has several different
23 components to it.

24 LEGISLATOR FERRETTI: Is there
25 currently a waiting list for either the

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2 Achilles or ASPIRES programs for students to
3 get in?

4 MR. WILLIAMS: I did not come
5 with that information. I can get you the
6 information.

7 LEGISLATOR FERRETTI: But I think
8 you indicated that we're going to continue
9 accepting students, correct?

10 MR. WILLIAMS: Yes. We
11 identified through our meetings that there was
12 actually -- there is work to be done over the
13 summer. So we are in the process of putting
14 through those contracts to ensure that
15 everything keeps in order.

16 LEGISLATOR FERRETTI: The change,
17 the oversight being by student services rather
18 than academic affairs, that's not going to
19 have any kind of impact in terms of allocating
20 sufficient office space, supplies or any kind
21 of support, right? That will all remain the
22 same?

23 MR. WILLIAMS: That's accurate.

24 LEGISLATOR FERRETTI: Thank you.

25 LEGISLATOR NICOLELLO: Legislator

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2 Walker.

3 LEGISLATOR WALKER: I just want
4 to clarify. Many of the students that are in
5 the Achilles or the ASPIRES program they also
6 leave with, as you said, credentials I would
7 say with some type of degree or associate's
8 degree or whatever. So, they also leave
9 with -- it's not like they're in a program and
10 they just take courses and don't receive
11 anything at the end. They're going to get
12 their associate's degree or whatever in
13 whatever their field they studied. Why would
14 you just then this particular program move
15 from academic program it was in to where
16 you're putting it now?

17 MR. WILLIAMS: I appreciate the
18 comment and the question. Is yes, our goal is
19 that every student who comes to Nassau
20 Community College leaves with a credential.
21 Leaves with a degree, a certificate, something
22 that will help them become gainfully employed
23 with a livable family wage. The distinction I
24 was attempting to make is that in regard to
25 our student support programs, our student

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2 advocacy programs, students don't leave with a
3 degree, and since we are talking about two
4 specific programs, with a degree in Achilles
5 or a degree in ASPIRES. So, academic programs
6 you leave with a degree in engineering. You
7 leave with a credential in an academic
8 program.

9 I would also say is that there is a
10 history of both of the programs working with
11 academic student services. I think we're just
12 trying to really concretize what has been
13 done. If we think about the faculty member,
14 who I think several of you may be aware of
15 that, that the faculty really enjoy working
16 with, that faculty member was in academic
17 student services prior to last year when they
18 decided to apply for a sociology faculty
19 role. So they were in academic student
20 services. They were credentialed in that area
21 and the two programs were working with that
22 individual. So there is a history here, and I
23 think we are trying to really kind of solidify
24 that and concretize it.

25 LEGISLATOR WALKER: So basically

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2 you just feel that in moving it to where it's
3 going now it's really -- you're just putting
4 it altogether in one package and students will
5 get every single thing that they had before,
6 faculty they will be working with the same,
7 and it just flows better in your mind that
8 where you're moving it than leaving it where
9 it was?

10 MR. WILLIAMS: Yeah.

11 Organizationally it's a better fit to be
12 there. It does speak to what the programs in
13 regards to support and advocacy do and in
14 regards to our academic services area.

15 LEGISLATOR WALKER: I want this
16 program to be a continued success because I
17 know many students who have been in that
18 program and then left Nassau and went on and
19 received their degree from, their four-year
20 degree, from another university or college or
21 whatever. I'd just hate to see that program
22 fall apart. As long as it's going to stay as
23 it was and get all the support needed and our
24 students can continue to grow academically
25 it's great because it's been a great program

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2 and I don't want to see it fail because it
3 moved to another area.

4 MR. WILLIAMS: I understand that
5 concern and that sentiment and our goal is the
6 complete opposite. We want to see the
7 programs thrive. We are dedicating resources
8 so that the programs will thrive.

9 LEGISLATOR WALKER: Thank you.

10 LEGISLATOR NICOLELLO: Any other
11 questions? Legislator Rhoads.

12 LEGISLATOR RHOADS: It's actually
13 really not a question it's just a statement.
14 And we appreciate the explanations you have
15 given today. Obviously there's a lot of hope
16 and, pardon the pun, aspirations for these
17 programs obviously. But this is something
18 that even though we may move on to other
19 topics, this is something that as a
20 legislature we are going to continue to focus
21 on. So we're going to periodically ask for
22 updates and reports on this. Today isn't the
23 end of that. So we appreciate you being
24 forthcoming and letting us know in the future
25 how these programs are moving forward. We

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2 want to make sure that the promises that are
3 being made today as part of the budget process
4 are promises that we follow through on. So
5 thank you.

6 MR. WILLIAMS: Thank you
7 legislator.

8 LEGISLATOR NICOLELLO: Anyone
9 else? I think we're good. Thank you for the
10 presentation. I think we are all very proud
11 of Nassau Community College and the historic
12 mission of the college. It has given
13 generations of young people here in the county
14 a chance to excel. We look forward to your
15 leadership through this pandemic in difficult
16 times, but we believe it will continue to be a
17 resource for generations to come and to allow
18 our young people and people who are a little
19 bit older to achieve their dreams and excel in
20 school and in the future.

21 MR. WILLIAMS: Thank you. We
22 look forward to applying that.

23 LEGISLATOR NICOLELLO: Anything
24 else? I need a motion to close the hearing.
25 Moved by Legislator Walker. Seconded by

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2 Legislator Kennedy. All in favor of closing
3 the hearing signify by saying aye. Those
4 opposed? Carries unanimously. The hearing is
5 closed.

6 Now I'm going to call the actual
7 item. Item two Ordinance 51. An ordinance to
8 adopt the Nassau County budget for Nassau
9 Community College for the fiscal year
10 commencing September 1, 2020 and ending August
11 31, 2021 and to appropriate revenues and the
12 total amounts of monies to be raised by
13 taxation within the county for the purposes of
14 the college for such fiscal year.

15 Moved by Legislator Muscarella.
16 Seconded by Legislator Kennedy. Any further
17 debate or discussion on the college budget?
18 Hearing none, all in favor signify by saying
19 aye. Those opposed? Carries unanimously.

20 We are not calling item 3 at this
21 time. There will be further discussions
22 between the legislators and the administration
23 and Transdev about the proposed extension. We
24 anticipate that it will be called perhaps at
25 the next meeting of the Rules Committee after

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2 a little bit further debate or discussion and
3 we'll see where we go from there.

4 Item 4 is Ordinance 53. Legislator
5 Bynoe is going to recuse herself. She will be
6 stepping out of the chambers. Will not be
7 participating any debate or discussion or vote
8 on this item.

9 Item four Ordinance 53 is an
10 ordinance making certain determinations
11 pursuant to SEQRA and authorizing the county
12 executive of the county to accept on behalf of
13 the county of Nassau an offer of purchase from
14 the Nassau County Land Bank Corporation of
15 certain premises located in Woodbury, county
16 of Nassau.

17 Moved by Legislator Ford. Seconded
18 by Legislator Mule. That item is now before
19 the legislature. Do we have a speaker from
20 the administration on this?

21 MR. PAVEL: Yes. Craig Pavel,
22 deputy county attorney on behalf of the Office
23 of Real Estate Services. This item it's a
24 wooded property that is proposed to be sold to
25 the Land Bank for affordable housing

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2 purposes. It's a steeply-sloped property. We
3 have had attempts, unsuccessful attempts in
4 the past to sell this property. And I believe
5 Brittany Russell, director of Land Bank is
6 here to speak as well.

7 MS. RUSSELL: Good afternoon. My
8 name is Brittany Russell. I am the executive
9 director of the Nassau County Land Bank. As
10 Craig said, this is a piece of property that
11 the county has tried to sell on several
12 occasions unsuccessfully and the Land Bank is
13 willing to purchase this property in order to
14 develop it and construct affordable housing.

15 LEGISLATOR NICOLELLO: Is the
16 intent to build a single-family home on the
17 property?

18 MS. RUSSELL: Yes. The Nassau
19 County Land Bank plans to construct a
20 single-family dwelling at the property.

21 LEGISLATOR NICOLELLO: Is the
22 construction subject to local zoning
23 ordinances or no?

24 MS. RUSSELL: Yes. It's subject
25 to the zoning ordinances of the Town of Oyster

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2 Bay.

3 LEGISLATOR NICOLELLO: Is that
4 your opinion also Craig?

5 MR. PAVEL: Yes, that's my
6 opinion also.

7 LEGISLATOR NICOLELLO: Legislator
8 Drucker.

9 LEGISLATOR DRUCKER: Thank you
10 Presiding Officer. I see that the appraised
11 value of the property is approximately, or the
12 market value, is approximately \$380,000. Is
13 that what the selling price you would be
14 buying it for? How does that work?

15 MR. PAVEL: Was that question for
16 Craig or Brittany?

17 LEGISLATOR DRUCKER: How is the
18 transaction consummated in terms of payment to
19 the county?

20 MR. PAVEL: I can speak to the
21 proposed contract. The purchase price is 50
22 percent of the net proceeds realized from the
23 eventual sale minus direct costs incurred by
24 the Land Bank, and reading from the contract,
25 including construction costs for the building

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2 and appurtenances and other direct costs
3 related to maintenance of the premises during
4 the construction period Legislator.

5 LEGISLATOR DRUCKER: What are the
6 criteria for someone to be able to purchase it
7 as an affordable housing?

8 MS. RUSSELL: The criteria is
9 based on the HUD standards. As we get closer
10 to the time in which we are going to sell the
11 property, we are going to look at the HUD
12 standard for 80 percent AMI and that is the
13 basis of the determination. Because it will
14 give us an idea of a limit in terms of
15 income. And from there we go through
16 generally a lottery process and home buyer
17 education. That's how it's determined.

18 LEGISLATOR DRUCKER: Thank you.

19 LEGISLATOR NICOLELLO: Any other
20 questions? Legislator Walker.

21 LEGISLATOR WALKER: Originally
22 when this was first brought forward they were
23 speaking about doing a multifamily dwelling,
24 correct?

25 MS. RUSSELL: Initially I did

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2 mention possible multifamily. However, after
3 having discussions with board members, our
4 intent is to follow the SEQRA determination,
5 the determination of the county planning
6 commission. However, we do recognize that the
7 property is difficult to build on and that's
8 why it sat undeveloped for so long. If we
9 find that it makes it difficult to develop we
10 will be able to make any changes necessary in
11 order to make sure we can construct something
12 that's affordable and that we can sell.

13 LEGISLATOR WALKER: So,
14 definitely it's just going to be a
15 single-family dwelling?

16 MS. RUSSELL: That is the
17 intent. If for some reason there needs to be
18 because of the slope or the challenges of the
19 property then we will seek an alternative to
20 fulfill our mission to build affordable
21 housing.

22 LEGISLATOR WALKER: So it could
23 possibly not be a single-family dwelling?

24 MS. RUSSELL: There are various
25 possibilities. However, like I said, the

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2 intent is to construct a single-family house,
3 which is what it's currently zoned for and
4 what the planning commission has given us
5 approval for.

6 LEGISLATOR WALKER: You would
7 have to abide by the Town of Oyster Bay
8 zoning?

9 MS. RUSSELL: That is correct.
10 We would have to abide by Town of Oyster Bay
11 zoning and if any change to the zoning is
12 required we would have to go to the BZA.

13 LEGISLATOR WALKER: Thank you.

14 LEGISLATOR NICOLELLO: Thank
15 you. Anyone else? Hearing no further
16 questions, thank you Brittany. Thank you
17 Craig. All in favor of ordinance number 53
18 signify by saying aye. Those opposed?
19 Carries unanimously.

20 There is item 11, Ordinance 60.
21 Legislator McKeivitt is leaving the room. He
22 will not be participating in any debate or
23 discussion or the vote on this item.

24 Item 11, Ordinance 60 is an
25 ordinance supplemental to the annual

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2 appropriations ordinance in connection with
3 the Office of Management and Budget.

4 Moved by Legislator Schaefer.

5 Seconded by Legislator Bynoe. Any debate or
6 discussion? Any public comment? All in favor
7 signify by saying aye. Those opposed?

8 Carries unanimously.

9 There is one further item on the
10 emergency agenda.

11 That was a vote of 18 to nothing.

12 Number 152 of 2020 is a resolution
13 requesting the legislature of the state of
14 New York to enact and the governor to approve
15 an act authorizing the county of Nassau to
16 alienate certain lands used as parklands to
17 enable the Port Washington Water District to
18 construct, maintain and operate a water
19 treatment facility.

20 Moved by Legislator

21 DeRiggi-Whitton. Seconded by Legislator
22 Mule. That's a motion to establish the
23 emergency. Mr. Schneider.

24 MR. SCHNEIDER: Good afternoon.

25 Brian Schneider, deputy county executive.

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2 Good to see half your faces.

3 This is a resolution authorizing
4 this body to alienate certain parklands for
5 the construction and maintenance of a new
6 water treatment facility by the Port
7 Washington Water District aiming at treating
8 emergent contaminants, specifically
9 1,4-Dioxane.

10 The piece of property is located on
11 the western boundary of Christopher Morley
12 Park immediately adjacent to Searingtown Road
13 where the Port Washington Water District has
14 an existing treatment facility which is
15 dealing with VOC contamination.

16 Now, as many of you know,
17 1,4-Dioxane is an emerging compound. The
18 treatment of that compound is very difficult.
19 It's not a routine plug and play type of
20 treatment system that enables us or enables
21 water districts to strip this compound out.
22 It requires an advanced oxidation treatment
23 process that you may have heard is being in
24 place at the Bethpage Water District as well
25 as Suffolk County as one of the first --

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2 Suffolk County Water Authority in Suffolk --
3 is one of the first water authorities that was
4 able to get approval for this type of
5 1,4-Dioxane process.

6 So this piece of property is about
7 23,000 square feet. Just over a half an
8 acre. Immediately adjacent to the existing
9 treatment facility that Port Washington
10 currently operates. They reached out to us
11 over a year ago when the new regulations
12 governing the removal of 1,4-Dioxane was
13 imminent. So we started negotiations with
14 them. We got an appraisal for that piece of
15 property and we are moving forward with that
16 agreement. Which obviously will come before
17 this body.

18 The most important thing right now
19 is getting the home rule message so that the
20 state legislature can act on it and that's the
21 reason why this action is coming before you
22 today.

23 Again, there are going to be many,
24 many water districts that are going to be
25 faced with removing 1,4-Dioxane. It's

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2 something that the state government has
3 recognized. They have made \$300 million in
4 grant funds available throughout the state and
5 a number of water districts on Long Island,
6 especially in Nassau County, have received
7 those grants and they are moving forward with
8 the design and the beginning phases of
9 construction on many of those facilities.

10 The Port Washington Water District
11 is one of those facilities that received a \$3
12 million grant from the state. And they're
13 anxious to make sure that they can provide
14 water that meets the water quality standards
15 when they are officially finalized by the
16 state of New York. Which should be later on
17 this year.

18 So, I'm coming here today asking
19 for approval of this resolution so both the
20 county and the Port Washington Water District
21 can move forward with these very important
22 water quality improvement initiatives.

23 LEGISLATOR NICOLELLO: Brian,
24 where is this on the Christopher Morley
25 property? Is that the western portion?

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2 MR. SCHNEIDER: If anyone is
3 familiar with the layout of Christopher
4 Morley, you have the main parking lot on the
5 west side. Immediately south of that parking
6 lot is the county kind of maintenance garage.
7 Right next to that is the Port Washington
8 Water District well field and stripping tour.
9 So it's located right on Searingtown Road
10 between the first hole of the golf course and
11 Searingtown Road.

12 This new facility will be located
13 immediately north of that existing facility.
14 So we have plans and specifications for this
15 new building. It will be basically button
16 holed in this small portion of the park which
17 does not interfere with any portion of the
18 recreational facility. It doesn't impact the
19 golf course. Doesn't impact parking. We have
20 been working with the Port Washington Water
21 District and their consultant to make sure
22 that this is going to be the least obtrusive
23 structure. It's going to look like the
24 existing building that's already there.

25 And again, it will not impact the

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2 county parks operation as far as their
3 maintenance facilities. Making sure that they
4 can have access to this building for
5 deliveries of supplies and equipment and
6 chemicals that are going to be needed for this
7 treatment facility.

8 LEGISLATOR NICOLELLO: It doesn't
9 impact any of the walking trails or nature?

10 MR. SCHNEIDER: Absolutely not.
11 It is definitely not part of what we call the
12 recreational component. Which is something
13 that I was very concerned about when the Port
14 Washington Water District first reached out to
15 us. Recognizing that the Roslyn Water
16 District has a stripping tower up in the
17 walking trails of Morley and it was a highly
18 contentious negotiation and public vetting of
19 that.

20 This is apples to oranges.
21 Completely different. There is absolutely no
22 impact to the residents. They won't even
23 notice that this building is going to be
24 there. I was very concerned that it was going
25 to impact my facility maintenance for

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2 Christopher Morley and again it does not.

3 LEGISLATOR NICOLELLO: It doesn't
4 take any part of the golf course?

5 MR. SCHNEIDER: Not at all.

6 LEGISLATOR NICOLELLO: You said
7 there is a current air stripper at that
8 location?

9 MR. SCHNEIDER: Yes. Right next
10 to where this building is going to go. Now
11 with the advanced oxidation process there is
12 no stripping tower, there's no venting of any
13 by-product of the process. Everything is
14 contain within vessels within the building.
15 There is no odor, no smells. Nothing. Just a
16 benign building that has basically a chemistry
17 operation going on inside the building.

18 LEGISLATOR NICOLELLO:
19 Christopher Morley is somewhat remote from
20 Port Washington. How did they --

21 MR. SCHNEIDER: Good question. A
22 lot of water districts are stressed when it
23 comes to being able to provide water to their
24 geographic location. Years ago, with salt
25 water intrusion and other problems in the Port

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2 Washington geographic water distribution
3 location they needed to site another well and
4 they could not do it within the confines of
5 their geographic boundaries. It was at that
6 time that they expanded and went to an area
7 outside of their geographic boundaries and
8 came up with this location in Eisenhower
9 Park.

10 It was many years ago that that
11 approval for that well field was given and the
12 Port Washington Water District was allowed to
13 install a water supply well within the
14 confines of Christopher Morley Park.
15 Unfortunately that well became contaminated
16 over time and they needed to put a stripping
17 tower on that facility.

18 It's not unusual for water
19 districts to go outside of their geographic
20 boundaries. I think Manhasset-Lakeville is
21 another water district that went actually
22 outside of their physical boundaries to look
23 for water that was of the proper quality.

24 LEGISLATOR NICOLELLO: Is there a
25 concern with respect to concentration by

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2 having multiple water treatment facilities in
3 the same proximity?

4 MR. SCHNEIDER: No. The
5 understanding here is that you're drawing
6 water out of the ground that is contaminated.
7 One way or another that water needs to be
8 treated or it needs to be abandoned. The
9 option that Port Washington is going forward
10 with is continuing to add treatment,
11 conventional treatment via an air stripping
12 tower to remove conventional VOCs and adding
13 AOP in this particular location rather than
14 abandoning this well and then trying to find
15 another location water for their
16 constituents. I don't think there's an issue
17 with adding additional treatment on to an
18 existing water well provided that the water
19 district can afford it.

20 LEGISLATOR NICOLELLO: The Port
21 Washington Water District does not have an
22 alternative location for this?

23 MR. SCHNEIDER: They, and I use
24 the word stressed, they have some very strict
25 irrigation schedules, especially during the

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2 summertime. A lot of water districts are
3 stressed when it comes to summertime use and
4 need. But Port Washington really does not
5 have any other option for installing
6 additional supply wells within their
7 geographic boundary. So, this is really their
8 plan B. They really have no other option.

9 LEGISLATOR NICOLELLO: In terms
10 of the procedure, today would be a home rule
11 message and it takes two years, correct?

12 MR. SCHNEIDER: Correct. That's
13 why we are trying to get this up to the state
14 legislature for the first session and then it
15 would follow suit with the next session. At
16 the same time we would be advancing the
17 agreement that formalizes our arrangement with
18 the Port Washington Water District, the
19 financial compensation for the county and
20 approval of the plans and specifications so
21 that they can start the construction of their
22 facility.

23 LEGISLATOR NICOLELLO: Assuming
24 you would get the home rule today --

25 MR. SCHNEIDER: That was Dennis

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2 McDermott. Go ahead Dennis.

3 MR. MCDERMOTT: I hate to
4 interrupt. Good afternoon presiding officer
5 and legislators. Brian, there is only one
6 session needed. This isn't a perpetual
7 preserve area. So only one state alienation
8 approval is required for the easement.

9 MR. SCHNEIDER: Thanks Dennis for
10 that clarification.

11 LEGISLATOR NICOLELLO: But it
12 would still have to come back to us for the
13 use and occupancy permit?

14 MR. SCHNEIDER: Absolutely
15 correct.

16 LEGISLATOR NICOLELLO: Anyone
17 else have any questions?

18 LEGISLATOR BIRNBAUM: I do. Two
19 questions. One is, what is presently located
20 at this location in Christopher Morley Park?
21 And two, how long will this project take to
22 complete?

23 MR. SCHNEIDER: I didn't hear the
24 first part of the question.

25 LEGISLATOR BIRNBAUM: What is

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2 currently in this location at Christopher
3 Morley Park?

4 MR. SCHNEIDER: The physical
5 description is basically between a driveway
6 and a parking lot of the maintenance facility
7 for Christopher Morley. There's a steep
8 embankment that is going to be leveled and the
9 building will be housed in that specific
10 location.

11 LEGISLATOR NICOLELLO: It's right
12 next to Searingtown Road?

13 MR. SCHNEIDER: Right. So the
14 entrance to this facility for maintenance of
15 their operation will come off of a dedicated
16 entrance off of Searingtown Road. There won't
17 be any activity, there won't be any driveway
18 or anything that gets into the park. This is
19 going to be a dedicated, closed off parking
20 lot specific, or a driveway, specific to this
21 building.

22 LEGISLATOR BIRNBAUM: What will
23 be removed to make room for this building?

24 MR. SCHNEIDER: Nothing. There's
25 some brush and some sapling trees. There's no

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2 physical structure that's going to be removed
3 other than grading and site preparation.

4 LEGISLATOR BIRNBAUM: The second
5 part was how long will this project take to
6 complete?

7 MR. SCHNEIDER: I'm going to
8 guess. I really don't want to go on record
9 for a specific time period. But generally
10 with these types of treatment processes and
11 the level of contamination that has been found
12 in groundwater, I would say upwards of 20
13 years.

14 LEGISLATOR BIRNBAUM: No. To
15 complete the building itself.

16 MR. SCHNEIDER: I would say six
17 to eight months for the building to be
18 fabricated and whatever internal construction
19 for the physical treatment process could take
20 another six. But I would have to get the Port
21 Washington Water District and their consultant
22 to verify exactly how long the physical
23 construction of the exterior of the building
24 and whatever interior construction would be
25 needed in order to get the treatment system up

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2 and running. I can certainly have that
3 information when we tee up the agreement.

4 LEGISLATOR BIRNBAUM: If we
5 approve this today and it goes up to the
6 state, when would this project be underway?

7 MR. SCHNEIDER: It's my
8 anticipation that it would start sometime this
9 fall. Keeping in mind that the state
10 regulations for the 1,4-Dioxane maximum
11 contaminant level is still being vetted.
12 That's a treatment level of one part per
13 billion. So, I would imagine all these water
14 districts are going to want to start
15 constructing their facilities as soon as the
16 edict on when this MCL is going to take
17 effect. Which should have taken affect in
18 January of 2020 and they put a pause on that
19 and now with the pandemic everything is kind
20 of doing a slow roll.

21 So I would imagine sometime in 2021
22 it will be made official that you would need
23 to treat to that one part per billion MCL.

24 LEGISLATOR BIRNBAUM: Also, we
25 all know this is a problem that's affecting

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2 all the water districts. Are other districts
3 building similar kind of structures to take
4 care of the Dioxane problem?

5 MR. SCHNEIDER: Yeah. The
6 unfortunate thing is, as I mentioned before,
7 there isn't a plug and play type of system
8 that's out there. There are very few
9 manufacturers of these types of systems.
10 Really depending upon the concentrations of
11 contamination that you are seeing. Everyone
12 needs to be, every system needs to be designed
13 very explicitly to those specific criteria.

14 Also keep in mind that the health
15 department needs to weigh in and approve all
16 of these systems. So yes, these water
17 districts that we've been talking at LICAP
18 meetings and other meetings they're all
19 struggling to be able to meet these
20 constraints, which are very, very expensive.

21 LEGISLATOR BIRNBAUM: But they've
22 gotten assistance from --

23 MR. SCHNEIDER: Yes. In the
24 middle of 2019 there was \$300 million that was
25 made available to a number of water districts

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2 throughout Long Island. A number of those
3 districts are located in Nassau County and
4 they are moving forward with those designs and
5 construction projects.

6 LEGISLATOR BIRNBAUM: Do you
7 believe this is the best location for this
8 water district to put it there?

9 MR. SCHNEIDER: Well, it makes
10 the most sense for Port Washington because
11 this is the location where the well is
12 contaminated. It has to go here or else they
13 have to take that well offline and they really
14 do not have any other options for supplying
15 their district.

16 LEGISLATOR BIRNBAUM: Thank you
17 very much.

18 LEGISLATOR NICOLELLO: Legislator
19 Rhoads.

20 LEGISLATOR RHOADS: Thanks
21 Mr. Presiding Officer. Has this gone through
22 OSPAC or because it's being brought by
23 emergency we kind of short circuited the
24 process?

25 MR. SCHNEIDER: The alienation is

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2 coming through emergency but the U and O or
3 whatever agreement will definitely be going
4 through OSPAC.

5 LEGISLATOR RHOADS: It's because
6 it's by emergency it hasn't gone to OSPAC as
7 of yet?

8 MR. SCHNEIDER: Correct.

9 LEGISLATOR RHOADS: Is there a
10 land swap that's part of this?

11 MR. SCHNEIDER: No. It will be a
12 monetary compensation.

13 LEGISLATOR RHOADS: Unless I
14 misunderstand, I thought for alienation of
15 parkland I thought a land swap was required.

16 MR. SCHNEIDER: Dennis are you
17 on?

18 MR. MCDERMOTT: As long as the
19 money is being used, and in this case it will
20 be used for capital improvements at
21 Christopher Morley, the state still accepts a
22 monetary payment as opposed to a land swap.

23 LEGISLATOR RHOADS: Thank you
24 Dennis. Just so I'm correct in my
25 understanding, do we know that Port Washington

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2 is ready to move ahead with construction in
3 the fall if this is approved? Because up
4 until five minutes ago we thought that it was
5 a two-year process in order to have the state
6 consider it.

7 MR. SCHNEIDER: We have been
8 negotiating, let's say speaking with the Port
9 Washington Water District for over a year. We
10 were in the process -- and actually DPW
11 approved the physical features of what this
12 building was going to look like.

13 Concurrently, the Port Washington
14 Water District has been conferring with the
15 county health department on the physical
16 processes that need to take place in the
17 interior of that building.

18 I recognize that Port Washington
19 can only advance everything so far unless they
20 have assurances that the state is going to go
21 forward with the alienation and this body is
22 going to approve the U and O so that they can
23 go forward and construct.

24 I have been in touch with the water
25 district and their consultants over the past

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2 several weeks. I know that they are going to
3 want to fast track this because they are going
4 to have to conform to the MCL when they are
5 final. If they're not in conformance that
6 well cannot go on. So I know that they are
7 going to want to make this a high priority
8 project as soon as all the approvals are
9 granted.

10 LEGISLATOR RHOADS: But
11 realistically do we think there can be shovels
12 in the ground sometime this fall?

13 MR. SCHNEIDER: It's not a
14 government. I think they could. But I can
15 reach out to them and get their explicit time
16 frame.

17 LEGISLATOR RHOADS: The reason
18 that I'm asking Brian is just because
19 alienation of parkland is kind of a big deal.
20 I hate the concept of doing this it by
21 emergency because we're bypassing all of the
22 normal checks and balances that we would
23 typically have when we deal with alienation.

24 So my concern is if they were
25 talking about not building until next year at

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2 some point in time we could go through the
3 normal process, have all those normal checks
4 and then bring it to the state legislature at
5 the beginning of next year and it wouldn't
6 affect anything. That was kind of the basis
7 for my question.

8 MR. SCHNEIDER: Again, the
9 conversations that I have had with Port
10 Washington is they are under the belief, as
11 are other water districts, that once the MCL
12 is made final there is going to be a mad
13 scramble to make sure that their facilities
14 are going to be able to provide water that's
15 of proper quality.

16 LEGISLATOR RHOADS: So the action
17 today would be beneficial towards that
18 effort?

19 MR. SCHNEIDER: Yes. I
20 definitely go on record saying that.

21 LEGISLATOR DERIGGI-WHITTON: I
22 just wanted to mention that I've been talking
23 to the Port Washington Water District like all
24 day. They are very anxious to get this
25 moving.

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2 LEGISLATOR NICOLELLO: Does

3 anyone else want to? Legislator Walker.

4 LEGISLATOR WALKER: Obviously my
5 district is faced with some real issues with
6 water. Certainly especially with the Grumman
7 Navy plume in Bethpage and then adding to that
8 the 1,4-Dioxane. Hicksville Water District
9 too I believe we have 14 wells which 12 of
10 them are affected. So this has to be done
11 throughout so many of our districts. Probably
12 very few of us don't have to worry about this
13 issue.

14 I know that when the state first
15 was moving forward on it and was going to have
16 to take place at the beginning of this year
17 and basically the water districts were told if
18 you do not correct these wells, which was
19 impossible to do in that time frame, that they
20 literally had to send letters to their
21 residents saying your drinking water or your
22 water shouldn't be -- it's water you shouldn't
23 be using. And the water districts all agreed
24 that they would shut down their wells before
25 they would ever send a letter out like that.

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2 Which then brought another problem. Like we
3 know in many of our areas they would not even
4 have had enough water to supply to their
5 either their residents or businesses or
6 whatever.

7 So all of our districts really,
8 like I said, are facing this. And as you
9 said, they're kind of stuck between a rock and
10 hard place there in Port Washington. If this
11 is the well they need to address this. They
12 didn't have a place to put the well so that's
13 why it was there. They would have to find a
14 place for a well. And if that well was in any
15 place it was going to bring up water that
16 needed to be treated they would have to do the
17 same thing.

18 I just wonder though during the
19 construction phase, I've talked so much about
20 this issue like I said within my district, but
21 do we know exactly the size of those
22 facilities? Like some of them happen to have
23 a building they could use, some of our
24 districts like have a building they could put
25 because it's a total different type of

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2 treatment as you said. Can't just be added to
3 treatment plants they already have. It's a
4 separate total treatment that they have to
5 use.

6 But during the construction phase
7 they still won't have any access to the park
8 or anything? They will be able to use that one
9 driveway?

10 MR. SCHNEIDER: No. We were very
11 sure in our dealings with them that there was
12 going to be no interference with our
13 operations. We do have a maintenance garage
14 that has a lot of activity. We have golf
15 carts going in and out of there. Trucks
16 taking trash and debris and all that stuff.
17 During the wintertime we needed to make sure
18 our plows would be able to get in and out of
19 there with salt and whatever. We made very,
20 very sure that there was going to be no
21 interference with our operation.

22 During construction it will be
23 completely contained. There won't be any
24 interference again with our comings and goings
25 within the park. We are very comfortable

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2 especially with the parks department having
3 these with them and we're very comfortable
4 moving forward with the construction.

5 LEGISLATOR WALKER: I should know
6 this because like I said we've talk about it
7 but how big is this facility, the building?

8 MR. SCHNEIDER: The building is
9 23,000 square feet. I can provide draft
10 drawings to the legislature. I can run back
11 upstairs. They are drafts. But it's really
12 not an obtrusive, it's a very low profile
13 building. If you ever drive on Searingtown
14 Road it's basically going to be down in a
15 little valley as you come off of Searingtown
16 and go into the park. It's not going to be
17 some giant structure that's going to impact
18 anybody's vision or anything. It's really an
19 unobtrusive, benign type of construction.

20 I grew up -- Christopher Morley was
21 my park. I don't see any interference or any
22 impact to the residents in that area. There
23 aren't any homes directly across the street
24 from this construction.

25 LEGISLATOR WALKER: God rest his

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2 soul, my husband used to work over at Morley
3 so I spent a lot of time over at Morley too.
4 I know exactly where you're talking about. I
5 just wasn't sure the size of the building.
6 Because you know somebody will say like that
7 wasn't there before. Whether it's in a ditch
8 somebody will notice it and whatever.
9 Obviously it has to move forward here
10 further. But I know it's something we are all
11 faced with in our water districts. Thank you.

12 LEGISLATOR NICOLELLO: How long
13 has this been under discussion with the Port
14 Washington Water District?

15 MR. SCHNEIDER: I would say this
16 time last year they reached out to us via a
17 letter. We had a couple of site meetings. We
18 started just going back and forth on what this
19 building could potentially look like. Then
20 the beginning of this year things kind of hit
21 pause. But there were discussions with their
22 counsel.

23 LEGISLATOR NICOLELLO: Our first
24 knowledge of this was today. It was
25 communicated to our counsel that the

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2 administration was seeking an emergency on
3 this. One of my colleagues on the legislature
4 mentioned it to me in the Port Washington
5 district. First I heard that it involved
6 Christopher Morley Park was just now.

7 I represent Roslyn Estates which is
8 adjacent to Christopher Morley Park. It's
9 kind of remote from this spot but they had a
10 major issue with respect to the Roslyn Water
11 District air stripper. I believe Legislator
12 Birnbaum represents a district that's across
13 the street from Christopher Morley and there
14 is a residential development right there.

15 The problem I'm having at this
16 point, and I'm all for everything that's been
17 said in terms of dealing with 1,4-Dioxane and
18 location, is that I haven't even had an
19 opportunity to speak to the village officials
20 in Roslyn Estates to tell them that this is
21 coming. You're asking me to approve an
22 emergency alienation without my even telling
23 my constituents or Legislator Birnbaum telling
24 her constituents. How is that the appropriate
25 way for us to act as legislators?

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2 MR. SCHNEIDER: I understand.

3 There certainly should have been opportunities
4 for the administration to reach out to not
5 only you because you had such a keen interest
6 in Morley but also to Legislator Birnbaum.
7 I'm going to take a mea culpa on that and
8 apologize for not contacting the legislature
9 earlier. There have been so many, I can't use
10 the excuse, so many things on the plate. But
11 I recognize that were -- there are going to be
12 many, many opportunities to brief both sides
13 on this issue. And the fact that this, the
14 home rule did come up relatively late last
15 week I'm sorry but that's unfortunately the
16 way it laid out. But again, if I could have
17 gone back in time and briefed both sides
18 several months ago I'm going to take my lumps
19 and say I should have.

20 LEGISLATOR NICOLELLO: I need to
21 at least consult with or speak to my
22 residents, the representatives of that
23 village, the mayor and the trustees. Again, I
24 understand the location is remote from that
25 particular village. Actually much closer to

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2 the development on Legislator Birnbaum's
3 side. But this will be the third facility in
4 that park. I think there may be concerns
5 among residents even though they may be
6 somewhat remote from the park to say how many
7 different contamination treatment facilities
8 are you going to put in our park?

9 So, I'm not ready to move it as an
10 emergency today. Obviously if we had more
11 time before we can consider this those
12 discussions could take place. And if in fact
13 the legislature goes out of session between
14 now and the next meeting or the meeting after
15 that, that's really not on us. That's really
16 on the administration for getting it to us
17 this late.

18 I'm going to recommend to my side
19 not to vote for this emergency at this time.
20 Anyone else have anything to say? Legislator
21 Birnbaum.

22 LEGISLATOR BIRNBAUM: Thank you.
23 I also was a little taken aback that the first
24 time I heard about this was shortly before
25 this meeting. I do understand the importance

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2 of it and what it means to the Port Washington
3 Water District. I agree that it was done very
4 hastily in terms of notifying the legislature
5 and it wasn't clear what was going to happen.
6 Where this would be held. I do appreciate
7 your total explanation Brian but I feel we
8 should have been given the courtesy of some
9 advanced knowledge of the spot and the
10 residents of that area the.

11 LEGISLATOR NICOLELLO: Here's
12 what I'm going to recommend, obviously
13 legislators can vote as they please, but I
14 would recommend that we vote against the
15 emergency at this time. I will put the
16 meeting in recess. If we want to reconsider
17 it in two weeks we may do so. I don't know
18 what the timing of the Assembly is. Talk is
19 that they are going out of session or
20 finishing up next week. But again, getting
21 this at literally the 11th hour is really not
22 the issue, not the fault of this legislature.
23 We have to do our due diligence.

24 Anyone else have anything to add?
25 All in favor of the emergency signify by

1 Full 6-29-20

2 saying aye. All opposed say no. Emergency
3 fails by a vote of 19 zero. I'm going to put
4 the meeting in recess that's it. Thank you
5 folks very much.

6 The vote on the emergency was in
7 fact 18 to one. Legislator DeRiggi-Whitton
8 voted in the affirmative.

9 (Meeting was recessed at 3:05 p.m.)

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CERTIFICATION

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

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this eighth day of
July 2020

FRANK GRAY