

SPECIAL MEETING
of the
OPEN SPACE ADVISORY COMMITTEE

Tuesday, June 18, 2024

4:01 p.m. - 4:48 p.m.

Nassau County Parks Administration Building
Conference Room, Eisenhower Park
East Meadow, New York

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

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RALPH FUMANTE, JR., Chair

4

YARON LEVY, Board Member

5

MATTHEW T. MENG, Board Member

6

MONOLITA MITRA, Board Member

7

LAUREN MORIARTY, Board Member

8

JASON B. STEINBERG, Board Member

9

PAUL SPEZIO - Counsel to OSPAC

10 Also Present:

11

DANIEL BAKER, ESQ.

12

JOSH MEYER, ESQ.

13

WILLIAM DUFFY, Special Counsel TOH

14

GREG HOESL, Planner II

15

JOHN PERRAKIS, Planner III

16

KEVIN WALSH, Deputy County Attorney

17

STEPHANIE J. VALDER, Stenographer

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KAREN LORENZO, Stenographer

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1 Proceedings

2 P R O C E E D I N G S :

3 CHAIRMAN FUMANTE, JR.: I'm not going
4 to ask anyone to take minutes, because I got
5 court reporters on either side of me, so --

6 (Laughter.)

7 CHAIRMAN FUMANTE, JR.: I'm assuming I
8 can get a copy of those "OSPAC" minutes.

9 You have the minutes in front of you
10 from the May 8th meeting.

11 BOARD MEMBER PIRONI: Yes.

12 CHAIRMAN FUMANTE, JR.: Everyone's had
13 a chance to review them.

14 I'll entertain a motion.

15 BOARD MEMBER MENG: I'll make a motion
16 to accept the minutes of the last meeting of
17 May the 8th.

18 CHAIRMAN FUMANTE, JR.: Can I have a
19 second?

20 BOARD MEMBER LEVY: I'll second that
21 motion.

22 CHAIRMAN FUMANTE, JR.: I have a
23 second.

24 All in favor?

25 (Chorus of "ayes.")

1 Proceedings

2 CHAIRMAN FUMANTE, JR.: Any opposed?

3 (No response.)

4 CHAIRMAN FUMANTE, JR.: Any

5 abstentions?

6 (No response.)

7 CHAIRMAN FUMANTE, JR.: The motion

8 passes.

9 I'm going to throw it to you.

10 MR. HOESL: Yeah, thank you.

11 (Laughter.)

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2 MR. HOESL: All right. Next up on the
3 agenda, "Section 3," we have the "Introduction of
4 New Properties." This OSPAC Case 2-2024.

5 This is an application for the
6 assignment of the Coliseum lease for a
7 portion of the Nassau County Veterans Memorial
8 Coliseum site between the County of Nassau and
9 "LVS HOLDCO 2, LLC," also known as Las Vegas
10 Sands Corporation.

11 The site location is 1255 Hempstead
12 Turnpike, Hamlet of Uniondale. This is the
13 Nassau Coliseum site, in the "Town of Hempstead's
14 Mitchel Field Mixed-Use District." The Coliseum
15 site is approximately 72 acres.

16 Nassau County's requesting permission
17 to enter into a lease with Las Vegas Sands Corp.,
18 to allow for Sands to obtain site control over
19 the Coliseum site and provide for Sands to
20 operate the Coliseum. The proposed lease term
21 shall not exceed 42 years.

22 Operation of the site will include all
23 aspects of day-to-day maintenance and operation
24 such as:

25 Booking musical acts;

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2 And, or athletic teams use the Coliseum
3 as an event venue.

4 Maintaining the parking lot, i.e.,
5 plowing, sweeping, et cetera.

6 Hosting conventions;

7 And exhibitions for any purpose;

8 And et cetera.

9 While Sands intends to seek to develop
10 a casino at the Coliseum site, this proposed
11 lease does not authorize the Coliseum site to be
12 developed or used for a casino, and any such
13 authorization will occur, if at all, through a
14 separate lease in the future that'll be subject
15 to public comment.

16 A copy of the proposed lease has been
17 made available to the public 24 hours in advance
18 of today's meeting on the "OSPAC" website.

19 Nassau County "DPW" has approved of the
20 request from the County of Nassau to enter into
21 this operational lease with Las Vegas Sands
22 Corporation.

23 The public comment period for OSPAC
24 2-2024 will be open by the Planning Commission at
25 their June 20th hearing. Members of the public

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2 who wish to speak on the application will have an
3 opportunity to do so at that time. "OSPAC" will
4 then review the public comments and vote on this
5 application at the July 10th OSPAC meeting.

6 Here today, we have Josh Meyer and a
7 number of other -- Dan Baker with Sands as well.

8 BOARD MEMBER PIRONI: I have a
9 question.

10 CHAIRMAN FUMANTE, JR.: No, go ahead.

11 BOARD MEMBER PIRONI: You can go.

12 CHAIRMAN FUMANTE, JR.: No, I was going
13 to say, do we want to have them make the
14 presentation of the lease and then we should have
15 the questions.

16 BOARD MEMBER PIRONI: I have no
17 question to offer with this just right now. I
18 was just -- so there's no public comment at this
19 current meeting? I'm just curious.

20 CHAIRMAN FUMANTE, JR.: We have allowed
21 public comment at our public meetings any time,
22 anywhere.

23 BOARD MEMBER PIRONI: Okay.

24 CHAIRMAN FUMANTE, JR.: So Josh, since
25 this is a new lease from the previous one we

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2 voted on, I'd like to give the Sands and the
3 County an opportunity to speak to us, so we'll
4 all hear what --

5 MR. NIMMO: Can we close this door? Is
6 that alright with everybody, just so we can all
7 hear each other better?

8 CHAIRMAN FUMANTE, JR.: That's okay
9 with me.

10 So you want to go first?

11 MR. MEYER: Sure.

12 Is the streaming going or do you want
13 to wait for that or --

14 MALE VOICE: It is not yet. Yeah, I'm
15 still trying to get back on. I apologize.

16 MR. MEYER: For the streaming?

17 MALE VOICE: Yeah.

18 CHAIRMAN FUMANTE, JR.: You want to
19 wait on the technology?

20 MALE VOICE: I'm streaming it now.

21 MR. MEYER: What's that?

22 CHAIRMAN FUMANTE, JR.: You want to
23 wait for the technology?

24 MR. MEYER: It's how you would like to
25 proceed. I mean it was advised that it would be

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2 streamed, so it's up to the --

3 CHAIRMAN FUMANTE, JR.: All right. If
4 we --

5 MALE VOICE: Yes.

6 CHAIRMAN FUMANTE, JR.: -- we can -- do
7 we have an "ETA" on the technology time for this?
8 Can you broaden that a bit?

9 MALE VOICE: Five minutes.

10 MR. HOESL: Five minutes? All right.

11 CHAIRMAN FUMANTE, JR.: We'll recess
12 for five minutes.

13 MALE VOICE: Okay.

14 CHAIRMAN FUMANTE, JR.: Until they get
15 the technology going.

16 MALE VOICE: Okay.

17 (Whereupon, a recess was taken at
18 4:05 p.m. and the meeting continued at 4:12 p.m.)

19 CHAIRMAN FUMANTE, JR.: Okay. I'm
20 going to bring the meeting back to order. All
21 right. We're -- we're having some technical
22 difficulty obviously and there's a lot of people
23 in this room, some very highly paid.

24 (Laughter.)

25 CHAIRMAN FUMANTE, JR.: Not myself, but

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2 others. And the public's come out. And I come
3 from the technology background, so when it goes
4 south I usually try and not to wait, because
5 it's -- if it comes back, they tend not to --

6 MALE VOICE: I'm not getting out to the
7 internet.

8 CHAIRMAN FUMANTE, JR.: So where's our
9 attorney buddy? Sorry.

10 I'm going to move forward.

11 MR. MEYER: Can we give it another five
12 minutes?

13 CHAIRMAN FUMANTE, JR.: If you would
14 like, I'm not sure the rest of us would like it,
15 but I will take it under consideration.

16 MALE VOICE: No.

17 CHAIRMAN FUMANTE, JR.: Is every -- is
18 everybody okay with another five?

19 MALE VOICE: Nope.

20 CHAIRMAN FUMANTE, JR.: No?

21 BOARD MEMBER LEVY: We'll take his no.

22 CHAIRMAN FUMANTE: What?

23 BOARD MEMBER LEVY: We'll take his --

24 CHAIRMAN FUMANTE, JR.: No?

25 BOARD MEMBER PIRONI: He's talking to

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2 somebody else.

3 FEMALE VOICE: I think he's --

4 BOARD MEMBER PIRONI: I think he's
5 talking to somebody else.

6 CHAIRMAN FUMANTE: I don't know, it's
7 difficult --

8 MALE VOICE: I would say out of
9 courtesy five, but that's it after five.

10 MR. MEYER: Okay. That'd be -- I
11 greatly appreciate it. Thank you.

12 CHAIRMAN FUMANTE, JR.: No problem.

13 (Whereupon, a recess was taken at
14 4:13 p.m. and the meeting continued at 4:21 p.m.)

15 CHAIRMAN FUMANTE, JR.: Okay. We're --
16 we're going to -- we're going to restart, even
17 though the technology seems to be --

18 MR. HOESL: We're going to at least
19 audio record the meeting.

20 MS. LORENZO: I have the ability to
21 do --

22 CHAIRMAN FUMANTE, JR.: I mean I
23 thought you -- whatever you guys decide is fine,
24 if you're going to audio record it or court
25 report it.

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2 MS. LORENZO: All right. We'll
3 we're -- we're going to also take it down, but
4 this is for your --

5 CHAIRMAN FUMANTE, JR.: And the -- the
6 dueling stenographers will take notes.

7 MALE VOICE: Like the dueling pianos.

8 CHAIRMAN FUMANTE, JR.: So -- so I
9 will -- I will watch what I say, because I'm
10 usually pretty loose at these meetings.

11 Just for the public, what advisory are
12 you, by the way?

13 MALE VOICE: I'm a Volunteer. We just
14 advise for the Council.

15 CHAIRMAN FUMANTE, JR.: Okay.

16 FEMALE VOICE: You know what, people
17 from our group are -- are trying to "live
18 stream," so I'll let you know if they can.

19 CHAIRMAN FUMANTE, JR.: Thank you.
20 Appreciate that. I'd like to know when we're
21 live.

22 We should have a big red light up there

23 MALE VOICE: Come in and log in.

24 CHAIRMAN FUMANTE, JR.: We don't have an
25 audience applause light though.

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2 (Laughter.)

3 CHAIRMAN FUMANTE, JR.: Anyway.

4 MALE VOICE: We're talking about TV
5 jokes.

6 (Laughter.)

7 CHAIRMAN FUMANTE, JR.: All right. So
8 let's -- let's move forward.

9 I had given off the floor to Josh. And
10 you -- you want to kind of give us a little
11 history and tell us where we are.

12 (Stepping up.)

13 MR. MEYER: Sure. Thank you very much,
14 Mr. Chairman.

15 My name is Josh Meyer. I'm an outside
16 counsel for Nassau County on the negotiations of
17 this lease. I'm here today to introduce the
18 lease to the Board, to give you a belief overview
19 of the lease, to tell -- to explain to you a
20 little bit about how we arrived here at this
21 point and to tell you where we're going from here
22 and the process moving forward, so just -- just
23 so that we can familiarize the Board with -- with
24 that process. So --

25 MR. HOESL: We're live, just --

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2 MR. MEYER: We're live --

3 MR. HOESL: -- yeah, just to let
4 everybody know --

5 MR. MEYER: Yes.

6 MR. HOESL: -- on this.

7 MALE VOICE: Fantastic.

8 FEMALE VOICE: Not yet -- not yet. Not
9 yet (indicating), like give it a --

10 CHAIRMAN FUMANTE, JR.: All right,
11 continue please.

12 MR. MEYER: Okay, sure. Thank you.

13 MR. HOESL: So --

14 FEMALE VOICE: Oh, yes, you're up and
15 running.

16 MR. MEYER: Okay, great.

17 (Laughter.)

18 CHAIRMAN FUMANTE, JR.: All right.

19 (Laughter.)

20 MALE VOICE: We got to start recording.

21 (Laughter.)

22 MALE VOICE: We're going to start
23 recording this.

24 CHAIRMAN FUMANTE, JR.: Why don't --
25 why don't we re-rack the tape?

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2 MR. MEYER: Okay. You want me to
3 repeat that?

4 CHAIRMAN FUMANTE, JR.: Yes.

5 MR. MEYER: Yeah. So again, my name
6 is --

7 CHAIRMAN FUMANTE, JR.: I'd -- I'd just
8 like you to introduce yourself.

9 MR. MEYER: Sure -- sure.

10 CHAIRMAN FUMANTE, JR.: We're moving
11 on. Whether the technology goes down or not,
12 we're going to plow through it.

13 MR. MEYER: So again, my name is
14 Josh Meyer. I'm outside counsel for the County
15 on he negotiation of this lease.

16 I'm here today to introduce the lease
17 to the Board, to give you a brief summary and
18 overview of the lease itself, and to describe a
19 little bit of how we arrived here at this point
20 and to discuss where we're going and the process
21 moving forward.

22 So how we arrived here is back in 2015,
23 the County procured an operator for the Coliseum
24 and the lease for the Coliseum site. The County
25 entered into an agreement with "Forest City Ratner"

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2 at that time, the "Nassau Event Center." And
3 that was for renovations of the Coliseum as well
4 as:

5 Operation;

6 Maintenance;

7 Repair;

8 And replacement of the Coliseum;

9 And to promote events and to host
10 events at the Coliseum.

11 The in -- so those renovations were
12 conducted between 2015 and 2017. In 2017,
13 "Nassau Event Center" then began operating the
14 Coliseum and subsequent to that the -- they had
15 stepped away. It was assigned and through -- it
16 was assigned or transferred to various parties.
17 The last one was "Mastroianni." They were the
18 lender at the time.

19 When, subsequent to that, the County
20 entered into negotiations with Las Vegas Sands,
21 that agreement was -- from "Mastroianni" was
22 assigned to Las Vegas Sands through the contract
23 with Las Vegas Sands. And Las Vegas Sands, that
24 agreement was terminated and Las Vegas Sands then
25 took over control of the Coliseum site.

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2 Subsequently, Hofstra University filed
3 litigation. The Court held that the -- the lease
4 with "Mastroianni" was, in fact, terminated and
5 they annulled the lease with Las Vegas Sands.

6 This lease that you have before
7 you today is to replace the lease with
8 "Mastroianni" -- that -- that was held by
9 "Mastroianni." It's limited to just the
10 operations of the Coliseum, and maintenance
11 repair and replacement of the Coliseum. It's
12 20 [sic] -- the -- the lease term is 27 years,
13 plus three 5-year renewals. That's because the
14 lease with the -- the lease -- the -- the
15 subsequent -- the prior lease was entered into,
16 the term began in 2017, so 7 years had elapsed on
17 that lease. That original term of that lease was
18 34 years plus three 5-year renewals.

19 So now that -- that 7 years have
20 elapsed, the term of this lease is 27 years, plus
21 three 5-year renewals, for a total term of 42
22 years.

23 Again, it's just limited to operation
24 maintenance, repair and replacement of the
25 Coliseum itself to host events there. And that's

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2 all that we're doing with this lease at
3 this -- at this time. The -- there's no
4 development. There's nothing else associated
5 with this lease. It's just operations.

6 Where we're going moving forward with
7 this lease, "OSPAC" is hearing it today.

8 There'll be plenty of opportunity to -- the --
9 the Board can ask any questions they would like
10 to today. On Thursday, this lease will be heard
11 by the Planning Commission. And the Planning
12 Commission will hold a public hearing.

13 On July 10th, the lease will come back
14 to this Board for -- the -- the transcript from
15 the -- from the Planning Commission hearing will
16 be presented to this Board. This -- the Board
17 will review that and any other public comments
18 that were heard at the Planning Commission
19 meeting from Thursday. And this Board will issue
20 a report and make recommendations to the Planning
21 Commission meeting.

22 The Planning Commission meeting
23 will be held on July 18th. And at that time,
24 the Planning Commission will prepare a
25 report and issue recommendations to the

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2 Nassau County Legislature. And the
3 Nassau County Legislature, to anticipate it,
4 will take this up on August 5th.

5 And that's about -- that's about it.

6 CHAIRMAN FUMANTE, JR.: That's it?

7 MR. MEYER: Yeah.

8 So I'm open to any questions, or
9 comments, or anything about the process or the
10 lease itself.

11 CHAIRMAN FUMANTE, JR.: Any questions
12 from the Board?

13 BOARD MEMBER PIRONI: Can you clarify,
14 you said operations on the lease. What exactly
15 are the operations?

16 MR. MEYER: So they'll operate the
17 Coliseum itself. So they'll -- they'll be --
18 their -- their -- they'll -- they will host
19 events there, so they can host events in the
20 parking lot. It is a 72-acre site, as well as
21 the Coliseum itself. It's to, you know, they are
22 keeping it running. They are maintaining it,
23 repairing it, replacing it, keeping the lights
24 on. And because they will be hosting events
25 there, they -- they need to control of the

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2 operations.

3 CHAIRMAN FUMANTE, JR.: Very similar to
4 the lease that was there before.

5 MR. MEYER: Right. This is -- this
6 is --

7 CHAIRMAN FUMANTE, JR.: I mean it's an
8 extension of the same operating lease.

9 MR. MEYER: It's to replace that
10 lease --

11 CHAIRMAN FUMANTE, JR.: It's the same,
12 right?

13 MR. MEYER: -- because to the
14 litigation, the Court determined that that prior
15 lease was terminated. So this is to put the
16 prior tenant back in, for someone to be in
17 control of this, because the prior tenant was
18 terminated --

19 CHAIRMAN FUMANTE, JR.: Right.

20 MR. MEYER: -- as determined by the
21 Court.

22 BOARD MEMBER STEINBERG: Who's in
23 control of that?

24 MR. MEYER: Who's in control now? The
25 party with this is "LVS New York HOLDCO 2," which

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2 is effectively Las Vegas Sands.

3 BOARD MEMBER PIRONI: So who's

4 "Mastroianni?"

5 MR. MEYER: "Mastroianni" was the --

6 they were the lender under the prior lease. And

7 because the other tenant had walked away

8 previously, the -- the lender took over and took

9 control of the lease, pursuant to the terms of

10 the lease.

11 CHAIRMAN FUMANTE, JR.: Do you have a

12 question?

13 BOARD MEMBER MENG: The current lease

14 that goes before the Commission on Thursday --

15 MR. MEYER: Yes.

16 BOARD MEMBER MENG: -- is that the same

17 lease presented at the last presentation?

18 MR. MEYER: No. So the --

19 CHAIRMAN FUMANTE, JR.: Why -- why

20 don't you -- it might help clarify the difference

21 between this lease and the previous lease we've

22 heard about, which was that big lease with the

23 developer of the property and the "Marriott" was

24 involved and so, you know, there was a lot of

25 rumble around that.

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2 MR. MEYER: Right. So that was a --

3 CHAIRMAN FUMANTE, JR.: So this is just
4 to operate the Coliseum.

5 MR. MEYER: Right. So that was a
6 99-year lease with Las Vegas Sands to -- to --
7 to:

8 Operate the Coliseum;

9 Apply for a license;

10 And -- and develop the property at
11 their discretion, based on the terms of the
12 lease.

13 This is not that lease, completely
14 independent of that. Right now, this is just for
15 the operation of the Coliseum.

16 Since the time of the decision by the
17 Court, the property has been operating, the
18 Coliseum has been operating pursuant to a use and
19 occupancy permit, but -- and that was temporary.
20 This formalizes the relationship between the
21 parties, so that you have someone in there
22 operating and maintaining it. It's expensive to
23 operate and maintain.

24 CHAIRMAN FUMANTE, JR.: Yeah, just to
25 turn on the lights.

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2 MR. MEYER: That's right, who's paying
3 for -- for the utilities, who's operating it,
4 and -- and to host events there. So that's to
5 formalize the process, but much different and
6 completely independent from the -- from the
7 99-year lease.

8 CHAIRMAN FUMANTE, JR.: Could people
9 assume that the -- the way the Coliseum has been
10 run historically in the past with events,
11 et cetera, et cetera, would it -- it would be
12 similar going forward against this lease?

13 MR. MEYER: (No response.)

14 CHAIRMAN FUMANTE, JR.: Similar?

15 MR. MEYER: What's that in terms of?

16 CHAIRMAN FUMANTE, JR.: How the
17 Coliseum's run?

18 MR. MEYER: Yes -- yes.

19 CHAIRMAN FUMANTE, JR.: I mean it's
20 basically somebody is just going, hey, Ellis
21 (phonetic) is going to be running the Coliseum.
22 It's not --

23 MR. MEYER: That's right.

24 CHAIRMAN FUMANTE, JR.: -- I just want
25 to clarify that.

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2 MR. MEYER: Right. A private
3 entity --

4 CHAIRMAN FUMANTE, JR.: I think -- I
5 think there's some people that might be confused
6 that there's all this other --

7 MR. MEYER: Right.

8 So this is a private --

9 CHAIRMAN FUMANTE, JR.: -- stuff going
10 on.

11 MR. MEYER: -- right. This a private
12 entity operating the Coliseum.

13 Again, it's much different than the --
14 than the 99 -- independent of the 99-year lease
15 with Las Vegas Sands. So this just to make sure
16 that somebody is in there hosting events and --
17 and operating the Coliseum.

18 BOARD MEMBER LEVY: Is there a quality
19 control mechanism from the County to ensure that
20 Las Vegas Sands is conducting business the way it
21 should be?

22 MR. MEYER: In terms of this --

23 BOARD MEMBER LEVY: Quality -- quality
24 control in general.

25 MR. MEYER: The standard of the

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2 building you're saying, or the quality of events
3 or?

4 BOARD MEMBER LEVY: All encompassing.

5 MR. MEYER: Yes, throughout the lease
6 is they're -- they're required to maintain the
7 facility in, so in a first-class manner, as well
8 as host events similar as to what's been held in
9 the past.

10 CHAIRMAN FUMANTE, JR.: Just for
11 clarification, everybody did receive a copy of
12 the lease?

13 BOARD MEMBER PIRONI: Uh-huh, yeah.

14 BOARD MEMBER MITRA: Yes.

15 CHAIRMAN FUMANTE, JR.: I just want to
16 make sure of that.

17 MR. MEYER: And Mr. Chairman, this is
18 very similar to the lease that's previously been
19 before this Board a number of times at this
20 point.

21 CHAIRMAN FUMANTE, JR.: Yeah.

22 MR. MEYER: But the difference is with
23 the prior lease that involved the renovation of
24 the Coliseum, which was done the last time under
25 "Nassau Event Center" and "Forest City Ratner"

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2 to about -- about \$180 million in renovations
3 were -- were done to the Coliseum.

4 And but all of the -- so this is the
5 same lease as was with the prior tenant,
6 "Mastroianni," but all the renovation provisions
7 have been removed, because that's not part of
8 this. They're just in to operate the -- the
9 Coliseum and keep it --

10 BOARD MEMBER PIRONI: So --

11 MR. MEYER: -- and keep it running.

12 BOARD MEMBER PIRONI: -- so currently,
13 the current lease, the one that you're proposing
14 has no land development rights at all in it?

15 MR. MEYER: None whatsoever.

16 BOARD MEMBER PIRONI: No, they can't --
17 they can't touch a -- a single thing inside the
18 building?

19 CHAIRMAN FUMANTE JR.: Well to repair
20 and replace --

21 BOARD MEMBER LEVY: To --

22 BOARD MEMBER PIRONI: Well, to repair,
23 replace --

24 MR. MEYER: Yes --

25 BOARD MEMBER PIRONI: -- besides that?

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2 MR. MEYER: Yes, they can -- they can
3 conduct repairs, alterations, things along those
4 lines. But no -- no development, no significant
5 capital repairs to the Coliseum itself.

6 CHAIRMAN FUMANTE, JR.: Although
7 certain capital repairs for that building might
8 not be objectionable to some of us.

9 MR. MEYER: This is -- this is true.

10 (Laughter.)

11 CHAIRMAN FUMANTE, JR.: Okay. I --
12 I -- I think it's important to point that out.
13 That's why I kind drove that point, to -- to make
14 that point, that this is not what was presented
15 to us in any way, shape or form through previous
16 meetings.

17 MR. MEYER: Right -- right. That --
18 that --

19 CHAIRMAN FUMANTE, JR.: Everyone in
20 this room needs to understand, the Coliseum's
21 going to run --

22 MR. MEYER: -- that's right.

23 CHAIRMAN FUMANTE, JR.: -- as it's run
24 in the past. And we will go over -- comment on
25 that, but --

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2 MR. MEYER: -- the 99-year lease that
3 wasn't effective, the last one that came before
4 this Board was annuled by the Court, pursuant to
5 the legislation. So this is just to replace and
6 have -- effectively put the County back in the
7 position with private entity operating the
8 Coliseum.

9 CHAIRMAN FUMANTE, JR.: Other
10 questions?

11 BOARD MEMBER PIRONI: Just confirm for
12 us who is the lessor and the lessee.

13 MR. MEYER: So the -- the lessor on
14 this is the County itself. And the lessee is
15 "LVS New York HOLDCO," which is a subsidiary of
16 Las Vegas Sands.

17 CHAIRMAN FUMANTE, JR.: Other
18 questions.

19 MS. KIELY: Can the public ask
20 questions?

21 CHAIRMAN FUMANTE, JR.: I -- I will
22 allow it, but I'd like to finish with and then
23 I'll just answer your question.

24 MS. KIELY: Okay.

25 BOARD MEMBER MENG: (Gesturing.)

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2 CHAIRMAN FUMANTE, JR.: Anyone want to
3 say anything at this point?

4 MR. BAKER: No, I don't think so.

5 CHAIRMAN FUMANTE, JR.: I'm sorry,
6 Matthew.

7 BOARD MEMBER MENG: Yeah, I had a
8 question.

9 I'm not an attorney by any means, but
10 it seems like it's worded it for the benefit of
11 Las Vegas Sands. So as time progresses, if they
12 get the permission from the Governor to have a
13 casino, would this lease be:

14 Revised;

15 Or held in place;

16 Or restructured with that consideration
17 in mind?

18 MR. MEYER: There's no -- there's no
19 provision in there that would permit that. That
20 would be the subject of a separate lease, if --
21 if at all.

22 CHAIRMAN FUMANTE, JR.: Josh, just to
23 clarify that for everybody, if the Sands was to
24 get the license to be a casino to run on that
25 site, you would come back to us to have a new

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2 lease drawn up?

3 MR. MEYER: That's correct. That's
4 what that would require.

5 CHAIRMAN FUMANTE, JR.: So -- so
6 I --

7 MR. MEYER: Yes.

8 CHAIRMAN FUMANTE, JR.: -- just don't
9 want to mix apples and oranges here. And I want
10 it to be clear to everybody that this is somebody
11 just to run that building.

12 MR. MEYER: That's right. That's
13 correct.

14 CHAIRMAN FUMANTE, JR.: In its current
15 state?

16 MR. MEYER: That's right.

17 CHAIRMAN FUMANTE, JR.: And the
18 second piece is down the road, if somebody -- and
19 it may not even be the Sands. It could be
20 "Fumante Enterprises;" who knows?

21 (Laughter.)

22 CHAIRMAN FUMANTE, JR.: That's my last
23 name.

24 BOARD MEMBER PIRONI: Can I get a piece
25 of that?

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2 CHAIRMAN FUMANTE, JR.: Yeah, well, I
3 might need a construction company.

4 MALE VOICE: You're being recorded.

5 (Laughter.)

6 CHAIRMAN FUMANTE, JR.: I've been
7 quoted on worse.

8 So anyway, if that was to, happen, if
9 there was some change, massive retail, et cetera,
10 et cetera, et cetera, whatever you could think of
11 on that 73 acres of cement, you would -- you
12 would propose a new lease for that purpose?

13 MR. MEYER: That's correct.

14 CHAIRMAN FUMANTE, JR.: Okay.

15 MR. MEYER: And which would require a
16 significant environmental review process --

17 CHAIRMAN FUMANTE, JR.: Right.

18 MR. MEYER: -- at that point.

19 And this Board, and -- and the public
20 and the Planning Commission would have -- would
21 have a -- multiple opportunities to comment on
22 that lease.

23 CHAIRMAN FUMANTE, JR.: Is this
24 (indicating) group okay with that, or --

25 BOARD MEMBER PIRONI: (Nodding head

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2 yes.)

3 BOARD MEMBER LEVY: Yes.

4 CHAIRMAN FUMANTE, JR.: Do you want to
5 say anything or -- you don't have to, I mean --

6 MR. BAKER: No, I know I don't have to.

7 But again, just for the record,

8 Daniel Baker on behalf of the "LVS." I think
9 that Josh pretty much covered everything.

10 Again, the whole point of this lease is
11 to give "LVS" the operational day-to-day capacity
12 that is needed to run the Coliseum and the
13 property around it. So as Josh has stated, now
14 the Chair has eloquently addressed it, this is
15 all about operating the lease on the -- the
16 property on a day-to-day basis, as simple as
17 that.

18 Thank you.

19 CHAIRMAN FUMANTE, JR.: Now to the
20 public. You -- you had your arm up.

21 MS. KIELY: Yes, okay. Great. I have
22 two questions.

23 MS. LORENZO: Excuse me. Chairman, for
24 the record, can you just make sure everybody
25 states their name --

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2 MS. KIELY: Oh, I'm sorry.

3 MS. LORENZO: -- and address perhaps?

4 CHAIRMAN FUMANTE, JR.: Yes.

5 MS. KIELY: I'm Monica Kiely and I'm a
6 Nassau County resident.

7 So have I two questions, the first one
8 is --

9 BOARD MEMBER PIRONI: Your address
10 please.

11 MS. KIELY: I live in Garden City,
12 New York.

13 CHAIRMAN FUMANTE, JR.: Are you
14 associated with any group?

15 MS. KIELY: I'm associated with
16 "Say No to the Casino."

17 CHAIRMAN FUMANTE, JR.: Got it -- got
18 it.

19 MS. KIELY: My first question is quick.
20 Did the County consider any other
21 operator for this 42-year lease?

22 MR. MEYER: No.

23 MS. KIELY: Okay.

24 And my second question is longer.

25 A little background. I'm not an

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2 attorney, but the whole reason that the other
3 lease was unwound was because Nassau County and
4 the Planning Commission were found guilty of two
5 things, violation of "Open Meeting Law" not
6 giving sufficient notice, public notice, you
7 know, for meetings, not giving the public time to
8 digest information and weigh in.

9 And the other thing they were found
10 guilty of was the attempt to segment.
11 Segmentation, the chopping up into one -- of one
12 big project into smaller pieces, in an attempt to
13 push those small pieces through --

14 BOARD MEMBER PIRONI: If I -- if we
15 can.

16 MS. KIELY: -- without an environmental
17 review.

18 CHAIRMAN FUMANTE, JR.: To answer your
19 question --

20 MS. KIELY: So my question is how is
21 this not --

22 CHAIRMAN FUMANTE, JR.: Could you just
23 hold --

24 BOARD MEMBER PIRONI: Sorry.

25 MS. KIELY: -- how this not

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2 segmentation?

3 CHAIRMAN FUMANTE, JR.: No, it's --
4 here's my point is this. We have a lease in
5 front of us and we could have the questions
6 relative to that lease, because that's really
7 what this is about, the litigate, all this other
8 stuff, it -- it has nothing to do with the lease.
9 So I'd just like -- I'd just like to focus.

10 MS. KIELY: Okay.

11 But the intent of Sands is eventually,
12 as we all know.

13 CHAIRMAN FUMANTE, JR.: Well, we don't
14 know what their intent is. They may not even get
15 the license and then would be stuck with that
16 building.

17 So could you please just ask the
18 questions about relative to the lease that's in
19 front of -- that's what we're voting on. You
20 know, that's what the hearing is going to be
21 about, that lease.

22 The rest is history. I -- I'd prefer
23 not to dig it up, because --

24 MS. KIELY: Okay. I won't dig it up,
25 but I would point out that the intent of this

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2 law, the Sands is not in the business of
3 operating --

4 CHAIRMAN FUMANTE, JR.: We don't
5 know -- we don't know their intent, though
6 they -- they do operate a lot of stuff. I'm not
7 defending them. I'll let them defend themselves,
8 but --

9 MS. KIELY: They are -- they are
10 developers and operators of the casinos.

11 BOARD MEMBER LEVY: But that's a
12 conspiracy theory. We're talking about the lease
13 right now please.

14 CHAIRMAN FUMANTE, JR.: All we have in
15 front of --

16 MS. KIELY: Okay.

17 CHAIRMAN FUMANTE, JR.: -- us is the
18 lease.

19 BOARD MEMBER PIRONI: And as you
20 mentioned that, you know, they were -- they were
21 brought to Court, because whatever you've said.
22 And as it states right now, we're not even
23 supposed to open this up until June 20th.

24 MS. KIELY: Okay, I'm -- I --

25 BOARD MEMBER PIRONI: We're doing this

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2 out of a courtesy.

3 MS. KIELY: -- I -- I said my piece.

4 And I thank you for --

5 BOARD MEMBER PIRONI: Okay. I'd like

6 to close --

7 MS. KIELY: -- engaging with the

8 public.

9 BOARD MEMBER PIRONI: -- public

10 comment.

11 MR. SPEZIO: Yeah. Listen, you know,

12 while we are interested in hearing what you have

13 to say, you know, technically this is not the

14 forum for that. There will be subsequent

15 meetings where you can voice your opinion. And

16 I'd politely ask you to please just save them for

17 that time.

18 MS. KIELY: Okay.

19 CHAIRMAN FUMANTE, JR.: He's "OSPAC's"

20 attorney, by the way.

21 MS. KIELY: Yeah.

22 CHAIRMAN FUMANTE, JR.: So sometimes I

23 listen to him, but I --

24 (Laughter.)

25 MR. KRUG: (Gesturing.)

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2 I just have one more question, just a
3 question about the nature of the hearing.

4 CHAIRMAN FUMANTE, JR.: The nature of
5 the --

6 MR. KRUG: What is -- I'm -- I'm just
7 curious, what is "OSPAC's" --

8 MS. LORENZO: I need his name. Sir?

9 MR. KRUG: -- jurisdiction over this?

10 MS. LORENZO: Chairman? I need his
11 name first. I'm sorry.

12 MR. KRUG: She's --

13 MS. LORENZO: Chairman, I need his
14 name.

15 CHAIRMAN FUMANTE, JR.: Please state
16 your name and address for the --

17 MR. KRUG: George Krug, Garden City.

18 What is the "OSPAC's" jurisdiction of
19 this? Why does "OSPAC" have to weigh in on this?

20 CHAIRMAN FUMANTE, JR.: "OSPAC" was
21 formed to, when the County wants to sell a piece
22 of property, change its usage, acquire open
23 space, parks.

24 There -- there was history. I'll --
25 I'll do a little history, Mr. Krug.

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2 There was a time in the County that to
3 plug operational holes, they would sell stuff,
4 okay. "OSPAC" was formed as an advisory board
5 to:

6 Take a look at those items;
7 To come up with monies for open space;
8 Make some recommendations on how the
9 parks should be used.

10 And it's turned out that "OSPAC" has
11 taken part, if you're -- if you're aware of all
12 the bonds that were passed, "OSPAC" was part of
13 recommending what those properties might be.
14 It's a recommendation. It's -- it doesn't --
15 it's no more than that.

16 It has -- we look at a variety of
17 things. There's various little pieces of
18 property in the County, for tax reasons that they
19 got pulled into the County. And we try to look
20 at should we "pocket park" or should like it, the
21 County doesn't need to maintain this, because
22 they shouldn't. So we advise the County on that.
23 So that's -- that's, in a nutshell, what "OSPAC"
24 is about.

25 I've been doing this since it was

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2 formed, 20-plus years ago. So we've been
3 successful at maintaining a lot of the properties
4 in the County that we, as residents, would like
5 to see as remaining as open space or used as
6 parks, et cetera, et cetera. That's -- that's
7 "OSPAC's" role.

8 We advise the Planning Commission. And
9 the Planning Commission takes our advice, rolls
10 it into theirs, that potentially goes to the
11 Legislature. So that's sort of the process.

12 MR. KRUG: Okay. And how does this
13 lease fall under that umbrella?

14 CHAIRMAN FUMANTE, JR.: Well, it's the
15 use of any piece of property, as I said.

16 MR. KRUG: Okay, thank you. Thank you
17 to you and the other volunteers for your service.

18 CHAIRMAN FUMANTE, JR.: You're welcome.

19 Okay, based on that, I'm -- I'm going
20 to move on. We have some -- I think we have
21 some -- do we have some other business? I should
22 look at the agenda.

23 MR. HOESL: No, not particularly.

24 CHAIRMAN FUMANTE, JR.: Other than to
25 confirm our next meeting, which is July 10th.

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2 There is no new business. There's no old
3 business, so I'm going to jump through that.

4 So -- so I will --

5 MS. CONIGLIO: So -- so for those who
6 signed up --

7 FEMALE VOICE: There's no signal.

8 MS. CONIGLIO: -- are they going to
9 have the opportunity to --

10 MS. LORENZO: Again, we need her name.

11 CHAIRMAN FUMANTE, JR.: Well, I -- I --

12 MS. LORENZO: Chairman, I'm sorry. We
13 need her name.

14 MS. CONIGLIO: Terry Coniglio,
15 Hofstra University.

16 MS. LORENZO: Can you spell that
17 please?

18 MS. CONIGLIO: Terry, T-e-r-r-y,
19 Coniglio, C-o-n-i-g-l-i-o.

20 CHAIRMAN FUMANTE, JR.: There was a
21 sign up list?

22 MS. CONIGLIO: Yes.

23 MS. LORENZO: I need you to repeat what
24 you said.

25 MS. CONIGLIO: So there was a sign up

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2 list of people --

3 CHAIRMAN FUMANTE, JR.: Above my pay
4 grade.

5 (Laughter.)

6 MS. CONIGLIO: -- of people to speak;
7 right?

8 CHAIRMAN FUMANTE, JR.: Who -- who put
9 that -- who has that list?

10 FEMALE VOICE: It's outside.

11 FEMALE VOICE: I had a number
12 (indicating) also.

13 MS. CONIGLIO: Right.

14 CHAIRMAN FUMANTE, JR.: You had a
15 number?

16 AUDIENCE MEMBER: They gave us numbers
17 (indicating) and --

18 CHAIRMAN FUMANTE, JR.: Who -- who did
19 that?

20 BOARD MEMBER PIRONI: Well, once again,
21 I don't think we should be opening up to
22 public comment.

23 MR. WALSH: I think they took the
24 numbers to make sure there weren't too many
25 people because of the fire marshal.

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2 CHAIRMAN FUMANTE, JR.: Yeah -- yeah.

3 That was because of fire -- fire
4 requirements, the capacity of the room.

5 MR. WALSH: Yes.

6 MS. CONIGLIO: But then they asked us
7 if we wanted to speak to sign up --

8 CHAIRMAN FUMANTE, JR.: Who are they?

9 MS. CONIGLIO: -- on the paper.

10 (Inaudible discussion.)

11 MS. CONIGLIO: People at the front
12 desk.

13 MR. WALSH: It was the Parks
14 Commissioners was the one with the list.

15 MR. SPEZIO: That -- that instruction
16 should not have not been given. Again, this is
17 an introductory meeting to introduce the lease
18 for the operations of the -- of the Coliseum.

19 We don't know what's coming -- the
20 actual one's coming. At that point, that would
21 be open public comment, you know, or I'm saying
22 the -- the meeting where this is, you know, the
23 next meeting about that where, you know, that's
24 open to the public comment, not -- not this --

25 MS. CONIGLIO: The next "OSPAC"

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2 meeting?

3 MR. SPEZIO: No, the public hearing --
4 (Inaudible discussion.)

5 MR. WALSH: The public hearing on the
6 20th.

7 CHAIRMAN FUMANTE, JR.: I'm gonna --
8 I'm gonna step in here, because I know I'm
9 probably gonna get in trouble, but fine.

10 "OSPAC" gets a property introduced or a
11 lease introduced, whatever the County is gonna do
12 that affects "OSPAC," it gets an introduction,
13 which we kind of forward -- walk through that.
14 So that we have some idea about it, maybe we go
15 out and look at that piece of property,
16 et cetera, et cetera.

17 Then it goes in its official capacity
18 to the Planning Commission and they open up a
19 hearing. At that point that -- you can stop me
20 if I'm saying something wrong. But at that
21 point, the public gets an opportunity to -- to
22 state whatever they want to say. We get the
23 transcript of that, so we can hear the public.
24 That doesn't preclude us from hearing the public
25 in person either. So that's the process.

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2 At that meeting, that second meeting
3 that we talked about, which is July --

4 BOARD MEMBER MITRA: July 10th.

5 CHAIRMAN FUMANTE, JR.: -- July 10th --
6 thank you -- that's where we'll vote for it. And
7 our vote will be based on what was read, what was
8 said at the Planning Commission hearing against
9 our criteria for open space, et cetera,
10 et cetera, et cetera. I hope that helps.

11 MS. CONIGLIO: (Nodding head yes.)

12 CHAIRMAN FUMANTE, JR.: You okay with
13 that?

14 MS. CONIGLIO: (No response.)

15 CHAIRMAN FUMANTE, JR.: Okay.

16 Sir, you okay with that?

17 MR. SPEZIO: Proceed.

18 CHAIRMAN FUMANTE, JR.: Okay.

19 * * *

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PROCEEDINGS

CHAIRMAN FUMANTE, JR.: Based on that, I will
call a motion to adjourn.

BOARD MEMBER MORIARTY: Motion.

CHAIRMAN FUMANTE, JR.: I got a motion.

BOARD MEMBER STEINBERG: Second.

CHAIRMAN FUMANTE, JR.: I got a second.

All in favor?

(Chorus of "ayes.")

CHAIRMAN FUMANTE, JR.: Any opposed?

(No response.)

CHAIRMAN FUMANTE, JR.: Any
abstentions?

(No response.)

CHAIRMAN FUMANTE, JR.: Thank you, all.

VOICES: Thank you.

(Discussion held off the record.)

(TIME NOTED: 4:48 P.M.)

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C E R T I F I C A T I O N

I, STEPHANIE J. VALDER, do
hereby certify that the within transcript is
a true, accurate and complete transcript of
the proceedings which took place in the above
matter.

Stephanie J. Valder

STEPHANIE J. VALDER,
Stenographer

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