

SPECIAL MEETING
of the
OPEN SPACE ADVISORY COMMITTEE

Wednesday, July 10, 2024

4:16 p.m. - 5:01 p.m.

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

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

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RALPH FUMANTE, JR., Chair

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PAOLO PIRONI, Vice-Chair

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YARON LEVY, Board Member

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MATTHEW T. MENG, Board Member

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LAUREN MORIARTY, Board Member

8

JASON B. STEINBERG, Board Member

9

RUKA ANZAI, Board Member

10

PAUL SPEZIO - Counsel to OSPAC

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12 A L S O P R E S E N T :

13

DANIEL BAKER, ESQ.

14

JOSH MEYER, ESQ.

15

WILLIAM DUFFY, Special Counsel TOH

16

GREG HOESL, Planner II

17

KEVIN WALSH, Deputy County Attorney

18

THEODORE HOMEL, Assistant County Attorney

19

STEPHANIE QUINTERO, Stenographer

20

MARIESEL BERRIOS, Stenographer

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1 CHAIRMAN FUMANTE, JR.: I'd like to call the meeting to
2 order of OSPAC. I'd like to entertain a motion to approve the
3 minutes of June 18th.

4 BOARD MEMBER LEVY: (Raises hand)

5 BOARD MEMBER ANZAI: (Raises hand)

6 CHAIRMAN FUMANTE, JR.: I have a motion. I've got a second.

7 BOARD MEMBER STEINBERG: (Raises hand)

8 CHAIRMAN FUMANTE, JR.: All in favor?

9 (Whereupon, there was a chorus of "Ayes" by Board Members.)

10 CHAIRMAN FUMANTE, JR.: Any opposed?

11 (No Response)

12 CHAIRMAN FUMANTE, JR.: Any abstention?

13 (No Response)

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2 CHAIRMAN FUMANTE, JR.: All right, next order of business
3 is. You want to pick that up?

4 MR. HOESL: Sure. I guess I'll run through it again real
5 quick. This is an application Nassau County is requesting
6 permission to enter a lease with Las Vegas Sands Corp., to allow
7 for the Sands to obtain site control over the Coliseum site and
8 provide for Sands to operate the Coliseum.

9 The proposed lease term shall not exceed 42 years.
10 Operation of the site will include all aspects of day-to-day
11 maintenance and operations, such as booking musical acts, and/or
12 athletic teams to use the Coliseum as an event venue, maintaining
13 the parking lot, etcetera.

14 While Sands intends to seek to develop a casino at the
15 Coliseum site, the proposed lease does not call to authorize the
16 Coliseum site to be developed or used for a casino, and any such
17 authorization will occur, if at all, through a separate lease in
18 the future. That will be subject to public comment.

19 A copy of the proposed lease has been made available on our
20 website. DPW has approved of this request for the County of
21 Nassau to enter into an operational lease with Las Vegas Sands.

22 The public comment period was opened by the Nassau County
23 Planning Commission at their June 20th NCPC hearing. Members of
24 the public who wanted to offer their comments on the application,
25 had the opportunity to do so at the time. Whether in person at

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2 the meeting or through email.

3 Prior to today's meeting, I have emailed all of you the
4 comments that we did receive from the public, and you've also
5 received the transcripts from the Planning Commission hearing,
6 which contains the comments that were read into the record at
7 that time. Also, in your package today, I gave you guys a draft
8 resolution to look at the language in it and check it over.

9 That being said, passing over to Josh or anyone.

10 CHAIRMAN FUMANTE, JR.: Want to give us a quick rundown --
11 not that we haven't heard it before.

12 MR. MEYER: Sure. I just want to make sure there's audio.

13 CHAIRMAN FUMANTE, JR.: It says at the top in red.

14 (Whereupon, there were cross-talk discussions.)

15 CHAIRMAN FUMANTE, JR.: We have to --

16 MR. SPEZIO: Should we take a five, please, Mr. Chairman?
17 Can we please take five-minutes? I apologize, there's technical
18 issues, and it's very important if we could do that.

19 CHAIRMAN FUMANTE, JR.: All right, we're gonna take five
20 again for technical issues. This is like a repeat of the last
21 meeting we had. I suggest that the County get its technical act
22 together.

23 BOARD MEMBER LEVY: And that's on record. I'll second that.

24 CHAIRMAN FUMANTE, JR.: I have a second. All in favor?

25 (Laughter)

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2 (At this time, there was a pause in the proceeding due to
3 technical issues.)

4 CHAIRMAN FUMANTE, JR.: I think we were we were up to Josh
5 when we last left the episode. He's going to give us a little
6 briefing.

7 MR. MEYER: Very brief, yes. Josh Meyer, West Group Law. I
8 represent the County on this proposal before you today, and we
9 are before OSPAC on File # 2-2024.

10 We were previously before this Board on June 18th, to just
11 give a brief introduction on it. On June 20th, the Planning
12 Commission held a public hearing. The transcript of that public
13 hearing came back to this Board for their review.

14 As Greg said, this is a quick reminder on this lease on this
15 proposal. The parties to the lease are the County and LVS New
16 York HoldCo2, LLC. The term of the lease is 27 years with three
17 5-year renewals for a total of 42 years. It's a very limited
18 lease as to what the tenant can do. It provides for only the
19 operation of the Coliseum, as well as maintenance, repair, and
20 replacement, and the ability to host events on the site.

21 It differs from the prior lease in several ways. The tenant
22 cannot renovate or expand the Coliseum in any way under this
23 lease. The lease explicitly provides that it does not authorize
24 any development of any redevelopment of the site in any manner,
25 and the lease only permits the tenant again to operate the

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2 Coliseum and host events at the site.

3 Following any recommendations from this body to the Planning
4 Commission. The Planning Commission will take this up on July
5 18, and then it'll be forwarded to the legislature for final
6 approval on August 5th.

7 CHAIRMAN FUMANTE, JR.: Thank you, Josh.

8 MR. MEYER: You're welcome.

9 MR. SPEZIO: Also, I'd like to inform the members of the
10 public --

11 CHAIRMAN FUMANTE, JR.: Would you introduce yourself?

12 MR. SPEZIO: Yes, my name is Paul Spezio. I'm counsel for
13 this OSPAC, and I just want everyone to know here why this board
14 exists. It was created to advise the Nassau County Planning
15 Commission matters of preserving, protecting, restoring, and/or
16 anting open spaces, parks, areas of recreational, cultural,
17 archaeological habitat or historic significance and areas of
18 environmental sensitivity. That is the extent of the statutory
19 jurisdiction.

20 Also, I just want to -- if you guys do have relevant
21 questions to the matter that's being review here right now. Please
22 just speak one at a time to be courteous to our stenographers and
23 also when called upon by the Chairman. Thank you.

24 CHAIRMAN FUMANTE, JR.: Thank you, Paul.

25 Anybody on the committee have any questions about what's in

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2 front of us?

3 BOARD MEMBER MENG: (Raises hand)

4 CHAIRMAN FUMANTE, JR.: Yes.

5 BOARD MEMBER MENG: Actually, I'd like to address it to
6 Josh. Shouldn't there have been a request for a proposal to see
7 who might be able to operate the lease, or that is not necessary?
8 I know there's just -- there's one organization, but wouldn't you
9 normal put it out for bid?

10 MR. MEYER: Right, as you know, it was terminated by the
11 court following with the application from Hofstra. It's not
12 necessary to -- the County is not required to go out and procure
13 this under their statutory permission, so they can lease property
14 a public or private sale to any individual without procuring it.
15 Since they had already moved forward with Las Vegas Sands on this, and
16 it was terminated by the court. Seemed appropriate to reenter
17 into this lease, which is what this is doing with Las Vegas
18 Sands.

19 CHAIRMAN FUMANTE, JR.: Thank you. Does that answer your
20 question?

21 BOARD MEMBER MENG: Yes.

22 CHAIRMAN FUMANTE, JR.: Anybody else have any questions?

23 BOARD MEMBER MORIARTY: No.

24 CHAIRMAN FUMANTE, JR.: No?

25 BOARD MEMBER MORIARTY: No.

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2 CHAIRMAN FUMANTE, JR.: All right. I'm going to open up to
3 the public comment from the goodness of my heart, but please keep
4 it brief. It's a little warm in here, and we got other business.
5 If you have a question you want to ask or have a quick thing
6 about this.

7 MS. JACOBS: (Raises hand).

8 CHAIRMAN FUMANTE, JR.: Yes.

9 MS. JACOBS: If I can -- be so kind as to --

10 THE REPORTER: Please state your name.

11 MS. JACOBS: Pearl Jacobs. I'm president of the Nostrand
12 Garden Civic Association in Uniondale, and also a resident of
13 Uniondale, and a member of Oaks Casino Civic Association. If
14 you'd be so kind as to -- may I do my public comment? I was not
15 available to make it to the last meeting, so I --

16 CHAIRMAN FUMANTE, JR.: As long as it's -- I'm willing as
17 long as it's relevant to what's in front of us, which is not a
18 casino. Just so you and I are clear. What's in front of us is
19 taking an existing lease, which OSPAC bought it back in 2015, I
20 believe, which is just to operate the building. The County
21 doesn't operate the building. So that operation -- and please
22 correct me if I'm wrong.

23 The operation of that building needs to be done by an
24 organization who knows how to run concerts, etcetera, and
25 maintain the building. That lease is being offered to the Sands.

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2 That's all it is to the best of my knowledge, and I read through
3 all the paperwork. It is not saying they can do a casino there.
4 It's not saying they can tear down the Coliseum. They can't
5 build anything on the property. As far as I see, what's in the
6 lease, and I read the lease back in 2015 when they originally
7 voted it on for verification.

8 MS. JACOBS: I understand, but, you know, the lease process
9 if they're, you know, speaking about now 42 year --

10 CHAIRMAN FUMANTE, JR.: Well, it's 2020 into 2042, but that's
11 to operate. It's not -- I don't want to beat a dead horse, but
12 it's not to do what originally was proposed, which I believe you
13 guys are very concerned about, which I totally understand, so.

14 MS. JACOBS: Well, like I said that's --

15 CHAIRMAN FUMANTE, JR.: What we're going to vote on is this
16 lease, not -- I just want to finish, and then we'll -- I promise,
17 I'll come back to you.

18 MS. JACOBS: Okay. Well, like I said, it's the lease
19 agreement. Like I said, there's, you know, just to say, 42 years
20 is really a concern, okay? What they want to do with it, you
21 know, and like I said, I'm not going to the casino issue 'cause,
22 you know, that's not the point here. As a resident of Uniondale
23 -- (inaudible)

24 CHAIRMAN FUMANTE, JR.: It's very understandable. If they
25 have -- if during that period of time, and I can speak to this

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2 because we're done other leases. The Coliseum is not the only
3 places that the County leases. They lease all over the places.
4 I don't know how many we have, but it's a lot. If they want to
5 do something that is outside the lease, they have to go back to
6 want the County. They can't just arbitrarily do whatever hell they
7 -- do whatever they want.

8 MS. JACOBS: So I --

9 CHAIRMAN FUMANTE, JR.: It's just really to operate the
10 building, okay? I can't stress that enough.

11 MS. JACOBS: Okay, well, you know, if they operate the
12 building or, you know, whatever they're gonna do with the lease,
13 but, you know, talking about the residential concern and --

14 CHAIRMAN FUMANTE, JR.: Right. It will remain what it is
15 today, which you can say is good, bad, or indifferent. That's
16 all it's gonna be.

17 MS. JACOBS: Okay. I'm not speaking on the, but I know the
18 intent, but I'll leave it at that.

19 MR. JACOBS: A couple of questions.

20 CHAIRMAN FUMANTE, JR.: I'm sorry, I think this gentleman is
21 next, and I will come back to you.

22 MR. JACOBS: Okay, absolutely.

23 MR. ROLSTON: I'm Steve Rolston. I live in Baldwin. Do you
24 need street address? 1823 Stanton Avenue, R-O-L-S-T-O-N, Steve
25 Rolston. Just two questions. Does anyone in the room have a

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2 42-year lease? No one gets a 42-year lease for --

3 BOARD MEMBER MORIARTY: Well, in my community, we actually
4 -- there's a 99-year on a property. I live in Long Beach, so --

5 BOARD MEMBER PIRONI: So a standard on a commercial -- on
6 any kind of commercial lease is around 99-year lease. I lease
7 commercial property and it's a pretty standard way of going
8 about --

9 BOARD MEMBER LEVY: Industry standard.

10 BOARD MEMBER PIRONI: Industry standard. Thank you.

11 MR. ROLSTON: All right, thanks. Industry standard. Only
12 second question.

13 BOARD MEMBER PIRONI: Sure.

14 MR. ROLSTON: My understanding is Sands can do whatever they
15 want after three years. They can sublet it to anyone they want
16 to with no jurisdiction anymore from Nassau County. That's the
17 most important and troublesome part of the lease, if I understand
18 that section correctly. Is it true that after three years, they
19 can do whatever they want with the property?

20 CHAIRMAN FUMANTE, JR.: I don't believe so.

21 BOARD MEMBER PIRONI: I didn't read that.

22 MR. MEYER: So they can be sublet to other entities, and
23 again, with the same restrictions, they can operate the Coliseum
24 and nothing more.

25 MR. ROLSTON: I think there are no restrictions. They can

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2 sublet to anyone they lease because --

3 MR. MEYER: They can sublet to whomever they choose, but --

4 MR. ROLSTON: Nassau County is giving up control, so.

5 MR. MEYER: With certain restrictions, but they can only
6 operate the Coliseum. You're still subject to the terms of the
7 lease, and there's no development, redevelopment, or anything
8 else. That's the operation of the Coliseum, and the Coliseum can go
9 dark as well, so that's the extent of what they can do. Even if
10 you sublet it to someone, there's still subject to the terms of
11 the lease, and so you can't do any development or redevelopment.

12 CHAIRMAN FUMANTE, JR.: All right.

13 MR. JACOBS: Yes, okay, a couple of questions.

14 CHAIRMAN FUMANTE, JR.: Your name.

15 MR. JACOBS: Oh, Chris Jacobs, Uniondale, New York. A
16 couple of questions. Based on the fact that the lease is just
17 stating that it's supposed just be to lease out the Coliseum,
18 the building alone. I also know there will be an impact for
19 outside of the things like the Islanders and stuff. Their cars
20 in there and things such of that nature. So my question is, are
21 they required to do environmental -- even if you're going to
22 lease the building, isn't there supposed to be an environmental
23 review based of that fact that there will be an impact
24 environmentally?

25 CHAIRMAN FUMANTE, JR.: I don't believe so, but I'll turn it

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2 back to the attorneys, but if you see how the Coliseum is done
3 today, so when they have a concert. The last concert I saw there
4 was Tina Turner. She was good.

5 BOARD MEMBER PIRONI: You're dating yourself.

6 CHAIRMAN FUMANTE, JR.: I'm proud. There was two choices.
7 You go under, or you can stay above.

8 (Laughter)

9 CHAIRMAN FUMANTE, JR.: Anyway, so cars went in there, and
10 cars in there today and goes go in there today. That's not
11 changing. The lease is inclusive in the parking lots, etcetera,
12 etcetera; otherwise, you couldn't run to the Coliseum. That's
13 keep it, add a dead building but --

14 BOARD MEMBER PIRONI: So from -- my opinion would be it's a
15 -- it's the same building that's been there for who knows how
16 long. The park -- the capacity hasn't changed. I think actually
17 now it went down when they redid it.

18 CHAIRMAN FUMANTE, JR.: It went down when they rebuilt it.

19 MR. JACOBS: You know they --

20 BOARD MEMBER PIRONI: There's no reason for, I would think,
21 there's no reason for that kind of a study.

22 MR. JACOBS: Okay, the second part of my question was
23 because of the development that has taken place there, like Sloan
24 Kettering. Sees hundreds of patients a day, and I see hundreds of
25 cars. There's a slightly different environmental impact as

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2 supposed to when I was younger 'cause the Coliseum, the Coliseum
3 alone just with the Marriott next to it, but now, you know, other
4 then -- they have the Marriott has more traffic going there now,
5 so I was wondering what they need to do, like the would have to be
6 a difference as opposed to the last time it was used for this
7 time, the development they put on the property is a different
8 thing and other factors such as increased traffic --

9 CHAIRMAN FUMANTE, JR.: I don't believe Sloan Kettering,
10 correct me if I'm wrong, is inclusive in that piece of the lease.

11 MR. MEYER: That's correct. It was sold to Sloan Kettering
12 separately.

13 AUDIENCE MEMBER: 'Cause we voted on that a while --

14 MR. JACOBS: I know but they share that general property.

15 CHAIRMAN FUMANTE, JR.: But they can't use those facilities.

16 AUDIENCE MEMBER: He's talking about traffic volume changed.

17 MR. JACOBS: Yes.

18 MR. ROLSTON: Where is the microphone here? They're having
19 trouble hearing? Is that her microphone?

20 THE REPORTER: Yes, we need everyone to speak up too. Speak
21 up louder.

22 BOARD MEMBER LEVY: Everyone, speak up louder.

23 CHAIRMAN FUMANTE, JR.: So when Sloan Kettering took that
24 piece of property and spun it out, they didn't bring the
25 environmental impact study because it was just chopped out of.

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2 MR. JACOBS: Okay.

3 CHAIRMAN FUMANTE, JR.: So it's actually less property then
4 it was back to your point.

5 MR. JACOBS: Okay.

6 CHAIRMAN FUMANTE, JR.: All right?

7 MR. JACOBS: Okay.

8 CHAIRMAN FUMANTE, JR.: Any other questions from the public
9 comment?

10 MR. KRUG: (Raises hand)

11 CHAIRMAN FUMANTE, JR.: Yes.

12 MR. KRUG: George Krug, Garden City. Yes, I understand
13 we're supposed to be talking narrowly about this lease that
14 provides for operative and control. I just hope that this panel
15 does observe what's playing in front of us. There's a reason why
16 only the Sands was asked to operate this facility. It's
17 generally good business practice to have multiple entities weigh
18 in on something that's this big and this important.

19 CHAIRMAN FUMANTE, JR.: I think that was addressed already.

20 MR. KRUG: The address to that was it's not required by
21 statute. It's good business practice.

22 BOARD MEMBER LEVY: Because there was previous --

23 MR. KRUG: You wouldn't hire someone to do your bathroom
24 over --

25 CHAIRMAN FUMANTE, JR.: (Inaudible) -- without seeing other

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2 bidders.

3 MR. KRUG: Right.

4 CHAIRMAN FUMANTE, JR.: And we can't put a say --
5 unfortunately, the County is not a business.

6 MR. KRUG: Okay.

7 CHAIRMAN FUMANTE, JR.: You and I possibly do that in our
8 businesses.

9 MR. KRUG: Again, underscoring why this is the Sands gig and
10 Sands alone.

11 BOARD MEMBER PIRONI: So we can't -- I understand where
12 you're coming from, what you're saying, but that's -- at this
13 point, that's conjecture. We can't foresee the future, so it's
14 --

15 MR. KRUG: But again, this is not a jury. You're not being
16 asked to ignore all outside information, you know. It's clear
17 that the Sands --

18 BOARD MEMBER PIRONI: But we do have a purview that we have
19 to stay on.

20 MR. KRUG: I hear you. My comment is I hope that you don't
21 ignore the context of this. That this does put the Sands in a
22 stronger position as they vie for a casino license.

23 CHAIRMAN FUMANTE, JR.: I don't want to argue with you on
24 this, but this doesn't do anything for the Sands cause the Sands;
25 A, they have to get a license from New York State, and B, they got

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2 to come back and do all the things. They do have to do the
3 environmental study. They're gonna have to present plans.
4 They're gonna have to deal with the OSPAC to ask for open space,
5 the previous plan. All that's gonna -- that's all gonna get, you
6 know, come back to us, and that's the opportunity that if you're
7 against it or for it to voice your opinion. What's in front of
8 us right now is somebody's got to operate that building.

9 MR. KRUG: Agreed.

10 CHAIRMAN FUMANTE, JR.: We'll lose a fortune, and we can
11 afford it, the County.

12 MR. KRUG: The County is in a pickle.

13 CHAIRMAN FUMANTE, JR.: It's a taxpayer telling you --

14 MR. KRUG: I agree.

15 CHAIRMAN FUMANTE, JR.: -- we can't afford it, right?

16 MR. KRUG: It's a pickle they got themselves in.

17 CHAIRMAN FUMANTE, JR.: Well --

18 MR. KRUG: The Sands isn't the only possible solution. It
19 just so happens, but they're the ones that have been asked to
20 solve this problem. I hope that the board doesn't ignore that
21 context and take that into account. But anyway, those are my
22 comments.

23 MS. KRUG: I have a comment.

24 CHAIRMAN FUMANTE, JR.: Yes, ma'am.

25 MS. KRUG: I'm Elaine Krug, Mr. Krug's Wife.

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2 MR. KRUG: Garden City, also.

3 MS. KRUG: Garden City, New York. I'm a resident. I want
4 to know what the phrase transition payments means. Doesn't this
5 phrase tell you that this lease is meant to transition to other
6 lease where Sands can operate a massive casino? Would you like
7 to opine on that?

8 MR. MEYER: There's no real intent behind that. The
9 transition payments are from the prior lease to this lease, and
10 that's all that really means, not to a future lease because those
11 payments are to be made now, not in relation to any future lease.
12 So that's what's in the existing lease, and it's basically from
13 the prior lease to this lease. That's all.

14 MS. KRUG: Well, I do have a second question. The Supreme
15 Court said the lease was invalid, so we assumed that whoever was
16 operating the casino when the lease was invalid is squatting on
17 the property, so how can you explain that you're doing a lease
18 now, when for some many months, there was no lease?

19 MR. MEYER: The County's been under a Use and Occupancy
20 Permit with Las Vegas Sands since that time.

21 MS. KRUG: But -- suppose I went there and fell and broke my
22 leg or had a car accident on the property and got damage; who
23 would be holding the ball on this if there was no lease?

24 MR. MEYER: Under the Use and Occupancy Permit, Las Vegas
25 Sands had insurance, and we're required to have insurance on the

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2 property, and Use and Occupancy Permit allowed them to remain on
3 the site and operate the Coliseum, but that's only a temporary
4 solution for that. The lease, that's the point of entering into
5 this lease. It's a more formal and long-term manner allowing Las
6 Vegas Sands to remain on the property and operate the Coliseum.

7 CHAIRMAN FUMANTE, JR.: Thank you, Josh.

8 MS. KIELY: I have a question. I heard somebody --

9 THE REPORTER: Name?

10 MS. KIELY: Oh, I'm sorry. Monica Kiely, Garden City. I
11 would say no to the casino. I heard somebody at the table say,
12 well, I didn't really read the lease. I read the lease. I hope
13 you guys read the lease.

14 CHAIRMAN FUMANTE, JR.: Woah, woah, woah.

15 BOARD MEMBER PIRONI: Excuse me.

16 BOARD MEMBER MORIARTY: I don't think anybody said that.

17 BOARD MEMBER PIRONI: I don't think anybody said that.

18 BOARD MEMBER LEVY: Who said that? Can you point to
19 somebody that said that, please?

20 CHAIRMAN FUMANTE, JR.: I don't think --

21 BOARD MEMBER PIRONI: Is there a record of that?

22 CHAIRMAN FUMANTE, JR.: I know I read the lease.

23 MS. KIELY: Okay, so did you guys read the lease?

24 BOARD MEMBER PIRONI: Yes.

25 BOARD MEMBER LEVY: Yes.

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2 BOARD MEMBER MORIARTY: Yes.

3 BOARD MEMBER MENG: Yes.

4 CHAIRMAN FUMANTE, JR.: Yes, we did.

5 BOARD MEMBER LEVY: What are you talking about?

6 MS. KIELY: Great. Did it trouble you at all that --

7 CHAIRMAN FUMANTE, JR.: Wait. If you have a comment about
8 the lease as far as -- that's fine. Accusing us of not doing our
9 duty --

10 MS. KIELY: I'm sorry.

11 CHAIRMAN FUMANTE, JR.: -- is really --

12 MS. KIELY: My hearing is not great. I really did think I
13 heard that.

14 CHAIRMAN FUMANTE, JR.: I got to tell you, it's volunteer --
15 this group is a volunteer --

16 MS. KIELY: Fine. I apologize to you all.

17 CHAIRMAN FUMANTE, JR.: I'm pointing this out to you before
18 --

19 MS. KIELY: I apologize to you.

20 CHAIRMAN FUMANTE, JR.: Ma'am. I pointed this out before in
21 the previous meeting. We all volunteer our time for this. We've
22 dealt with it numerous times. We're giving you an opportunity to
23 speak to it, but to accuse somebody and say you heard somebody at
24 the table said what you said, is not fair. It's not fair to the
25 committee.

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2 MS. KIELY: I apologize, and I'm glad that everybody has
3 read the lease.

4 CHAIRMAN FUMANTE, JR.: Okay.

5 MS. KIELY: So did it trouble you at all that the lease is
6 for site control and operations continuing at the Coliseum? The
7 lease is 42 years in length, and the Sands has the right to go
8 dark at the Coliseum after two years, so obviously, to me,
9 reading it, I said, okay, this is all about site control. This
10 is because they do -- they are in business of developing casinos.
11 That's what they want. Now, they have site control of the
12 Coliseum, 72-acre property for 42 years. Does that trouble
13 anyone here? You're taking extremely narrow views, saying we need
14 an operator, and they're saying we might not want to operate it
15 after 24 months, but we'll continue to --

16 CHAIRMAN FUMANTE, JR.: Josh -- and I'm going to stop you
17 there. Josh, can you speak to the histories and how we got into
18 that mess in the first place.

19 MS. KIELY: I know the history. I don't go --

20 CHAIRMAN FUMANTE, JR.: All right, well, then, the point is
21 a lot of people have taken on the Coliseum and bagged it. That's
22 why we're half-sitting where we are.

23 MR. SPEZIO: Paul Spezio, here, counsel. I've read the
24 statutory jurisdiction of the Board. Statements from the Board
25 outside of that jurisdiction, you're technically out of order. So

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2 you're asking about something that they're not really supposed to
3 be -- it's not within their purview. Again, this is not, you
4 know, this is not the place for those comments. Anything else
5 pertaining to what they have to review, more than welcome, okay?
6 Thank you.

7 CHAIRMAN FUMANTE, JR.: All right, with that said, if nobody
8 else has any comment, the board doesn't have any further comment,
9 I'll entertain a motion.

10 BOARD MEMBER LEVY: Motion.

11 BOARD MEMBER MORIARTY: Second.

12 BOARD MEMBER PIRONI: Yeah, I'd like to make a motion.

13 Based on this review of the proposal aspect --

14 MS. FLANAGAN: I'm sorry. I came in a little late because I
15 was at work. Is this the end of the comments? Can I make a
16 brief comment? I picked up a number.

17 CHAIRMAN FUMANTE, JR.: You can comment as long as it's
18 focused on the existing lease moving over the Sands and not
19 casino --

20 BOARD MEMBER PIRONI: I'll withdraw my motion.

21 MS. FLANAGAN: Well, it leased to a casino business, so it's
22 hard to separate the two, sir, frankly.

23 AUDIENCE MEMBER: Come on, buddy.

24 MS. FLANAGAN: I appreciate all of your work.

25 THE REPORTER: Can I have your name?

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2 MS. FLANAGAN: Mary Carter Flanagan. I'm the -- live at 64
3 Harvard Street in Garden City. I'm the mayor of Garden City.
4 Like you, I'm a volunteer, so I thank you all for your time and
5 I realize these jobs are not easy. I just want to make sure as
6 you consider this, and I think we -- you need to see it for what
7 it is, and I realize the purview of this group, but you can't
8 have your blinders on, and eyes closed as to what is happening
9 here.

10 We have submitted our written statement, which I'm sure
11 you'll review, which goes to the environmental issues on topic
12 segmentation. I just urge you not to make the same mistake that
13 was made last time. It's a serious matter. It's the heart of
14 Nassau County. It is a stone's throw for many communities,
15 including the one that I represent, and the Village of Garden
16 City wholeheartedly and unequivocally opposes this project, and
17 by transferring the lease, you're opening a door to a project
18 that will have long-term implications on the environment of
19 Nassau County as well as other future.

20 CHAIRMAN FUMANTE, JR.: I commend you for your voluntarism.
21 I used to be the deputy mayor of Mineola, so I can greatly
22 appreciate your business.

23 MS. FLANAGAN: Yeah, so --

24 CHAIRMAN FUMANTE, JR.: You missed my little speech in the
25 beginning of this. After Sands wanted to go ahead with the

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2 casino or any other thing for that matter, other than what the
3 Coliseum is today, they would have to come back to the County,
4 and that would start the whole mechanism all over again,
5 including coming to this Board and at that time, relative to the
6 point you brought up, and the point you're making on the
7 environmental impact study, etcetera, etcetera; depending on what
8 they're presenting, that would be addressed at that point in
9 time. This is -- take it what it is and just let somebody else
10 run it.

11 MS. FLANAGAN: So and just to -- and I'm sure you'll read
12 everything that was submitted, but we make the point the
13 segmentation issue. I think you're all familiar with it. I
14 don't think you're right. I don't think you are taking -- and
15 you'll make your decision. I just urge you all to do the right
16 thing here to listen to what the court said before we go down
17 the wrong road a second time, and I kind of show the constituents
18 of Nassau County that you will stand up and do the right thing.
19 I recognize the incredible political pressure behind this casino,
20 absolutely. I'm one of the few people speaking out against it,
21 so I just urge you to please do the right thing here and say no.

22 CHAIRMAN FUMANTE, JR.: Thank you. We had, I believe, a
23 start of a motion.

24 BOARD MEMBER PIRONI: Yeah, I'll start from the beginning.
25 Based on this review of the proposal, OSPAC finds that the

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2 proposal has no impact on the County open space or park or on any

3 areas of cultural archaeological habitat or historic or in

4 otherwise environmentally sensitive nature. That's my motion.

5 CHAIRMAN FUMANTE, JR.: Do I have a second?

6 BOARD MEMBER STEINBERG: Second.

7 BOARD MEMBER LEVY: Second.

8 CHAIRMAN FUMANTE, JR.: All in favor?

9 (Whereupon, there was a chorus of "Ayes" by Board Members.)

10 CHAIRMAN FUMANTE, JR.: Any opposed? Any abstention?

11 BOARD MEMBER MENG: (Raises hand) If I may?

12 CHAIRMAN FUMANTE, JR.: You may. I have one abstention.

13 Motion passes.

14 BOARD MEMBER PIRONI: Chairman, I have a second motion.

15 Move that OSPAC recommend that the Nassau County Planning

16 Commission recommend the proposal to the legislature.

17 BOARD MEMBER LEVY: Second that motion.

18 CHAIRMAN FUMANTE, JR.: Second. All in favor?

19 (Whereupon, there was a chorus of "Ayes" by Board Members.)

20 CHAIRMAN FUMANTE, JR.: Any opposed? Any abstention?

21 BOARD MEMBER MENG: (Raises hand)

22 CHAIRMAN FUMANTE, JR.: You're gonna abstain again?

23 BOARD MEMBER MENG: Yeah.

24 CHAIRMAN FUMANTE, JR.: Motion passes. Thank you, all.

25 Thank you for your time.

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2 CHAIRMAN FUMANTE, JR.: All right, let's move on. What do
3 we have next?

4 MR. HOESL: Yep. Want me to give it a second?

5 (Whereupon, there were cross-talk discussions.)

6 CHAIRMAN FUMANTE, JR.: All right, go ahead, Greg.

7 MR. HOESL: Yep, this is OSPAC 3-2024. An application with
8 the Long Island Electrical Utility Servco, LLC, as an agent for
9 Long Island Lighting Company, doing business as LIPA. I was a
10 little confused. Is PSEG, LIPA now?

11 MR. NIMO: PSEG is a contractor that LIPA uses.

12 MR. HOESL: Okay. We have a representative from PSEG here
13 as well. This is located at 100 Gordon Drive, Hamlet of Syosset,
14 Town of Oyster Bay, in their light and industrial zoning
15 district. The parcel itself is approximately two acres, as you
16 can see here. (Indicating) There are the Long Island Railroad
17 tracking running right there. (Indicating)

18 The easement they're requesting is approximately 5,160
19 square feet. Nassau County requests permission for the granting
20 of this easement to PSEG. This proposed easement would be for
21 the replacement of the existing overhead utility lines above the
22 Long Island Railroad tracks, and then the subsequent installation
23 of underground lines running in this orange area here.

24 (Indicating)

25 CHAIRMAN FUMANTE, JR.: You expect me to see that.

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2 MR. HOESL: I know, sorry.

3 BOARD MEMBER PIRONI: What's the cross on that?

4 MR. HOESL: What's that?

5 BOARD MEMBER PIRONI: What's the cross-street?

6 CHAIRMAN FUMANTE, JR.: Can we pop that up on the big
7 screen?

8 MR. HOESL: I don't know. It's kind of like a dead end with
9 a kind of cul-de-sac.

10 BOARD MEMBER PIRONI: I'm trying to think where Gordon is.

11 BOARD MEMBER MENG: Where's Jericho Turnpike?

12 CHAIRMAN FUMANTE, JR.: What's the purpose of the property
13 today? Let's start with me there.

14 MR. HOESL: I believe it's a County stormwater basin?

15 MR. NIMO: Drainage.

16 MR. HOESL: Drainage.

17 CHAIRMAN FUMANTE, JR.: It's drainage?

18 MR. HOESL: Yeah.

19 CHAIRMAN FUMANTE, JR.: Okay. So where do they want to give
20 the easement? And it's above?

21 MR. NIMO: No, it's underground.

22 MR. HOESL: Underground.

23 MR. NIMO: All the utilities are underground ground right at
24 the border of the property, but on the property. It wouldn't
25 effect its purpose.

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2 CHAIRMAN FUMANTE, JR.: Do they have to have access to the
3 property?

4 MR. NIMO: Yeah.

5 CHAIRMAN FUMANTE, JR.: I mean, to do the construction, but
6 once it's done.

7 MR. NIMO: Well, it's an easement, they can, you know, get
8 on the property should they need to be there.

9 CHAIRMAN FUMANTE, JR.: Will they use the same easement or
10 the entrance that you're using today for maintenance --

11 MR. NIMO: Yeah, once they have an easement --

12 CHAIRMAN FUMANTE, JR.: Yeah, I don't want to have double
13 drop -- you know my point.

14 MR. NIMO: Usually, what we'll do is, we'll double lock it.
15 We'll have a lock on it. They'll put a lock so either one can
16 open up the chains so they can get --

17 CHAIRMAN FUMANTE, JR.: I thought using the same pathway that
18 you're using today to give them the maintenance they require?

19 MR. NIMO: Yes.

20 CHAIRMAN FUMANTE, JR.: Anybody have any questions? This is
21 an introduction, by the way. We're not voting on this today.
22 Hopefully, next time, it will be up on the big board.

23 MR. HOESL: Yeah, we can do that.

24 BOARD MEMBER PIRONI: Otherwise, might have to get a second
25 one.

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2 MR. HOESL: You can see here's the easement.

3 CHAIRMAN FUMANTE, JR.: It's right on the border?

4 MR. HOESL: Yeah.

5 CHAIRMAN FUMANTE, JR.: Who abuts that property? Take me
6 back.

7 MR. KOTZIAS: The Town.

8 BOARD MEMBER PIRONI: Town. It's behind Corporate Drive
9 where Armando's Coffee is. I just Googled it. I wanted to know
10 where it was.

11 CHAIRMAN FUMANTE, JR.: You're cheating.

12 BOARD MEMBER PIRONI: I never heard of Gordon Drive.

13 CHAIRMAN FUMANTE, JR.: No cheating. Take his phone away.

14 (Laughter)

15 CHAIRMAN FUMANTE, JR.: You're a teacher. You're not
16 supposed to do that.

17 (Laughter)

18 CHAIRMAN FUMANTE, JR.: So this roadway back here is --

19 BOARD MEMBER PIRONI: So that way.

20 CHAIRMAN FUMANTE, JR.: This way?

21 BOARD MEMBER PIRONI: No, this way. You know where the
22 railroad is?

23 BOARD MEMBER MORIARTY: Closer to the right.

24 BOARD MEMBER PIRONI: See where the railroad is?

25 CHAIRMAN FUMANTE, JR.: Yeah. No, but they want to go from

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2 this point to that point. I'm curious to what's on the other
3 side of the point, Mr. Google, Dr. Google. Can you zoom that up?
4 Can you do a finger thing, or this is a --

5 MR. HOESL: Ah --

6 CHAIRMAN FUMANTE, JR.: -- you can't do that.

7 MR. HOESL: I can do it this way.

8 BOARD MEMBER PIRONI: XPO Logistics. That's what it looks
9 like. J. Merullo Imports. Seems to be a commercial property
10 area.

11 CHAIRMAN FUMANTE, JR.: Not this one because they -- am I
12 correct that they're coming down on this side of it?

13 (Indicating)

14 MR. HOESL: Yeah, where the orange is.

15 CHAIRMAN FUMANTE, JR.: So what is this? (Indicating)

16 MR. HOESL: This parking lot?

17 CHAIRMAN FUMANTE, JR.: What is this place?

18 MR. HOESL: Oh, that was me illustrating where the easement
19 will be. The easement is about 10 feet wide by 500 feet.

20 CHAIRMAN FUMANTE, JR.: And below that is still part of the
21 recharge basin?

22 MR. HOESL: Everything within the yellow is a recharge
23 basin.

24 CHAIRMAN FUMANTE, JR.: All right, so my curiosity
25 questioned this. Who owns the property that abuts this?

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2 MR. KOTZIAS: That's the Town of Oyster Bay.

3 CHAIRMAN FUMANTE, JR.: Sorry?

4 Mr. KOTZIAS. That's the town of Oyster Bay. That they're
5 DPW site, as well, a current lease to a car company.

6 CHAIRMAN FUMANTE, JR.: Thank you.

7 PSEG REPRESENTATIVE: You're welcome.

8 THE REPORTER: Your name?

9 MR. KOTZIAS: Achilles Kotzias. I'm representing PSEG Long
10 Island.

11 CHAIRMAN FUMANTE, JR.: We don't have a ground shot of this,
12 do we?

13 MR. HOESL: Yeah. This back behind that chain link fence.

14 BOARD MEMBER MENG: Those trees look familiar.

15 (Laughter)

16 CHAIRMAN FUMANTE, JR.: All right, since you're Mr. PSEG.

17 How much tree stuff you guys gonna take down to put stuff
18 underground?

19 MR. KOTZIAS: The intention is to perform any veg management
20 that we would need to perform within the subject.

21 CHAIRMAN FUMANTE, JR.: What does that mean? Is it like --
22 I know how you guys do trees.

23 MR. KOTZIAS: Veg management is --

24 CHAIRMAN FUMANTE, JR.: Veg management --

25 MR. KOTZIAS: - removing vegetation. For the initial

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2 construction, we would just be clearing a path within the
3 easement, and then whatever restoration we need to do or allowing
4 it to regrow back in the future, we can just let it be.

5 CHAIRMAN FUMANTE, JR.: So if we were to grant you that
6 easement, you would do some kind of restoration on that property
7 if we requested it?

8 AUDIENCE MEMBER: Absolutely.

9 MR. NIMO: Unfortunately, we don't really plant trees in our
10 stonewall basement. The guy upstairs does.

11 CHAIRMAN FUMANTE, JR.: I know he does, and we're taking
12 them away.

13 MR. NIMO: Right, but often we have to remove them, so we
14 don't have much control like we used to between a lot of the
15 trees and a certain way to function, but the trees in the basin
16 would be --

17 CHAIRMAN FUMANTE, JR.: On the edge effective -- and we're
18 talking about the edge. We're not talking about the basin itself,
19 correct?

20 MR. NIMO: Yeah, the entire basin. We don't usually plant
21 trees in the basin.

22 CHAIRMAN FUMANTE, JR.: I'm not suggesting inside basin. On
23 the edge on the basin.

24 MR. NIMO: We usually like to leave that clean. We don't
25 usually put plants on them. Unless you have the ten foot -- ten to 13

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2 foot --

3 CHAIRMAN FUMANTE, JR.: The fence.

4 MR. NIMO: The fence before the slope. We like to keep that
5 clear.

6 CHAIRMAN FUMANTE, JR.: Right, but from --

7 MR. NIMO: And then the trees will plant themselves.

8 CHAIRMAN FUMANTE, JR.: All right, so -- you're killing me
9 you know that.

10 MR. NIMO: I'm sorry. If we were doing the work, we
11 wouldn't be replanting trees.

12 CHAIRMAN FUMANTE, JR.: But you wouldn't be requesting us to
13 look at it? Look, I'll give you my personal opinion on this, and
14 then I'm going open it up. Recharge basin to me in the County
15 as dense as we are is considered open space, and if you've seen
16 some of the work that's being done on some of the recharge basin
17 like the one in Garden City actually, then it's a bird sanctuary.

18 MR. NIMO: Oh, I know.

19 CHAIRMAN FUMANTE, JR.: So somebody -- birds like trees.

20 MR. NIMO: Yes, they do.

21 CHAIRMAN FUMANTE, JR.: Somebody planted something in there
22 to draw birds to it.

23 MR. NIMO: They have interest control of certain aspects
24 absolutely. They do a fantastic job over there. And I'm the one
25 the DPW when you authorize this release or not release of the

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2 basin and you can ask Kevin --

3 MR. WALSH: Yeah.

4 MR. NIMO: And ask for all the time --

5 MR. WALSH: Critical infrastructure.

6 MR. NIMO: It's not for resource purposes. We're not just
7 saying basins. Something like this that maybe -- (inaudible due
8 to hallway background noise) -- access the basin for work. PSEG
9 for infrastructure --

10 CHAIRMAN FUMANTE, JR.: Personally, I don't have a problem
11 with them putting lines in the ground. Just have a personal
12 problem with if they're going to take down the trees there.

13 BOARD MEMBER PIRONI: Is there any way to effect or see if we
14 can plant trees onto the basin?

15 MR. NIMO: We would be -- not necessary on planting trees on
16 top of electric lines that's going to the basin. If there are
17 trees that are coming down -- (inaudible) -- they're not supposed
18 to be trees there. They just get access to the pipes. They
19 don't want to be dealing --

20 BOARD MEMBER LEVY: In lieu of trees, is it possible to
21 beautify the area with greenery.

22 MR. NIMO: We do not treat basins like a park. Parks are
23 for stone --

24 BOARD MEMBER LEVY: I'm talking about shrubbery. Let's say
25 three, four feet high to be able to contain the area, beautify it

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2 with greenery.

3 MR. NIMO: No, it's the opposite. We like to keep the rim
4 clear.

5 BOARD MEMBER LEVY: So that's the rim, 10 to 13 feet. You
6 still have that whole perimeter there.

7 MR. NIMO: Usually, we like to go in there and mole the
8 entire rim when we do our maintenance. We -- the only times that we
9 can't is when the neighbors are all over there, and we can't make
10 that around the perimeter, therefore, we don't know, then the
11 trees go. Now, eventually, when they get too big, we have to
12 hire a contractor to remove them.

13 CHAIRMAN FUMANTE, JR.: So the idea is to dump in the
14 recharge basin to let the trees grow? Is that what I just heard?

15 (Laughter)

16 MR. NIMO: Yeah, through the concrete driveway into the
17 basin.

18 CHAIRMAN FUMANTE, JR.: Just trying to clarify your point,
19 sir.

20 MR. NIMO: That's what happens, and then they call us and
21 say why is there --

22 CHAIRMAN FUMANTE, JR.: All right. We can -- OSPAC
23 sometimes takes road trips. Sometimes, we do it as a group.
24 Sometimes, we will view it individually. Since it's summertime,
25 I suggest we do it individually. If you want to go see what this

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2 is, you got the address, then we can come back with comments
3 relative may or may not want to do with this, whether we want to
4 do something with the trees or not.

5 BOARD MEMBER PIRONI: I live in the area.

6 MR. NIMO: My familiarity with PSEG is trees are important,
7 and they're ask to put them in -- (inaudible)

8 CHAIRMAN FUMANTE, JR.: You're the one that's against it,
9 not him.

10 MR. NIMO: I'm not against -- of trees.

11 (Laughter)

12 (Whereupon, there were cross-talk discussions.)

13 MR. NIMO: I would have to take a field trip, too. I'm not
14 putting trees where they don't belong --

15 CHAIRMAN FUMANTE, JR.: All right. Does anybody else have
16 questions relative to this?

17 BOARD MEMBER MENG: (Raises hand)

18 CHAIRMAN FUMANTE, JR.: Yes.

19 BOARD MEMBER MENG: What's the purpose of putting it under
20 ground? I think it's wonderful, but what's the purpose?

21 MR. KOTZIAS: We have an existing crossing with the LIRR
22 there. It's currently overhead. Overhead lines, especially this
23 particular crossing during -- (inaudible). PSEG encountered
24 significant difficulties with restoring power because we could
25 not access the overhead pole that is at this crossing within the

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2 Long Island right-away -- the railroad right-away.

3 To overt that, we're are planning on putting this
4 underground, under the railroad tracks from where it currently is
5 to where it currently serves customers. Now, as part of this
6 part of this project, I mean, we're also upgrading distribution
7 network, so the cables are larger. There should be more of a
8 capacity for businesses, particularly the one on Gordon Drive,
9 which is what the project is named after. And we try to fix
10 multiple issues simultaneously within the project, and putting it
11 underground is a portion for systemwide.

12 BOARD MEMBER MENG: How deep do you want to go with
13 something like that?

14 MR. KOTZIAS: We will go to the depth that is required. Our
15 standard depth would be three feet if there's nothing forcing us
16 to go deeper. The Long Island Railroad will force us to be ten
17 feet underneath the tracks at a bare minimum, and after we come
18 out of the tracks, we will return closer towards the three feet
19 on the threshold unless the County or DPW requests us to put in
20 deeper.

21 MR. NIMO: I love trees.

22 (Laughter)

23 MR. NIMO: And if there's a location outside the easement
24 where it's not gonna affect the birds or outside the fence, so we
25 will have --

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2 CHAIRMAN FUMANTE, JR.: You can have them --

3 MR. NIMO: We will have PSEG plant trees.

4 BOARD MEMBER MORIARTY: Can you show me just on this Google
5 Earth picture like where the easement is, and are we -- how --
6 like what trees are we gonna be losing?

7 MR. NIMO: I haven't looked at it recently.

8 BOARD MEMBER MORIARTY: Well, you --

9 MR. NIMO: Greg, might have the -- are better picture there.
10 I don't even know.

11 MR. HOESL: If you look in --

12 BOARD MEMBER MORIARTY: This is a better picture. This is
13 Google Earth. (Indicating)

14 MR. NIMO: Yeah, but we don't have the location of the
15 surrounding --

16 MR. HOESL: Is that the parking lot? (Indicating)

17 CHAIRMAN FUMANTE, JR.: While you're looking at killing the
18 trees off, did you already get --

19 BOARD MEMBER PIRONI: That's it right there.

20 MR. HOESL: Yeah, it's like right above --

21 CHAIRMAN FUMANTE, JR.: -- the Long Island Railroad
22 approval --

23 (Whereupon, there were cross-talk discussions.)

24 CHAIRMAN FUMANTE, JR.: So are you -- you're looking to the
25 County, I understand why, and once you get that, are you gonna go

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2 to railroad, or are you going to try to run them simultaneously?

3 MR. KOTZIAS: We're running everything simultaneously for
4 purposes of project flow. We you were going --

5 (Whereupon, there were cross-talk discussions.)

6 THE REPORTER: Sorry, I can't hear what's going on over
7 here.

8 MR. KOTZIAS: We're acutely aware many months ago that we
9 needed to obtain this easement in order to maintain the existing
10 line, so we have already started the process for the real estate
11 there. In terms of according to Long Island Railroad, we have
12 already primarily discussed with them that this was coming, so
13 they do know on a preliminary basis that this is coming. There
14 is an existing crossing that's there. We would just be applying
15 to transition our crossing from an overhead to an underground,
16 which is a much simpler process for us.

17 CHAIRMAN FUMANTE, JR.: Which is basically what you're
18 doing.

19 MR. KOTZIAS: Exactly what we're doing here.

20 CHAIRMAN FUMANTE, JR.: If they were to tell you, no --

21 MR. KOTZIAS: Correct.

22 CHAIRMAN FUMANTE, JR.: -- would you abandon the request to
23 the County?

24 MR. KOTZIAS: Yes, we would.

25 CHAIRMAN FUMANTE, JR.: Okay.

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2 BOARD MEMBER PIRONI: I personally think all the lines
3 should be underground.

4 MR. WALSH: Greg, this is --

5 (Whereupon, there were cross-talk discussions.)

6 MR. WALSH: -- behind this.

7 MR. HOESL: Yeah.

8 BOARD MEMBER PIRONI: Yeah, it's on the other side. It's on
9 the opposite side of the tracks.

10 MR. WALSH: Okay, I got you.

11 CHAIRMAN FUMANTE, JR.: Anybody else have any questions?

12 (No Response)

13 CHAIRMAN FUMANTE, JR.: Thank you, sir.

14 MR. KOTZIAS: You're welcome.

15 CHAIRMAN FUMANTE, JR.: Okay. We don't have any old
16 business that I'm aware of.

17 (Whereupon, there were cross-talk discussions.)

18 CHAIRMAN FUMANTE, JR.: Anybody, have any new business?

19 BOARD MEMBER PIRONI: Oh, okay, I understand. So we looked
20 at a picture on Google Earth --

21 CHAIRMAN FUMANTE, JR.: We're going back?

22 BOARD MEMBER PIRONI: Yeah, we're going back, sorry.

23 CHAIRMAN FUMANTE, JR.: I don't feel good about shifting
24 shears, but I need the clutch.

25 BOARD MEMBER PIRONI: Sorry. So he just told me that it's

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2 -- there's a fence line. Outside of the fence line where they --
3 I'm assuming, where they would be putting that, those wires in.
4 Those trees will be replaced. Anything on the other side of the
5 fence line, the burn, that would not be replaced.

6 CHAIRMAN FUMANTE, JR.: Got it.

7 BOARD MEMBER PIRONI: So there's still -- they will be
8 replacing trees. If --

9 CHAIRMAN FUMANTE, JR.: You waited to now to say that. I
10 had to go through all the --

11 MR. NIMO: I wanted to make your life happy.

12 BOARD MEMBER PIRONI: I had to beat it out of him.

13 (Laughter)

14 BOARD MEMBER MENG: I have a question. Am I correct to
15 understand the wires would at any point go through the basin? Or
16 the recharge basin.

17 CHAIRMAN FUMANTE, JR.: They go on the edge.

18 BOARD MEMBER MENG: Going on the -- staying on the edge.

19 MR. NIMO: Right.

20 BOARD MEMBER MENG: Okay.

21 CHAIRMAN FUMANTE, JR.: Just like my life.

22 (Laughter)

23 CHAIRMAN FUMANTE, JR.: Okay, should I move?

24 BOARD MEMBER ANZAI: Yep.

25 CHAIRMAN FUMANTE, JR.: Any new business anybody has?

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2 BOARD MEMBER LEVY: Question.

3 CHAIRMAN FUMANTE, JR.: Yes, sir.

4 BOARD MEMBER LEVY: On a recharge basin, what's the setback
5 -- nothing related. What's the setback --

6 CHAIRMAN FUMANTE, JR.: Depends on the recharged.

7 BOARD MEMBER LEVY: -- that would be required for
8 residential development.

9 CHAIRMAN FUMANTE, JR.: It depends on the recharge there,
10 I've seen it --

11 BOARD MEMBER LEVY: Is there a minimum code? Is there a
12 minimum code necessity? Twenty feet? Thirty feet.

13 MR. NIMO: For a structure.

14 BOARD MEMBER LEVY: For a structure.

15 MR. NIMO: That would be governed by the local municipality and
16 their zoning codes.

17 BOARD MEMBER LEVY: Local municipality? It's on a County --

18 MR. NIMO: It's a County basin. If you're building at the
19 County basin, we would evaluate the building New York State
20 General Municipal 239F, and then, at that point, we would look for
21 proper drainage that it's flowing towards our right of way. As far
22 as the building setback, the garage, or something else that's
23 the local zoning.

24 BOARD MEMBER LEVY: Okay. Does this 239F stipulate anything
25 like that.

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2 MR. NIMO: It's a New York State General Municipal Law that
3 we have to do and our engineering team will look at what they're
4 building, what they're proposing, and there are setbacks to
5 sewer lines to water to dry wells, so --

6 BOARD MEMBER LEVY: Right.

7 CHAIRMAN FUMANTE, JR.: Many of these recharge basins will
8 put in the cost of the development of the particular area.

9 BOARD MEMBER LEVY: Right.

10 CHAIRMAN FUMANTE, JR.: So at that point, whatever distance
11 was established --

12 BOARD MEMBER LEVY: Is sufficient.

13 CHAIRMAN FUMANTE, JR.: -- it is what it is.

14 MR. NIMO: And our main goal is that the basin that' used has
15 storm basin --

16 BOARD MEMBER LEVY: As, yeah.

17 MR. NIMO: Not as a park. We get asked to do things all the
18 time.

19 CHAIRMAN FUMANTE, JR.: Our main goal is to make sure that
20 they don't sell off on the edge of the basin because they
21 attempted to do at certain times.

22 BOARD MEMBER LEVY: And why would that be a hindrance or any
23 --

24 CHAIRMAN FUMANTE, JR.: Because it's open space, and it's --
25 the County has limited open space, so it abuts -- the edge affect

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2 abuts the whole recharge basin, and the bigger the edge is, the
3 more natural it all becomes. The question is, should there --

4 BOARD MEMBER LEVY: Right.

5 CHAIRMAN FUMANTE, JR.: Carol Ryder talked to me about the
6 edge basin.

7 MR. NIMO: We had to drive down in the basin when it's --

8 CHAIRMAN FUMANTE, JR.: Yeah, well, right at the bottom of
9 my road. I know exactly what they're asking. Anyway, does that
10 answer your question?

11 BOARD MEMBER LEVY: Yes.

12 CHAIRMAN FUMANTE, JR.: Any other questions?

13 (No Response)

14 CHAIRMAN FUMANTE, JR.: Okay, I'm gonna attempt this once
15 more. There is no old business. Anybody have new business?

16 (No Response)

17 CHAIRMAN FUMANTE, JR.: We got a fun balance of owed 2
18 million bucks. Nice. Next meeting is August 14th. I will
19 entertain a motion to adjourn.

20 BOARD MEMBER STEINBERG: (Raises hand).

21 BOARD MEMBER MORIARTY: (Nodding head).

22 BOARD MEMBER LEVY: Second.

23 BOARD MEMBER PIRONI: (Raises hand).

24 CHAIRMAN FUMANTE, JR.: I got a motion. I got a second.

25 All in favor?

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(Whereupon, there was a chorus of "Ayes" by Board Members.)

CHAIRMAN FUMANTE, JR.: See you next time.

(TIME NOTED: 5:01 p.m.)

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

I, MARIESEL BERRIOS, a Shorthand (Stenotype) Reporter and Notary Public within and for the State of New York, do hereby certify that the within transcript is a true, accurate and complete transcript of the proceedings which took place in the above matter.

Marisel Berrios

MARIESEL BERRIOS

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