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NASSAU COUNTY LEGISLATURE

RICHARD NICOLELLO  
PRESIDING OFFICER

PUBLIC WORKS AND PARKS COMMITTEE

LEGISLATOR C. WILLIAM GAYLOR III  
CHAIR

Theodore Roosevelt Building  
1550 Franklin Avenue  
Mineola, New York

May 9, 2022  
2:47 P.M.

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

LEGISLATOR C. WILLIAM GAYLOR III  
Chair

LEGISLATOR JOHN GIUFFRE  
Vice Chair

LEGISLATOR LAURA SCHAEFER

LEGISLATOR JAMES KENNEDY

LEGISLATOR SIELA BYNOE  
Ranking member

LEGISLATOR ARNOLD DRUCKER

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 furthers 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 its 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.

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FRANK GRAY