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6 NASSAU COUNTY LEGISLATURE

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8 RICHARD NICOLELLO

9 PRESIDING OFFICER

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11 PUBLIC WORKS AND PARKS COMMITTEE

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13 LEGISLATOR C. WILLIAM GAYLOR III

14

CHAIR

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16

17 Theodore Roosevelt Building

18 1550 Franklin Avenue

19 Mineola, New York

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22 May 9, 2022

23 2:47 P.M.

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

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4 LEGISLATOR C. WILLIAM GAYLOR III

5 Chair

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7 LEGISLATOR JOHN GIUFFRE

8 Vice Chair

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10 LEGISLATOR LAURA SCHAEFER

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12 LEGISLATOR JAMES KENNEDY

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14 LEGISLATOR SIELA BYNOE

15 Ranking member

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17 LEGISLATOR ARNOLD DRUCKER

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19 LEGISLATOR CARRIE SOLAGES

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2 LEGISLATOR GAYLOR: I will call
3 the Public Works Committee to order. I'll ask
4 the clerk to call the roll.

5 MR. PULITZER: Thank you
6 chairman. Public Works and Parks roll call.
7 Carrie Solages.

8 LEGISLATOR SOLAGES: Here.

9 MR. PULITZER: Legislator Arnold
10 Drucker.

11 LEGISLATOR DRUCKER: Here.

12 MR. PULITZER: Ranking member
13 Siela Bynoe.

14 LEGISLATOR BYNOE: Here.

15 MR. PULITZER: Legislator James
16 Kennedy.

17 LEGISLATOR KENNEDY: Here.

18 MR. PULITZER: Legislator Laura
19 Schaefer.

20 LEGISLATOR SCHAEFER: Here.

21 MR. PULITZER: Vice-chairman John
22 Giuffre.

23 LEGISLATOR GIUFFRE: Present.

24 MR. PULITZER: Chairman C.
25 William Gaylor III.

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2 LEGISLATOR GAYLOR: Present.

3 MR. PULITZER: We have a quorum
4 sir.

5 LEGISLATOR GAYLOR: Thank you.
6 There are three items on the agenda today
7 which are clerk items 137-22, 139-22 and
8 146-22.

9 Clerk item number 137-22 is a
10 resolution authorizing the county executive to
11 execute an agreement between the county of
12 Nassau acting on behalf of the Department of
13 Parks, Recreation and Museums and Friends of
14 Garvies Point Museum and Preserve.

15 May I have a motion. Moved by
16 Legislator Solages. Seconded by Legislator
17 Schaefer. The item is before us. Who do we
18 have from the administration?

19 MS. BELYEA: Darcy Belyea, parks
20 commissioner. Good afternoon again
21 everybody.

22 This is Friends of Garvies Point
23 Museum, an MOA, to provide administrative and
24 professional services to the county in support
25 of the museum. They had an agreement in place

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2 that has expired. That was in '07 that that
3 was created. Basically their functions are to
4 operate the museum gift shop. Which if you
5 haven't been there and you need a gift,
6 ladies, definitely I recommend you take a stop
7 in there. Very unique items.

8 Fund-raising, educational programs
9 and special events. They've had some recent
10 ones that have been met with great success.
11 And then we have another one, an Indian
12 powwow. They're actually partnering with the
13 Montauket tribe from out in Montauk. So
14 there's some great family things going on
15 there. They also recently offered boater
16 education classes through the Friends of
17 Garvies Point.

18 The full board includes the now
19 retired former museum director.

20 So we're looking for a ten-year
21 agreement with an option to renew for an
22 additional ten years. The first agreement,
23 again, was in 2007 and was renewed for an
24 additional five years and it's expiring.

25 LEGISLATOR GAYLOR: Thank you.

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2 Quick question or two. How do we monitor the
3 collection of the funds from fund-raising,
4 sales, powwow, whatever? Monies coming in.

5 MS. BELYEA: Through quarterly
6 reports which are submitted to the parks
7 accounting team.

8 LEGISLATOR GAYLOR: And then
9 likewise I guess expenditures?

10 MS. BELYEA: Correct.

11 LEGISLATOR GAYLOR: So the parks
12 department provides the oversight on the
13 financial component?

14 MS. BELYEA: Correct.

15 LEGISLATOR GAYLOR: Those monies
16 that are collected are they transferred into
17 the general account or operating fund?

18 MS. BELYEA: No. It stays with
19 the Friends of Garvies Point and they are
20 using that for like start-up costs for the
21 next event, to purchase more items for the
22 gift shop, etcetera.

23 LEGISLATOR GAYLOR: Is there a
24 point in time where the balance becomes a
25 certain level and then the excess is

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2 transferred over?

3 MS. BELYEA: No. I haven't
4 gotten that far in my job to know that but I
5 don't believe so.

6 LEGISLATOR GAYLOR: Just was
7 curious. I have no further questions. Does
8 anybody else? Legislators have questions?
9 Committee members? Public? Comments?
10 Questions? There being no further debate or
11 discussion, we'll take a vote. All in favor
12 of passing this signify by saying aye. Those
13 opposed? This item passes unanimously.

14 Clerk item 139-22 is a resolution
15 authorizing the county of Nassau to
16 participate in a federal aid transportation
17 project providing for the resurfacing of
18 various county roads under capital project
19 H61587-75G, with a pin number 0761.18 and
20 authorizing the county executive of the county
21 of Nassau to execute the agreement on behalf
22 of the county with the New York State
23 Department of Transportation for the
24 advancement of said aid for transportation
25 projects in Nassau County, New York.

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2 May I have a motion. Moved by Vice
3 Chairman Legislator Giuffre. Seconded by
4 Legislator Bynoe. I see we have commissioner
5 Arnold from the Department of Public Works to
6 speak about this item. The floor is yours.

7 MR. ARNOLD: Ken Arnold, public
8 works. This is a master agreement that allows
9 the county to accept funding from New York
10 State that's associated with the TIP. This
11 project is for resurfacing as you stated. The
12 funding received will be \$5 million. The
13 total project cost is \$6 million.

14 LEGISLATOR GAYLOR: Is there any
15 debate or discussion? Legislator Drucker.

16 LEGISLATOR DRUCKER: Thank you
17 Chairman Gaylor. One quick question
18 Commissioner Arnold. When would this
19 resurfacing start to take place?

20 MR. ARNOLD: It's our intent to
21 have this part of the 2023 resurfacing season.

22 LEGISLATOR DRUCKER: Thank you.

23 LEGISLATOR GAYLOR: Any further
24 debate or discussion? Any public comment?

25 We got one more question.

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2 LEGISLATOR GIUFFRE: Is this for
3 Old Country Road from 107 to 135?

4 MR. ARNOLD: That is one of the
5 roads, yes. Also Salisbury Park Drive. And
6 then the expressway service road north and
7 south parts of them.

8 LEGISLATOR GIUFFRE: Thank you.

9 LEGISLATOR GAYLOR: Do we have
10 any public comment?

11 MS. MEREDAY: Meta J. Mereday.
12 Yes. One of my questions was answered with
13 regard to exactly which roads and it just
14 furtheres my comment as to which roads get
15 designated. Because, unfortunately, we have
16 so many roads in Nassau County that need
17 resurfacing.

18 And the third part of my question,
19 again with this list, since we're talking
20 about federal and state dollars, I just want
21 to make sure that the county is in compliance
22 with regard to the outreach, inclusion and
23 utilization of service disabled, minority
24 woman-owned businesses. There was a hot
25 minute when at least here I would kind of hear

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2 something about a reference to a contractor
3 that was woman owned, minority owned or
4 service disabled veteran. But I'm not seeing
5 or hearing that. So that is becoming of great
6 concern to me.

7 Because we have a budget here that
8 rivals many countries and unfortunately we
9 still don't seem to address the fact that we
10 have a large percentage of our population who
11 need to get work to stay here as well and they
12 don't seem to be getting that work.

13 Those are my questions. My first
14 part of the question what roads exactly
15 pertain to this particular piece of the budget
16 were answered. But my second question has to
17 do with the inclusion process and what is the
18 determination process for the selection of
19 roads for these projects. Thank you.

20 LEGISLATOR GAYLOR: Thank you. I
21 think those are very good questions. I'm glad
22 the first part was answered by Commissioner
23 Arnold. But if Commissioner Arnold could
24 return and just address how do we ensure in
25 the bidding process that minority owned and

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2 veteran-owned businesses are considered?

3 MR. ARNOLD: So, this being a
4 state contract the state sets DBE goals that
5 are requirements that are in this bid for a
6 certain percentage of MW and SDOB firms. So
7 the DBA that they set.

8 As to how roads are selected. The
9 department meets on a regular basis with its
10 maintenance and it's permit offices and its
11 engineering offices. We look at the roads.
12 We rate them based on complaints and what
13 they're seeing in the field. And that's how
14 roads are selected. We are looking towards
15 doing a countywide assessment in the next year
16 or so to reset what we need to do next as
17 we've done a good majority of the roads over
18 the last five or six years.

19 LEGISLATOR GAYLOR: So back to
20 the first part of your answer. The state sets
21 the goals?

22 MR. ARNOLD: For state
23 contracts. This is one of them. If it's a
24 county-funded contract only then it's just
25 appendix EE I believe which is the best

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2 efforts.

3 LEGISLATOR GAYLOR: All right.

4 Is there any other further public comment?

5 So, all in favor of passing this item signify
6 by saying aye. Any opposed? The item passes
7 unanimously.

8 The last item is clerk item 146-22
9 which is an ordinance making certain
10 determinations pursuant to the State
11 Environmental Quality Review Act and
12 authorizing the county executive on behalf of
13 the county of Nassau to execute a release of
14 an approximate 20-foot easement reserved for
15 highway purposes situated in Port Washington,
16 which sits within the Town of North Hempstead
17 and in the county of Nassau, New York.

18 May have I have a motion. Moved by
19 Legislator Kennedy. Seconded by Legislator
20 Drucker. The item is before us.

21 MR. SERANDIS: Nicholas Serandis,
22 deputy county attorney. This was an easement
23 that was granted to the county approximately
24 40 to 50 years ago for the proposed widening
25 of the Port Washington Middle Neck Road area

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2 down at the end. For purposes of that, we had
3 retained a 20-foot easement over a portion of
4 the property that was then owned by a
5 Mr. Scofani, which was years ago.

6 The Department of Public Works has
7 later determined that we would not be widening
8 this road and some of the other easements that
9 were granted were released years ago. But
10 recently another gentleman bought the property
11 and the title company and the bank which was
12 doing the refinancing had both requested, even
13 though the document -- the retainees contained
14 language that said if the property is not used
15 for highway purposes the easement would be
16 released. But it didn't specify what the
17 conditions were in the release.

18 So the title company decided that
19 we would have to go through a formal process
20 to release the easement for them to accept
21 that the easement is released.

22 So, we went through OSPAC, the Open
23 Space Committee. We went through planning.
24 We had a SEQRA determination that the
25 property -- there would be no adverse impact

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2 on anything.

3 In accordance with prior practice,
4 we are collecting \$500 for the release of
5 easement, which is basically what was done in
6 the past like ten years ago when we released
7 these sort of easements. And we went through
8 the processes and here we are.

9 There's no detriment to the county
10 because the property would never be used for
11 highway purposes and it is owned by the
12 gentleman in question, Montauk 3 L.L.C., which
13 is an entity which is just seeking this
14 ministerial item which has to be eventually
15 recorded at the clerk's office.

16 LEGISLATOR GAYLOR: So, if I were
17 to sum it up it would be this is an easement
18 that runs with the land. The property owner
19 has made a request because this strip of land
20 is not being used for which the easement
21 intended it to be used. So, my question would
22 be, the adjoining neighbor property is there
23 an easement on their properties and are those
24 easements being released?

25 MR. SERANDIS: This is the only

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2 neighbor that has requested it at this time.
3 We did find other records of easements
4 retained in the area that have already been
5 released many years ago. And usually this
6 comes up when somebody is doing a refinance or
7 sale of property and when the title company
8 and/or banks say they want formal
9 documentation we go through this on a fairly
10 regular basis.

11 LEGISLATOR GAYLOR: Got it. Any
12 debate or discussion? Is there any public
13 comment? All in favor signify by saying aye.
14 Any opposed? The item passes unanimously.

15 There is no other business before
16 this committee. May I have a motion to
17 adjourn. Moved by Legislator Giuffre.
18 Seconded by Legislator Bynoe. All in favor?
19 The committee is now adjourned. We will be
20 followed by the Health Committee.

21 (Committee adjourned at 3:00 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 13th day of
May 2022.

FRANK GRAY