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NASSAU COUNTY LEGISLATURE

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RICHARD NICOLELLO

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PRESIDING OFFICER

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12 PLANNING, DEVELOPMENT AND THE ENVIRONMENT COMMITTEE

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LEGISLATOR LAURA SCHAEFER

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CHAIR

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Theodore Roosevelt Building

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1550 Franklin Avenue

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Mineola, New York

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June 14, 2021

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2:42 P.M.

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

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4 LEGISLATOR LAURA SCHAEFER

5 Chair

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7 LEGISLATOR TOM MCKEVITT

8 Vice Chair

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10 LEGISLATOR STEVEN RHOADS

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12 LEGISLATOR DENISE FORD

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14 LEGISLATOR ARNOLD DRUCKER

15 Ranking member

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17 LEGISLATOR JOSHUA LAFAZAN

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19 LEGISLATOR SEILA BYNOE

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

6 MR. PULITZER: Thank you.
7 Planning, Development and the Environment
8 Committee roll call. Legislator Carrie
9 Solages.

10 LEGISLATOR SOLAGES: Here.

11 MR. PULITZER: Legislator Siela
12 Bynoe.

13 LEGISLATOR BYNOE: Here.

14 MR. PULITZER: Ranking Member
15 Arnold Drucker.

16 LEGISLATOR DRUCKER: Here.

17 MR. PULITZER: Legislator Denise
18 Ford.

19 LEGISLATOR FORD: Here.

20 MR. PULITZER: Legislator Steven
21 Rhoads.

22 LEGISLATOR RHOADS: Present.

23 MR. PULITZER: Vice Chairman
24 Thomas McKevitt.

25 LEGISLATOR MCKEVITT: Here.

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2 MR. PULITZER: Chairwoman Laura
3 Schaefer.

4 LEGISLATOR SCHAEFER: Here.

5 MR. PULITZER: We have a quorum
6 ma'am.

7 LEGISLATOR SCHAEFER: Thank you.
8 There's one item on the agenda today. It's
9 clerk item 169-21. And this item is an
10 ordinance making certain determinations
11 pursuant to the State Environmental Quality
12 Review Act and authorizing the county
13 executive of the county of Nassau to accept on
14 behalf of the county of Nassau an offer of
15 purchase from Dengo Incorporated of certain
16 premises located in Uniondale, county of
17 Nassau, state of New York, said property to be
18 subdivided and sold known as Section 44, Block
19 F, part of lots 400 and 417, formerly known as
20 Section 44, Block F, part of lot 408 on the
21 land and tax map of the county of Nassau, and
22 authorizing the county executive to execute a
23 contract of sale, deed and all pertinent
24 documents in connection therewith to
25 consummate the sale.

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2 May I have a motion please. So
3 moved by Legislator McKeivitt. Seconded by
4 Legislator Bynoe. The item is before us. Hi
5 Mr. Walsh.

6 MR. WALSH: Good afternoon
7 legislators. Kevin Walsh from the Office of
8 Real Estate Services.

9 This is a sale of county-owned
10 land, property the county acquired from the
11 Navy in 2011 as part of the larger Mitchel
12 field portfolio which includes much of the
13 housing in the area. This is kind of a little
14 bit off the beaten track. This property is
15 sort of to the west of the housing area and
16 just to the east of the commercial avenue
17 offices. It's abandoned structures that were
18 used by the Navy for storage and water well
19 equipment. So there's been these hard-to-call
20 buildings. There may be 3,000 of old vehicle
21 kind of storage structures and storage
22 buildings.

23 We issued an RFP. We only got one
24 response. The challenge for development of
25 this property, which the land is only about a

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2 third of an acre, is there is significant
3 infrastructure, county water main hydrants and
4 sewer infrastructure directly under this
5 property. So, it's probably not possible to
6 build any kind of foundation on this
7 property. The intended use I believe of this
8 buyer is for just vehicle storage.

9 He also, as part of his proposal, I
10 guess he runs a towing business in this area.
11 I believe he's offered, with the veterans
12 community being to the east, not too far away,
13 to do free jumps for the veterans and active
14 military in the community.

15 We're going to get a purchase price
16 of \$180,000 for this property, which does
17 exceed the appraised market value.

18 LEGISLATOR SCHAEFER: Thank you
19 very much. Any legislators with questions?
20 Legislator McKevitt.

21 LEGISLATOR MCKEVITT: Mr. Walsh,
22 actually I tried looking through the appraisal
23 and unfortunately a lot of the pictures were
24 black and white and hard to read. So I tried
25 to find this property over the weekend. I

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2 think I found it. Would this be the portion
3 it's like towards the northwest portion along
4 the old railroad tracks in back of where the
5 post office entrance is back there?

6 MR. WALSH: That's it. I was
7 going to describe it. Kind a via the tracks.
8 Kind of behind the post office. You're in the
9 right area.

10 LEGISLATOR MCKEVITT: I found the
11 buildings. Yes, they're all like no brick.
12 There's no windows in them. They're pretty
13 dilapidated back there. So yes.

14 MR. WALSH: Yes. In fact, the
15 way this property came to my attention believe
16 it or not was from the fire department locally
17 and the police department I guess because it's
18 been vacant. It's been kind of an attractive
19 nuisance.

20 LEGISLATOR MCKEVITT: I see. The
21 other question I have is, I know when the
22 county acquired most of Mitchel Field in the
23 mid 1960s there were a lot of restrictive
24 covenants of what they could do with it at
25 that point. But since this was part of the

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2 2011 portfolio are there any covenants or
3 restrictions prohibiting us reselling the
4 property?

5 MR. WALSH: No. There's no
6 restrictions. I mean, there are things of
7 record. The buyer has done a title search
8 which shows most of the restrictions over all
9 the property deal with things he would
10 normally see with properties. You're buying
11 it as is where is. There may be things like
12 lead paint, asbestos, those kind of things.

13 LEGISLATOR MCKEVITT: But no
14 requirement that be used either for government
15 use or parkland or anything like that?

16 MR. WALSH: No.

17 LEGISLATOR MCKEVITT: Thank you.

18 LEGISLATOR SCHAEFER: Legislator
19 Rhoads.

20 LEGISLATOR RHOADS: With respect
21 to the Mitchel Field property that sometimes
22 there are restrictions that run with the land
23 with respect to our ability to transfer it.
24 Do any of those such covenants run with this
25 particular parcel?

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2 MR. WALSH: I'd have to look at
3 the title search. There's nothing that
4 restricts it to my knowledge. The Mitchell
5 Field property did come to us by fee simple
6 absolute. We did get deeds recorded for all
7 the property. Anything of record would have
8 to be on the buyer to look at. There's
9 nothing that restricts us from selling that.

10 LEGISLATOR RHOADS: I appreciate
11 it. Thank you.

12 LEGISLATOR SCHAEFER: Legislator
13 Drucker.

14 LEGISLATOR DRUCKER: Thank you
15 Madam Chair.

16 Kevin, nice to see you. So, our
17 backup states that the purchaser is expected
18 to clean up dead tree limbs and branches,
19 donate 200 cubic yards of mulch for the
20 veterans' housing community on a needed
21 basis. Provide free battery boost for all
22 veterans and active military living in the
23 community and install new and attractive
24 signage for the entrance to the Mitchel Field
25 veteran housing community.

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2 These obligations are identified in
3 our staff, in our backup summaries but they're
4 not included in the contract of sale. What
5 assurances do we have that the purchaser will
6 provide these additional benefits in the
7 future?

8 MR. WALSH: These were things --
9 he's actually operated in the area,
10 Mr. Linderman, who operates his company for
11 quite a while. I think when he made his
12 proposal I wouldn't say they were obligations
13 that necessarily run with the land like we're
14 talking about restrictions. These are things
15 that he recognizes that even though he's not
16 in the housing community he is in the vicinity
17 of the community that is served by our
18 veterans and active military. And it's an
19 unsightly property now if you went by it and
20 the intention is to beautify the landscape and
21 be a good neighbor.

22 Hopefully, obviously he could sell
23 as well as hope. My belief is that will be
24 what he will do. That's his intention. He's
25 operated in that community as a business since

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2 we acquired that property since about 2011.

3 LEGISLATOR DRUCKER: So it's fair
4 to say that there is no contractual
5 obligation?

6 MR. WALSH: I would say that's
7 correct. Not a legal obligation.

8 LEGISLATOR DRUCKER: So we're
9 relying upon faith that he'll do these
10 things. I mean, I understand it's dilapidated
11 and run down and undoubtedly it will be
12 cleaned up. But the additional things that
13 will enhance or help the veterans housing
14 community are certainly worthwhile and
15 beneficial to them and I would like to make
16 sure that the buyer continues with his
17 post-closing obligations to do that.

18 MR. WALSH: The ordinance is
19 final but we could probably work something
20 into the agreement.

21 LEGISLATOR DRUCKER: If you
22 could. I think on behalf of all of us, we'd
23 like to see that put in writing somehow. Just
24 so there's some memorialization of these
25 obligations. It's just promises. Empty

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2 promises.

3 MR. WALSH: That's fair. We can
4 speak to the counsel on that. I think that
5 would be acceptable.

6 LEGISLATOR DRUCKER: Thank you
7 very much. I have nothing further. Thank you
8 Madam Chair.

9 LEGISLATOR SCHAEFER: Legislator
10 Bynoe.

11 LEGISLATOR BYNOE: I don't want
12 to beat a dead horse to death Mr. Walsh.

13 MR. WALSH: Good afternoon
14 legislator.

15 LEGISLATOR BYNOE: Good
16 afternoon. Could that be inserted into the
17 agreement and then presented back to this full
18 body?

19 MR. WALSH: We will be back at
20 full leg for a vote, so by the time we're back
21 here in two weeks we'll have something.

22 LEGISLATOR BYNOE: I appreciate
23 that.

24 LEGISLATOR SCHAEFER: Any other
25 legislators have any comments or discussion?

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2 Is there any comment from the public? There
3 being none, all those in favor of passing this
4 item please signify by saying aye. Any
5 opposed? The item passes unanimously.

6 MR. WALSH: Thank you.

7 LEGISLATOR SCHAEFER: Thank you.

8 There's no other business in front of this
9 committee. Can I have a motion to adjourn?
10 Moved by Legislator McKevitt. Seconded by
11 Legislator Drucker. All in favor signify by
12 saying aye. We are now adjourned.

13 (Committee adjourned at 2:51 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 23rd day of
June 2021

FRANK GRAY