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NASSAU COUNTY LEGISLATURE

FULL LEGISLATIVE COMMITTEE

NORMA GONSALVES,
Presiding Officer

1550 Franklin Avenue
Mineola, New York

Monday September 23, 2013
10:09 A.M.

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

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4 NORMA GONSALVES,
5 Presiding Officer

6

7 RICHARD NICOLELLO,
8 Deputy Presiding Officer

9

10 HOWARD KOPEL,
11 Alternate Deputy Presiding Officer

12

13 MICHAEL VENDITTO

14

15 DENISE FORD

16

17 JOSEPH SCANNELL

18

19 FRANCIS X. BECKER

20

21 VINCENT MUSCARELLA

22

23 JUDI BOSWORTH

24

25 WAYNE WINK

26

27 ROBERT TROIANO

28

29 KEVAN ABRAHAMS,
30 Minority Leader

31

32 ROSE MARIE WALKER

33

34 JOSEPH BELESI

35

36 DENNIS DUNNE

37

38 JUDITH JACOBS

39

40 DAVID DENENBERG

41

42 DELIA DERIGGI-WHITTON

43

44 CARRIE SOLAGES

45

46 WILLIAM J. MULLER, III
47 Clerk of the Legislature

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21
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23
24
25

LIST OF SPEAKERS

JOHN WOLHAM, Regional Director,
Office of Real Property Tax Services..... 8

KAREN MONTALBANO, public comment..... 40

JOANNE BORDEN, public comment..... 41

PAT BOYLE, public comment,..... 44

BEVERLY VISCONTE, public comment..... 47

PATRICIA KEARNEY, public comment..... 50

PETER SHIELDS, public comment..... 51

GREG MAY, County Executive Office..... 70

BRUCE RATNER, Forest City Ratner..... 76

ROB WALKER,
Chief Deputy County Executive..... 103

ED BLUMENFELD, Blumenfeld
Development Company..... 83

BRETT YORMARK, CEO for
Nets/Barclays Center
(Partner/Forest City Ratner)..... 93

JOSH MEYER,
Pannone, Lopes, Devereaux & West..... 181

LINDA CHIARELLI,
Forest City Ratner..... 193

JIM LESTER, senior vice president,
Forest City Ratner..... 198

DENNIS JONES, public comment..... 220

LARRY SKLAR, public comment..... 222

DICK O'KANE, public comment..... 225

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LIST OF SPEAKERS

CARNELL FOSKEY, Commissioner,
Nassau County Department of Parks,
Recreation and Museums.....239

MARTIN KATZ,
Nassau County, Division of Planning
Department of Public Works.....243

DOMINIC MINERVA, Minerva & D'Agostino....245

1 Full Legislature/9-23-13

2 CHAIRWOMAN GONSALVES: We have a
3 very full calendar today so I'm asking you
4 to please take your seats. I would ask
5 Legislator Dennis Dunne to please lead us in
6 the Pledge of Allegiance.

7 (Whereupon, the Pledge of
8 Allegiance was recited.)

9 CHAIRWOMAN GONSALVES: Legislator
10 Rose Walker has a request.

11 LEGISLATOR WALKER: If we could
12 all just have a moment of silence. This
13 morning we lost one of our Town of Oyster
14 Bay Sanitation employees. He,
15 unfortunately, got off the garbage truck and
16 was hit by a car. He leaves behind three
17 little girls. He lives in my district. If
18 everyone can all keep he and his family in
19 your thoughts and prayers.

20 (Whereupon, a moment of silence
21 was observed.)

22 CHAIRWOMAN GONSALVES: Thank you,
23 Legislator Walker.

24 We're going to deviate a little
25 bit this afternoon. Usually we have public

1 Full Legislature/9-23-13
2 comment first, but we have a gentleman from
3 the Office of Real Property Tax Services,
4 Southern Region, for the State of New York,
5 Department of Taxation and Finance who wants
6 to brief us very, very briefly on the new
7 Basic STAR Registry Program. It impacts all
8 of us whether we receive Basic STAR or not.

9 His name is Mr. John Wolham.
10 John Wolham will you please join us and make
11 your presentation? I believe we all have
12 the program in writing here and, Mr. Wolham,
13 please proceed.

14 CLERK MULLER: Can I just do a
15 quick roll call?

16 CHAIRWOMAN GONSALVES: I'm sorry.
17 Yes. That's what happens when you're in a
18 hurry.

19 CLERK MULLER: Deputy Presiding
20 Officer Nicoletto?

21 LEGISLATOR NICOLELLO: Here.

22 CLERK MULLER: Alternate Deputy
23 Presiding Officer Kopel?

24 LEGISLATOR KOPEL: Here.

25 CLERK MULLER: Legislator

1 Full Legislature/9-23-13
2 Troiano?
3 LEGISLATOR TROIANO: Here.
4 CLERK MULLER: Legislator
5 Solages?
6 LEGISLATOR SOLAGES: Here.
7 CLERK MULLER: Legislator Ford?
8 LEGISLATOR FORD: Here.
9 CLERK MULLER: Legislator
10 Scannell?
11 LEGISLATOR SCANNELL: Here.
12 CLERK MULLER: Legislator Becker?
13 LEGISLATOR BECKER: Here.
14 CLERK MULLER: Legislator
15 Muscarella?
16 LEGISLATOR MUSCARELLA: Here.
17 CLERK MULLER: Legislator
18 Bosworth?
19 LEGISLATOR BOSWORTH: Here.
20 CLERK MULLER: Legislator Wink?
21 LEGISLATOR WINK: Here.
22 CLERK MULLER: Legislator
23 Venditto?
24 LEGISLATOR VENDITTO: Here.
25 CLERK MULLER: Legislator Belesi?

1 Full Legislature/9-23-13

2 LEGISLATOR BELESI: Here.

3 CLERK MULLER: Legislator Dunne?

4 He's here. Legislator Jacobs?

5 LEGISLATOR JACOBS: Here.

6 CLERK MULLER: Legislator Walker?

7 LEGISLATOR WALKER: Here.

8 CLERK MULLER: Legislator

9 DeRiggi-Whitton?

10 LEGISLATOR DERIGGI-WHITTON:

11 Here.

12 CLERK MULLER: Legislator

13 Denenberg?

14 LEGISLATOR DENENBERG: Here.

15 CLERK MULLER: Minority Leader

16 Abrahams?

17 LEGISLATOR ABRAHAMS: Here.

18 CLERK MULLER: Presiding Officer

19 Gonsalves?

20 CHAIRWOMAN GONSALVES: Present.

21 CLERK MULLER: We have a quorum.

22 CHAIRWOMAN GONSALVES: Okay, Mr.

23 Wolham.

24 MR. WOLHAM: Thank you very much,

25 Presiding Officer Gonsalves. And thank you

1 Full Legislature/9-23-13
2 to the members of the Legislature for
3 allowing this presentation today. I promise
4 I will be brief.

5 A very quick review: The STAR
6 exemption is the only state funded property
7 tax exemption and it provides a tax benefit
8 against recipient school tax.

9 There are two versions; the Basic
10 STAR which is available to all owners of
11 property who are primary residents, and then
12 there is an Enhanced STAR exemption for
13 seniors.

14 This registration program that I
15 am here to speak about today only applies to
16 recipients of the Basic STAR, specifically,
17 those folks that have been receiving Basic
18 STAR for 2013.

19 Essentially, if you have received
20 the Basic STAR for 2013, you must register
21 anew to keep receiving it in 2014 and
22 subsequent years. Registration can only be
23 made through the New York State Department
24 of Tax and Finance. It can only be made
25 through one of two methods; either on line

1 Full Legislature/9-23-13

2 or by phone through the call center.

3 This program is going to affect
4 about 2.6 million recipients of Basic STAR
5 statewide and, in Nassau County, there are
6 over 260,000 recipients of Basic STAR. So,
7 again, this affects a lot of people and we
8 want to make sure that everyone who should
9 be receiving Basic STAR continues to receive
10 it.

11 The reason this program has been
12 implemented, STAR has been around since the
13 late '90s and, at this point, there is a
14 concern that there may be a fair number of
15 people out there who are either receiving
16 the exemption inappropriately, or perhaps
17 are double dipping. There has not been a
18 comprehensive way to ensure that someone who
19 is registered and one assessing you is also
20 not registered elsewhere.

21 So this program is intended to
22 deal with that circumstances and ensure that
23 everybody who should be receiving it
24 continues to get it.

25 Everyone who is receiving Basic

1 Full Legislature/9-23-13

2 STAR in 2013 will receive a letter from the
3 tax department. Folks in Nassau County,
4 your letters went out this past Thursday and
5 Friday. I was just speaking with a
6 gentleman who got it on Saturday, so,
7 certainly, by the end of this week you
8 should receive that letter. Even, for some
9 reason, you do not receive that letter, that
10 is not an impediment to registration. I
11 will explain how that works briefly.

12 Effectively, the letter is going
13 to provide information on how you register
14 which, again, is through the department's
15 website. The application is prominently
16 displayed on the department's home page or
17 by calling the department's call center,
18 which can be reached at 518-457-2036.

19 The letter contains a seven
20 character STAR code which is made up of a
21 series of numbers and letter. When you go
22 to the department's website, you will be
23 asked to enter a series of numbers that are
24 displayed on the screen as a security check.
25 This is simply to ensure that this isn't a

1 Full Legislature/9-23-13
2 piece of spam software trying to access the
3 application.

4 Once you get through that, you
5 will enter your STAR code, which will bring
6 up your property's location. You will, of
7 course, want to verify that that is indeed
8 your property. Then it will move directly
9 into the application itself, the
10 registration application itself.

11 You will be asked a series of
12 questions and this will be brief. You will
13 be asked to enter information for each owner
14 of record and each spouse residing at the
15 property even if the spouse is not an owner.
16 For each of those individuals, you will be
17 asked, is this property that individual's
18 primary residence; yes or no.

19 Additionally, for each of those
20 individuals, you will be asked, does that
21 individual own a piece of property outside
22 of New York State that is receiving a
23 residency-based exemption.

24 The best example of that would
25 be, there are folks who own property in the

1 Full Legislature/9-23-13
2 State of Florida that receives a Homestead
3 exemption. That would be an issue because
4 the Homestead exemption in Florida is also
5 contingent on that property being that
6 individual's primary residence, and you can
7 only have one primary residence.

8 Beyond that, you will also be
9 asked to enter the social security numbers
10 for each individual that owns the property
11 and each spouse.

12 In the event that someone does
13 answer affirmatively to the question about
14 owning property out of state that gets a
15 residency-based exemption, you will be asked
16 to enter the property address of that
17 property.

18 Also, Basic STAR, about three
19 years ago was amended to include an income
20 threshold. So for the owners and spouses
21 residing on that property, you will be asked
22 a question, "does the income based on 2012,
23 is this adjusted federal gross income more
24 than \$500,000?"

25 Because if the cumulative income

1 Full Legislature/9-23-13
2 is more than half a million dollars, you are
3 ineligible for Basic STAR. You will be
4 asked that question yes or no. You will be
5 asked to provide contact information, a
6 phone number and email address in the off
7 chance that the department needs to contact
8 you for clarification and then you will
9 submit. That certifies that the information
10 you input is correct. That will bring up a
11 certification number which we urge everyone
12 to print out or copy down because that is
13 your documentation that you have completed
14 the registration effort.

15 As I mentioned, folks in Nassau
16 County just received these letters. They
17 were just mailed this past Thursday and
18 Friday. The mailing statewide began in mid
19 August and will conclude the end of this
20 month.

21 Around December 1st, the
22 department will send a follow-up
23 communication to folks who, as of a certain
24 date, have still not registered. Just a
25 little reminder that, look, you need to do

1 Full Legislature/9-23-13
2 this by the end of the year. Please don't
3 forget.

4 The deadline for doing this,
5 which I want to emphasize, is December 31st
6 of this year. It's simple. It really takes
7 no more than five minutes. We urge every
8 one to do it as soon as you get the letter
9 so you don't forget.

10 Finally, in January, folks who
11 will receive the exemption will receive a
12 letter indicating they are denied. However,
13 those folks will have a two step appeal
14 process if they feel they should be
15 receiving it. The first appeal goes
16 directly through the Department of Tax and
17 Finance.

18 The second, if the first is
19 denied, goes through an entity called the
20 State Board of Real Property Tax Services.
21 Finally, sometime after March 1st,
22 assessor's offices will be notified of the
23 properties for which Basic STAR should be
24 removed for the upcoming 2014 roll.

25 This is simply a repeat about

1 Full Legislature/9-23-13

2 what I said about the appeal process. I
3 just want to stress that in the same manner
4 that recipients of Basic STAR for 2013
5 cannot apply through their local assessor's
6 office, this can only be done through the
7 Department of Tax and Finance. So, any
8 appeal of denial cannot go through a local
9 board of assessment review or, in this case,
10 the Nassau Assessment Review Commission. It
11 can only go through the department.

12 In the event that anyone does not
13 receive the letter or the letter gets
14 misplaced, the department's website also has
15 an application to look up your STAR code.
16 Essentially, you will enter your county,
17 Nassau. You will enter the township or city
18 in which you reside. You will go to another
19 screen where you will enter your first name,
20 last name, street number, street name, and
21 zip code, and that will bring up the STAR
22 code associated with your property.

23 Again, you will want to confirm
24 that it is your property. Once you do that,
25 it will bring up your STAR code and you can

1 Full Legislature/9-23-13
2 move directly into the web application.
3 Communication. The department is
4 in the process of doing a pretty aggressive
5 outreach and, again, part of my appearance
6 here today is for that reason and, once
7 again, thank you very much for allowing
8 this. It's very important. We want to make
9 sure that all Nassau residents get the
10 exemption. The only thing that I would add
11 to this is that there are only two limited
12 circumstances in which residents of Nassau
13 County can apply to the Department of
14 Assessment to receive Basic STAR or Enhanced
15 STAR.

16 If you are applying for a
17 property brand new, let's say it's a
18 property that you just bought, you never had
19 Basic STAR on that property, that is the
20 only instance for 2014 you can fill out the
21 paper application and make an application to
22 the Nassau County Department of Assessment.

23 Again, if you already have it you
24 can only go through the Department of Tax
25 and Finance.

1 Full Legislature/9-23-13

2 As I mentioned a little earlier,
3 anyone who is receiving the Enhanced STAR
4 exemption is not affected by this program,
5 because the recipients of the Enhanced STAR
6 exemption automatically have a requirement
7 to renew each year through their local
8 assessor's office, in this case, the
9 Department of Assessment, or by
10 participating in Tax and Finances Income
11 Verification Program. An application for
12 that can be made through the Nassau County
13 Department of Assessment.

14 So, with that, that really wraps
15 up my presentation. Again, I want to thank
16 Presiding Officer Gonsalves and the entire
17 legislature for allowing this today. We
18 very much appreciate it and, if local
19 officials know of public meetings at which a
20 presentation of this nature would be
21 beneficial, please feel free to let me know.
22 You have my contact information. We will do
23 our best to work that out. So, again, thank
24 you very much.

25 CHAIRWOMAN GONSALVES: Thank you

1 Full Legislature/9-23-13
2 very much. You kept to your word. You said
3 you would be brief.

4 I have two legislators who would
5 like to ask a question but, before they do,
6 I believe all of us on this dais are going
7 to do the best we can to disseminate this
8 information to our constituents. We all
9 have websites. So I believe we certainly
10 can utilize our websites to get the word
11 out. Legislator Jacobs.

12 LEGISLATOR JACOBS: Thank you
13 very much. I agree with the presiding
14 officer. This was very helpful to have you
15 here.

16 It just so happens that I was
17 inundated yesterday because I happened to
18 have been someplace where I saw a couple of
19 hundred people and some people received the
20 letter, some people didn't.

21 Now, you're saying they first
22 started being mailed out on Thursday?

23 MR. WOLHAM: That's correct. My
24 understanding is that all the letters for
25 Nassau County went out on Thursday and

1 Full Legislature/9-23-13

2 Friday, the 19th and 20th.

3 LEGISLATOR JACOBS: So that will
4 explain why I had half yelling, "how do I
5 fill it out," and the other half saying, "I
6 never got it," what does that mean?

7 And there are no forms to hand
8 them, right, they have to do this through the
9 state?

10 MR. WOLHAM: That is correct.
11 It can only be done through the department's
12 website or by calling 518-457-2036. There
13 is no paper applications simply because, by
14 doing it on line, either directly or through
15 the call center, there are certain checks
16 built into the data entry to ensure, for
17 instance, you have entered 9 numbers for a
18 social security number. So it's really to
19 try to secure the information is entered as
20 accurately as possible.

21 LEGISLATOR JACOBS: I fully
22 understand and now it will be easier to
23 answer people. I thank you very much.

24 CHAIRWOMAN GONSALVES: Legislator
25 Ford.

1 Full Legislature/9-23-13

2 LEGISLATOR FORD: Good afternoon.
3 I thank you very much for your presentation.
4 I understand why the state is doing it and I
5 commend that you are doing this undertaking
6 because of the amount of fraud.

7 How is it that you are going to
8 cut down on the fraud if the people can
9 still lie on the applications?

10 MR. WOLHAM: That's a great
11 question. First of all, the creation of
12 this -- this registration program will
13 create a database that will reside in tax
14 and finance. That will have social security
15 numbers. So, right then and there, just
16 having that information which previously was
17 not available, will allow the department to
18 cross check applicants statewide.

19 Additionally, and while I am not
20 privy to the specifics, there will be
21 efforts made to compare this database or
22 cross reference it, if you will, against
23 other databases of information to ensure
24 that people who should not be receiving the
25 exemption don't.

1 Full Legislature/9-23-13

2 The other point is that the
3 legislature this year also increased the
4 penalties for what formally would be known
5 as material misstatements on the
6 applications. So there will be -- the
7 consequences of someone doing that will be,
8 they will be felt more keenly in terms of
9 the monetary penalties and the years in
10 which back taxes will be paid.

11 LEGISLATOR FORD: If a resident
12 misplaced or doesn't receive the letter,
13 obviously there is a pin number associated,
14 if they call up, what information will they
15 be required to give to be able to then file
16 for the STAR if they don't have the pin?

17 MR. WOLHAM: If they don't have
18 the STAR code, they can go to what is known
19 as the look-up application or the website,
20 or call that phone number. They will be
21 asked the county in which their property
22 resides, the town or city, then the first
23 name and last name of one of the owners.
24 The street number and street name and zip
25 code. That should recover a property

1 Full Legislature/9-23-13
2 address which they'll confirm. If they
3 confirm it, it will bring up a STAR code.

4 LEGISLATOR FORD: My last
5 question will then be, only because we will
6 have one of our meetings, and these will be
7 questions that I know my residents will ask.
8 When you talk about your spouse, what
9 happens if you have a couple that's recently
10 separated and only one spouse right now is
11 living in the house and maybe they are going
12 to go for a divorce. What happens at that
13 point?

14 MR. WOLHAM: If the person is
15 still an owner of record, my recommendation
16 would be to list them. But, at that point,
17 you would note that that individual is no
18 longer a primary resident. Certainly where
19 couples are legally separated, that's the
20 only instance where a couple that's married
21 could potentially get Basic STAR on
22 different properties.

23 LEGISLATOR FORD: Okay, make sure
24 they go through the courts. Thank you very
25 much, sir.

1 Full Legislature/9-23-13

2 MR. WOLHAM: Thank you.

3 CHAIRWOMAN GONSALVES: Legislator
4 Wink.

5 LEGISLATOR WINK: Thank you very
6 much for being here. First of all, I wanted
7 to tell you, while you were doing your
8 presentation, I applied. It's a very simple
9 process because if I was having any trouble,
10 you would know about it. It's a very simple
11 and straightforward process.

12 My one question is, for older
13 residents who may not be as savvy and who
14 may have a predeceased spouse who is still
15 in title. Do they need to list the
16 predeceased spouse for the purposes of STAR
17 or can they file, perhaps, without listing
18 the predeceased spouse?

19 MR. WOLHAM: That's a great
20 question, and, no, if a spouse or an owner
21 of record has predeceased but still remains
22 on the deed, they do not have to enter
23 information for that individual.

24 LEGISLATOR WINK: Is taxation and
25 finance going to reach out to them and

1 Full Legislature/9-23-13

2 question why the name is not listed as an
3 owner?

4 MR. WOLHAM: My understanding is
5 that based on the cross-referencing they
6 will do with this information once it's
7 input, I believe they will have a way of
8 determining that an individual who still may
9 be listed on the property may be
10 predeceased.

11 LEGISLATOR WINK: I would imagine
12 social security numbers mean if there hasn't
13 been a tax return filed for someone who is
14 deceased, it would raise a red flag.

15 MR. WOLHAM: I would tend to
16 agree with you.

17 LEGISLATOR WINK: Thank you very
18 much.

19 CHAIRWOMAN GONSALVES: Legislator
20 Bosworth.

21 LEGISLATOR BOSWORTH: Thank you
22 and thank you for a very informative
23 presentation.

24 You know, many of the legislators
25 here working with the Department of

1 Full Legislature/9-23-13
2 Assessment have tax exemption meetings and
3 sometimes, one of the most frequently sought
4 exemptions is Enhanced STAR, and the people
5 from the Department of Assessment are able
6 right there and then to input it for them.
7 Will they still have the ability to do that?

8 MR. WOLHAM: If what we're
9 talking about is folks from the Department
10 of Assessment having a computer available by
11 which residents can access the web
12 application, sure.

13 The one clarification I would
14 make is, a resident could not submit a paper
15 application to the Department of Assessment
16 unless it's a brand new property for which
17 they have not received STAR. But if they
18 have gotten STAR in 2013, they couldn't fill
19 out the traditional paper application and
20 give that to the department and say, hey,
21 look, this is what I'm doing to register for
22 '14. That wouldn't work.

23 LEGISLATOR BOSWORTH: They do
24 come with their computers and they have
25 direct access and they do the application

1 Full Legislature/9-23-13
2 with help and, especially, there are seniors
3 who are not computer savvy, don't have the
4 ability to go on line. So this would be
5 actually a great vehicle for them to do
6 that.

7 MR. WOLHAM: Absolutely. We do
8 know of some assessor offices -- I work in
9 the southern region, I do know of some in
10 our region that have put up an extra
11 terminal where they keep the department's
12 website on display and, if someone wants to
13 do it right there in their presence, they
14 help them. That's going the extra mile and
15 I think it's wonderful.

16 LEGISLATOR BOSWORTH: I know also
17 in the towns we have our receiver of taxes
18 from the Town of North Hempstead here with
19 us today, Charley Burman, he does a lot of
20 reach out to do these kinds of seminars.
21 Would he be able to provide that same
22 service?

23 MR. WOLHAM: Sure. There is
24 nothing to preclude anyone from helping
25 someone register. That's wonderful. And,

1 Full Legislature/9-23-13

2 yes, Charley has done a tremendous job
3 reaching out to folks.

4 LEGISLATOR BOSWORTH: Great,
5 thank you.

6 CHAIRWOMAN GONSALVES: Legislator
7 Dunne and then Legislator Denenberg.

8 LEGISLATOR DUNNE: Just real
9 quick. I received my letter Saturday
10 morning in the mail. This morning, I woke
11 up, dialed that phone number, they said you
12 have a 19 minute wait so I put my phone on
13 speaker and went about my business.

14 When the guy came on, he asked
15 the same question twice, your address, the
16 number, and bingo, it was done in less than
17 five minutes, bing, bang, it's done. My
18 Internet was down so I used the phone and it
19 was very, very simple.

20 MR. WOLHAM: That's great. Thank
21 you. Sorry you had such a long wait.

22 CHAIRWOMAN GONSALVES: Legislator
23 Denenberg.

24 LEGISLATOR DENENBERG: Now I see,
25 and this is important, and I see it right up

1 Full Legislature/9-23-13
2 front, at the meetings that I've had
3 regarding tax exemptions, seniors are being
4 told they've gotten backwards or two
5 conflicting pieces of information. If they
6 are on Enhanced STAR already, then they
7 don't need to reapply for STAR?

8 MR. WOLHAM: They don't need to
9 reapply through the department. Folks that
10 are receiving the Enhanced STAR have always
11 had an annual requirement to reapply through
12 their assessor's office, in this case the
13 Nassau County Department of Assessment. The
14 Enhanced STAR has a much lower income
15 threshold and that has to be verified
16 annually.

17 What seniors can do, folks that
18 are receiving the Enhanced STAR, can opt
19 into a program known as income verification
20 through the tax department. It's completely
21 voluntary but, if they do that, it avoids
22 their having to submit annual paper
23 applications to the Department of
24 Assessment. In their initial application,
25 by virtue of being approved, they already

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Full Legislature/9-23-13

demonstrated they own the property, it's their primary residence, so if they sign up for income verification, which, that application goes through the Nassau County Department of Assessment, and that information is then transferred to tax and finance, tax and finance annually will verify their income and provide that information back to the department in the form of, yes, they qualify or, no, they don't.

So the nice thing about that is, it avoids them having to do these annual paper filings.

LEGISLATOR DENENBERG: Let me get back to my question and make -- I'm trying to make what you just said short. If you apply for Enhanced STAR and you check off income verification so that your tax return can be checked, to make sure you can qualify for Enhanced STAR every year, does that mean, does that senior, who has checked off the income verification, need to reapply this year for STAR, for Basic STAR?

1 Full Legislature/9-23-13

2 MR. WOLHAM: Basic STAR, no,
3 because you can't get both. If they're
4 getting Enhanced, they can not get Basic.
5 You can't get both STARS at the same time.

6 LEGISLATOR DENENBERG: I always
7 thought that Enhanced STAR was STAR plus an
8 enhancement.

9 MR. WOLHAM: It is in that --

10 LEGISLATOR DENENBERG: In my
11 area, if STAR is 1,200, Enhanced STAR is
12 usually 2,400.

13 MR. WOLHAM: Exactly so. The tax
14 benefit of Enhanced STAR is typically about
15 double the tax benefit of Basic, but they
16 are separate and distinct exemptions. You
17 can't have them both at the same time.

18 LEGISLATOR DENENBERG: So if you
19 are Enhanced STAR and check off the income
20 verification, you don't need to apply?

21 MR. WOLHAM: That's correct. If
22 you are participating in income
23 verification, that will be checked by the
24 tax department. The thing here is, you just
25 want to make sure you're in that program.

1 Full Legislature/9-23-13

2 LEGISLATOR DENENBERG: But if
3 your income somehow went above that
4 threshold for Enhanced STAR, then, to cover
5 yourself, you should probably apply for STAR
6 as well, Basic STAR?

7 MR. WOLHAM: What will happen is,
8 if your income goes over the threshold in
9 one particular year, you will automatically
10 receive the Basic STAR. As long as the
11 Department of Assessment leaves you in the
12 income verification program, the tax
13 department will continue to check the income
14 in subsequent years so that if you fall back
15 under the threshold in the following year,
16 you will get Enhanced STAR again.

17 LEGISLATOR DENENBERG: So if
18 anyone, before they got this package in the
19 mail, I know people that have tried to or
20 have applied for STAR this year previously,
21 earlier, maybe April, May, June, is that
22 application good or do they have to apply
23 again?

24 MR. WOLHAM: I'm sorry, they have
25 applied for the Enhanced?

1 Full Legislature/9-23-13

2 LEGISLATOR DENENBERG: No. I'm
3 just talking Basic STAR now. Some people
4 were told in meetings throughout the summer
5 that you're going to have to reapply for
6 Basic STAR and they have done it already.
7 Before they got your mailing.

8 MR. WOLHAM: So if they've done
9 it before they got the mailing, I have to
10 assume that they did it by filling out a
11 paper application and giving it to the
12 department. No, that's not going to be
13 valid. They are going to have to use the
14 letter or call the call center and register
15 through that website or by phone.

16 LEGISLATOR DENENBERG: So the
17 website that we just heard about or by
18 phone?

19 MR. WOLHAM: Right.

20 LEGISLATOR DENENBERG: So the old
21 fashion mail-in application we are not
22 using?

23 MR. WOLHAM: Right. The only way
24 they would be using the old fashioned
25 application is if somebody is applying who

1 Full Legislature/9-23-13
2 never received Basic STAR before. They just
3 bought the property, never had it on that
4 property, so in that case they would still
5 use the paper application. But, otherwise,
6 no, the paper application won't work for
7 them.

8 LEGISLATOR DENENBERG: If they
9 did it online a month ago --

10 MR. WOLHAM: It's possible if
11 they did it on line a month ago then they
12 should be covered. Again, they would want
13 to make sure they retain that certification
14 number that comes out at the end because
15 that's their proof that they have actually
16 reregistered. If they have any questions
17 about it they can call the call center and
18 the call center reps can verify that they've
19 completed it.

20 LEGISLATOR DENENBERG: Thank you.

21 MR. WOLHAM: Thank you.

22 CHAIRWOMAN GONSALVES: Thank you,
23 Mr. Wolham. You're presentation generated
24 some very good questions and we can be more
25 informed when we hear from our constituents.

1 Full Legislature/9-23-13

2 MR. WOLHAM: Thank you very much
3 for allowing me.

4 CHAIRWOMAN GONSALVES: Now, I
5 believe at this point Legislator Venditto
6 has a point of personal privilege.

7 LEGISLATOR VENDITTO: Thank you
8 very much, Presiding Officer. As you heard
9 the Presiding Officer say, ladies and
10 gentlemen, we do have a very busy schedule
11 today.

12 However, we can never be too busy
13 to take a moment to reflect on the great job
14 that our Nassau County Police Officers are
15 doing for us to keep us safe each and every
16 day.

17 To that end I'm joined by
18 Inspector Steven Palmer of the First
19 Precinct and Officer Andrew Huckslig of the
20 First Precinct today.

21 People say regularly that there
22 are heros living among us in this county.
23 Heroes who don't necessarily look for
24 recognition, not the kind of people who want
25 to see their name in the paper or receive

1 Full Legislature/9-23-13

2 any accolades. It's just helping others
3 because it's the right thing to do.

4 Next to me, Officer Huckslig of
5 the First Precinct, like all of our officers
6 in Nassau County, he and the inspector are
7 putting their lives on the line each and
8 every day so that we as Nassau residents can
9 enjoy our lives in a comfortable way.

10 A great example of this dates
11 back to July 4th of this year when Officer
12 Huckslig was driving to work, not on the
13 clock, just on the way to the precinct on
14 Merrick Road in Bellmore. Officer saw a
15 vehicle that had clearly been in a
16 devastating accident with a driver inside.
17 The car was inflamed and it was a very
18 ominous scene. He had a choice to make. He
19 could have passed it on, passed the baton to
20 somebody who was on the clock, or he could
21 have been the officer who he is and stop to
22 take action. He chose the latter.

23 He got out of his car, charged
24 into the flames and was able to successfully
25 revive the man in the car and make sure that

1 Full Legislature/9-23-13

2 he was transported to Nassau University
3 Medical Center.

4 You beat me to the punch because
5 I was going to turn to the officer who I
6 have known now for the past few months and
7 has become a good friend and say to him,
8 although he doesn't need to hear it, just
9 how thankful we all are for the job that he
10 and the men and women who are our Nassau
11 County Police Department are doing on a
12 daily basis.

13 Officer, to you, and, to you,
14 inspector, we do want to extend the thank
15 you not only for the deed that you did that
16 day but for everything that you continue to
17 do to keep up safe. You make us very proud
18 to be residents of this great county.

19 May God continue to bless you as
20 you do his work each and every day.

21 CHAIRWOMAN GONSALVES: I believe
22 Legislator Scannell would like to introduce
23 us to three very special people.

24 LEGISLATOR SCANNELL: We have
25 three people involved in scouting. Scouting

1 Full Legislature/9-23-13
2 is just an unbelievable organization, as you
3 might know. It's one of the best groups. I
4 was involved in scouting as a kid. I became
5 an Eagle Scout. We're all involved in so
6 many different organizations throughout,
7 being a legislator and as legislators, but
8 scouting really was the one that taught me
9 everything that I know today and things that
10 I continue to learn today.

11 I'm just so proud of first Bob
12 Statler who is our scout master of Troop 230
13 in Oceanside. He's in the second row.
14 Thank you, Bob. Like I said, he's the scout
15 master of Troop 230 in Oceanside. It's a
16 volunteer organization as most people might
17 not know. They put in so many hours. It's
18 amazing how much time and effort they put
19 in, away from their families, with their
20 families, so, Bob, to you, a very special
21 extra thankful for all the extra work that
22 you do as scout master of Troop 230.

23 Also, we have with us today Bob's
24 son Bobby, Junior. He's also joined by my
25 son, Brian Scannell who is here today too.

1 Full Legislature/9-23-13

2 I am so so proud of those two boys. They
3 are close friends. They have known each
4 other since cub scouts. Such a long time.
5 They're incredible boys. They're here today
6 because they're earning their citizenship in
7 the community badge.

8 So, as part of that badge, they
9 have to come in and meet the legislators.
10 They have to come in and watch a session.
11 They also have to come in and talk to the
12 legislators. So today my son and Bobby and
13 Bob came into the back. We spoke about what
14 happens in the legislators. We've talked
15 about that many times, of course, as well at
16 meetings as well.

17 But I'm just so so so proud of
18 you, guys. All three of you. Bobby, Bob
19 and Brian for coming today and earning part
20 of your badge and for also dedicating your
21 time to make your town, not only Baldwin and
22 Oceanside, but Nassau County, just a great
23 place. Thank you, guys.

24 CHAIRWOMAN GONSALVES: Bobby and
25 Brian, let me say to you that I'm hoping

1 Full Legislature/9-23-13
2 that you are on the trail to Eagle.
3 Yesterday I happen to be at an Eagle Court
4 Of Honor. I believe that troop had 86
5 Eagles during the course of its 30 years of
6 existence.

7 So, Bobby and Brian, guess what?
8 You are going to be on that trail to Eagle,
9 right? They shook their heads. And, dad,
10 you are going to lead them on that trail,
11 correct? Thank you very much. Thank you
12 for being here.

13 Now, we usually have and we still
14 will have a half hour of public
15 participation, hopefully those of you who
16 listened to the presentation by Mr. Wolham
17 gained some insight as to what the new Basic
18 STAR program is all about. We will go, it's
19 now I believe 1:40. We will go to 2:10 with
20 public participation and then we will go to
21 the calendar of today.

22 Without any further ado, our
23 first speaker is Karen Montalbano. Karen,
24 are you here?

25 MS. MONTALBANO: Thank you for

1 Full Legislature/9-23-13

2 letting me speak. I'm a resident of Baldwin
3 and I want to talk about the First Precinct.
4 It's been a long journey, decades long.

5 We now have a plan in front of us
6 that works for everyone. It works for the
7 police department, it works for Baldwin and
8 works for Nassau County. I'm here to ask
9 you to forget any divisions and let's see if
10 we can get this thing going and get this
11 First Precinct built. Thank you.

12 CHAIRWOMAN GONSALVES: You're
13 welcome. Thank you for coming, Karen. The
14 next speaker is Joanne Borden.

15 Karen, we did approve the
16 contract at the last meeting, the committee
17 meeting for the First Precinct. I think you
18 would like to know that.

19 Go ahead, Joanne. Sorry for
20 interrupting you.

21 MS. BORDEN: In defiance of
22 American principle, you refuse to protect
23 transgender people from discrimination. I
24 tried to analyze why and took the Bible
25 first. Many biblical laws are ignored and

1 Full Legislature/9-23-13

2 only some are observed. Are the obeyed laws
3 the ones God really really meant?

4 Many people feel God didn't
5 really mean divorce, adultery,
6 non-procreative sex, love thy neighbor, and
7 many many others. The most hypocritically
8 law is women shall not wear clothes that
9 pertaineth unto a man. Nearly all girls and
10 women dress in pants, that seems to be okay.
11 But when a transgender man wears similar
12 pants and violates the same commandment, you
13 condemn them by allowing discrimination
14 against them.

15 Do you believe God really really
16 meant some laws only apply to some people?
17 Ignoring laws and deciding who must obey
18 other laws makes no sense. Your reason for
19 not protecting transgender people from
20 discrimination must be something other than
21 the Bible. I don't think it's jealousy
22 because over 20 percent of the transgender
23 people have incomes below \$10,000 a year.
24 One third are or have been homeless. Over
25 28 percent have been victims of a serious

1 Full Legislature/9-23-13
2 assault. Motivated by transphobic hate. No
3 way can it be jealousy. It is group think?
4 The phenomenon that people blindly follow
5 the group.

6 In this state most groups favor
7 transgender equal rights including 78
8 percent of the voting public, over 2 million
9 union members, 547 clergy and many police
10 chiefs. All groups support transgender
11 equal rights. It isn't group think. It's
12 not the Bible. It can't be jealously. What
13 is left?

14 Although opposition to equal
15 protection under the law manifested in
16 politics in this chamber, the root reason
17 for transgenderism is the maintenance of
18 white male heterosexual dominance sexism,
19 but the reason is not important.

20 In America, there is no valid
21 reason for allowing discrimination of
22 anyone. Muster your patriotism and pass the
23 gender definition amendment. Thank you for
24 listening.

25 CHAIRWOMAN GONSALVES: Thank you,

1 Full Legislature/9-23-13

2 Joanne.

3 CHAIRWOMAN GONSALVES: The next
4 speaker is Pat Boyle.

5 MR. BOYLE: Let me give a little
6 prelude first.

7 CHAIRWOMAN GONSALVES: First let
8 me say that my visit to Gateway Youth was
9 something I will not forget. It was -- I
10 had a great day, so thank you for the
11 invitation.

12 CHAIRWOMAN GONSALVES: The kids
13 enjoyed having you.

14 MR. BOYLE: And I enjoyed being
15 with them. Thank you. That was a fun day.
16 We want to keep those fun days going.

17 I hope everybody had a great
18 summer. I know we did. Norma touched on it
19 that she was over to our programs as well
20 too. We did have a very, very good summer
21 mostly because we got our funding back and
22 we were able to have a good summer and that
23 was a very very good thing to be able to do.

24 Just what happened recently is,
25 we've registered 720 young people for our

1 Full Legislature/9-23-13
2 after school programs which are starting
3 today. It's a crazy day, first day of
4 school kind of deal, and I'm looking forward
5 to getting back and getting that done. So
6 thanks for getting me on early.

7 One of the things that I did with
8 the parents though this year, when we did
9 register them, we gave them all school
10 supplies. We did the best we could to be
11 able to help them to get their year off on
12 the right foot.

13 I would say probably about 30
14 percent of the people that came to the
15 program told me that they had financial
16 difficulties with regard to the program so
17 their fees were waived and we did everything
18 that we thought we could do to make it
19 absolutely right to make this program work.

20 One of the things I did was I
21 promised them, I promised them that we would
22 have this program running for the total of
23 the school year. That we would do it from
24 the time today, all the way through to the
25 last day of school.

1 Full Legislature/9-23-13

2 Now the possibility of doing that
3 is there because I know that in the budget
4 so far that's been submitted to the
5 legislature from the county executive, the
6 youth services is funded at the levels that
7 it was at before any of the cuts. We are
8 very, very thankful to the administration
9 obviously for getting that in there.

10 And now, what I'm asking you is,
11 can you please, you know how great our
12 programs are. I'm not just talking about
13 Gateway, I'm talking about all of the
14 programs within the youth services system.

15 There are some really great
16 programs in there. I know you know it. I
17 know you never really wanted to make any
18 kind of cuts or anything like that because
19 you do appreciate the programs and you do
20 appreciate what they do.

21 Please, just leave us in the
22 budget. Although my colleagues would kill
23 me, I'm not here asking for more. I'm not
24 here asking for future considerations for
25 more. That's not what I'm doing right now.

1 Full Legislature/9-23-13

2 Just make it so that our parents can know
3 that their children are going to be safe
4 after school and that we won't have the kind
5 of problems that we did have last year when
6 we didn't have programs in place. Please
7 work with us all to be able to make that
8 happen through 2014 and we will be back
9 again to say thank you when you do, and we
10 will also be here in 2015 to make sure you
11 do it again. Thanks very much.

12 CHAIRWOMAN GONSALVES: Thank you,
13 Pat. Next speaker is Beverly Visconte.

14 MS. VISCONTE: Good afternoon.
15 My name is Beverly Visconte and I'm here to
16 speak on the issue of funding for Bay Park
17 Sewage Treatment Plant. I'm a member of
18 Operation Splash, an organization dedicated
19 to keeping the south shore waters clean.
20 I'm also a member of Sludge Stoppers, a
21 group formed several years ago when the
22 videos of the Bay Park Sewage Treatment
23 Plant spilled into Reynolds Channel and
24 appeared on You Tube.

25 Since then, the Sludge Stoppers

1 Full Legislature/9-23-13
2 have worked diligently to influence county
3 officials to make plans for the necessary
4 upgrades and repairs without privatizing or
5 selling, offer the plant, to some extent, we
6 met with some success.

7 Then came Hurricane Sandy which
8 swamped the Bay Park Sewage Treatment Plant
9 and even temporarily took it off line
10 causing dangerous backups in various
11 communities and damaging and/or destroying
12 vital equipment in the plant itself.

13 It is now virtually being held
14 together with bobby pins and rubber bands
15 and it is still a cause of spills, sewage
16 spills just one last week. It is clearly in
17 need of immediate and radical repairs and
18 upgrades.

19 In addition, recent studies have
20 shown, studies of the western bays, have
21 shown that the Bay Park sludge effluent does
22 not get washed out to sea, as we had hoped.
23 Even if it's not a spill, it's a regular
24 effluent, but instead continues to
25 contaminate, pollute, and kill the marine

1 Full Legislature/9-23-13

2 life in the western bays.

3 In fact, people are unwittingly
4 still swimming and fishing in these waters
5 not knowing the contamination that's going
6 on. The study shows that the only thing
7 that will deal with this problem is an
8 outfall pipe extended three miles out in the
9 Atlantic Ocean where it can more safely be
10 disbursed.

11 So three things are necessary:
12 Immediate repairs to dispense with the
13 trailers and the generators and the bobby
14 pins and rubber bands that are keeping
15 things going there. Upgrades to more
16 effectively deal with the sewage influent
17 outfall pipe to bypass the bay waters and
18 bring it out into the ocean.

19 Clearly, this is a public health
20 issue. In fact, right now, it's a public
21 health crisis.

22 The funding that was finally
23 approved earlier this summer, less than one
24 third of the proposed funding is in no way
25 sufficient to accomplish these necessary

1 Full Legislature/9-23-13

2 ends.

3 The plant is in critical
4 condition --

5 CLERK MULLER: Your three minutes
6 have expired.

7 MS. VISCONTE: The plant is in
8 critical condition. There is no time to
9 waste on party politics, no time at all.
10 Please recognize your next vote as your
11 opportunity to correct the wrong. It's a no
12 brainer to put people over politics. Vote
13 to allocate the adequate and proper funding
14 to reach these ends. Thank you.

15 CHAIRWOMAN GONSALVES: Thank you,
16 Ms. Visconte.

17 LEGISLATOR NICOLELLO: Patricia
18 Kearney from the Bay Park Civic Association.

19 MS. KEARNEY: Hi. I'm Patricia
20 Kearney from the Bay Park Civic Association
21 and a member of Sludge Stoppers as well.

22 I'm here today to ask that
23 politics be set aside to help my neighbors.
24 Funding for critical electrical
25 infrastructure at the Bay Park plant must

1 Full Legislature/9-23-13
2 proceed immediately. These communities were
3 hit hard by Sandy and are still reeling.
4 Every day you delay this project is another
5 day of noxious odor, incessant noise and
6 truck traffic to be endured by the residents
7 of East Rockaway, Angle Sea, Bay Park and
8 Oceanside. Every day you delay is another
9 bad day, another potential opportunity for
10 this ticking time bomb to fail and once
11 again spew sewage into our streets and
12 waterways.

13 Every day you delay is another
14 day for our communities to not recover from
15 Sandy. We can rebuild our homes after Sandy
16 but only this body can rebuild that plant.
17 Only this body can bring security to our
18 communities, get it done, fix it,
19 appropriate the \$326 million. Get it done.
20 Fix it, please. Thank you.

21 LEGISLATOR NICOLELLO: Peter
22 Shields.

23 MR. SHIELDS: The previous
24 speaker sounded very nice about the whole
25 thing and I'm happy to see the Boy Scouts

1 Full Legislature/9-23-13
2 here because I happen to be a communications
3 merit badge counselor for the Boy Scouts.
4 And they also have to attend a public
5 hearing where two opposing points of view
6 are discussed.

7 I don't even know the ladies that
8 spoke before me, but I'm the next door
9 neighbor of the sewage treatment plant. I'm
10 here today because I've had faith, foolishly
11 had faith for the past year that something
12 would be done.

13 I realized after the hurricane
14 what a disaster it was and what had happened
15 and I read the papers and I have been silent
16 up till now being the next door neighbor.

17 200 feet outside of my bedroom
18 windows are a number of generators that go
19 24 hours, seven days a week. For anybody to
20 stand in my yard and talk to me or stand on
21 my front lawn and talk to me, they have to
22 be yelling at me.

23 I wake up each morning to
24 headaches. I have never been prone to
25 headaches before because of the odors. I

1 Full Legislature/9-23-13

2 can't open the windows to my house because
3 of the odors that come off of that sewage
4 treatment plant.

5 I wrote you all an e-mail last
6 week. That was the first time I have ever
7 spoken about this, sending a video after the
8 oil leak with the vacuum trucks that were
9 outside of my house at 6:00 a.m., and I
10 understand the need to deal with a spill
11 like that, but there wouldn't be any need to
12 deal with that spill if the generators
13 weren't there and this thing wasn't fixed,
14 if hammers weren't swinging.

15 In fact, I deal with the noise
16 and deal with the smells if I knew the
17 hammers would be swinging and this thing
18 would who be fixed. The only people that
19 reached back out to me after that e-mail
20 last week were Republicans and the
21 Republicans seem to put this squarely on the
22 Democrats with holding things up.

23 I understand the need for
24 oversight and making sure that we spend the
25 money appropriately and all that stuff but

1 Full Legislature/9-23-13
2 you're killing me. You're killing my
3 community.

4 We can't go down in our area
5 without knowing exactly where we are,
6 without a GPS, you can take me down
7 blindfold and I know I'm home because of the
8 smell. I know by the sound, I can't talk in
9 my front yard.

10 Legislator Venditto talked about
11 the busy schedule today. I don't know what
12 else you have to do. There is no other
13 business. I know you each go home to houses
14 where you are able to flush the toilets and
15 it goes away from you and you don't care.
16 And I know each of you go home and it may
17 not smell, maybe it smells like dinner
18 cooking. It doesn't smell like that at my
19 house and it doesn't smell like that in my
20 community.

21 I'm on the front lines. If you
22 go anywhere around that sewage treatment
23 plant, it is three or four trees deep
24 covered immensely. On my side of the house,
25 two sides of my house face that sewage

1 Full Legislature/9-23-13
2 treatment plant. I'm right on the edge,
3 right next door to the front gate. There's
4 nothing planted there. I'm looking at full
5 view at those generators. There are very
6 cheap ways to deal with the view. You have
7 Boy Scouts here. I know a lot of you guys
8 go to the Courts of Honor. Get them to do
9 some Eagle project and plant some freaking
10 trees. It's cheap enough to make that stuff
11 happen. Aside from that, get those hammers
12 swinging.

13 There is nothing else you have to
14 do. Clear your agenda. Fix this problem.
15 Sooner or later you'll flush the toilets and
16 it won't go away from you and you will have
17 a disaster.

18 Sooner or later you're going to
19 kill this community. You're going to have a
20 lynch mob on your hands.

21 CLERK MULLER: Your three minutes
22 have expired.

23 MR. SHIELDS: You've had a couple
24 of people come and talk about it, but please
25 get it done. You're killing me. Thank you.

1 Full Legislature/9-23-13

2 LEGISLATOR NICOLELLO: Legislator
3 Kopel.

4 LEGISLATOR KOPEL: Peter, come
5 back.

6 MR. SHIELDS: Hi.

7 LEGISLATOR KOPEL: Hi. You and I
8 spoke a little bit earlier today?

9 MR. SHIELDS: Yes, we did.

10 LEGISLATOR KOPEL: I just want to
11 go over some of those things that we spoke
12 about.

13 I live near a plant as well. I
14 live very, very close to a smaller plant but
15 a plant, nonetheless, and I have lived there
16 for many years, lived there since 1987. I
17 will tell you not once have I experienced
18 the problems that you're experiencing.

19 I know it's a smaller plant but
20 if it can be done in one plant it can be
21 done in the other plant. It can be done.
22 And if it can be done, it has to be done.
23 No human being should have to experience the
24 kinds of smells and noise that the people of
25 Bay Park and beyond the other communities in

1 Full Legislature/9-23-13
2 the areas are experiencing. It's not right.
3 It's absolutely not right.

4 Of course, we had this problem
5 with Sandy, but it's time to fix it. We've
6 gotten experts, as you know, expert
7 recommendations and we've gotten an
8 opportunity to rebuild this plant and
9 rebuild it in a way that it ought to be
10 built. So it doesn't hurt you. So it
11 doesn't hurt your family. It doesn't expose
12 your family and neighbors to disease and to
13 smells and to the feeling that you can't
14 stay in your own home. I think you were
15 very eloquent.

16 MR. SHIELDS: Thank you. I
17 appreciate it. Even a year before this
18 hurricane we had what we call the Sunday
19 smell. Something or another has been
20 happening there outside with digester tanks,
21 whatever, I don't know all the technical
22 terms, but it stunk there on Sundays. It
23 went away the summer before. After the
24 hurricane it's all back. It services
25 500,000 of your constituents. It costs

1 Full Legislature/9-23-13
2 \$700,000 a month to fill those generators.
3 \$700,000 a month.

4 LEGISLATOR KOPEL: It is an
5 absolute waste of money. Going beyond that,
6 those generators, they're a Band-Aid.

7 We've heard from the experts. We
8 have had a lot of discussion over here on
9 this panel from experts. And they have told
10 us in no uncertain terms that this
11 electrical system is being held together by
12 scotch tape and baling wire. It could fail
13 at any time. I'm talking not only about the
14 generators but the entire electrical
15 distribution system.

16 So the fact that we are replacing
17 the small part, relatively speaking, certain
18 portions of the plant and some of the
19 equipment, if we haven't got the electricity
20 to run it, it's not going to do much good.

21 I'm sorry to be telling you these
22 things because I'm not trying to get you
23 more upset, any of the people out here. I'm
24 just trying to appeal to my colleagues to
25 not delay any more because fixing this plant

1 Full Legislature/9-23-13

2 is just not optional.

3 As you so aptly put it before,
4 it's a real health hazard. It's got to be
5 done now. We've heard the reasons that it's
6 not being done, that's because the
7 legislature is charged with the
8 responsibility for supervision.

9 Now, that's true, an oversight,
10 and that's true, but we're not charged with
11 the responsibility for micromanaging the
12 entire reconstruction of this plant.

13 And, by the way, none of us up
14 here are engineers except for one. We've
15 got one engineer on this panel and that
16 engineer, just for the record, has voted for
17 it because I guess he understands, he gets
18 it, that this is a problem.

19 Now, you know what, I don't agree
20 with too many things that Legislator
21 Denenberg does, but over here he's on the
22 side of the angels, he's got it right.

23 We've got to get this done.

24 MR. SHIELDS: This is not a party
25 issue. If you flush your toilet, you are

1 Full Legislature/9-23-13
2 involved. If you went for election to fight
3 for your constituents, put my face on it,
4 fight for me, please. You're killing me out
5 of my house.

6 LEGISLATOR KOPEL: Well, you've
7 got children, have you?

8 MR. SHIELDS: Yes, I have three.

9 LEGISLATOR KOPEL: How old are
10 they?

11 MR. SHIELDS: 18 and 15 and 13.
12 They are all embarrassed to have their
13 friends over.

14 LEGISLATOR KOPEL: They're all
15 embarrassed, and how's about coming home in
16 the afternoon after school, it's not too
17 much fun?

18 MR. SHIELDS: No. We get
19 headaches.

20 LEGISLATOR KOPEL: How are your
21 cookouts lately?

22 MR. SHIELDS: I will invite every
23 one of you over for a barbecue on Sunday. I
24 cook very well but I challenge you to choke
25 down the food.

1 Full Legislature/9-23-13

2 LEGISLATOR KOPEL: How is the
3 resale value on your house doing?

4 MR. SHIELDS: We talked about
5 that before. I recently went for a
6 refinance and, the day I went for a
7 refinance, I had the clean and seed people
8 come so I was very happy to see a group in
9 front of my house.

10 Again, I have been silent up to
11 this point, and there have been protests in
12 front of my house in promptu every now and
13 then, people seem to be more organized than
14 me.

15 So the lady coming for my
16 refinance took a whole bunch of pictures of
17 the people protesting in front of my house
18 and asked all kinds of questions about the
19 plant. I got turned down.

20 LEGISLATOR KOPEL: That is really
21 just awful.

22 MR. SHIELDS: I'm not here about
23 money. Fix the smell. Fix the noise.

24 LEGISLATOR KOPEL: It's not
25 optional. I also want to point out that

1 Full Legislature/9-23-13
2 we're potentially risking the federal funds.
3 That we are supposed to get a 90 percent
4 reimbursement. And, if they don't see us
5 doing it, and they don't see us doing it
6 right, we may be risking a good deal of
7 money over here and we may not be able to do
8 it after all. That is wonderful opportunity
9 to get this thing fixed and brought up to
10 world class standards that we may be
11 frittering away.

12 If we, God forbid, have another
13 storm and it hasn't been fixed and we
14 haven't constructed the facilities that
15 would allow the rest of the plant to survive
16 a storm, and we haven't done it because we
17 are just wasting our time, we may not -- we
18 definitely won't get the money to rebuild
19 that again. We may not get the money this
20 time.

21 I'm sorry to tell that to you,
22 but it's the truth and you need to hear it.

23 MR. SHIELDS: I appreciate your
24 time and I appreciate you extending my time,
25 and I appreciate you speaking up.

1 Full Legislature/9-23-13

2 I really wish some of you who had
3 an opposing point of view would tell me
4 something that made a little bit of sense.
5 You all have my phone number. You all have
6 my email address. Feel free to reach out to
7 me. I know I've spoken a little bit
8 passionately here tonight. I'm not trying
9 to be ridiculous. But I have to hear
10 something that makes sense to me of why I'm
11 dealing with this.

12 LEGISLATOR KOPEL: Thank you.

13 CHAIRWOMAN GONSALVES: I just
14 want to remind my colleagues on both sides
15 of the aisle that at 2:10 we're ending
16 public comment.

17 LEGISLATOR ABRAHAMS: I
18 understand. What I was going to say, I'm
19 not going to engage in any partisanship,
20 what I'm going to ask is, Mr. Shield, I
21 apologize for being in and out. There are
22 multiple things. As you can see, there are
23 folks here from the Coliseum, there are
24 multiple things on the calendar today. So
25 my attention has been back and forth. It

1 Full Legislature/9-23-13

2 doesn't mean that I have given this issue
3 any less concern.

4 MR. SHIELDS: I understand.

5 LEGISLATOR ABRAHAMS: And I just
6 wanted to express to you that if you are
7 willing to hang out, I am more than welcome
8 to talk to you a little bit about what our
9 perspective is. I would be glad to talk to
10 the group that's here. I would be happy to
11 do this right now because I think it's
12 important. I wanted to express that to you.

13 Look, I don't want to get bogged
14 down in the agenda and partisanship. I can
15 say a lot of things that are contrary to
16 what Mr. Kopel just said but I'm not going
17 to do that because that's going to waste
18 your time and the folk's people's time in
19 this audience and I don't want to be engaged
20 in that.

21 MR. SHIELDS: With all due
22 respect, and I appreciate Legislator Kopel
23 reaching out to me and, like I said, the
24 Republicans are the ones reaching out to me
25 so far, I'm an independent. I don't care

1 Full Legislature/9-23-13

2 what party you're with. I have no agenda
3 here to get anybody elected or not elected.
4 I just want to fix my freaking house.

5 LEGISLATOR ABRAHAMS: Okay.

6 Let's talk right after this item. I will
7 walk down to you and we'll go out to the
8 back and we'll have a conversation.

9 MR. SHIELDS: Thank you. I
10 appreciate it.

11 LEGISLATOR DENENBERG: Norma, may
12 I have 30 seconds, please? Everyone else
13 had --

14 CHAIRWOMAN GONSALVES: Should I
15 time you?

16 LEGISLATOR DENENBERG: Yes. Sir,
17 I'm Legislator Denenberg. I voted for the
18 funding. I'll vote for the funding again.

19 MR. SHIELDS: I appreciate it.

20 LEGISLATOR DENENBERG: But it's
21 not just a matter of funding. It's a matter
22 of getting the projects done, enhanced odor
23 control, pumps, effluent pumps. All of
24 those projects have been on capital plans
25 since 2009. And you, I saw it, you have the

1 Full Legislature/9-23-13
2 back up generators sitting on a parking lot.
3 They are supposed to be in a bermed area.
4 That spill could have been avoided but, the
5 bottom line is, every one up here needs to
6 work together with the county executive to
7 not just fund projects but make sure they
8 get done.

9 If that means quarterly oversight
10 by the people up here, which I think the
11 county executive would welcome, we should do
12 it, because there are projects which are
13 already funded that would get those
14 generators out of a parking lot.

15 That doesn't mean that the
16 electrical work in the dewatering facility
17 doesn't need to be done. That's why I'm
18 voting for it, but, you know what, all of us
19 need to put it aside, get the projects, not
20 just funded, but done, period.

21 MR. SHIELDS: If hammers were
22 swinging, and I was dealing with the smell
23 and the noise, I wouldn't be here today.

24 LEGISLATOR DENENBERG: Thanks.

25 CHAIRWOMAN GONSALVES: I just

1 Full Legislature/9-23-13

2 want to make a comment. You opened the
3 door, Legislator Denenberg.

4 In 2009, those plants were in
5 terrible terrible condition. And, before we
6 could even go forward, do other repairs, we
7 had to fix what was already broken. So I
8 will tell you --

9 LEGISLATOR DENENBERG: It was
10 \$450 million worth of projects.

11 LEGISLATOR GONSALVES: I did not
12 interrupt you.

13 LEGISLATOR DENENBERG: \$450
14 million worth of projects.

15 LEGISLATOR ABRAHAMS: Don't
16 interrupt Norma.

17 CHAIRWOMAN GONSALVES: David, I
18 want to pursue, and there were other people
19 that wanted to speak during public comment,
20 but, you know what, we empathize with you.
21 We have been at the plant several times. We
22 know the noise from the generator. We were
23 there. We heard it. There was so much that
24 we saw since Sandy.

25 In fact, we were there two weeks

1 Full Legislature/9-23-13
2 after Sandy and recently I would say a
3 little bit more than a month we are back
4 again.

5 So, we are well aware of what
6 needs to be done and hopefully we will get
7 our act together and do it.

8 MR. SHIELDS: Thank you.

9 CHAIRWOMAN GONSALVES: It is now
10 2:10 and I'm suspending public comment
11 primarily because we have a presentation by
12 the Ratner Group that must be made.

13 MR. WEITZMAN: I was the first
14 one here according to your the clerk.
15 Mr. Kopel shut me down when I was here two
16 weeks ago. Wouldn't allow me to speak, now
17 you are not allowing me to speak again.

18 CHAIRWOMAN GONSALVES: No, no,
19 no. Your name is here. It has nothing to
20 do with not allowing you to speak. I did
21 say 2:10 and 2:10 it is. So we need to move
22 on. We will get to you, Mr. Weitzman, trust
23 me. You may want to take an opportunity
24 after the presentation.

25 At this time the item on the

1 Full Legislature/9-23-13

2 calendar that we shall call I believe is,
3 number one on the calendar is Item 374-13.

4 It's an ordinance making certain
5 determinations pursuant to the State
6 Environmental Quality Review Act and
7 authorizing the county executive of the
8 County of Nassau to execute a lease by and
9 between the County of Nassau as landlord and
10 Nassau Events Center, L.L.C., as tenant, in
11 connection with the lease and certain
12 premises located in Uniondale, town of
13 Hempstead, said property known as Section
14 44, Block F, Lots 403 and 351 on the land
15 and tax map of the County of Nassau, and
16 authorizing the county executive to execute
17 a lease and all pertinent documents in
18 connection therewith to consummate the
19 lease.

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR WALKER: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Dunne, seconded by Legislator
24 Walker. Before we can go on with the
25 presentation, Mr. May, I believe we have an

1 Full Legislature/9-23-13
2 amendment in the nature of a substitution,
3 correct?

4 MR. MAY: That's correct.

5 CHAIRWOMAN GONSALVES: The
6 amendment was filed September 16, 2013, at
7 11:23 a.m. A motion, please.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Walker. I guess at this point, all those in
13 favor of the amendment in the nature of a
14 substitution signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The contract passes unanimously.

19 Any opposed? The amendment passes. It's
20 now before us. Are you ready?

21 MR. MAY: I am ready.

22 CHAIRWOMAN GONSALVES: I'm sure
23 lots of people are ready.

24 MR. MAY: I think we're all
25 ready. It is my pleasure to introduce

1 Full Legislature/9-23-13

2 Nassau County Executive Edward Mangano.

3 COUNTY EXECUTIVE MANGANO: Thank
4 you, Madam Presiding Officer, Minority
5 Leader. It's great to be back here at the
6 legislature to spend some time with you.

7 But, today, we have a great day.
8 We have the opportunity to turn a vision
9 into a reality for our new Nassau Veterans
10 Memorial Coliseum and sports and
11 entertainment and destination.

12 As you know, the hub and
13 redeveloping the hub has been the subject of
14 many failed votes over the last decade.

15 But, one common bond and one
16 common theme has always been to renovate and
17 create a world class arena. Today you have
18 the opportunity to do just that. It gives
19 you the opportunity to create a world class
20 arena, a new entertainment district, to add
21 to development in the hub that we have
22 achieved over the few years where we now
23 have the home of the New York Cosmos
24 practice facility, twin ice skating rinks
25 under construction, and, of course, the

1 Full Legislature/9-23-13
2 public private partnership with Jet Blue at
3 Museum Row.

4 We all know the tail of
5 developing this property but, today, comes
6 to a very good beginning, if you will. Back
7 in March of 2013 we issued an RFP. From
8 March through August of 2013, we entertained
9 negotiations and best and final offers.

10 In August 2013, upon
11 recommendation, an RFP committee, under
12 advice and counsel from my business advisory
13 committee and, after reviewing the two
14 finalized proposals, Nassau Events was
15 selected as the most responsive responder.

16 From August through September, we
17 are right in that process now, where we have
18 held hearings at the legislature and, today,
19 the decision to create and build a new
20 coliseum and entertainment district, and set
21 the foundation for exciting phrase three
22 development is within your hands.

23 Should you approve it today,
24 pre-construction activities including design
25 planning, site plan, and other approvals

1 Full Legislature/9-23-13
2 will take place between 2013 and 2015, so
3 that on August 1st, 2015 when NEC takes
4 over, and the present lease expires, we are
5 best suited to begin the renovation and
6 allow us to open a new world class arena in
7 2016.

8 There is a significant difference
9 between the present lease and the new
10 proposed lease that clearly benefits our
11 taxpayers and our county.

12 For instance, today, Nassau
13 County residents pay all of the utility
14 costs at the present arena. Somewhere
15 around \$2 million a year. The county pays
16 for the insurance. We pay for many of the
17 repairs. We pay for all of the capital
18 improvements, seats, parking lots, score
19 boards, all paid through Nassau County
20 residents, and there are zero real property
21 tax revenue generated from the property at
22 its present state.

23 The NEC lease, Nassau County
24 taxpayer sheds all those costs. NEC will
25 pay for all the utility costs. They'll be

1 Full Legislature/9-23-13
2 responsible for the insurance, pay for all
3 repairs, all capital improvements and, with
4 respect to the entertainment district on the
5 plaza, will be subject to real property
6 taxes or a pilot, in essence, that will pay
7 real property taxes to the school, to the
8 county, the town.

9 The existing coliseum we all
10 really know that tale, so I will condense it
11 in the interest of time. But, clearly, it's
12 not in a good state. With the present
13 lease, we would be obligated to spend
14 significant taxpayer dollars pursuant to the
15 present lease.

16 Today's public private
17 partnership creates a 100 percent privately
18 financed renovation. A \$229 million
19 investment creating a world class coliseum
20 in the entertainment district which is
21 really just Phase One and Phase Two and sets
22 us up with a solid foundation to maximize
23 our potential for development in a Phase
24 Three.

25 Nassau County will receive eight

1 Full Legislature/9-23-13
2 percent of the gross revenue or \$4.4 million
3 minimum rent each and every year. For us in
4 the county, it's an even greater spread
5 because we will shed about \$4 million of
6 expenses and we pick up about \$4.4 million
7 of income minimum, so that's an \$8 million
8 improvement to the finances here in Nassau
9 County.

10 In addition, NEC will pay rent on
11 the first day it takes possession of the
12 property on August 1st, 2015. They will pay
13 an approval period rent and construction
14 period rent as soon as the Coliseum is open
15 and the entertainment district is underway,
16 they will pay the minimum \$4.4 million a
17 year or eight percent of the gross.

18 The public private partnership on
19 August 1st, 2015, as I said, assumes all
20 costs and expenses relieving the county of
21 those costly expenses. NEC has full
22 responsibility for the capital expenditures.
23 The county retains control of future
24 development and certainly today you have an
25 opportunity not only to make a mark on this

1 Full Legislature/9-23-13
2 generation, but to provide sport and
3 entertainment options for future residents,
4 for future generations.

5 Today is perhaps one of the most
6 important decisions that you make that will
7 affect future generations. You have the
8 opportunity to create a world class sports
9 and entertainment destination. An
10 attractive downtown destination and set us
11 up to maximize our potential for Phase
12 Three.

13 So, with that, I ask you for your
14 vote today so that Nassau has a very much
15 brighter tomorrow at the hub.

16 Thank you very much for your kind
17 consideration.

18 CHAIRWOMAN GONSALVES: Thank you
19 very much, County Executive.

20 COUNTY EXECUTIVE MANGANO: Now,
21 it's my pleasure to introduce Bruce Ratner
22 from NEC, Forest City Ratner.

23 CHAIRWOMAN GONSALVES: Welcome,
24 Mr. Ratner.

25 MR. RATNER: Thank you very much.

1 Full Legislature/9-23-13

2 Thank you all for having me here. It's a
3 very special day. It's been a long road to
4 get here and I know you have all spent a lot
5 of time working on this, examining it, and
6 we thank you for the huge amount of time I
7 know you've spent on it. You've asked us a
8 lot of questions and we're here today to
9 present to you our program again in short
10 order and also to answer all kinds of
11 questions.

12 First, the county executive I
13 think has been wonderful throughout. He
14 guided a process which has been open and
15 transparent along with this legislative
16 body, you have been transparent and open,
17 and I think among the RFPs that our company
18 has done, I have to say, this is the best in
19 terms of speed, accuracy, and so on. So I
20 just want to thank the entire county for all
21 their help and so on.

22 So, let me start. The vision.
23 The first and really important thing with
24 any project and the way we kind of start a
25 project is with a vision.

1 Full Legislature/9-23-13

2 What do I mean by a vision? What
3 I really mean by a vision is reinventing the
4 Nassau County Veterans Memorial Coliseum. I
5 emphasize that word veterans. We really
6 reinvent it in the kind of way in which we
7 want to create a huge amount of excitement.
8 We want this to become iconic, we want it to
9 become world famous, want people to go
10 there, want people to feel proud of their
11 county and proud of this place.

12 So there are really four elements
13 to making that happen. The first is the
14 team. We put together a dynamic team. Our
15 company along with the Blumenfeld
16 Development Company will be the developers.

17 Second, we have an iconic design,
18 which we will show you in a bit. You've
19 seen a lot of it. We'll show you a little
20 bit more.

21 Third is economics have to be
22 compelling and, last and foremost, it has to
23 generate a lot of income for this county and
24 that's done by programing.

25 Those are the four quick areas we

1 Full Legislature/9-23-13
2 are to cover so let me start a little bit
3 with the team. Dynamic team, our company is
4 the Forest City Ratner Company, and the
5 Blumenfelds, I mentioned them.

6 Who is Forest City Ratner
7 Companies was founded by me in 1985, 28
8 years ago. It was formed really as a
9 development company and all we really do is
10 development. We are probably the largest
11 developer in this region area, maybe one of
12 the largest in the country.

13 We are subsidiary of a larger
14 company called Forest City Enterprises, and
15 that company is a \$13 billion value in
16 enterprise value. It's been around for
17 almost 100 years. It was started by members
18 of my family in 1921, immigrants who came to
19 this country, much like so many stories that
20 every one of us have.

21 The company prides itself on a
22 lot of different things. Among them, it
23 prides itself locally. We developed over 42
24 projects in the region since I started
25 Forest City Ratner Company in 1985. We have

1 Full Legislature/9-23-13
2 expertise in public private development, and
3 we have issued over a billion and a half
4 dollars of debt, refinance or financed a
5 billion and a half dollars of debt every
6 single year that we have been in business
7 for the last ten years.

8 Next, this is very important.
9 From day one, I always said, our company
10 will always be an all union developer and
11 operator. I'll say it again, our company
12 has been, from day one, an all union
13 operator and developer.

14 I'm probably one of the few
15 developers in the country who is proud to
16 say that. I'm proud to say that because I'm
17 one who believes it is the unions that have
18 created the middle class in this country and
19 I want to continue that and you can be
20 assured that not only will this be all
21 union, but you will hear me cheering for the
22 unions. I strongly believe in them and I'm
23 always proud to say it, and people are
24 surprised to hear a developer say that but
25 that's how I feel.

1 Full Legislature/9-23-13

2 Second, we have in-house
3 construction ability and that's very
4 important. We have extensive experience on
5 PLAs. We've done them for all of our major
6 projects. The next thing is MWBE's
7 participation. Believe it or not, the very
8 first building I built was in 1985. There
9 were no requirements for MWBE. Coming from
10 the background that I came from, it was
11 terribly important that we had a program and
12 so we invented a program. That was 1985.
13 Ever since then every project that we've
14 done voluntarily we have an MWBE program, we
15 have advocacy ideas. We know how to do it.
16 And it takes a lot of experience to do this
17 right. You can write up anything you want,
18 but what's required at the end the day it's
19 a lot of experience and I'm happy to answer
20 that with questions on what I mean by that
21 kind of experience.

22 The other thing is, track record
23 for local hiring. Local hiring is very,
24 very important. In the case of the Barclays
25 Center, 80 percent of the people who work

1 Full Legislature/9-23-13
2 there are from Brooklyn. Most live in the
3 neighborhood and that creates a lot of pride
4 in the way a place is operated.

5 As a matter of fact, when you
6 actually walk, I think the single compliment
7 we get in our new arena in Brooklyn is, is
8 the quality of the people and how wonderful
9 they are. They were trained by Disney but
10 local hiring is extremely important, not
11 only because it's important for the
12 community, it's important for us. It makes
13 for good business, makes for the very best
14 kind of employees. They're proud of where
15 they work.

16 Now I would like to turn it over
17 for a few minutes to the Blumenfelds. The
18 Blumenfelds are a terrific company. They're
19 probably number one in Long Island
20 development over the years. They've been
21 our partners on a project that we worked on
22 for 12 or so years, I'll tell you exactly
23 how many years. And it's been a wonderful
24 partnership. They're a great group to work
25 with and we are very happy to work with

1 Full Legislature/9-23-13
2 them. Go ahead, David and Eddie Blumenfeld.
3 MR. BLUMENFELD: Thank you all
4 for having us here. Just a quick brief
5 summary on Blumenfeld Development Group.
6 It's a family business, my father, myself
7 and my brother. We've been on Long Island
8 for 40 years. We are Long Island and we all
9 live on Long Island. We pride in our
10 community relationships and our community
11 outreach when we develop a project, when we
12 start a project. We have created
13 destination locations on Long Island. The
14 two biggest I can give you an example of is
15 the Arches, which wasn't in Nassau County,
16 but was in Suffolk in Deer Park.
17 We had an outreach of community
18 meetings un-sponsored by the town, we did it
19 on our own, 14 or 15 of them. We went out,
20 got feedback, created an environment and
21 created a downtown which Deer Park or the
22 western end of Suffolk County didn't have.
23 We also recently here in Nassau
24 County opened up Lifetime Fitness. It's the
25 first one of its kind on Long Island. It's

1 Full Legislature/9-23-13
2 a country club, sort of gymnasium family
3 oriented. We had opposition to a project we
4 were going to build there. We went to the
5 community, reached out, and found out
6 something that they liked, brought it back
7 and got it approved very quickly and opened
8 it and it's very successful today.

9 We are familiar with Long
10 Islander's needs. We are familiar with Long
11 Island development. We know what we can
12 help bring to this project and make it very
13 successful in the future. Back to you.

14 MR. RATNER: So I mentioned to
15 you about team and partnership and, as I
16 said, at the end of the day that's what
17 really gets it done.

18 So another team member is Onexim,
19 our partner in Barclays. That is the
20 Russian company owned by Mikhail Prokhorov.
21 I'm sure you've read or heard about Mr.
22 Prokhorov and they've been wonderful
23 partners. Obviously they're very
24 financially strong. They have brought a lot
25 to our partnership. They're very

1 Full Legislature/9-23-13
2 experienced in business and obviously
3 economically they're also very important.

4 A second is Disney. Disney
5 trained our employees and, as I said, that's
6 very important. They come back every six
7 months to retrain and train. I give a lot
8 of success, credit, to Disney and, of
9 course, the employees who have worked so
10 hard and well to create a wonderful arena
11 which we will do the same here.

12 Next is the shop architects. Our
13 company has worked with shop architects for
14 a number of years. In '13 they were the
15 number one architectural firm in the state.
16 They are a local, in New York State. Many
17 of the principles come right from here in
18 Long Island. They know the Coliseum very
19 well. They went here as kids and they
20 designed something, which, when I show you
21 again, you have seen it many time, you will
22 agree it's quite iconic.

23 Live Nation. A company probably
24 many of you never heard of, but believe it
25 or not they are the company that programs

1 Full Legislature/9-23-13
2 Jones Beach and the Westbury Music Festival.
3 They are the number one programming company
4 in the world. 80 percent of the programming
5 that gets done, gets done by them. They
6 represent a lot of companies. They are
7 experts at it and they are our team partner
8 here and have been from the very beginning
9 and they do a wonderful job.

10 Rock Nation headed by Jay-Z.
11 People know what a spectacular performer he
12 is. A lot of people really don't know that
13 he is a great business person and he started
14 a company which represents a lot of the
15 greatest artists today. And a lot of our
16 success at Barclays has been because being
17 partners with him has been very helpful in
18 getting the very best artists that there are
19 to be gotten.

20 Legends. Legends is another
21 company maybe you never heard of. It's
22 relatively new. It's the Yankees and Dallas
23 Cowboys Food Service Company. They will be
24 doing the food here. They just won the
25 World Trade Center food offering and it's

1 Full Legislature/9-23-13
2 always good to partner with the Yankees.
3 They're a great iconic brand. We're close
4 to them in many ways. Yes, networks
5 actually broadcast our basketball games, so
6 having them around is terrific.

7 Guggenheim and Goldman Saks are
8 our financing partners who I think both,
9 Guggenheim is the company that recently
10 bought the Dodgers, but they're one of the
11 largest companies for financing, managing
12 money, and so on, billions and billions of
13 dollars.

14 Now let me turn to something I
15 keep saying and saying and sometimes I'm not
16 sure that everybody fully understands how
17 incredibly important this is, iconic design.

18 So I've stressed all along the
19 importance of iconic design and I think that
20 this distinguishes our company from a lot of
21 other companies. Design is extremely
22 important particularly for something like
23 the Coliseum which has a certain kind of
24 reputation which has to be reinvented. 30
25 million cars pass by the Coliseum every

1 Full Legislature/9-23-13
2 single year. The county is in large part
3 known by what this is going to look like.
4 So, we spent a lot of time on doing
5 something that is really iconic. It is -- I
6 predict that this arena will be known world
7 wide because of the way it looks inside and
8 outside and because of the programming.
9 Those three elements. Inside/outside
10 programing. I want to emphasis the exterior
11 design is very, very important.

12 Interesting enough, if you look
13 back at our company over the years, what you
14 will find is that, what you see is what you
15 get. Meaning that, if you look at stuff we
16 put up in terms of pictures and diagrams and
17 so on, that's what we wind up building,
18 whether it be up in Westchester or the
19 Barclays Center, it will look like this. We
20 have already priced out and engineered the
21 facade and interior.

22 Let me go to the second thing
23 which is the interior. The interior is also
24 very important. You want this place to feel
25 like your living room, like you're at home.

1 Full Legislature/9-23-13

2 That's very important. When I'm in the
3 Barclays Center and I'm at a concert there,
4 I feel like I'm in a theater. I feel like
5 it's quiet and it's beautiful and that makes
6 a huge difference.

7 The number one thing after really
8 that we get about our employees is about
9 really about the way the place looks and
10 whether it be a team that plays there or an
11 artist that plays there, it is very
12 important. Obviously for the customer it's
13 even more important. It's got to look
14 really really excellent. So everything from
15 the box office to the concourse clubs to the
16 concourse view to the amphitheater outside
17 will be very very beautiful.

18 Now, let me talk a little bit
19 about the outside and the so-called
20 amphitheater outside and retail.

21 We will have 150,000 feet of
22 retail and entertainment. They'll be about
23 50,000 feet of restaurants. They'll be
24 bowling, new movie theatres, a Fillmore Club
25 or something equivalent to the Fillmore

1 Full Legislature/9-23-13

2 Club.

3 In addition there is something
4 that I'm very happy to talk about, let's
5 call it a performance lawn. It's kind of
6 like Bryant Park. It's a relaxed
7 environment. It doesn't have to have music,
8 it could have music. It could have digital
9 opera outside. It's kind of a relaxed
10 place. You get your meal at one of the
11 restaurants. You sit out on the lawn. You
12 come just to relax, read a book and so on.
13 It's not an amphitheater in the sense of a
14 giant place where you're hearing music day
15 in and day out.

16 Along with that, in the winter
17 there will be a skating rink. It's not
18 going to be the kind of skating rink that
19 competes with other skating rinks around
20 here. It's not going to be for hockey but
21 more like Rockefeller Center. Kind of not
22 the place to skate around for two or three
23 hours and get there and skate, it's kind of
24 just a place where you go in the wintertime,
25 you take your kids, it's kind of festive and

1 Full Legislature/9-23-13

2 nice, and it's just sort of an amenity
3 element.

4 Next is economics. I mentioned
5 the economics. The county executive
6 mentioned economics. Economics here are
7 very, very strong in so many different ways.
8 The county executive I think laid it out
9 beautifully, so I'll just repeat a couple of
10 important points.

11 The first was very important, the
12 county, and, again, I give all of you credit
13 for so stressing both in so many things that
14 legislators said in the past and the
15 executive said in the past, which was the
16 county does not want to have obligations,
17 does not want to put money into this. We
18 understand that. We are accustomed to
19 dealing with governments, we've dealt with
20 obviously the city and many other
21 governments, so we understand that. So
22 there are no operating maintenance or
23 capital expense obligations in the lease.

24 Next, our company does a lot of
25 economic development. When I went into

1 Full Legislature/9-23-13

2 business from day one, I said that's what I
3 want to do, and that's what we do. We
4 create jobs. We retain jobs.

5 So having \$11 billion in economic
6 activity, I'm created to the state 9.6
7 billion 11 billion state, \$9.6 billion for
8 the county is very, very strong. There will
9 be \$500 million in projected rent and sales
10 tax that will come to the county over 30
11 years. That's a very good number.

12 More than 2,700 jobs will be
13 generated in the county from the permanent
14 operations of this arena and retail.

15 Sponsorship and programing are
16 the main drivers for the economics. That's
17 a very important part. It will be done in
18 taste and well. If you look at what we did
19 in Brooklyn, you will see how important and
20 how well done that is.

21 I've said that what drives all
22 this is programing and, I'm a developer, but
23 at the end of the day it requires great
24 programing. So I would like to introduce
25 the person who I think in a lot of ways is

1 Full Legislature/9-23-13
2 responsible for the greatness of our arena
3 in Brooklyn and a lot of what we have done
4 as a sports and entertainment company and
5 here's our CEO, Brett Yormark. Brett.

6 MR. YORMARK: Good afternoon.
7 Programming content, as we like to refer to
8 it, will really be the fuel for the engine.
9 We've had had a great first year at
10 Barclays. We have deep-rooted relationships
11 in all areas of the content business,
12 ranging from sports to concerts to family
13 shows and we want to bring all of that here
14 to Nassau and we are very excited about
15 doing that.

16 You've seen it probably before,
17 you've read a little bit about our
18 programing goals, but we will have over 300
19 events a year which we think will truly keep
20 the venue very busy attracting 1.2 million
21 people on an annual basis.

22 To date, we have 200 events
23 committed to, letters of commitment from
24 programers from around the country ranging
25 from Live Nation to Rock Nation to WWE

1 Full Legislature/9-23-13
2 Wrestling, to Golden Boy Promotions on the
3 boxing front, to some of the greatest
4 colleges and universities across the country
5 that want to come here to Nassau County to
6 showcase their entertainment, their
7 athletes, and we are very excited about that
8 and that 200 number is growing.

9 Again, the content that we have
10 planned will certainly drive the value, not
11 only in the people that are attracted to the
12 new venue but also from a sponsorship
13 perspective. Because the sponsors are going
14 to want to know that it's a busy venue and
15 its got robust programming, and that
16 certainly will be the case.

17 As you can see here with the
18 graph, I have broken down the 309 projected
19 events just to kind of give you a flavor for
20 the volume and variety of programming, from
21 concerts which, to date, we have already 35
22 committed to between Rock Nation and Live
23 Nation, to our Nets preseason game, to minor
24 league hockey, AHL specifically, to other
25 sporting events like college basketball,

1 Full Legislature/9-23-13
2 college hockey, boxing, wrestling, family
3 shows, obviously working with Feld
4 Entertainment, Big Apple Circus, all of
5 which continue to call Nassau home. In the
6 case of the Big Apple Circus, they want to
7 come out here for the first time.

8 Parking lot events will be a big
9 part of the programming mix, from life-style
10 programing to festivals and then we'll have
11 a circus run on the exterior of the building
12 during the spring and summer as well.

13 Club Nassau programming that we
14 will do curating for. More appointment
15 viewing, money night, Motown, EDM Music,
16 Country Nights, all of which will take place
17 primarily on the floor of the arena, smaller
18 in nature but will get people to frequent
19 the venue often, rentals and trade shows.
20 Some of the programming that the current
21 venue enjoys will continue and grow as will
22 the activation of the exhibition hall.

23 Just to kind of give you a little
24 flavor for the kind of booking ideas we have
25 and why we think and we are so bullish on

1 Full Legislature/9-23-13
2 Nassau. Currently, if you just think about
3 some of the numbers from Nassau County and
4 Suffolk County going out to Barclays,
5 there's not many. We have learned like
6 Brooklyn, Nassau and Suffolk County, it's a
7 different market, a totally different
8 market.

9 Currently, we only have eight
10 percent of our universe of buyers for Nets
11 games coming from Long Island. 13 percent
12 are for non-Nets events, concerts, family
13 shows and things of that nature. We
14 realized that the people here in Long Island
15 want to stay here. They deserve the best
16 forms of sports and entertainment and our
17 goal is to bring it right here in their
18 backyard.

19 Other programing mixes that are
20 also underdeveloped and lag behind the 13
21 and 8 percent are family events, college
22 basketball and boxing, obviously we are
23 going to bring a lot of that here to the
24 county. And cross booking, we think that
25 the Barclays Center and the new Nassau truly

1 Full Legislature/9-23-13

2 provide an opportunity to compliment each
3 other.

4 Like we did recently with Jay-Z
5 and we're currently helping in booking of
6 the building currently, Jay-Z is playing
7 Brooklyn and he's now coming to Nassau
8 County for the first time in years and there
9 will be other announcements in the coming
10 weeks where we are going to cross book and
11 bring content, not only that's at Barclays,
12 but here to the county. So we think it's
13 very complimentary and they work very, very
14 well together.

15 Now what we would like to do is,
16 you know, Bruce talked about a vision we
17 share and we're very bullish on this vision.

18 We've put together what that
19 first year recap video might look like.
20 It's not what it might look like, it's what
21 it will look like.

22 So, if I may, I would like to
23 play that video.

24 (Whereupon, the video was
25 played.)

1 Full Legislature/9-23-13

2 CHAIRWOMAN GONSALVES: Mr.
3 Ratner, is that the end of the presentation?

4 MR. RATNER: Yes, that's the end.

5 CHAIRWOMAN GONSALVES: Now it's
6 open to questions from this body. I will
7 begin with whomever would like to ask
8 questions. I believe some of the questions
9 may have stemmed from the last presentation
10 that we had.

11 Is there anyone who would like to
12 ask Mr. Ratner questions regarding this
13 proposal? Legislator Jacobs.

14 LEGISLATOR JACOBS: Good
15 afternoon, everybody. I appreciate you
16 being here and I appreciate the
17 presentation.

18 I have one question that keeps
19 popping up in my mind and that is the losing
20 of seats at the Coliseum. It's the fact
21 that there's 3,000 less seats than at
22 present. I have spoken about this before,
23 my concern, number one, would be, with 3,000
24 less seats, I'm not an expert on this,
25 except I have been a season ticket holder of

1 Full Legislature/9-23-13
2 the Islanders for a long time, so I don't
3 know if that gives me a foot in the door,
4 but the truth of the matter is, and I have
5 read that NHL seems to look favorably on a
6 15,000 plus arena for world class teams to
7 be involved. Considering that we have
8 seemed to have lost the Islanders, I know
9 they will be here for six games, but we
10 don't have them.

11 The fact of going down 3,000
12 seats can't help but have a question mark in
13 my mind.

14 MR. RATNER: One of the really
15 important things to realize is that there
16 are very very few concerts or events that
17 are more than 13,000. There are a few, but
18 they're minimal.

19 In fact, most of the concerts in
20 anything from gyms, not gyms, but arenas at
21 universities to small middle sized towns.
22 And the reason why you don't want to have
23 16,000 is because when you have 12,000 or
24 8,000 for a concert, you don't want it to
25 look empty.

1 Full Legislature/9-23-13

2 One of the great feelings about
3 an arena is that sense of -- and I will
4 answer the second part of questions, but
5 first the reason why 13,000. It's
6 critically important for that place to be
7 comfortable. It can be curtailed down to 3
8 or 4,000 in a beautiful kind of way. You
9 want it to feel intimate, and you want to
10 also feel like you can walk in the aisles
11 and so on.

12 What was done at the Coliseum a
13 number of years ago, as most of you know,
14 they added a number of seats in aisles all
15 over the place and it made it a bit
16 uncomfortable. So that's the reason for
17 13,000.

18 Now I will get to second part of
19 your question which is the Islanders.
20 Honestly, for a team to play here 44 games,
21 you would probably have to build this
22 Coliseum from scratch. The concourses are
23 adequate for five or six games. The
24 concessions are fine enough for five or six
25 games, but you just don't have suites there,

1 Full Legislature/9-23-13
2 you don't have boxes. You probably need 100
3 suites there. They've got to be perfectly
4 done.

5 So, the truth of it is, if you
6 want a professional team back here, you're
7 really going to have to spend a lot of money
8 and build a new arena.

9 LEGISLATOR JACOBS: Let me,
10 please, ask you this.

11 MR. RATNER: You can ask me
12 anything.

13 LEGISLATOR JACOBS: I don't know
14 anything about building arenas. But let me
15 ask you, in the future going forward,
16 wouldn't it be to everyone's advantage to
17 have a facility that may require a different
18 approach towards building the new Coliseum
19 but one that would leave it open to having
20 the ability to attract a team. We're not
21 talking about anything before 2015.

22 In my layman's type of mind, I
23 feel that the main thing the Coliseum always
24 had was the Islanders. Obviously I'm not
25 dwelling on the Islanders, that's the past,

1 Full Legislature/9-23-13
2 but I'm thinking to myself, what happens if
3 this particular way of using the arena to
4 attract, not to attract smaller amounts,
5 I'm sure you would love to fill 13,000 seats
6 every time you have someone, but if you
7 don't at least it won't look empty. Where
8 does that put us in the future when we are
9 trying to attract --

10 MR. RATNER: I'm going to answer
11 it the simple way, you can always put the
12 seats back in. We are taking them out of
13 aisle. They were added on. We can always
14 put them back, but, that being said, you are
15 not going to get a professional sports team
16 to go into that arena without brand new
17 suites perfectly situated and so on.

18 But if you want to make it
19 exactly like it was before, that wouldn't be
20 terribly expensive. You're going to have
21 the seats in. You're not going to get
22 something that I think obviously isn't great
23 for concerts and all kinds of other things,
24 but you're not going to get something that
25 any professional sports team would accept

1 Full Legislature/9-23-13
2 because there are no suites and all the
3 reasons I described. But certainly they can
4 be put back in and you'll wind up with the
5 same place.

6 LEGISLATOR JACOBS: I'm repeating
7 certain questions that have come to me from
8 others too. Can you please confirm, I don't
9 know if you can do this or the
10 administration can do this, that there is to
11 intention of putting video lottery terminals
12 in this facility?

13 MR. RATNER: I can certainly
14 speak for us, the lease calls for retail and
15 you know what it calls for in fixing up the
16 Coliseum, what I call reinventing it. So
17 there is no intention of doing gaming. In
18 fact, the retail is on the plaza and there
19 wouldn't be room for it. We don't control
20 the extra development rights, that's a
21 county thing. I think the county would say
22 that they don't have the intention either,
23 but I don't want to speak to Rob.

24 CHIEF DEPUTY COUNTY EXEC WALKER:
25 There is no intention at all whatsoever, in

1 Full Legislature/9-23-13
2 fact, OTB is currently putting out proposals
3 for VLTs probably at locations with the race
4 pals. But there is no intention at all.
5 There will be no VLTs here at the Nassau
6 Coliseum whatsoever.

7 LEGISLATOR JACOBS: So let's
8 bounce for a second because that was one of
9 my next questions. Is the Race Palace what
10 is being considered?

11 CHIEF DEPUTY COUNTY EXEC WALKER:
12 I think OTB, and I really shouldn't speak
13 for them, but they are putting out an RFP to
14 look at that location as a potential site.

15 LEGISLATOR JACOBS: That I know
16 enough about, the weight of the VLT machines
17 and the upper floor. Because I really don't
18 believe and, being the rep of Plainview, and
19 I know I'm going off track here, but being
20 the rep of Plainview, I think we should look
21 at that very carefully.

22 CHIEF DEPUTY COUNTY EXEC WALKER:
23 Like I said, all the due diligence has to be
24 done by them, obviously meeting all the
25 requirements, and there's also state

1 Full Legislature/9-23-13
2 requirements that have been put into the law
3 when it was signed by the governor. So
4 they're going to have to do all their due
5 diligence as is Suffolk, you know, through
6 the process and see where it may end.

7 But there is no intent at all for
8 this site.

9 LEGISLATOR JACOBS: I assume from
10 what you're saying then -- I shouldn't
11 assume anything.

12 Is the administration supportive
13 of VLTs if there is a site suited for it?

14 CHIEF DEPUTY COUNTY EXEC WALKER:
15 Yes, the revenue to the county is valuable.
16 But, again, I think we are getting a little
17 bit ahead of ourselves until OTB comes back
18 with the requirements, with a location, what
19 needs to be done and not done. It's hard to
20 speak hypothetically on anything until that
21 report is concluded.

22 LEGISLATOR JACOBS: Well, I
23 appreciate your honesty about it.

24 Mr. Ratner, I thank you very,
25 very much for your comments. I just wanted

1 Full Legislature/9-23-13
2 to express my concerns because I think
3 they're real and I think it's great, by the
4 way. I don't think an empty building that's
5 not being used -- I do have one more
6 question for you though. Is there an
7 amphitheater being planned?

8 MR. RATNER: Amphitheater as we
9 know it, no. There's going to be a lawn.
10 The retail will surround a lawn, much like a
11 Bryant Park. It will actually be lovely.
12 There's something in Florida, Miami Beach,
13 called Soundscape. It's just right outside
14 one of the concert halls there. People sit.
15 They listen to music. It's not an
16 amphitheater in terms of band shell with
17 loud music and so on.

18 And, if it turns out that we do
19 have a concert there or we have a digital
20 opera or whatever, and it's overly noisy, we
21 don't have to use it for that. It's really
22 an amenity. It's not something we're
23 charging for and so on. We're thinking of
24 it as a beautiful lawned area.

25 LEGISLATOR JACOBS: I would just

1 Full Legislature/9-23-13
2 make a suggestion. I mean, I happen to live
3 in an area that has some buildings around it
4 that are usually you'd say not very
5 adaptable to living near homes, but through
6 working together we have been able to make
7 it work.

8 I would say that, to keep in
9 mind, where ever this land is going to be,
10 with no matter what happens on it, it would
11 probably be very helpful for it not to be on
12 the side of the Coliseum where the homes
13 exist.

14 MR. RATNER: Gotcha. Thank you.

15 LEGISLATOR JACOBS: Thank you.

16 MR. RATNER: I think the other
17 thing is, it's going to be surrounded by the
18 retail to block any noise.

19 LEGISLATOR JACOBS: That's true,
20 but I mean I know homeowners, and rightfully
21 so, are very sensitive to noise.

22 MR. RATNER: Absolutely.

23 LEGISLATOR JACOBS: Especially on
24 the outside and there are ways to block it
25 that are still effective for your uses and,

1 Full Legislature/9-23-13

2 yet, not an annoyance to the homeowners.

3 MR. RATNER: My wife grew up in
4 Woodmere and she said she would have to put
5 the phone down when the planes came over
6 head, so --

7 LEGISLATOR JACOBS: That's very
8 true.

9 LEGISLATOR JACOBS: Of course I
10 live near fields with lights and cheering
11 which you love to hear. I mean, I never
12 complain, but I'm telling you that
13 communities, when anything interferes with
14 your normal enjoyment of your home, it
15 becomes an issue. So I would appreciate you
16 keeping that in mind.

17 MR. RATNER: And it's fine to
18 keep mentioning it and reminding us because
19 it is very important, people's peace and
20 quiet.

21 LEGISLATOR JACOBS: Thank you
22 very much.

23 CHAIRWOMAN GONSALVES: Legislator
24 Nicolello.

25 LEGISLATOR NICOLELLO: Thank you,

1 Full Legislature/9-23-13
2 Presiding Officer. And, thank you, Mr.
3 Ratner, for the presentation today.

4 I believe in response to
5 Legislator Jacobs' questions, I think what
6 you are really telling us and something
7 that's been told to us over and over again
8 is that building the Coliseum as it was or
9 rebuilding is simply not economically viable
10 for that property, that's really what it
11 comes down to, does it not?

12 MR. RATNER: That's correct. You
13 cannot economically make it work for
14 professional sports team, whether it be
15 suites or various other things.

16 LEGISLATOR NICOLELLO: So without
17 that economic viability, we can't build the
18 arena to the standards that the NHL requires
19 and we can't host a major sports franchise
20 at that location currently?

21 MR. RATNER: That's correct.

22 LEGISLATOR NICOLELLO: Again,
23 factoring in also as well the zoning laws of
24 the town of Hempstead which limits the
25 development of the property, et cetera.

1 Full Legislature/9-23-13

2 However, your proposal is the
3 only proposal that keeps the connection to
4 the Islanders, that brings the Islanders
5 back for at least part of the year?

6 MR. RATNER: Yes, that was very
7 important to us. There is a tremendous fan
8 base, plus a huge history, and a huge
9 history actually for the Nets also. So
10 we're kind of glad they're close by.

11 But the history is very
12 important. Legacy and the sense of history
13 and nostalgia is important. And Brooklyn is
14 on the same island, only 20 or so miles
15 away, but, nevertheless, I think it's
16 important to have the team play here.

17 LEGISLATOR NICOLELLO: Do you
18 have a commitment from Charles Wang to play
19 four regular season games and two preseason
20 games?

21 MR. RATNER: Yes, he's all for
22 it. He wants it. He's a good Long Island
23 citizen and he wants that to happen too, of
24 course.

25 LEGISLATOR NICOLELLO: A major

1 Full Legislature/9-23-13
2 component of the plan is having an anchor
3 tenant which is a minor league hockey team.
4 Can you just address that briefly and how do
5 you foresee that working its way out?

6 MR. RATNER: Again, it is a major
7 part of it to have a minor league hockey
8 team, in this case an AHL team. The Sound
9 Tigers which Charles Wang owns. He would
10 move them from the current location in
11 Bridgeport to here and Charles is really
12 into some sense a partner of ours in the
13 Barclays in having him coming to Barclays,
14 so he's a friend, and I don't think it's an
15 issue.

16 LEGISLATOR NICOLELLO: But with
17 respect to the Sound Tigers, aren't they
18 under contract to the current arena that
19 they're in?

20 MR. RATNER: Yes. Well, I
21 shouldn't say that. But he can backfill
22 them legally with something else and he's
23 going to do that.

24 LEGISLATOR NICOLELLO:
25 Interesting. One of my colleagues,

1 Full Legislature/9-23-13
2 Legislator Wink, had expressed some concern
3 in the committees that there will be
4 something of a conflict of interest in terms
5 of the programming because Barclays would
6 want to get certain acts there as opposed to
7 the Coliseum, but I read in Newsday and I
8 think this is a very good point. The
9 Barclays can actually leverage their
10 strength and weight in the entertainment
11 industry to bring acts to Nassau County; is
12 that correct?

13 MR. RATNER: It's correct. And
14 if you think about it, look, our goal is to
15 make this economically work. Obviously we
16 have a minimum payment that we've got to
17 make happen. So the goal is to make this as
18 economically viable and give the strongest
19 possible economics.

20 So, no matter what, we will do
21 everything to get the very best shows here
22 possible. On top of that, as Brett Yormark
23 indicated, this is a very different
24 demographic. This demographic, it turns
25 out, doesn't come very much to Brooklyn for

1 Full Legislature/9-23-13

2 concerts and so on. Those are two major
3 things.

4 A good example of what we're
5 capable of doing is, Jay-Z has not appeared
6 here for years. My guess is, if one were to
7 ask him, and I haven't asked him, but my
8 guess is, he would say, look, I don't like
9 the place feels and looks and so on.

10 We already gotten a commitment
11 this year to come back and will continue to
12 do that until in fact the Islanders leave.
13 We are able to leverage it in a kind of very
14 important way. Many of you may not know
15 this, but we were number one in the number
16 of shows for all arenas in the United States
17 and number one terms of revenues for shows
18 in the United States, number two in the
19 world.

20 So our ability to leverage it is
21 enormous and, obviously, if you think about
22 an artist, an artist wants to play as close
23 to the next possible gig as possible. So
24 they're going to way to play Barclays and
25 want to play Nassau.

1 Full Legislature/9-23-13

2 As you know, I don't have to tell
3 you, this is a very strong county,
4 economically, in terms of people who live
5 here. This is a great place. For example,
6 interestingly enough, what you'll hear
7 circus, this county along with New York
8 City, are the number one counties for people
9 who want to attend circuses in the country.
10 I think it's just a history of circuses and
11 we kind of all grew up with them, but that's
12 another example of a group that wants to
13 play here very very badly.

14 LEGISLATOR NICOLELLO: Just to
15 address one last contingency and there's
16 been some concern here also as well, among
17 all the legislators, some more so than
18 others, but in terms of the financial
19 contingency, the borrowing that has to take
20 place or be in place before, within a
21 certain time period before the project
22 proceeds. Could you address that and allay
23 some of the concerns that people have that
24 somehow your corporation, your parent, which
25 is a \$13 billion company, will somehow have

1 Full Legislature/9-23-13

2 difficulty with financing?

3 MR. RATNER: So we finance about
4 a billion eight a year for the last ten
5 years. Our business is financing in a large
6 part. This is not a particularly large loan
7 in terms of neither the retailers nor the
8 arena. We have got letters of interest from
9 both Guggenheim and from Goldman Saks on the
10 Coliseum, and different banks, M&T and so on
11 for the retail. It's just not much of an
12 issue.

13 We say we will do it and we will
14 do it. And I think that's in some sense the
15 best commitment. Because if you think about
16 it, if I didn't want to do it, why would I
17 do it in the first place.

18 Second, if someone didn't want to
19 do it, all they have to do is sit on their
20 hands for a couple of years until their two
21 year period is over and they can get out of
22 it, anybody, whether it be us or anybody
23 else.

24 So the truth of it is, this is a
25 large part of the reputation of the company

1 Full Legislature/9-23-13
2 you're dealing with and our reputation for
3 getting financing done is extraordinary. We
4 do it day in and day out, even during the
5 worst economic times, we finance \$600
6 million of the arena financing in Brooklyn
7 in '09 just to give you a sense of the
8 difficulty. So it really is not an issue.

9 LEGISLATOR NICOLELLO: That's all
10 I have. I just want to thank you. The
11 debate over what to do with the Coliseum has
12 gone on for two decades. This is easily the
13 most exciting, the most realistic plan that
14 we've had, and I think it will be a real
15 tremendous benefit to the taxpayers and
16 residents and everyone who attends the new
17 improved Nassau Veterans Memorial Coliseum.

18 MR. RATNER: I appreciate that
19 too. And you can sort of tell, all of you,
20 by my excitement, and my enthusiasm, it's
21 rubbed off on me, I'm really excited to do
22 this too.

23 CHAIRWOMAN GONSALVES: Legislator
24 Ford.

25 LEGISLATOR FORD: Thank you very

1 Full Legislature/9-23-13
2 much, Presiding Officer. I too want to
3 express my gratitude for your presentation
4 and also for your commitment to Nassau
5 County. Although I have been in Nassau
6 County now, a resident, for 33 years, I was
7 born and raised in New York City and I spent
8 many years working especially in the areas
9 of Manhattan and Brooklyn.

10 I'm very pleased that once again
11 you are willing to take what we'd say
12 politely as a stressed area and want to
13 convert it into something much more
14 beautiful and much more revenue producing.

15 I know the transformation of 42nd
16 Street as well as the downtown area in
17 Brooklyn where you have your Barclays Center
18 and of course the Metrotech Center which is
19 a showcase for businesses.

20 I did have the opportunity of
21 knowing about Bryant Park. I remember when
22 it was a mecca for a lot of drug dealing and
23 a lot of bad elements there. Now it hosts
24 the fashion show as well as concerts as you
25 say and they always have the fairs, whatever

1 Full Legislature/9-23-13

2 it is, around the holidays, where they set
3 booths up, so many people can go shopping
4 there.

5 So you have brought a lot of live
6 and a lot of good opportunities and great
7 experiences to New York City and I'm hoping
8 that with this renovation of the Coliseum
9 that we're going to have the same excitement
10 maybe even a little bit better.

11 I'm thrilled also that you have a
12 commitment to using union labor and I thank
13 you very much for the support for our
14 brothers and sisters in labor.

15 I know I did receive some e-mails
16 and letters in regard to I guess when you
17 start building and you are ready to open up.
18 I know that you're looking for, when you
19 hire employees, that you are looking first,
20 I guess, or you're going to pay attention to
21 the local communities and try to hire many
22 of the residents in that area who would like
23 to work at the Coliseum.

24 What about like some of the local
25 businesses, when you look and you set up? I

1 Full Legislature/9-23-13
2 know you talked about with the Legends but
3 with other stores, are you going to look to
4 see if there are any community owned
5 businesses that may be able to work within
6 the venue of the Coliseum?

7 MR. RATNER: So let me make a
8 comment. I have said that we wanted to hire
9 locally, but the number one is to hire the
10 existing people that are there. We do not
11 want people to be out of jobs. I know we
12 all agree with that but I just wanted to
13 clarify that.

14 Now, expect local businesses.
15 This is an amazing fact. When we did
16 Barclays in terms of food, even though we
17 use an outside food service company, it
18 could be Legends or it could be, in this
19 case, Levy Brothers, we went locally to a
20 hundred different restaurants and vendors to
21 basically provide our food, to actually
22 license the recipes, so we have, believe it
23 or not when I was at the arena the other
24 day, we have 70 local Brooklyn businesses
25 that participate in our arena, 70. No one

1 Full Legislature/9-23-13
2 has ever done anything like that. You come
3 in and taste the food. The food will be
4 licensed recipes from everything from
5 Spumoni Gardens to Nathans to a vendor who
6 makes nothing but hot dogs and hamburgers
7 and that supplies large hotels and so on.

8 So we are very conscious of it
9 and the most important thing is we know how
10 to do it. We really know how to do that.
11 It was a real struggle by the way in the
12 beginning. Imagine starting a couple of
13 years, talking to local vendors, you've got
14 to get them up to sanitary standards, you've
15 got to get them to understand what it is to
16 license the recipes. Some of the cooking is
17 done outside at their place and brought in
18 and so on, so it's a real effort. But,
19 believe it or not, we got it down. It was
20 not easy.

21 I will tell you that the company
22 that actually does the management didn't
23 think that it could be done, but it's an
24 incredible record that we are proud of.

25 LEGISLATOR FORD: Thanks. Also,

1 Full Legislature/9-23-13

2 I'm concerned, too, I know that
3 opportunities for women sometimes I always
4 feel that it's a little bit harder for women
5 to get their businesses recognized or to
6 even excel in the business world.

7 Do you take into consideration
8 some of the businesses, would you, like,
9 consider perhaps looking at some women owned
10 businesses?

11 MR. RATNER: I don't know the
12 numbers and I couldn't exactly say, but my
13 sense is that, particularly local vendors,
14 restaurants, and so on, and I can get you
15 the percentage of women, but at least in
16 Brooklyn it's pretty easy to do, we got a
17 lot of women-owned businesses, particularly
18 in the food service business and so on. So
19 obviously that's very, very important. We
20 are very conscious of it. A CO much of
21 company is a woman, so that helps too.

22 LEGISLATOR FORD: I thank you
23 very much, because, to me, and I commend you
24 then for the women-owned businesses in your
25 corporation now and over in the Barclays

1 Full Legislature/9-23-13

2 Center as well.

3 I'll just end with this. Thank
4 you very much for everything that you are
5 doing and when you talk about the great lawn
6 I guess, I'm sort of looking forward to it
7 but I do echo Legislator Jacobs' concerns
8 that perhaps you could set it so that it's
9 more looking -- the sound goes more towards
10 Charles Lindbergh which goes -- you really
11 won't bother too many people, but you sort
12 of bring me back then to, and you probably
13 remember this after the New York State
14 World's Fair, they used to have outdoor
15 concerts outside the New York State
16 Pavilion, and it was really a beautiful
17 event where people could just sit around and
18 hang out with friends and family and stuff.

19 So I'm looking forward to this
20 and thank you.

21 MR. RATNER: Thank you much.

22 CHAIRWOMAN GONSALVES: Legislator
23 Venditto.

24 LEGISLATOR VENDITTO: Thank you,
25 Ms. Presiding Officer. How are you? I just

1 Full Legislature/9-23-13

2 want to echo the sentiment. We all really
3 appreciate the time today.

4 We've been talking about retail
5 and there's been some good discussion about
6 that. Maybe a question more for the
7 Blumenfeld Group to answer. Just curious
8 about the type of retail that we envision
9 seeing in the area.

10 MR. RATNER: I'll open it and
11 then have Eddie or David describe it. First
12 of all, restaurants, and entertainment
13 oriented restaurants, both local
14 restaurants, restaurants that will be fun
15 and so on, along with a bowling alley, movie
16 theatre and Fillmore. But Eddie or David?

17 MR. BLUMENFELD: Hi. Ed
18 Blumenfeld. We're speaking to local
19 restaurants. We've already started the
20 process. We're looking at a multiplex movie
21 theatre along with the Fillmore that Brett
22 mentioned which would be a live
23 entertainment type of facility and ancillary
24 businesses that can survive in this
25 environment. It's not a retail complex as

1 Full Legislature/9-23-13
2 we know, typical Long Island mall, it's not
3 Green Acres or Roosevelt Field or a strip
4 center. This is going to be an
5 entertainment-based facility where we hope
6 to attract bowling alley -- a themed bowling
7 alley, something that will bring people
8 there, and incorporate the Hofstra
9 life-style and community life-style along
10 with this new Coliseum that we're looking to
11 build.

12 The thing that I want to go back
13 that I heard mentioned a couple of times is
14 this great lawn concept and noise pollution.

15 This site is 80 acres. We're
16 talking about a football field worth of
17 plaza area where you might have a concert.
18 You are faced to the east by Meadowbrook, to
19 the south by Hempstead Turnpike, and then
20 whatever it is today, it was EAB Plaza in my
21 generation, to the north we have all of the
22 campus of Nassau County and all of the
23 museums. And to the west Hofstra and it's
24 dorms. I don't think that we are going to
25 pollute all the way into Hempstead with

1 Full Legislature/9-23-13
2 noise and I think what we're contemplating
3 if we can achieve and we will achieve will
4 be a definite benefit to Nassau.

5 I have been a resident here all
6 my life and I remain one and continue to add
7 to the lifestyle of our residents. Thank
8 you.

9 LEGISLATOR VENDITTO: Thank you.

10 CHAIRWOMAN GONSALVES: I have,
11 Mr. Ratner, I believe a couple of questions,
12 and then I'm going to turn it over to
13 Minority Leader Abrahams.

14 First of all, jobs is the major
15 component, economic component of this
16 development. It's something that's well
17 needed here in Nassau County in spite of the
18 fact that we have made so many inroads into
19 creating jobs here.

20 My concern is, how many
21 construction jobs will be created, and how
22 many full time, after construction is
23 completed, full-time positions will --

24 MR. RATNER: I'm going to turn
25 to, Jim, what are the total amount of

1 Full Legislature/9-23-13
2 construction jobs? So 1,500. What does
3 1,500 mean? The way they describe that it
4 means, 1,500 person years of construction.
5 The answer is 1,500 on that. And then the
6 permanent number is, as I mentioned, there
7 is 2,700 jobs for permanent operations.
8 Most of those jobs are part time because
9 obviously the issue is that you don't have
10 shows 24-7. That's good and bad.

11 What we found at Barclays is, in
12 a lot of ways it's positive because first of
13 all we pay a good wage. At Barclays I
14 believe we'll pay a good wage. I believe in
15 that strange as that mean seem for a
16 developer. But, importantly, it allows them
17 to have a good paying part-time job and a
18 good paying full-time job. Or two part time
19 jobs. Plus they can pick their hours. They
20 can be weekends, they can be evenings.

21 So it's actually a great way to
22 either supplement their income or in fact if
23 someone only currently works a part time
24 job, then they are going to be able to have
25 another part time job. But that's the

1 Full Legislature/9-23-13
2 nature of this business. We just don't have
3 the total number of permanent jobs. My
4 guess would be in 30s, 40s, 50s, I don't
5 know.

6 CHAIRWOMAN GONSALVES: The other
7 factor regarding the economic benefits, the
8 East Meadow community, which abuts the
9 community property, there are many
10 women-owned businesses. How do we attract
11 those into the Coliseum?

12 MR. RATNER: We go visit them.

13 CHAIRWOMAN GONSALVES: I'll give
14 you a list.

15 MR. RATNER: Perfect. We're
16 ready. Both in our food area and in our
17 community group, we're used to it. That's
18 what we do. We live in a dense urban area
19 and we welcome it, it would be great.

20 CHAIRWOMAN GONSALVES: Another
21 issue that was I think a road block in
22 developing the property was transportation.
23 I know that guidelines have been set by the
24 Town of Hempstead as far as transportation
25 is concerned, correct?

1 Full Legislature/9-23-13

2 MR. RATNER: Rob can answer that.

3 CHAIRWOMAN GONSALVES: But I
4 believe during the September 9th committee
5 presentation and asked about Veolia and
6 whether or not they're going to be able to
7 have a play into the transportation aspect
8 of the Coliseum property, anybody?

9 CHIEF DEPUTY COUNTY EXEC WALKER:
10 We've already started those conversations in
11 conjunction with the overall transportation
12 study that has taken place. We discussed
13 bus rapid transit that we believe is
14 something that can be done right away,
15 working in conjunction with them and
16 obviously with the folks at the Coliseum.
17 So, yes, conversations have started and will
18 continue.

19 CHAIRWOMAN GONSALVES: Thank you
20 very much. One more question. Maybe
21 Mr. Blumenfeld will answer this one.

22 I'm very curious about the
23 bowling aspect of the development. The
24 reason why I'm asking is that --

25 MR. BLUMENFELD: You're a bowler?

1 Full Legislature/9-23-13

2 CHAIRWOMAN GONSALVES: I used to
3 be a great bowler. Not anymore. That's
4 right, you're absolutely correct, Mr.
5 Denenberg.

6 LEGISLATOR DENENBERG: Can I get
7 a copy of that portion of the transcript?

8 CHAIRWOMAN GONSALVES: We have a
9 huge bowling facility in East Meadow. I
10 want no know exactly what the nature of this
11 bowling aspect of the Coliseum would be.

12 MR. BLUMENFELD: Right now it's
13 our thought process. We're looking at the
14 new theme bowling alleys that are
15 restaurants and entertainment centers, that
16 it could be a Dave & Busters type of
17 facility and Uncle Bucks, I don't know if
18 you are familiar with that.

19 CHAIRWOMAN GONSALVES: Yes.

20 MR. BLUMENFELD: They're not here
21 in New York but we're trying to get them
22 here where it's a full night's entertainment
23 for families.

24 CHAIRWOMAN GONSALVES: My
25 concern, of course, any impact that it could

1 Full Legislature/9-23-13

2 have on the neighboring.

3 MR. BLUMENFELD: We're not Home
4 Depot. We're not looking to put out the
5 private guy. I bowl for Valley Stream High.
6 I still have my bowling ball. I'll come
7 bowl with you.

8 CHAIRWOMAN GONSALVES: I believe
9 that's the only questions I have.
10 Legislator Becker and then turning it over
11 to the minority leader.

12 LEGISLATOR BECKER: I don't have
13 any questions, just a quick statement, Mr.
14 Ratner, you don't have to get up.

15 If it's at all possible, you've
16 been great as far as union labor here and it
17 appears you are trying to reach out for
18 restaurants that are local and other
19 businesses, but I also appreciate, and I
20 know you have your own people but maybe also
21 consider in some of engineering services and
22 other services, architects, whatever it may
23 be, you're a big company, I know you have
24 relationships. We have companies like
25 Cameron Engineering and other great

1 Full Legislature/9-23-13
2 engineering firms right here on Long Island.
3 If you could consider using them in your
4 work it would just be wonderful. Thank you.

5 MR. BLUMENFELD: I'll take this
6 one. I think most of you know us and Bruce
7 and I have been partners for 12 or 13 years.
8 I saw Jack here from the Building Trades
9 Council. We built the Arches which was the
10 single largest project on Long Island in
11 2007, 2008. It was all union. We used
12 local engineers, local architects. We do a
13 lot of inhouse, civil engineering, public
14 engineering, whether it's Cameron or RMS, we
15 know them all, and we will take into
16 consideration. We have to negotiate, like
17 Bruce said, we have to deliver a product
18 that's economic.

19 Yes, we will talk to everyone,
20 yes, we will consider local hiring, and the
21 numbers he gave you on jobs does not include
22 the retail. So we are going to estimate
23 another thousand jobs for the retail
24 development.

25 CHAIRWOMAN GONSALVES: Minority

1 Full Legislature/9-23-13

2 Leader Abrahams.

3 LEGISLATOR ABRAHAMS: Thank you,
4 Madam Presiding Officer.

5 How are you, Mr. Ratner?

6 MR. RATNER: Fine. Thank you.

7 LEGISLATOR ABRAHAMS: I wish
8 there was a way for you to sit at the table.
9 I apologize for you having to stand through
10 this because I think some of my colleagues
11 have questions.

12 But I want to actually start with
13 the project labor agreement. And I know my
14 colleagues have asked you about it already
15 but I think I want to get a little bit more
16 in depth.

17 I know there has been a lot of
18 commentary in Newsday and I want to make
19 sure that I'm completely understanding.

20 When the communities, not just in
21 the immediate area, but the communities at
22 large that are looking for this project as a
23 bounce in our economy to put people, many of
24 our folks are labor people, to put them to
25 work, when can they anticipate an actual

1 Full Legislature/9-23-13

2 shovel put into the ground?

3 MR. RATNER: As soon as the
4 Islanders move out which is July 31st, 2015
5 so August 1st, '15.

6 LEGISLATOR ABRAHAMS: That would
7 be the earliest in terms of construction
8 work, yes.

9 LEGISLATOR ABRAHAMS: One of the
10 things that we had specified and I thank you
11 for getting back to us with responses and we
12 had specified in one of our letters in
13 regards to the PLA was a commitment to use
14 unionized labor. You committed that in this
15 letter and one of the things that we were
16 concerned about that was tied into concern
17 was any loopholes in the agreement that can
18 deviate from that.

19 But, you talked about your track
20 record. Have you ever had a project that
21 you worked on where you have not used
22 unionized labor?

23 MR. RATNER: No.

24 LEGISLATOR ABRAHAMS: That's good
25 to hear. And you do not plan to?

1 Full Legislature/9-23-13

2 MR. RATNER: Do not plan to.

3 LEGISLATOR ABRAHAMS: So we
4 should anticipate, not to try give away all
5 your leverage, but we should anticipate a
6 project that has union in mind and a PLA in
7 place?

8 MR. RATNER: Yes. Absolutely.
9 And we've negotiated a lot of PLAs. Dick
10 O'Kane, who is head of the trades council
11 here, worked on our Barclays Center. Worked
12 extremely well with him. He was head of the
13 ironworkers, now taken over the head of the
14 trades council here. And we will be able to
15 work out a PLA agreement that's both
16 favorable to unions and favorable to us and
17 most importantly favorable to local labor.

18 LEGISLATOR ABRAHAMS: Thank you.

19 Just before I move on to my next
20 questions, I want to make sure, I don't know
21 if all my colleagues had the opportunity to
22 see this letter with your responses, so I
23 will ask if we can clock this in as part of
24 the record so everybody can have an
25 opportunity -- and this was a letter that

1 Full Legislature/9-23-13

2 was from Forest City Ratner which was
3 answering the questions that I specified.

4 The next topic I wanted to go
5 into was, I know there was a Q and A back
6 and forth with Deputy Presiding Officer
7 Nicolello in regards to the minor league
8 hockey. I was able to see the letter that
9 you've given to us from September 19th
10 indicating Mr. Wang's intent to bring a
11 minor league hockey team to the Coliseum.

12 However, as you probably know,
13 the minor league hockey team that's in
14 Bridgeport signed an extension going to 2021
15 which I guess that's why Mr. Wang made it
16 his intent to write this letter.

17 But my only concern is then, if
18 there is an agreement here and he has to
19 backfill the team in Bridgeport, that would
20 be with another entity and another owner,
21 correct?

22 MR. RATNER: Yes.

23 LEGISLATOR ABRAHAMS: So he would
24 have to engage in somebody who is a separate
25 owner to backfill that team.

1 Full Legislature/9-23-13

2 MR. RATNER: Yes, correct.

3 LEGISLATOR ABRAHAMS: And he
4 still -- and I'm asking you the question, he
5 still feels confident that he would be able
6 to negotiate a deal with another owner?

7 MR. RATNER: In fact I happened
8 to see him Saturday night and he reiterated
9 that to me. I don't think that's an issue.
10 I think he can do that.

11 LEGISLATOR ABRAHAMS: In the
12 event he's not able to do that, and it looks
13 like to me that this team wouldn't be there
14 until 2016, 2017, which falls in line with
15 the construction of the facility so that
16 shouldn't be a problem, but in the event he
17 wasn't able to do that, you had specified or
18 the county specified that there's going to
19 be 309 nine events at the facility; am I
20 correct by saying that?

21 MR. RATNER: Correct. Yes,
22 approximately.

23 LEGISLATOR ABRAHAMS: So
24 approximating the 309 events, I believe 40
25 something that's going to be associated with

1 Full Legislature/9-23-13
2 minor league hockey. I'm trying to pull it
3 up here in the presentation.

4 MR. RATNER: 38.

5 LEGISLATOR ABRAHAMS: I was
6 rounding up. Maybe they'll make the
7 playoffs and I'm optimistic.

8 That being said, if they were not
9 able to come, how would you envision
10 backfilling or is that something that's a
11 deal breaker if they weren't able to come,
12 would you still go forward with the project
13 if they weren't able to be here?

14 MR. RATNER: We absolutely will
15 go forward with the project. First of all,
16 we try and buy another team, another minor
17 league team, from somewhere and try and
18 bring them in. If not, we try to replace
19 them with another sport. It's not critical
20 to the economics. It's more that we really
21 want to serve what people want here and this
22 is a hockey town.

23 The economics, whether they come
24 or not, is not the end of the world but it's
25 important for us because this is where

1 Full Legislature/9-23-13

2 hockey has had a tremendous history. So
3 we'd try and buy one or bring one -- Brett,
4 can you comment?

5 MR. YORMARK: Yes. Just to the
6 point made, it's really not the amount of
7 events, it's how many people you get into
8 the venue. We're estimating 1.2 million.
9 So if for some reason we couldn't get an NHL
10 team, we couldn't buy one, we backfill it,
11 give us more flexibility with concerts which
12 are more profitable, so it gives us the
13 latitude to do a lot of different things,
14 one of which is to buy an AHL but that's not
15 necessarily going to be ultimately the best
16 solution. We would look at it and examine
17 where we might be able to monetize some
18 other programming, concerts being one.

19 LEGISLATOR ABRAHAMS: Before I
20 move on from the event summary type which
21 you have specified on this page, is there
22 anything that this body, this legislative
23 body should be concerned about that would
24 prevent you from going forward, that didn't
25 come to fruition?

1 Full Legislature/9-23-13

2 Because a lot of this stuff is
3 bulked in together and, I apologize, maybe
4 the public got a chance to see it, but other
5 sporting events, 29 family shows, 54, if
6 something were to change and you weren't
7 able to do these projects, would that impact
8 your project from you going forward?

9 MR. YORMARK: No. We feel very
10 comfortable about the programming mix and
11 obviously it might change a bit, but, like I
12 said earlier, we have over 200 letters of
13 commitment for 200 events, family shows,
14 college basketball, boxing, hockey, we are
15 very confident that we are going to program
16 this building and make it best in class.

17 LEGISLATOR ABRAHAMS: Before I
18 relinquish my time I just have a quick
19 question. I know you probably got this this
20 morning, Mr. Ratner, and my office was able
21 to forward it to you today. I'm not sure if
22 you are familiar with the coalition GUAAC,
23 Greater Uniondale Area Action Coalition,
24 probably not?

25 MR. RATNER: No.

1 Full Legislature/9-23-13

2 LEGISLATOR ABRAHAMS: They were
3 trying to put together a meeting with your
4 office. They represent dozens of interested
5 parties in the Greater Uniondale area in
6 general. As you know, I'm also the
7 legislator for that area. I share that area
8 with Legislator Troiano.

9 But one of the things I wanted to
10 put on the letter is the letter that I
11 received from Ashley Cotton indicating that
12 you will reach out to them as quickly as
13 possible and I urge you to do that so you
14 can have as much community support in what
15 you're trying to do, but, in fairness to
16 what they're trying to do, I understand you
17 may have received their letter a little bit
18 late, I just want to highlight some of the
19 points that they've made and hear your
20 commentary regarding it.

21 One of the things that I believe
22 they specified was pertaining to the Living
23 Wage Law Compliance. One of the concerns in
24 I guess Section 58.1 on page 87, and we
25 talked about it before with the PLAs, but

1 Full Legislature/9-23-13
2 obviously going forward with the permanent
3 jobs it would be -- would you envision those
4 jobs being paid at a living wage as well, or
5 how does that --

6 MR. RATNER: I'm not familiar
7 with the Living Wage Law out here, if there
8 is one, is there a living wage specific law
9 here, or is -- is there a specific living
10 wage law are you referring to generally a
11 living wage?

12 LEGISLATOR ABRAHAMS: Specific.

13 MR. RATNER: I'm very familiar
14 with living wage generally, very familiar.
15 Generally I believe in living wage, support
16 the living wage. I believe it's a very
17 important thing. I don't believe in \$7 an
18 hour jobs.

19 LEGISLATOR ABRAHAMS: Good.
20 Well, I think their greater point is, they
21 would like to know that the young person
22 that's working in a movie theater or
23 restaurant or anywhere, that they would be
24 paid a wage that commensurate with being
25 able to live in Nassau County.

1 Full Legislature/9-23-13

2 MR. RATNER: Well, one of the
3 problems is, we can not control what our
4 retailers do. So, for example, I can't
5 control really what the movie theater will
6 do. Obviously we are sway on them, we can
7 push and shove, so on and so forth, but, at
8 the end of the day, we can only control the
9 employees that in direct control of ours.

10 So one of the difficulties we
11 have as a developer, we'll develop a
12 shopping center, might be a Target, I don't
13 want to say a specific name, and they may or
14 may not pay what I think they ought to pay.
15 But what we can do is simply control our own
16 people.

17 LEGISLATOR ABRAHAMS: Is it
18 possible to put into their leases or
19 anything like that?

20 MR. RATNER: It's very difficult
21 to do that. We have tried that in the past
22 and there's a lot of different issues
23 involved. First of all, they usually won't
24 make a commitment, for one thing, and,
25 second, there's other legal issues involved.

1 Full Legislature/9-23-13

2 LEGISLATOR ABRAHAMS: I guess
3 what their point is --

4 MR. RATNER: I don't disagree
5 with the point.

6 LEGISLATOR ABRAHAMS: No, No. I
7 understand and I appreciate your honesty. I
8 think what their greater point is, we have
9 this property, it's 77 acres in size and
10 they would like to know that of the 2,700
11 jobs --

12 MR. RATNER: 2,700 jobs. 2,000
13 are operations arena related. 700 to 1000
14 are --

15 LEGISLATOR ABRAHAMS: They would
16 like to know that there's going to be jobs
17 that support people's ability to live here.
18 I mean, what's the essence of announcing and
19 having these jobs and then they go to other
20 areas that basically may be can afford to
21 travel in and get paid a lesser salary. I
22 think that's the greater point.

23 I think, ultimately, if you sit
24 down and meet with them, which I'm
25 encouraging you to do, when you do sit down

1 Full Legislature/9-23-13
2 and meet with them, I think that's an issue
3 that, if we could work through it, I would
4 love to be able to see that get done because
5 the last thing we need is to be able have
6 jobs and people can't support their
7 families.

8 MR. RATNER: I agree
9 wholeheartedly. You have a developer that
10 will do whatever we can to try to effectuate
11 that. Obviously 2000 jobs will be living
12 wage, I know approximately what living wage
13 means in dollars, depending on who decides
14 the difference between 9 and \$11 the jobs
15 operationally will pay in excess of that.

16 Not worried about the 2000, I
17 share the same concern on the retail jobs
18 and we're happy to sit down with the group
19 and see what we can do with the retailers
20 when they come. Some will be more difficult
21 than others.

22 LEGISLATOR ABRAHAMS: The next
23 question I guess might be more appropriate
24 for Mr. Blumenfeld. Is there a commitment
25 for -- obviously one of the concerns that

1 Full Legislature/9-23-13
2 they brought out was the fact there is a ton
3 of fast food in that area. I'm not
4 proposing that you bring in fast food, but
5 they want to make sure that folks in that
6 immediate area have options to healthy food
7 choices. The restaurants that we're talking
8 about bring it in, even though I know there
9 are a lot of restaurants in that vicinity
10 already, the restaurants we're committing to
11 bringing in are respectable restaurants that
12 would have healthy food choices on their
13 menus and so on and so forth?

14 MR. RATNER: The answer is yes.
15 As you know, pretty much every restaurant
16 that one deals has healthy choices. The
17 problem we all have, collectively, is
18 getting people to do them. I'm all for
19 healthy choices, but you send me to a ball
20 game and I'll have a few hot dogs and french
21 fries. So I'm all for healthy, all the
22 restaurants, both the Barclays Center, we
23 have a tremendous healthy part of our menu.

24 LEGISLATOR ABRAHAMS: That's good
25 to hear.

1 Full Legislature/9-23-13

2 MR. RATNER: So we are all for it
3 and I'm sure all the restaurants will try
4 and share that but getting people to do it
5 is another matter.

6 LEGISLATOR ABRAHAMS: The next
7 line of questioning feeds into aesthetics.
8 I know when we met I gave you kind of the
9 layout, that property faces the Uniondale
10 area directly, right across Hempstead
11 Turnpike in Legislative District One.

12 One of the concerns that has been
13 brought out by the community is the fact
14 that -- the way the facade is done, that
15 there's images on top of, I guess for
16 advertising purposes, is aesthetically not
17 presentable and attractive to the community.

18 Do you foresee continuing that
19 kind of advertising or not, and how would
20 you perceive --

21 MR. RATNER: That's an
22 interesting and really good question. We
23 struggle with that in a lot of different
24 things that we do. If we use the Barclays
25 Center as an example, both inside and

1 Full Legislature/9-23-13
2 outside, that was a major concern of ours.
3 Because, honestly, it really hurts the whole
4 look of the place. And what I said to you,
5 we're committed to good architecture,
6 whether it be having built the New York
7 Times building or the Geary building in
8 downtown Brooklyn or a lot of our other
9 projects, our firm is known for good
10 architecture with a capital A.

11 So what do you do about those
12 kind of signs? What you try to do is
13 integrate in a way in which they are not
14 offensive. The way we dealt with it in
15 Barclays, we had them in facing. There's a
16 giant canopy and all of the advertising is
17 the inside so it doesn't go out to the
18 community.

19 If we walk into the Barclays
20 Center arena, you won't even notice that
21 it's got more sponsors than any arena in the
22 country. They blend in, both, whether it be
23 the color or whether it be the type-face
24 throughout the arena, and, yet, they don't
25 stick out at you.

1 Full Legislature/9-23-13

2 We are highly conscious of that
3 in really every thing we do. Unless it's an
4 area like 42nd Street. You don't want to
5 have signs all over the place. You don't
6 want them disorderly, you don't want to have
7 them bright, you want them to -- you can
8 have signs that look absolutely beautiful.

9 Brett, if you want to make
10 another comment about that because Brett
11 really does it.

12 MR. YORMARK: I think Bruce
13 really said it. We are going to take less
14 is more approach, no different than we did
15 at the Barclays Center. Much of the sponsor
16 activation will be part of the architecture.
17 We like to call it subtle reinforcement. So
18 it will be very tastefully done. Our goal
19 is to have fewer partners than more. That
20 right now is how we're building our pro
21 forma.

22 LEGISLATOR ABRAHAMS: All right.
23 That's good to hear.

24 One of the concerns, it was
25 specified I guess in Section 53, you do know

1 Full Legislature/9-23-13
2 the impact that Super Storm Sandy had on or
3 particular area. Right now the college,
4 Nassau County Community College is a
5 designated shelter, but there was language
6 in here that this section that they had
7 brought about which would give I guess, you,
8 the tenant, the ability to remove or not
9 allow the Coliseum to be a shelter. Is that
10 something that you are familiar with?

11 MR. RATNER: I'm not actually.
12 Jim Lester or Rob.

13 CHIEF DEPUTY COUNTY EXEC WALKER:
14 The one thing we learned from Hurricane
15 Katrina and Rita with the damage -- the used
16 the New Orleans Super Dome I believe, or I
17 believe it's called the Super Dome, they
18 have some naming rights now, is that we
19 would not be utilizing or nor would want to
20 utilize the Coliseum as an indoor shelter.
21 We do not believe it's the right place. A
22 lot of incidents occurred, and all you have
23 to do is look at them, from crimes to --
24 crimes against not only property but
25 individuals and things of that nature, we

1 Full Legislature/9-23-13

2 would not want to use the Coliseum, the
3 internal part of the Coliseum.

4 What we would use is the parking
5 lot for staging and things of that nature,
6 but we do not think it is appropriate from
7 the exercises that we learned in other
8 places, by having such big big facilities,
9 you can't manage it public safety-wise, and
10 it brings about some major issues.

11 We have plenty of sheltering in
12 lines with last year's storm. We only
13 utilized five of roughly 30 facilities that
14 we have memorandum of understandings with,
15 and we would continue to use it more.

16 So it does not hamper any type of
17 emergency management operation at all and,
18 again, we wouldn't be utilizing it anyway.

19 LEGISLATOR ABRAHAMS: Rob, as
20 long as you feel comfortable that the
21 shelters that we have are going to be
22 adequate. I mean, God forbid we have
23 another Super Storm Sandy, and I hope to God
24 we don't --

25 CHIEF DEPUTY COUNTY EXEC WALKER:

1 Full Legislature/9-23-13

2 You and me both.

3 LEGISLATOR ABRAHAMS: In the
4 event we do, we just want to make sure that
5 every facility, everything the county can do
6 to make sure that our residents are
7 protected is there.

8 CHIEF DEPUTY COUNTY EXEC WALKER:
9 We agree.

10 LEGISLATOR ABRAHAMS: A facility
11 such as that just seems to be obvious but if
12 you feel we don't need to do it, maybe just
13 the parking lot for staging purposes, we'll
14 accept that.

15 I just want to also say, I just
16 want to incorporate the GUAAC letter into
17 the record. That's what Presiding Officer
18 Gonsalves wanted to do as well just to make
19 sure, which stands for Greater Uniondale
20 Area Action Coalition is incorporated into
21 the record.

22 CHIEF DEPUTY COUNTY EXEC WALKER:
23 We received that letter too. We're going to
24 meet with them and feel free to join us and
25 Legislator Troiano at the same time if you

1 Full Legislature/9-23-13
2 want to have a joint meeting with us, the
3 both of you, and obviously Forest City, NEC
4 would meet at the same time.

5 LEGISLATOR ABRAHAMS: I look
6 forward to meeting with you with them. I
7 think it's imperative. They did say that
8 obviously when the county went and did the
9 rounds when it came to referendum as well as
10 the Coliseum, they had an opportunity to
11 meet with them and would love to meet with
12 NEC also in addition.

13 The last point that I want to
14 bring up, and this is for Mr. Ratner, and
15 then I will pass my time over to the next
16 person, is tied into -- one of the things
17 that the Greater Uniondale Area Action
18 Coalition is looking to try to do is a
19 community benefit that's specified for the
20 Uniondale, East Meadow and the greater area
21 of that particular area.

22 They received commitments from I
23 guess the hub developer in Mr. Monti and
24 they wanted to know if that's something that
25 you would take a look into and possibly

1 Full Legislature/9-23-13
2 consider. One of the things they are
3 stressing is that obviously there is a
4 benefit -- or there should be a community
5 benefit that's drafted so that the groups in
6 that particular area have an opportunity to
7 access not just the restaurants and the
8 movie theaters, but the entire development
9 on what's going on.

10 Quite frankly, that should give
11 priority to the immediate areas obviously
12 but then it should be extended to the entire
13 county, so that Boy Scout groups and other
14 groups are not being -- and have an
15 opportunity to access a county facility and
16 they just want to make sure -- I'm not doing
17 their statement enough justice because they
18 specified a lot of things in their community
19 benefit agreement but I think that should
20 come out when you get a chance to meet with
21 them, or I can give it to you now, but is
22 that something that you would be --

23 MR. RATNER: Yes, we have done
24 community benefit agreements before, access
25 to community is very important. We have a

1 Full Legislature/9-23-13
2 certain number of tickets set aside for many
3 of the events at Barclays. As a matter of
4 fact, I just went to the equivalent of
5 almost a GUAAC in which they gave our
6 company an award for basically giving
7 thousands of tickets equal by a lottery to
8 community groups and it was wonderful.
9 Because what it wound up doing is, it brings
10 community groups close together because they
11 all work together. It's done by a lottery
12 system, the tickets, so you don't get
13 favoritism, one way or the other, and it
14 wound up having a lot of benefits. It was a
15 wonderful event that kind of celebrates
16 having local community groups be able to
17 give tickets to their members or just to
18 young people. Young people seeing the
19 circus for the first time. What could be
20 greater?

21 LEGISLATOR ABRAHAMS: The two big
22 things that I can gather from what they're
23 talking about, and, one, Legislator Troiano
24 is going to dive into, which is in the
25 minority business and women enterprise, but

1 Full Legislature/9-23-13
2 the two bigs that I can gather from what
3 they're talking about is obviously the job
4 training and business referral center,
5 something that the community can get a
6 benefit from.

7 Also, one of the other big items
8 is tied into educational programs which I
9 think you talked about before. Those are
10 the types of things that they are looking to
11 try to do and, hopefully, they received
12 commitments in the past from Mr. Wang and
13 others that have provided commitments that
14 they are going to try to do these things.

15 The community area has also been
16 trying to get a community center for a long
17 time. I have been working with them to try
18 to do that. These are the types of things
19 and -- they need funding. They need
20 support. A project of this magnitude which
21 is going to be hundreds of millions of
22 dollars, from our standpoint, there should
23 be some type of community benefit agreement
24 that if Forest City is going to be able to
25 be with us for 30 some odd years in this

1 Full Legislature/9-23-13

2 lease, that they are going to be a
3 responsible and good community partner,
4 which I know you have demonstrated in other
5 areas that you have been in. So we look
6 forward to that same demonstration.

7 MR. RATNER: We do too.

8 LEGISLATOR ABRAHAMS: Thank you,
9 Mr. Ratner.

10 CHAIRWOMAN GONSALVES: Legislator
11 DeRiggi-Whitton.

12 LEGISLATOR DERIGGI-WHITTON: Hi,
13 Mr. Ratner. It's a pleasure to meet you and
14 I have to say that I was impressed with your
15 presentation, not only today, but also I
16 attended the one at the country club where
17 there were four of you at that point. I'm
18 happy that you're here and we do hold a lot
19 of hope.

20 I'm a Hofstra graduate and a
21 resident of Tower C and our whole room was
22 orange because I do believe she chose
23 Hofstra because of the Islanders and I know
24 how much team spirit is such an important
25 part of our community. And the Coliseum is

1 Full Legislature/9-23-13

2 such a great representative of that, plus I
3 really believe that the Islanders are really
4 our hometown team.

5 But I just wanted to ask you a
6 couple of questions about that to start
7 with. There's a letter that I have a copy
8 of from Mr. Wang which is dated June 6th
9 which just states that he is ready to commit
10 to the six Islander games annually at the
11 Coliseum subject to the NHL approval.

12 Do you know if we were able to
13 obtain that approval?

14 MR. RATNER: We won't be able to
15 attain it until we actually propose it to
16 them -- Brett, you've spoken to the NHL?

17 MR. YORMARK: Yes. The NHL
18 hasn't addressed it yet because obviously
19 these proceedings have been ongoing.

20 We feel very confident that the
21 Dolans are going to want hockey back here.
22 They're good citizens from Long Island and
23 we've got to give them more credit than
24 thinking that they won't allow it to happen.
25 So, between the NHL and the Dolans, we think

1 Full Legislature/9-23-13

2 we'll get that done for sure.

3 LEGISLATOR DERIGGI-WHITTON: But
4 as of right now we don't have a firm
5 commitment on the six games yet?

6 MR. YORMARK: We don't and we
7 didn't expect to have it now. We expected
8 it to be an ongoing process over the next
9 couple of months.

10 LEGISLATOR DERIGGI-WHITTON:
11 We've been trying to get a definitive
12 answer. I know Legislator Judy Jacobs
13 addressed this. Do you know if there's an
14 exact number that's required by the NHL
15 regarding seats?

16 MR. YORMARK: There is no
17 requirement whatsoever.

18 LEGISLATOR DERIGGI-WHITTON: So
19 that's a rumor?

20 MR. YORMARK: There's nothing in
21 there that requires a certain amount of
22 seats. As a matter of fact, Ottawa, where
23 the NHL is calling home now, has a little
24 north of 14,000 seats, currently the
25 smallest in the NHL. No problems there. We

1 Full Legislature/9-23-13

2 don't anticipate any problems here or for
3 that matter at Barclays.

4 LEGISLATOR DERIGGI-WHITTON:

5 Because ours will be less than that, ours
6 will be about 13,000; is that right?

7 MR. YORMARK: Well, you know, as
8 Bruce has said earlier, this is not going to
9 be the permanent home. It's only going to
10 be the home for four regular season games
11 and two preseason games, so it will be more
12 than adequate.

13 LEGISLATOR DERIGGI-WHITTON:

14 That's what I'm questioning. Because since
15 we don't have the NHL approval yet, I just
16 want to make sure we're not doing anything
17 that would jeopardize that, even just for
18 the six games, by lowering the number of
19 seats?

20 MR. YORMARK: No. It shouldn't
21 be an issue at all.

22 LEGISLATOR DERIGGI-WHITTON: I
23 guess while you're still standing there, I
24 was just looking at some of the letters we
25 received. I know that they are classified

1 Full Legislature/9-23-13
2 as commitment letters, but many of them
3 really don't come out and commit entirely.
4 They're sort of vague a lot of them.

5 Do you have like an actual number
6 of how many have been booked?

7 MR. YORMARK: Well, obviously
8 it's tough to book two or three years in
9 advance, so you want the intent of the
10 promoters to want to come to the marketplace
11 which all of them have expressed pretty
12 clearly in all the letters. There are
13 partners that we currently work with at
14 Barclays and they want to extend the
15 relationship here with us in Nassau County.

16 LEGISLATOR DERIGGI-WHITTON: But
17 it's fair to say that as far as actual
18 commitments, we really haven't received too
19 many yet, right, you just have the interest?

20 MR. YORMARK: Well, I wouldn't
21 necessarily say that's the case. When you
22 look at the Live Nation letter, the leading
23 promoter in the country, the letter states
24 20 to 30 shows, Rock Nation, another great
25 content provider, states between five and

1 Full Legislature/9-23-13
2 ten shows. So to the extent that they can
3 give us the content guarantee, they have
4 done that. Obviously it's two or three
5 years out, so it's tough to determine who is
6 going to be touring but given the fact that
7 they have a lot of scale with respect to the
8 artists, they have a good sense for who will
9 be out there. So we feel very confident.

10 This is no different than what we
11 did when we opened Barclays. We had gotten
12 quite a few commitment letters, very similar
13 to what you see in front of you and, as you
14 heard from Bruce, we are the number one
15 venue first six months of this year as well
16 as ticket sales and revenue in the United
17 States.

18 LEGISLATOR DERIGGI-WHITTON: All
19 right. Because it does, as someone who is
20 just looking at it as our interest for the
21 county, it does kind of just raise a few
22 questions, like the Big Apple Circus, as
23 there are willing to discuss further and
24 further explore any development of mutual
25 beneficial plan.

1 Full Legislature/9-23-13

2 MR. YORMARK: Well, I think in
3 that particular case, again, timing, the
4 seasonality of when they want to come in
5 based on whether it's in the winter and
6 whether we have conflicts or not.

7 Again, it's open ended to some
8 degree, but we feel very confident. These
9 are all relationships we have, and we do
10 have leverage coming out of Barclays given
11 our stature right now with respect to venues
12 to bring that content right here.

13 MR. RATNER: Just one comment.
14 For example, you picked one, Big Apple
15 Circus. So Big Apple Circus is run by a
16 woman that I've worked with for 15 years.
17 She's actually a tenant in our building and
18 we've talked her along -- she would love to
19 come out here, but it's a nonprofit
20 organization, they're not going to commit
21 themselves in writing without their own --
22 with their own board approval, they would
23 love to come out here and I'm sure we can
24 work it out and it's a great circus.

25 So it's more -- it's a lot of

1 Full Legislature/9-23-13

2 Brett's personal relationships and my
3 personal relationships to make sure these
4 things happen along with the leverage of
5 having Barclays.

6 LEGISLATOR DERIGGI-WHITTON: And
7 I understand that, and you have to
8 understand for us, you do have a very good
9 reputation, but we are kind of doing a leap
10 of faith with you and, the history of this
11 project, I have had other histories as the
12 city councilwoman in Glen Cove for projects
13 where we were all excited about and they
14 never came to fruition. So we are really
15 are trusting you and I guess that's part of
16 my point today.

17 I just have one other quick
18 question regarding the events. Parking lot
19 events, so that's not going to be inside the
20 Coliseum?

21 MR. YORMARK: No. Those are
22 going to be outside.

23 LEGISLATOR DERIGGI-WHITTON: So
24 that consists of about a third of -- it's 83
25 out of the 309?

1 Full Legislature/9-23-13

2 MR. YORMARK: Yes, exactly
3 correct. 45 for the most part will be
4 circus related in our build up. We've got
5 lifestyle programming, like car shows and
6 things of that nature. We also have music
7 festivals which have become very, very
8 popular across the country.

9 One particular festival can
10 attract upwards of 60,000 people over the
11 course of a weekend. They just had one in
12 Philadelphia two weeks ago and it's become
13 very very popular across the country right
14 now. We plan on doing similar types of
15 programming here in Nassau; country
16 festivals, EDM festivals, things of that
17 nature.

18 MR. RATNER: Brett said
19 something, which is 60,000. I'm very
20 cognizant of this issue of traffic and
21 noise. So I want to stress it's my job to
22 talk about that. That is critical. So to
23 have 60,000 during the weekend it's kind of
24 a lot to say the lease.

25 Things like circuses that Brett

1 Full Legislature/9-23-13
2 mentioned or, for example, something that
3 we've done in New York City and a group I'm
4 involved, a barbecue. We have the best
5 barbecue chefs from all over the world come.
6 They come and they do a tasting, attracts
7 5,000, 10,000 people on a weekend. That
8 sort of stuff that's kind of both fun and is
9 not so large and noisy because that is a
10 major issue.

11 So I would not be for having some
12 outdoor music festival which creates a lot
13 of noise.

14 LEGISLATOR DERIGGI-WHITTON: I
15 have one other line of questioning real
16 quick. I'm on the finance committee here.
17 There was one word or one sentence that made
18 a number of us concerned. In the Section
19 4.1, it says that tenant shall be relieved
20 of the binding commitment if for some reason
21 they're not reasonably satisfied basically
22 with the financing condition.

23 I know I spoke with your group
24 twice. We tried to get that revamped and I
25 really wanted you to know why. I don't

1 Full Legislature/9-23-13
2 really question the fact that you will
3 probably be able to get financing. But I
4 have seen it before where, for instance, a
5 project, someone discovered there was
6 actually some type of DEC problem or some
7 other issue that might interfere with what
8 plans you have now and the cost might be
9 beyond what you expect. So something
10 completely not related.

11 Could you see that that could
12 actually give the person who is a tenant,
13 like take yourself out of it almost, an
14 excuse at that point to say, well, to get
15 out of it, I'm not reasonably satisfied with
16 the finances because I wanted one percent
17 and I got three percent. That's all you
18 would really have to do.

19 I understand you are putting the
20 money into it and the plan is great and your
21 intentions are great, but there's nothing
22 protecting the county for -- even if it's
23 not financial, for some other reason should
24 you decide not to go forward with this
25 project for the next five years.

1 Full Legislature/9-23-13

2 MR. YORMARK: So I think in
3 general in the lease there may be specific
4 language, I think there is, good faith
5 efforts and so on, good faith requirements
6 for everything that we do, don't stop with
7 due diligence. So I think that really
8 covers it. We have to do stuff in good
9 faith, so if we try to get out of it because
10 we say something is not reasonable when it
11 really is, that is not good faith.

12 So I think the good faith really
13 creates a standard which is in almost all
14 legal documents. Here it is a requirement
15 that we operate in good faith and we operate
16 with due diligence, and I think that really
17 does cover it.

18 I also have to stress, obviously,
19 as I said, if someone doesn't want to do a
20 project, as you know, because you've had it
21 happen here a lot of times, it almost
22 doesn't make a difference what's written. It
23 should be written the most positive possible
24 way and we have done that that we can live
25 with and abide by. I do have to say at the

1 Full Legislature/9-23-13
2 end of the day, one does have to -- and I
3 have a level of commitment, and we have a
4 level of commitment, and, again, this is not
5 a financing which is gigantic, it's just not
6 that --

7 LEGISLATOR DERIGGI-WHITTON: I'm
8 not as concerned with the financing. I'm
9 more concerned with something that we
10 haven't thought of yet where this could be
11 an out for pretty much any reason. Because
12 it doesn't specifically say -- it doesn't
13 even say good faith. It doesn't say
14 anything or than the fact that you have to
15 be reasonably satisfied. That's such a
16 vague --

17 MR. YORMARK: But the document in
18 general, the document requires good faith
19 for everything we do and doing things with
20 due diligence. So it does apply.

21 LEGISLATOR DERIGGI-WHITTON:
22 Well, I'm putting you on the spot here. We
23 really are counting on your good faith
24 because I'm not happy with that language and
25 I have expressed that about 15 times. I

1 Full Legislature/9-23-13
2 think it's really vague and I feel a little
3 bit uncomfortable, as happy as I am with
4 your other projects, this is really
5 bothering me. Because I would hate to see
6 in three or four years you to come back and
7 use the financing as some excuse to pull out
8 after we had such faith.

9 MR. YORMARK: I understand.

10 LEGISLATOR DERIGGI-WHITTON: And
11 I just have one other quick question. As
12 far as financing, how much do you expect to
13 put into the Coliseum in terms of reno work?

14 MR. YORMARK: Approximately \$100
15 million.

16 LEGISLATOR DERIGGI-WHITTON:
17 Because just to be a stickler, which I'm
18 afraid I am, a number of the letters of
19 credit that you provided us with have a
20 limit of about 50 to \$60 million for the
21 project.

22 I haven't seen anything that says
23 \$100 million for this project. So, again,
24 I'm going on record saying I don't see any
25 letters that say we have \$100 million in

1 Full Legislature/9-23-13

2 financing. This lease in my opinion would
3 get you out very quickly.

4 MR. RATNER: The answer is that I
5 wish we could be 100 percent financing but
6 that's not the way the world works.

7 There's about 50 to \$60 million
8 in anticipated financing and about 30 to \$50
9 million of equity from our company and our
10 partners. So it's part equity and part
11 financing.

12 LEGISLATOR DERIGGI-WHITTON: So
13 you are going to put cash in for part of it?

14 MR. RATNER: Us and our partners
15 will put cash in for the remainder.

16 LEGISLATOR DERIGGI-WHITTON: For
17 approximately 50 percent?

18 MR. RATNER: Between 30 percent
19 and 50 percent depending on how much
20 financing we get.

21 LEGISLATOR DERIGGI-WHITTON: Can
22 you believe I don't have that in writing?
23 Can you believe that we're entering into
24 this 30 year lease and we don't have those
25 details. So I'm telling you that I'm

1 Full Legislature/9-23-13
2 supporting it but, as a person of integrity
3 which you appear to have without a question
4 in my mind, I really hope that you don't let
5 us down because the residents of Nassau
6 County are really banking on this.

7 And one last little plug for my
8 roommate, if you can get more than six
9 games, I think we can split it like Judy
10 Jacobs mentioned once, 20/20, or even a
11 little bit more than six, I think it would
12 really go a long way, still have that
13 hometown feel.

14 MR. RATNER: I appreciate that.
15 I think it's not as economically, as has
16 been pointed out, I don't think it's
17 possible for us to come out economically, or
18 Mr. Wang, rather, to come out economically
19 and do much more than that because of suites
20 and all the other kinds of things.

21 LEGISLATOR DERIGGI-WHITTON: But
22 even just for like 10, you think? If we can
23 get a little more than six.

24 MR. RATNER: I think not.

25 LEGISLATOR DERIGGI-WHITTON:

1 Full Legislature/9-23-13

2 Thank you.

3 MR. RATNER: I'm being honest
4 with you. You want me to be direct, I'm
5 being direct.

6 LEGISLATOR DERIGGI-WHITTON: I
7 want you to be honest and forthright.

8 CHAIRWOMAN GONSALVES: That's the
9 way you should be, Mr. Ratner.

10 Legislator Troiano.

11 LEGISLATOR TROIANO: Welcome to
12 Nassau.

13 MR. RATNER: Believe it or not
14 I'm here a lot. I have a lot of relatives
15 out here, my wife is from here.

16 LEGISLATOR TROIANO: I appreciate
17 you, yourself, coming before us here today
18 and spending all this time here and bringing
19 so much of your talent with you as well to
20 share in this moment, which really is a
21 great moment for Nassau County.

22 We are going to get what I think
23 is going to be a great civic asset in Nassau
24 County and I'm very pleased by that.

25 I'm especially pleased to hear

1 Full Legislature/9-23-13
2 about some of the features you plan on
3 bringing to the Coliseum which I think will
4 add to the attractiveness of our county for
5 some of our younger people, many of whom
6 find it very expensive to live here and,
7 even when they find a way to do that, there
8 is a vast oasis here of nothingness. So
9 it's great to have you bring some of the
10 attractions that would be attractive to
11 them. Thank you for that.

12 In addition to it being a great
13 civic asset, and we didn't talk much about
14 this today, it's also going to be a great
15 boom to economic development which we so
16 desperately need in Nassau County.

17 With that, I appreciate the fact
18 that you have agreed in the lease to make
19 your best effort to use union help. In your
20 statements today, you said you also want to
21 make sure there is a preponderance of local
22 residents hired to work, I guess both in the
23 construction and also, once it's
24 constructed, in the restaurants and stores
25 that opened up afterwards; is that correct?

1 Full Legislature/9-23-13

2 MR. RATNER: Yes, in particular,
3 and you realize because it's union, they
4 have rules monitored by the federal
5 government as to order and where people come
6 from. So, for example, if someone is on a
7 particular list for seniority, you can't
8 jump them locally.

9 What we do is, we work really
10 hard with the unions for the journeymen and
11 the entry level jobs, not the journeymen,
12 but the entry level jobs, particularly, to
13 be local. We work very hard on it.

14 But there are federal
15 requirements with respect to the way in
16 which unions are permitted to take from
17 lists and jumping lists for obvious reasons.
18 Subject to that, certainly for the permanent
19 operations, that's not the case. Permanent
20 operations is easy to hire locally, we want
21 to hire locally, we want to in general on
22 all the areas. In the union case, there are
23 for good reasons very specific requirements
24 laid out by the federal government.

25 LEGISLATOR TROIANO: You know, we

1 Full Legislature/9-23-13
2 haven't had very much discussion about this
3 although it did come up in the hearing a
4 couple of weeks ago that we would encourage
5 you also to maybe help facilitate the
6 apprenticeship programs a lot the unions
7 maintain. A lot of those programs actually
8 take place in Suffolk County as opposed to
9 Nassau County. And it's a burden for some
10 of our residents to get to Suffolk County.
11 Maybe theirs is a way that we can help
12 facilitate getting them to the
13 apprenticeship programs.

14 MR. RATNER: Actually, we're very
15 familiar with that. In the case of New York
16 City, we have a program where the unions
17 have three categories; women, which they
18 attempt to get all apprenticeships with
19 women; with veterans; and with local people.
20 Those are the three areas. It's actually
21 high school. Young people who do not
22 graduate from high school.

23 They have three specific
24 programs. I don't know what the union has
25 out here. If not, we can certainly help

1 Full Legislature/9-23-13
2 them devise that, but that's where our
3 apprentices come from. The union feeds us
4 people from those three groups. They train,
5 they've had this program not only for us but
6 for everybody. We encourage that.

7 And, in the case of Barclays, I
8 think I want to say, if I'm right, I don't
9 know where Linda is, but we actually
10 negotiated stronger numbers, correct. In
11 other words, the union may say we want one
12 apprentice for every four journeymen or
13 something. So we negotiated better numbers
14 than that with the union in the PLA.

15 So one of the reasons to have a
16 PLA is really for the community. It's not
17 only for the union, it's really to make sure
18 to try and get as many that qualify for, in
19 this case, the union wants those three
20 programs.

21 So the first question is whether
22 union have that kind of program, I don't
23 know if you know locally whether they have
24 that. But if they have that program, we are
25 very familiar with how to create a program

1 Full Legislature/9-23-13
2 within the union that deals with what are
3 the major issues for the community, whether
4 they want local hiring, whether they're
5 concerned about high school graduates or
6 non-graduates, whether they're concerned
7 about veterans, which, of course, we all
8 are. So it's veterans, women and people who
9 did not graduate from high school.

10 LEGISLATOR TROIANO: Even though
11 you have relatives from Nassau County, you
12 may not be aware that the Village of
13 Hempstead is going through a revitalization
14 project. As part of that, they are
15 establishing a training program for local
16 residents. Perhaps we can piggyback
17 whatever your efforts are with theirs and
18 get a better effect.

19 MR. RATNER: That would be great.
20 Really, it's union dependent. The question
21 is whether they already have something and
22 whether they want to add to it. But we will
23 push tremendously for what the interest of
24 the local community is.

25 LEGISLATOR TROIANO: One of the

1 Full Legislature/9-23-13

2 things that I am concerned with --

3 MR. RATNER: You have to
4 remember, there is regular local union
5 members who have be out of jobs in many
6 cases for a long time, so there is a
7 delicate balance that the union has to make
8 in terms of apprentice and journeymen. I'm
9 not saying one way or the other, but it's
10 something that there's so many different
11 stakeholders here and we are aware of it
12 and, at the end of the day, what's important
13 to us is both the union and the local
14 community to try to get as many jobs for
15 both.

16 LEGISLATOR TROIANO: Again, I
17 appreciate your commitment to hiring both
18 union help and employing as much as possible
19 local residents.

20 But, as you are aware, I have
21 been disappointed by the fact that the lease
22 agreement negotiated with the county doesn't
23 include any provision for contracting with
24 minority and women-owned business
25 enterprises in Nassau County or anywhere

1 Full Legislature/9-23-13

2 else for that matter. In fact, it's just
3 silent with respect to that.

4 Maybe you can't discuss this, and
5 you're not in a position to know, but I'm
6 curious and maybe Rob wants to talk to this,
7 I'm curious as to why that language was not
8 included in the lease agreement as it is
9 generally included in most contracts entered
10 into by the county for the construction of
11 anything in this county.

12 MR. RATNER: So let me just say
13 my part and then you can comment, Rob.

14 For our part, we can talk about
15 after that what we plan to do and we have
16 this understanding that we will sit in the
17 next 30 days and work on specifics, but,
18 Rob, did you want to comment?

19 CHIEF DEPUTY COUNTY EXEC WALKER:
20 Really, the lease was gone through very
21 extensively. I think more important than
22 having any types of goals is having somebody
23 that actually has done it and it's up to us
24 really right now to take Bruce, which he has
25 been nothing but a great person to work with

1 Full Legislature/9-23-13

2 and his team through this process to ensure
3 that our local residents and we achieve the
4 highest level of standard that we possible
5 can. There's really no reason. It wasn't
6 omitted of any intent.

7 A lot of times you put a goal in
8 mind or you put a number in the contract and
9 you can reach it or sometimes you can't
10 reach it for whatever reason. Even in some
11 of our contracts today, we work very
12 aggressively in this county on having more
13 women and minority owned businesses
14 registered and then trying to actually get
15 them to achieve and some of our work has
16 been very challenging for a lot of different
17 reasons, but that outreach will continue
18 and, in this case, as said, there was no
19 intent of anybody to omit or not include
20 anything of this and we look forward to
21 working with them to see as many residents
22 able to participate.

23 LEGISLATOR TROIANO: I
24 appreciate, Rob, that Mr. Ratner has a
25 really great track record, but it just seems

1 Full Legislature/9-23-13
2 prudent on behalf of any governmental entity
3 to protect all of its citizens by putting in
4 writing provisions that protect them as is
5 done in every other contract. It seems to
6 be a real omission to have excluded from
7 this contract which is one of the biggest
8 ones in Nassau County we'll ever enter into.

9 CHIEF DEPUTY COUNTY EXEC WALKER:
10 I wish I can say it was omitted on purpose,
11 but it was not.

12 LEGISLATOR TROIANO: Well, I'm
13 glad you're not going to say that.

14 CHIEF DEPUTY COUNTY EXEC WALKER:
15 Just a lot of extensive negotiations went
16 through this. I don't know if Josh Meyer
17 wanted to comment, but it's an extensive
18 extensive process that I hope there are
19 other things that aren't omitted down, or we
20 have to down the road make some adjustments
21 to it.

22 MR. MEYER: Thank you for that
23 question as well. I'm Josh Meyer from
24 Pannone, Lopes, Devereaux & West.

25 It is part of the standard county

1 Full Legislature/9-23-13
2 contracts, it's not part of the standard
3 county leases, and, in this case, where the
4 county was not expending any money on a
5 construction project, so it was not
6 included, as you say, it may have been more
7 prudent to include it, but we were basing it
8 off of prior leases that the county has
9 entered into, especially for this sized
10 project. But it wasn't part of a standard
11 county lease in the past, so we did not
12 incorporate it.

13 LEGISLATOR TROIANO: But this
14 lease, as you call it, provides for the use
15 of union labor.

16 MR. MEYER: Understood.

17 LEGISLATOR TROIANO: Is that
18 typical that leases entered into by the
19 county include provisions for using union
20 labor?

21 MR. MEYER: For leases, yes,
22 there are good faith efforts but not
23 necessary --

24 LEGISLATOR TROIANO: For
25 construction?

1 Full Legislature/9-23-13

2 MR. MEYER: Yes, for
3 construction.

4 LEGISLATOR TROIANO: So it's your
5 testimony, Josh, that leases entered into by
6 the county, that those leases always include
7 provisions for hiring union labor but not
8 for MWBEs?

9 MR. MEYER: I couldn't say that
10 for sure, it's just that --

11 LEGISLATOR TROIANO: Well, that's
12 what I'm concerned about.

13 MR. MEYER: Prior standard leases
14 that we looked at did not incorporate the
15 MWBE.

16 LEGISLATOR TROIANO: But they did
17 include union labor but excluded MWBEs --

18 MR. MEYER: I can't say everyone
19 has, but certain ones --

20 LEGISLATOR TROIANO: Well, if
21 that is in fact the case, which I'm doubtful
22 of, then I would suggest that the county,
23 and, Rob, I would ask you to look at that in
24 the future and let's establish a process
25 whereby we always ensure that MWBE programs

1 Full Legislature/9-23-13

2 are provided for.

3 And, by the way, we have a
4 department whose intent is to do just that.
5 So we ought to make use of that department's
6 process.

7 CHIEF DEPUTY COUNTY EXEC WALKER:
8 I think, obviously you bring up a great
9 point, without hesitation, I think we look
10 to mirror more of our construction type
11 contracts with lease agreements and I think
12 it's a great idea. With other types of
13 public private partnerships, especially we
14 have gone through with a lot of them for a
15 variety of reasons, it saves the county
16 money and we rather have privately financed
17 facilities throughout the county and a
18 public private partnership, so we definitely
19 will look at that and include it as our
20 boiler plate. I think that's a great idea.

21 LEGISLATOR TROIANO: Well, given
22 that acknowledgement and the importance of
23 providing language like that in our
24 contracts going forward, would you consider
25 opening up this contract to include that

1 Full Legislature/9-23-13

2 language now?

3 CHIEF DEPUTY COUNTY EXEC WALKER:

4 Let me say this, I don't want to negotiate
5 here, this is a total labor intensive
6 negotiation, and I wouldn't want to start
7 negotiating on the floor but it's something
8 that we could talk about and we'll talk
9 about with them later on today.

10 LEGISLATOR TROIANO: Well, I'm
11 not sure how much negotiation is required
12 because the county already has got such
13 language in it that requires other
14 contractors to live by.

15 MR. RATNER: I'm not going to go
16 through our history, I don't have to explain
17 that, but I understand what you're saying.

18 We will sit down with you in the
19 next three days and we will make our
20 commitment as a goal of 20 percent, we'll
21 create a monitoring mechanism in a way that
22 we openly show you what we're doing, and, as
23 you know, it's not only the numbers of the
24 monitoring, it's how it's done, and we have
25 a whole procedure for that. We're more than

1 Full Legislature/9-23-13
2 happy to sit down and we'll give ourselves a
3 30 day period to try to come up with
4 something that tracks pretty much what lease
5 language may or might have done, and give it
6 to you in a signed letter form. It's very
7 important and we're happy to do it.

8 LEGISLATOR TROIANO: Mr. Ratner,
9 I appreciate your commitment to this concept
10 and, when we met about two weeks ago, you at
11 that point said to me you are committed to
12 this, and I saw a look in your eye and I
13 believe that you are, I've seen that again
14 today.

15 I have had discussions with some
16 of your representatives today and some part
17 of last week and those discussions have been
18 substantive. So I do believe that it is
19 your intent to comply with your verbal
20 commitment, but a great leader, a great
21 president of ours from the last century, I'm
22 dating myself now, operated by the
23 philosophy and the statement, "trust but
24 verify."

25 MR. RATNER: And that's why I've

1 Full Legislature/9-23-13
2 said very specifically, we're prepared to
3 sit down if the next 30 days, come up with
4 language that would track the lease language
5 is, and commit to it in writing.

6 LEGISLATOR TROIANO: And I
7 understand that and we've had some give and
8 take with your staff. I want to point out
9 though, in my view, that shouldn't be
10 necessary. This all should have been
11 negotiated and part of the lease agreement
12 back when the county was going in one room
13 and discussing it with you and closing the
14 door and going back and talking to MSG, that
15 this all should have been part of the
16 language at that point.

17 It shouldn't come down to, my
18 caucus negotiating an agreement with you at
19 the last minute that really kind of makes --
20 adds salt to the wound for me.

21 MR. RATNER: I hear you.

22 LEGISLATOR TROIANO: But I do
23 want to say for the record that you have
24 been very forthcoming, your staff has been a
25 pleasure to work with, and I believe we are

1 Full Legislature/9-23-13

2 going to get to closure on this.

3 Unfortunately, we couldn't get to
4 it today. I had intended when the day
5 started to vote against the lease if we
6 couldn't reach an agreement by the time we
7 started deliberating today but, because of
8 what I sense as being the sincerity and the
9 seriousness of your staff and you, I do
10 intend to go forward and vote today, and
11 that's strengthened by the letter that I
12 would like to have entered into the record
13 today which is going to be signed by you
14 which indicates your commitment, on a best
15 efforts basis, and that's standard
16 commercial language, to award 20 percent of
17 the contracts to MWBE certified by Nassau
18 County or by the state.

19 MR. RATNER: Yes, yes, yes.

20 How's that? The answer is yes.

21 LEGISLATOR TROIANO: And over the
22 course of the next -- or by the end of the
23 year, we will both initiate and conclude
24 discussions around establishing a mechanism
25 and reporting process for verifying that you

1 Full Legislature/9-23-13

2 live up to your verbal commitments that you
3 are expressing today.

4 MR. RATNER: Yes, and I honestly
5 would be unhappy if we didn't have something
6 like that in writing and a goal to work for.

7 Look, we are the other half of
8 that lease, so, yes, the county may have
9 ignored it, so unfortunately we did too and
10 I apologize for that. We take
11 responsibility too.

12 But having done that, let's
13 correct it, and we will correct it.

14 LEGISLATOR TROIANO: And just for
15 the record, there is probably a list of ten
16 specific provisions I asked for today, your
17 group did not say no, but what they did say
18 was, we are just getting that this morning
19 and we haven't had the time to really review
20 it and make sure that we can really sign on
21 to this and commit to it and I appreciate
22 that. You need some time to reflect on it
23 and I appreciate the fact that you're also
24 taking it very seriously. You could've just
25 signed on to it and said, we are going to do

1 Full Legislature/9-23-13

2 this and then not have done it.

3 But those ten or so elements that
4 I would like to see agreed to have to do
5 with, just to categorize them so everybody
6 knows, have to do with insuring that MWBEs
7 are aware that these contract opportunities
8 exist. You can do that through advertising.
9 I would also like to see you do that by
10 sending written notification to everyone
11 that's been certified by the Nassau County
12 Minority Affairs Department so that they
13 know that that opportunity exists.

14 MR. RATNER: So, again, without
15 specifics, but that having been said, look,
16 I'm as committed as you are to get this done
17 right. We have a tremendous amount of
18 experience, more than anybody in the state
19 at getting this kind of participation for 28
20 years, and it is very important, not only to
21 our company, but to me personally, as you
22 know.

23 We will do the very best job with
24 you to get it done. We have all kinds of --
25 we know which contracts, where there's not a

1 Full Legislature/9-23-13
2 sufficient number of contracts, so we will
3 make it up in another area. We know how to
4 split contracts in a kind of way to make
5 sure to get minorities in. So we are very
6 experienced and we'll do the very best to
7 work together.

8 LEGISLATOR TROIANO: I hope you
9 don't take these comments personally.

10 MR. RATNER: The opposite, glad
11 for it.

12 LEGISLATOR TROIANO: Very good.
13 We've talked about your commitment you made
14 at the Barclays Center and the fact that you
15 exceeded what your commitment level was.

16 But we haven't had that
17 experience on Long Island. And I have dealt
18 with a lot of developers who make
19 commitments to do certain things in regard
20 to minority hiring and utilization of women
21 owned firms, and what we continually get
22 back is, we couldn't find those firms. We
23 sent out advertisements and no one
24 responded. So I just want to make sure
25 you're proactive in both your advertising

1 Full Legislature/9-23-13
2 and reaching out to those firms. I
3 understand you know how to do this, but we
4 need to get that in writing.

5 MR. RATNER: You see my
6 frustrating face not at what you're saying
7 but the fact that there is no reason why
8 companies can't do it. From the day we
9 started we've seen this, seen pass through
10 contracts by other companies which means
11 that there's some not real company behind
12 there. We've seen all kinds of things.
13 We've really perfected it to the extent
14 possible.

15 LEGISLATOR TROIANO: Not only do
16 I believe you're going to do it because it's
17 the right thing to do, but it's also good
18 for your business. Any time you can expand
19 your universe of suppliers, you get more
20 expertise --

21 MR. RATNER: Good for my soul.

22 LEGISLATOR TROIANO: -- and you
23 get more opportunity to drive the price down
24 and get more competitors providing bids to
25 you.

1 Full Legislature/9-23-13

2 So just to complete the kind of
3 thought process about what kinds of things
4 I'd like to see; awareness, proactive
5 attempt on your part to identify minority
6 vendors and women vendors, make them aware
7 of this project; that they be given due
8 consideration to bid on these projects,
9 which means that they get an appropriate
10 amount of time to respond to the bid
11 requests, that they are given the
12 opportunity to look at plans, blueprints
13 perhaps so they can construct a bid that is
14 meaningful and meets your needs, and you
15 agree with that?

16 MR. RATNER: Yes. Actually,
17 Linda Chiarelli who runs our whole program,
18 our supervisor, can talk to very specifics,
19 I don't know if you want to get those
20 specifics, all those things are already
21 done, I'm sure. Here's Linda Chiarelli.

22 MS. CHIARELLA: Hi. We have an
23 outreach program that we've implement on
24 most -- all of our projects. I have been
25 working with Bruce and Forest City for 20

1 Full Legislature/9-23-13
2 years now. We reach out to the community.
3 We include all the documents in the bid
4 process, to the extent that anyone wants
5 additional walk-thrus or for us to sit down
6 with the, we do that.

7 When we sit with our trade
8 contractors, we have regular meetings that
9 we help target different scopes within their
10 trades that can be broken out to make it
11 more advantageous for MWBE bidding.

12 LEGISLATOR TROIANO: Thank you.
13 And this is just the last general category
14 of items I'd like to see agreed to when we
15 get to the specifics is a reporting process,
16 so we can understand what efforts you have
17 taken to identify minority contractors so we
18 don't have a situation where you come back
19 and say, we couldn't achieve what's been
20 committed to. And we just want you to be
21 able to say why, and if, in fact, there is
22 good reason, we will understand that. But
23 we need to have some reporting to show us
24 that.

25 MR. RATNER: Not a problem.

1 Full Legislature/9-23-13

2 LEGISLATOR TROIANO: And then,
3 finally, periodic reports monthly or
4 quarterly that indicate where you are
5 towards achieving the goals are committing
6 to. And then a final report that indicates
7 what you've actually achieved.

8 MR. RATNER: Yes, no problem at
9 all. How often we do it is every couple of
10 months. We did it on the arena. We have
11 done voluntary reporting even when not
12 required, as in the case of Barclays too,
13 but we do it voluntary, even if it's not
14 required, we do reports at the end of every
15 job.

16 So we will do it on a regular
17 basis, I don't know whether it will be
18 quarterly or every other month or whatever,
19 but we will do that and happy to do it.

20 LEGISLATOR TROIANO: We
21 appreciate that. And, again, I understand
22 that I have been told that your track record
23 in Brooklyn has been outstanding in this
24 regard, and so we really look forward to
25 working and partnering with you on this,

1 Full Legislature/9-23-13
2 what I think is a very important initiative.
3 Although you have not signed it
4 yet, when it is signed, hopefully today
5 before you go, I want to put the letter in,
6 put it into the record that we have agreed
7 to these things in global concept.

8 MR. RATNER: Great. And I hope
9 it will be a model for what comes forward
10 going forth in this county on how it should
11 be done right.

12 LEGISLATOR TROIANO: Thank you,
13 Mr. Ratner.

14 CHAIRWOMAN GONSALVES: Legislator
15 Denenberg.

16 LEGISLATOR DENENBERG: Thank you.
17 Thank you for being here, Mr. Ratner. I
18 also wanted to thank the County Executive
19 and also the Chief Deputy County Executive
20 for all being here acknowledging how
21 important this lease is and how important
22 the hub development, concentrating on the
23 Nassau Veterans Memorial Coliseum and the
24 plaza development, as you call it, is to the
25 future of Nassau County.

1 Full Legislature/9-23-13

2 First and foremost, just
3 something I didn't really hear anyone ask,
4 so I'm going to ask you.

5 In the new Nassau Veterans
6 Memorial Coliseum, what is planned or is
7 there a plan for a convention center? Are
8 we just utilizing the existing promenade and
9 exhibition hall? A lot of people
10 complained. Even though there is always a
11 lot of exhibits there, that it's really just
12 a basement. So I don't know what the plan
13 is with respect to the convention center.

14 MR. RATNER: We honestly didn't
15 spend probably the amount of time we could
16 have should have spent on it, and it is
17 something that I think is a tremendous
18 asset.

19 I think there's a lot to be done
20 with it. Right now how many programs do we
21 have, we only have 13, but we are going to
22 work on that. We didn't extensively
23 honestly look at it. Obviously Mr. Wang
24 owns the hotel, that hotel is an excellent
25 hotel in terms of it has 600 and some rooms.

1 Full Legislature/9-23-13

2 It has some conference space. Maybe we
3 increase the conference space. The idea is
4 to try to make that a place that people
5 really want to come to. That's for our
6 economics also, us getting more people there
7 to make that a special place. We will
8 continue to look at that.

9 LEGISLATOR DENENBERG: I have
10 combed through the agreement and looking at
11 the number of events, of course, that you
12 were talking about, up to 300 events, 13 say
13 exhibition hall, rentals/trade shows say
14 six, so that's what I'm thinking might be in
15 the area of what we call the convention
16 center, exhibition hall now.

17 But in terms of actual
18 construction and the size -- are you calling
19 it a convention center or exhibition hall,
20 and how are we changing the existing
21 exhibition hall, are we making it bigger?

22 MR. RATNER: We're calling it an
23 exhibition hall, is that right still, Jim?

24 MR. LESTER: The current plan is
25 to really update it, to repair it, and

1 Full Legislature/9-23-13
2 operate it in a first class manner as it is
3 part of the Coliseum which we need to
4 operate in the first class manner.

5 And then Bruce is right, we need
6 to go back and look at it further to see
7 what has to be done beyond upgrading it and
8 repairing it and making it function better.

9 LEGISLATOR DENENBERG: Going
10 become to I guess earlier bids, going way
11 back even at the time of the Lighthouse
12 Project, even when we were talking about two
13 years ago a redone arena, people had come
14 and actually made statements that to have a
15 real first class, as the term that was just
16 used, first class convention center, you
17 really need 75,000 square feet and high
18 ceilings. I couldn't find how high the
19 ceilings needed to be, but I combed back
20 through the notes and the number that jut
21 out to me was 75,000 square feet for a first
22 class exhibition/convention center. Are we
23 expanding it to that size?

24 MR. RATNER: It's 60 now which my
25 guess if 75, 60 would probably do. I don't

1 Full Legislature/9-23-13

2 know, honestly, we would have to bring in a
3 partner, and the partners that we've already
4 spoken to are Marriott, and we are very
5 close relationship with Marriott, and
6 Marriott would be the right company if they
7 -- if we talked to them maybe some months
8 ago, and they would be the right company
9 because they already operate the hotel and
10 it's important to have a hotel associated
11 with it because what happens is -- when a
12 convention comes or a show comes, they're
13 going to want to book rooms.

14 So we have a very close
15 relationship with Marriott in lots of kinds
16 of ways. They're even one of our sponsors
17 of our arena. So my real thinking, it's not
18 in the lease and haven't really discussed it
19 was, over the next six months to a year,
20 talk to Marriott and figure out how to
21 really make that thing something more than
22 it is.

23 I want to add, the other aspect
24 is, the real movement today is towards
25 conference centers because one of the things

1 Full Legislature/9-23-13
2 that the hotel does, has some conference
3 space. Part of it the exhibition ought to
4 also be used for conferences, if that's
5 possible because that's where there's not
6 enough conference space in this whole
7 region. But it's really to be pursued
8 honestly in the future for us, in the next
9 six months to a year.

10 LEGISLATOR DENENBERG: So a quick
11 answer is, there will still be an exhibition
12 hall?

13 MR. RATNER: Yes.

14 LEGISLATOR DENENBERG: Whether
15 it's going to be changed from the existing
16 one right now, the plan is to keep it pretty
17 much so the same, but it's something that in
18 the next six months that you might look to
19 expand for business purposes.

20 MR. RATNER: It's exciting. It's
21 an exciting opportunity. We would do it,
22 probably even if you hadn't brought it up
23 we'd probably come back and say maybe this
24 is something that we wanted to do. But we
25 would need to spend more time on it.

1 Full Legislature/9-23-13

2 LEGISLATOR DENENBERG: I would
3 encourage you to really look at the
4 convention center. You know, it's a little
5 disappointing that the convention center is
6 not being expanded, but I do think that
7 that's one of our goals with Hofstra right
8 there and the community college, Molloy,
9 there's a lot of reasons for there to be
10 exhibitions, conferences, conventions, in a
11 wide field of academics or other
12 professional type of networking or
13 professional shows.

14 There once was a talk of a
15 semi-conductor show being here instead of in
16 Boston, but that was a long time ago. So I
17 would like to see not giving up on the
18 convention center aspect. Because without
19 the major league time, even with the minor
20 league team, I think that we can have 300
21 events every year that would bring in a lot
22 more business if they're two, three day
23 conventions and conferences that would go a
24 lot more for our economy than even the big
25 events that are only one night as opposed to

1 Full Legislature/9-23-13

2 two to four days.

3 MR. RATNER: I'm aware of that
4 and we have worked on some kind of project,
5 but thank you.

6 LEGISLATOR DENENBERG: Is there a
7 big part of the fee that I see, both for --
8 certainly for NEC with 88 percent going to
9 you and for the county 12 percent is the
10 parking fees.

11 Has there been any discussion of
12 what the parking fees should be, the amount?

13 MR. RATNER: Jim, do you want to
14 comment on that? This is James Lester, he's
15 the senior vice president of our company.

16 MR. LESTER: The pricing is I
17 think dictated, and Brett can speak to this
18 as well, dictated to some extent by the
19 ticket price of the event. So obviously you
20 can't charge \$30 when the ticket price is
21 \$15. But the range is from 10 to 30
22 depending on the type of the event. And the
23 county has held back some spaces at \$20 for
24 larger events. So we need to have --

25 LEGISLATOR DENENBERG: Are you

1 Full Legislature/9-23-13
2 saying it's going to be flexible depending
3 on the ticket price of the event?

4 MR. LESTER: That's right.

5 LEGISLATOR DENENBERG: I don't
6 know if it is right now. When I go to
7 Islanders or to concerts, I notice it's
8 always the same set price. And then
9 sometimes it goes from that set price to
10 virtually waved for smaller events. So
11 that's something I was going to suggest that
12 there should be some middle ground and some
13 flexibility depending on the event.

14 MR. LESTER: I think that's the
15 intent.

16 LEGISLATOR DENENBERG: Let me ask
17 about timing. I understand it's two to five
18 years for the Coliseum, the Veterans
19 Memorial Coliseum redevelopment and, with
20 respect to the Coliseum plaza improvement,
21 the other 145,000 square feet of
22 development, and, to me, it's a little bit
23 -- I would love to see more, because there
24 was a time the Lighthouse was 2 million,
25 what the town of Hempstead approved in its

1 Full Legislature/9-23-13
2 plan that came out late '09 was about 1.2.
3 So this 145,000 square feet is a something a
4 little more than ten percent of what you
5 could do. So I would love to see more.

6 I understand this only commits to
7 the 145,000 square feet and the Coliseum
8 itself. What is the timing for the other
9 development?

10 MR. RATNER: The time of the
11 development is, as I said, we will start in
12 August of '15, and it will take 18 months
13 for the retail, and 15 months for the
14 Coliseum. So, again, it would start August
15 15, 2015. You add 15 months and 18 months
16 to that and you come out by the final day.
17 By the end of '16.

18 LEGISLATOR DENENBERG: For
19 everything?

20 MR. RATNER: For everything.
21 Well, 18 months, the very beginning of '17
22 for the retail.

23 LEGISLATOR DENENBERG: So you
24 don't see it being done in phases, first the
25 arena, then the retail, then the movie

1 Full Legislature/9-23-13

2 theater, amphitheater. Well, I don't know
3 what we are looking at for the amphitheater
4 now, but you explained what it was.

5 MR. RATNER: Yes.

6 LEGISLATOR DENENBERG: All
7 started at the same time?

8 MR. RATNER: Yes. Approximately.

9 LEGISLATOR DENENBERG: The
10 veteran monument as well?

11 MR. RATNER: Correct. Yes. And
12 when I say the same time, maybe a couple of
13 months later but within the same few month
14 time frame.

15 LEGISLATOR DENENBERG: And for
16 parking and traffic, I guess you might be
17 flexible, but right now we're envisioning
18 everything going at once?

19 MR. RATNER: That's correct.

20 LEGISLATOR DENENBERG: I think
21 that's very important. Once we have the
22 financing in place, move forward after the
23 Islander lease is up, which is not just the
24 Islander lease, so we're hoping right now we
25 can start at that two year period?

1 Full Legislature/9-23-13

2 MR. RATNER: Yes.

3 LEGISLATOR DENENBERG: Thanks.

4 Just for the record, I know at least
5 Legislator Whitton and Legislator Nicoletto
6 brought this up, but the language itself I
7 think is important with respect to the
8 contingency clause.

9 I understand that good faith
10 obligations permeate all agreements, but it
11 isn't so much -- let me just read it:

12 Tenant, meaning NEC, shall have
13 received binding commitments in form,
14 reasonably satisfactory to tenant and
15 landlord for all benefits required by
16 tenant, and all financing deemed necessary
17 by tenant in order to perform the work
18 solely with regard to the Coliseum
19 improvements, et cetera.

20 My concern is not just that the
21 financing and commitments be in the form
22 reasonably satisfactory to tenant, to me, I
23 guess as an attorney, all financing deemed
24 necessary by tenant.

25 Now, whatever good faith is in

1 Full Legislature/9-23-13

2 there, all financing deemed necessary is the
3 financing that you solely, you, as the
4 tenant, deem necessary.

5 So, just on the record, what is
6 that?

7 MR. RATNER: It's probably 50 or
8 60 percent of the project cost as a minimum.

9 LEGISLATOR DENENBERG: And I
10 heard everything else you said, that you're
11 here to build, not here to tie us up.

12 So you think at least a minimum
13 of 50 to 60 percent of the project cost,
14 which is what, in terms of real dollars?

15 MR. RATNER: In the case of the
16 Coliseum, it's 50 to 60 million. In the
17 case of the arena, it's a little trickier
18 because a lot of the work is done by the
19 tenant. What's it about, Jim?

20 MR. LESTER: The project breaks
21 down in a couple of different ways, it's
22 \$100 million. Then there's a retail project
23 that's about \$70 million, excluding the
24 Fillmore. The Fillmore is about 30 million.
25 And then \$30 million is done by the tenants

1 Full Legislature/9-23-13

2 themselves.

3 So I guess you could think of it
4 as \$100 million for the Coliseum.

5 MR. RATNER: Total cost of which
6 50 to 60 percent we'd look for financing.

7 MR. LESTER: Another \$100 million
8 for the retail including the Fillmore and
9 that would be also 50 to 60 percent
10 financed. And the rest would be built out
11 by the tenants. That would be 30 million.

12 LEGISLATOR DENENBERG: Thank you.
13 I do have another question that I don't
14 believe you can answer, but don't go far. I
15 don't know if this is for Robert or who this
16 is for.

17 Is there anyone here from the
18 comptroller's office? Has anyone, whether
19 it's yourself, anyone up here, anyone from
20 the administration? I received -- I want to
21 complement Maurice Chalmers, I received the
22 OLBR report, but considering this is part of
23 the -- as the county executive said, one of
24 the biggest leases, biggest contracts that
25 we're going to see. I haven't seen anything

1 Full Legislature/9-23-13

2 from the comptroller's office evaluating
3 this. Has anyone?

4 CHAIRWOMAN GONSALVES: Did anyone
5 request it?

6 LEGISLATOR DENENBERG: I know I
7 mentioned it last time when I was talking to
8 Mr. Chalmers, I said I would like to see it
9 from the comptroller.

10 CHIEF DEPUTY COUNTY EXEC WALKER:
11 As we do with all of our leases, obviously
12 the comptroller will play a vital role and
13 it will be forwarded to him as it is in
14 every other case once it's passed and he
15 will make a -- I think the numbers speak for
16 themselves. I think this is a very good
17 financial arrangement for Nassau County.

18 The office of Legislative Budget
19 Review and Mr. Chalmers did a great job. I
20 think it was spelled out very clearly. The
21 report from KPMG and also the report from
22 PFM speaks to the numbers and I think the
23 numbers are a great financial -- and I would
24 like to say this again, this goes back to
25 the decision the county executive made early

1 Full Legislature/9-23-13
2 on with both negotiating with both MSG and
3 NEC at the same time, because all we did was
4 really we took two great, two giants in the
5 industry and, if you saw where the lease
6 started from day one, and, obviously,
7 they're sitting here now realizing they left
8 a lot of money on the table, but we are
9 grateful, Bruce, that you did, and so are
10 the residents of the county, it's a great
11 financial -- we released the financial
12 burdens we currently have in terms of cost,
13 operations, repair, capital improvements,
14 and also taking the dollars that we are
15 going to be taking in. So I don't want to
16 speak on behalf of the comptroller, but I
17 think -- I look to Comptroller Maragos to
18 approve the lease and --

19 LEGISLATOR DENENBERG: I don't
20 think -- I would say the comptroller doesn't
21 vote on the lease at all, so getting it
22 after we voted on it is sort of -- that's
23 after it's done.

24 Usually, as one of the items that
25 we could look at, such as with the OLBR

1 Full Legislature/9-23-13
2 report and everything else you did your due
3 diligence together, PFM, et cetera, that the
4 comptroller reviews contracts and leases
5 before we approve them to opine on them. To
6 give an opinion after the fact is really not
7 useful.

8 I'm prepared to vote yes right
9 now, but to cross all my I's and dot all my
10 Ts, if there was a comptroller report on
11 this big lease, you know, in the past we
12 typically get that.

13 I do have something else for
14 Mr. Ratner, but, Rob, maybe you can answer
15 this as well. Mr. Ratner, maybe if you
16 would come back up?

17 CHIEF DEPUTY COUNTY EXEC WALKER:
18 Giving him a break, you're making him stand
19 for so long. Maybe give him some skates.

20 LEGISLATOR DENENBERG: Can't
21 blame me. I've only been asking for not
22 even 10 minutes.

23 Last area of questions. With
24 respect to the real estate tax exemption
25 that's in the IDA assistance in Schedule D,

1 Full Legislature/9-23-13

2 how do we provide funding to the local
3 community, the local fire departments or
4 schools as an offset?

5 CHIEF DEPUTY COUNTY EXEC WALKER:
6 So as we do with every IDA project, they --

7 LEGISLATOR DENENBERG: They'll be
8 a pilot?

9 CHIEF DEPUTY COUNTY EXEC WALKER:
10 They will complete an application for the
11 IDA. I think in this proposal which was
12 great, they acknowledge the importance of
13 paying a pilot that will ramp up over the
14 years to our local school district and it's
15 done as every other pilot is performed, that
16 number will be set by the board of the IDA.
17 The good thing to note is that people talk
18 about the unions and the PLAs. There is
19 three members of our local unions on the IDA
20 board right now, half of the IDA board is
21 actually made up of union membership. So
22 they will go through that process.

23 Once it's determined, that dollar
24 amount will be sent to all the taxing
25 jurisdictions, every one of them. So they

1 Full Legislature/9-23-13
2 will actually be receiving dollars that they
3 have not received before.

4 Thankfully in this case no cost
5 to the schools as the Coliseum is not going
6 to be home to the students and things of
7 that nature that they're going to be
8 attending schools and the Uniondale
9 community is not going to, again, have to
10 expand and we already know the school
11 district needs every dollar it can get and
12 deserves.

13 So, in this case, it will go
14 through as every other pilot did and it will
15 be real estate takes, again, paid for on the
16 Coliseum, the plaza improvements.

17 LEGISLATOR DENENBERG: Thank you.

18 Mr. Ratner, I just wanted to say
19 one last thing to you. I can't help but do
20 this. Linda Chiarelli who works for you and
21 I both went to school together. We
22 graduated as engineers from Cooper Union
23 together. I can just say, she's done a lot
24 better than me. She is working for you and
25 I'm sitting here.

1 Full Legislature/9-23-13

2 MR. RATNER: I want you to know,
3 you went to a great school, and if you kept
4 up with her, you're pretty good. You are
5 both a lawyer, an engineer. An architect.
6 I think she's all three. Brilliant and
7 wonderful woman and she's done a great job.

8 LEGISLATOR DENENBERG: I did
9 those three too. Thank you very much.

10 MR. RATNER: Thank you as well.

11 CHAIRWOMAN GONSALVES: Last, but
12 not least, Legislator Bosworth.

13 LEGISLATOR BOSWORTH: Thank you,
14 Presiding Officer. Well, it's been a long
15 afternoon and certainly thank the county
16 executive for coming down and making his
17 presentation and, Mr. Blumenfeld, we thank
18 you as well.

19 Mr. Ratner, you have been doing
20 the yeoman's job of presenting this and I
21 will tell you it's been so reassuring and
22 comforting to hear your great commitment to
23 our county, our communities, and to the
24 people of Nassau County. It's lovely.

25 I know Legislator Troiano was

1 Full Legislature/9-23-13
2 speaking to you about a number of very
3 important issues and he at one point said
4 something that it was good for the
5 enterprise and bringing in a lot of untapped
6 resources, and, under your breath I heard
7 you said, and it's good for my soul.

8 MR. RATNER: Yes.

9 LEGISLATOR BOSWORTH: And what
10 you're doing is good for our souls. So I
11 thank you so much for being here and for
12 your commitment to all of us.

13 I did have one question. Really
14 is only one. In terms of the choice between
15 actually tearing the facility down and
16 making the commitment to renovate it, I know
17 that has a lot of unforeseen pitfalls, as
18 Legislator DeRiggi-Whitton had mentioned,
19 that you might not be able to anticipate.
20 But one of the things that has been
21 identified in the standing structure was
22 some asbestos that was found there.

23 So I've had a lot of dealings
24 with asbestos and abatement, so I was
25 wondering if that's figured into your cost

1 Full Legislature/9-23-13

2 and the possibility that you might find a
3 lot more of that as you uncover different
4 parts of it during renovation?

5 MR. RATNER: It's in our costs
6 and we have a contingency for it. We've
7 done a preliminary analysis based on what
8 the county gave us, and based on our own
9 analysis. So it is in our cost and we have
10 a contingency for it and I think it should
11 be fine.

12 Obviously we have done a lot of
13 asbestos work over the years. Frankly, more
14 complicated situations than this.

15 LEGISLATOR BOSWORTH: Thank you.
16 Like I said, there was only one.

17 CHAIRWOMAN GONSALVES: Judy,
18 you're a lady of your word.

19 Mr. Ratner, first of all, let me
20 say thank you to you and your staff, Mr.
21 Blumenfeld as well, for a very comprehensive
22 presentation today. I would say most, all
23 of the concerns were addressed by our
24 colleagues here and you answered with
25 frankness, transparency, and of course the

1 Full Legislature/9-23-13
2 fact that this project is well overdue, and
3 I have to say that I'm happy it's going to
4 happen because I know my colleagues here are
5 going to support it. I just feel it. From
6 the questions I've heard and the answers
7 you've given, there is support on this
8 panel.

9 The other thing is, this project,
10 and I think all my colleagues realize this,
11 this will serve as a catalyst for the
12 development of the rest of the property.

13 So thank you for your
14 presentation today. Thank you, Mr.
15 Blumenfeld, thank you to all of the staff
16 for the great job you've done. Thank you,
17 Mr. Walker and County Executive Mangano for
18 his presentation. Job well done.

19 And I think now, guess what, we
20 will hear now, and you can sit down, the
21 residents now will be asking questions or
22 registering their concerns.

23 I have a few of them and I
24 apologize for them having to sit here for so
25 long, but, guess what, you have been

1 Full Legislature/9-23-13
2 educated as well as we have this afternoon
3 and I think some of your concerns may have
4 been allayed.

5 MR. RATNER: First, let me thank
6 you all, and thank all the members, both
7 sides of the aisle, as they say. It has
8 been a pleasure working on this and we will
9 meet our commitments and get it done and get
10 it down right.

11 I would like to thank all the
12 people I'm lucky enough to work with, the
13 Blumenfelds and all the people that are in
14 my company. I always say, my best days are
15 when I come in and see everybody I get to
16 work with. So thank you all.

17 CHAIRWOMAN GONSALVES: Mr.
18 Ratner, I too, I was born and raised in
19 Brooklyn, and I know the Barclays Center and
20 I Metrotech, and I know that whole Flatbush
21 avenue has been rejuvenated because of your
22 efforts and I see that coming to the Nassau
23 Coliseum.

24 MR. RATNER: Thank you.

25 CHAIRWOMAN GONSALVES: Thank you.

1 Full Legislature/9-23-13

2 Now, Sol Weinstein, are you still
3 here? He's not here. Michael Kola? Neil
4 Lewis, did you stay? Jean Wood Sessions?
5 Sorry. Dennis Jones.

6 MR. JONES: Thank you, Presiding
7 Officer Gonsalves, and all the other
8 legislators, Mr. Ratner and the group, what
9 a great presentation that we did here.

10 I just came to offer just a
11 little bit some of the things that I didn't
12 really hear too much about, and that's about
13 any community benefit agreements. We did
14 have some sort of discussion on it but it
15 really wasn't as extensive as I would think.

16 I wanted to ask that all of the
17 legislators kind of reach out to look up,
18 Albany law school did a legal study on
19 community benefit agreements just so that
20 you could familiarize yourself with it. It
21 just so happens that in the 2010, 2011
22 study, that the Ratner Group is in it in
23 regards to the Atlantic yards.

24 Just to sum up what that research
25 did talk about, it was that CBA, when CBAs

1 Full Legislature/9-23-13
2 are negotiated by a broad base and exclusive
3 coalitions, that they are truly
4 representative of community interests, and
5 such agreements result in community planning
6 vision that dramatically differs from the
7 existing traditional comprehensive plan.
8 And implementing regulations for the area.

9 It indicates that existing
10 governmental planning process may be
11 inadequate and that most appropriate action
12 for a local government is to take -- may be
13 to reform the way that it plans.

14 It did discuss transparency which
15 we talked about here today, accountability,
16 which was mentioned, and meaningful public
17 participation which is very, very important
18 here.

19 It did outline seven areas that I
20 hope that the Ratner Group would listen to,
21 and that is making planning information
22 easily accessible on line, and that
23 designated public facilities provide hearing
24 notices that are actually designed to reach
25 impacted community members, hold hearings in

1 Full Legislature/9-23-13
2 locations close to impacted neighborhoods
3 and, at times of the day when community
4 members are likely to be available, hold
5 additional public meetings, workshops and
6 other events in order to reach a diverse
7 cross section of the community members,
8 partner with existing neighborhood
9 associations, civic organizations, and faith
10 based entities. Make clear that planners
11 will be responsive to neighborhood
12 residents' concerns and desires, and express
13 a commitment to ensure that the community
14 based planning is an integral part of the
15 planning process.

16 I, again, thank Mr. Ratner and
17 his group for attending and giving such a
18 great presentation. Thank you.

19 CHAIRWOMAN GONSALVES: Thank you,
20 Mr. Jones. Reginald Benjamin? James
21 Sharpe? Good afternoon.

22 MR. SKLAR: Good afternoon. It's
23 nice to attend this. First time I've been
24 at a hearing here. We had about 1,000
25 NMBE's and I see now that the Coliseum is

1 Full Legislature/9-23-13
2 gone, or the Islanders are gone, not back
3 again.

4 David, you brought out a great
5 point. You started to ask about taxes. And
6 I think taxes here are a real important
7 thing and I hope everybody considers that.
8 Did anybody calculate yet what the school
9 district is going to end up if this gets
10 built to its fullest? Talking about
11 somewhere in the neighborhood, if I'm not
12 wrong, about 10 to \$15 million, which might
13 make Uniondale the most elite school
14 district in the county, to receive \$15
15 million on top of all their other money, it
16 would be real nice.

17 I would like to ask the
18 legislator a question. Did anybody here
19 ever go see a Jay-Z concert or his wife?
20 How this man ever did this, I don't know,
21 but he hooked up with this Jay-Z, with him
22 and his wife, the hottest people for the
23 next 25 years. They can outsell the Beatles
24 and also Elvis Presley. They only made
25 about \$89 million last year. And Jay-Z

1 Full Legislature/9-23-13
2 happened to do something, which he found a
3 better way to make money, he was a limited
4 partner in the Barclays Center and he went
5 out of it, not because he couldn't make
6 money, he found a better way to make money.
7 He's now representing some of the biggest
8 basketball stars and some of the biggest
9 entertainers in the country.

10 So I only want to ask the
11 legislature one thing to put in this thing
12 here. Just give me 200 tickets for every
13 concert, and at the end of the year, I'll
14 bring an extra million dollars of rent back
15 to the county. That's how hot these people
16 are. The last concert she did in New Jersey
17 attracted 15,000 people. The first ticket
18 sold for 100 to \$200, and the aftermarket
19 was five to \$700. They have a great great
20 following.

21 CHAIRWOMAN GONSALVES: Thank you,
22 Mr. Sklar. Now, the last speaker on this
23 item is James Sharpe. Did he leave? That's
24 the guy that left. Fine. Guess what?
25 These are the only speakers on this item and

1 Full Legislature/9-23-13

2 this is the moment we've been waiting for.
3 I just had a "thank God."

4 It is time now, all of the
5 legislators please take their seats.

6 MR. O'KANE: Can I make a
7 comment?

8 CHAIRWOMAN GONSALVES: Sure.
9 Name and address for the record.

10 MR. O'KANE: My name is Dick
11 O'Kane and I'm with the Nassau Suffolk
12 Building Trades. Formerly I was with the
13 ironworkers in New York City and I the
14 utmost pleasure of working with Mr. Ratner
15 building the Barclays Center.

16 My only regret when that thing
17 finished, I wish he had seven more on line
18 moving forward in my jurisdiction where I
19 had it. Anything Mr. Ratner tells you,
20 anybody who has any reservations about him
21 moving forward with this job, put them away.
22 This job is going to happen. He is going to
23 do a great job. You'll be asking him to
24 come in and do another one. It's just
25 absolutely -- it's going to be a pleasure

1 Full Legislature/9-23-13
2 for it to happen in this jurisdiction.

3 The membership, I represent
4 60,000 people. It's all about jobs now
5 today. That's what this is going to do,
6 jobs, jobs, jobs, and more jobs.

7 So, Mr. Ratner, thank you. I
8 look forward to working with you.

9 CHAIRWOMAN GONSALVES: Thank you
10 very much. I'm ready now. I don't believe
11 we need a roll call at this point, after
12 what, three hours of deliberating?

13 LEGISLATOR BECKER: I just want
14 to say that it was a great pleasure,
15 personally, to meet with Mr. Ratner and his
16 team, and, again, I would like to compliment
17 our County Executive Ed Mangano. This is an
18 amazing moment for Nassau County.

19 I've been here, one of the
20 original Nassau County legislators. There's
21 a few of us who are left. The property, the
22 hub, is something that we all wanted to see
23 for many years be realized and be an asset
24 to Nassau County.

25 The loss of the Islanders was

1 Full Legislature/9-23-13
2 devastating, but this is a new day. I'm
3 just so proud, number one, of our county
4 executive who is in my opinion the most
5 engaged county executive we've had since I
6 have been here, and I'm proud of him and
7 proud of his leadership and I'm proud of his
8 team and I think it's a great moment for
9 Nassau County and I want to compliment the
10 leadership of our county executive once
11 more. Thank you so much.

12 CHAIRWOMAN GONSALVES: Now, I
13 believe in fairness. Since Mr. Becker had
14 his turn, I said to Mr. Wink he can have his
15 turn, so it's one and one. That's it. Then
16 we're taking the vote.

17 LEGISLATOR WINK: Thank you,
18 Madam Presiding Officer. A lot of the
19 issues I raised in committee have been more
20 than addressed both since committee meetings
21 and here today. So I didn't feel the need
22 to actually raise them again. There are
23 still questions and there are still concerns
24 that I have. The Newsday story highlighted
25 many of the positives and some of the

1 Full Legislature/9-23-13

2 potential pitfalls associated with this
3 project.

4 I think this is a worthy project
5 to go forward I think it has the potential
6 to be a great transitional and
7 transformational project for Nassau County,
8 so I'm going to support it.

9 I also would hasten to add that
10 I'm glad that this is not subject to \$400
11 million of taxpayer money. I'm glad that
12 Mr. Ratner and Forest City are in fact
13 footing the bill for this and it's a far far
14 better thing than the alternatives that we
15 have dealt with in the past.

16 So, for that reason, and even
17 with the concerns I have about the finances
18 and the contingencies and whatnot, I too
19 will be supporting this today. Thank you.

20 CHAIRWOMAN GONSALVES: Now it's
21 time for the vote. Mr. Ratner, bear with
22 us.

23 LEGISLATOR SOLAGES: I will make
24 my remarks just brief. As the second to
25 youngest person on this body, next to my

1 Full Legislature/9-23-13
2 colleague, Mr. Venditto, we yearn for more
3 affordable housing for our young
4 professionals. We would desire this plan to
5 include housing for young professionals but
6 hopefully this will spawn that.

7 Again, my comments, I reserve my
8 comments that my colleagues have expressed,
9 but, I too, look forward to voting for this.
10 Thank you.

11 CHAIRWOMAN GONSALVES: That is
12 it. Now, all those in favor of Item 374-13
13 as amended, please signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 19 nothing. 19 nothing. Good
18 job. Good job, Mr. Ratner. I knew it was
19 going to go more than ten.

20 We are having a brief recess.
21 Hopefully we can be back by five o'clock.
22 15 minutes or so. We are now in recess.

23 (Whereupon, the Full Legislative
24 Committee recessed at 4:45 p.m. and
25 reconvened at 5:45 p.m.)

1 Full Legislature/9-23-13

2 CHAIRWOMAN GONSALVES: With the
3 consent of the minority, I'm going to be
4 calling a number of items and, of course,
5 we're not going to be reading those items,
6 just calling the item number. Is that okay?

7 Okay, we're talking about the
8 consent calendar, Items 2, 3, 4, 5, 6, 7, 8,
9 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,
10 skipping 19, we go to 20, 21, 22, 24, 35,
11 37, 38, 39, 40, 41, 43, 44. Do I have to
12 repeat?

13 LEGISLATOR ABRAHAMS: Yes,
14 please.

15 CHAIRWOMAN GONSALVES: Items 2
16 through 18, 20, 21, 22, 24, 35, 37, 38, 39,
17 40, 41, 43, 44.

18 Motion, please.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR BELESI: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator
23 Belesi. Any other comments, any questions?

24 (No verbal response.)

25 Is there any public comment?

1 Full Legislature/9-23-13

2 (No verbal response.)

3 There being none, all those in
4 favor of these items signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The items pass unanimously.

9 We had several appointments and I
10 have to say that the individuals were here,
11 however, with the consent of the minority we
12 said it would be okay.

13 So it's calendar Item 30 which is
14 Dr. Ranu to the Youth Board. Calendar Item
15 31, appointment of Ralph Esposito to VEEB,
16 Calendar Item 32, the appointment of Matthew
17 Paccione to the Youth Board, Calendar Item
18 33, Satish Sood to Soil and Water
19 Conservation District Board, and Calendar
20 Item 34, the appointment of Timothy P.
21 Sullivan to the Deferred Compensation Board.

22 A motion, please.

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR BELESI: Second.

25 CHAIRWOMAN GONSALVES: Moved by

1 Full Legislature/9-23-13

2 Legislator Dunne, seconded by Legislator
3 Belesi. Any questions or comments regarding
4 these appointments?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of these appointments signify by
10 saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 The appointments pass
15 unanimously.

16 Now we have Calendar Item 45,
17 Clerk Item 291-13, Ordinance Number 108-2013
18 which is the \$30,600,000 bond ordinance for
19 termination pay.

20 A motion, please.

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR BELESI: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator
25 Belesi. Any questions or comments on this

1 Full Legislature/9-23-13

2 Item 45? It need not be untabled. Was
3 placed erroneously.

4 (No verbal response.)

5 Deputy Commissioner, would you
6 like to comment at all? No. Anyone want to
7 ask him any questions?

8 LEGISLATOR DENENBERG: He learns
9 not to volunteer.

10 CHAIRWOMAN GONSALVES: Is there
11 any public comment?

12 (No verbal response.)

13 There being none, all those in
14 favor of Item 45, Clerk Item 291-13 signify
15 by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 Now we have a budget transfer,
21 correct? We need to do an amendment in the
22 nature of a substitution.

23 Calendar Item 42, Clerk Item
24 389-13, which is a budget transfer.

25 A motion, please.

1 Full Legislature/9-23-13

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR BELESI: Second.

4 CHAIRWOMAN GONSALVES: Moved by

5 Legislator Dunne, seconded by Legislator

6 Belesi. Now, I need an amendment in the

7 nature of a substitution. It was filed

8 September 10th at 12:43. A motion for the

9 amendment in the nature of a substitution.

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by

13 Legislator Dunne, seconded by Legislator

14 Walker. All those in favor of the amendment

15 in the nature of a substitution signify by

16 saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item as amended. Any

21 comments from the legislators?

22 (No verbal response.)

23 Is there any public comment?

24 (No verbal response.)

25 There being none, all those in

1 Full Legislature/9-23-13
2 favor of Clerk Item 389-13 or Calendar Item
3 42 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 Now we have three non-consent
9 items. Item 19, Resolution 167 which deals
10 with the First Precinct. A motion, please.

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR BELESI: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator
15 Belesi. Who is here, Mr. Theofan?

16 MR. MAY: Mr. Theofan, myself,
17 any questions?

18 CHAIRWOMAN GONSALVES: Any
19 questions regarding this item that deals
20 with the First Precinct?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in
25 favor of Item 19, Resolution 167 signify by

1 Full Legislature/9-23-13

2 saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes unanimously.

7 Now we have Item 23, Resolution
8 171 which deals with the heart monitors and
9 defibrillators for the South Hempstead Fire
10 Department.

11 A motion, please.

12 LEGISLATOR DUNNE: So moved.

13 LEGISLATOR BELESI: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Dunne, seconded by Legislator
16 Belesi. Any questions regarding Item 23?

17 (No verbal response.)

18 Is there any public comment?

19 (No verbal response.)

20 There being none, all those in
21 favor of Item 23, Resolution 171-2013
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Full Legislature/9-23-13

2 The item passes unanimously.

3 At this point I'm calling Clerk
4 Item 396-13, a resolution to authorize the
5 transfer of appropriations heretofore made
6 within the budget for the year 2013 with the
7 police department.

8 A motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR BELESI: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Belesi. Any comments regarding this item?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of Clerk Item 396-13 signify by saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item passes unanimously.

24 We have a number of items that
25 have to do with Hotel Motel tax grants and,

1 Full Legislature/9-23-13
2 with your permission, Mr. Kevan, 25, 26, 27,
3 28, 29, 36. Can we call them all together?
4 LEGISLATOR ABRAHAMS: I think
5 Legislator Denenberg has some questions on
6 them.
7 CHAIRWOMAN GONSALVES: First I
8 need a motion. Am I calling them all
9 together?
10 LEGISLATOR ABRAHAMS: Yes.
11 CHAIRWOMAN GONSALVES: A motion,
12 please.
13 LEGISLATOR DUNNE: So moved.
14 LEGISLATOR WALKER: Second.
15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator
17 Walker. Now, Mr. Denenberg.
18 LEGISLATOR DENENBERG: Yes, Mr.
19 May, at the committees I had a question in
20 terms of how could Hotel Motel tax grant
21 money be FEMA reimbursable. I think at the
22 time the commissioner said some of the
23 salaries were related to Super Storm Sandy
24 recovery of facilities but I wasn't sure. I
25 just wanted assurance that this could be

1 Full Legislature/9-23-13

2 FEMA reimbursable.

3 COMMISSIONER FOSKEY: Yes. Good
4 afternoon. Carnell Foskey, commissioner of
5 Nassau County Department of Parks,
6 Recreation and Museums. Those individuals
7 were being paid by Hotel Motel. And during
8 the course of the storm, when they went to
9 work on FEMA related projects, Hotel Motel
10 was reimbursed by FEMA.

11 LEGISLATOR DENENBERG: So you
12 expect that this would be as well?

13 COMMISSIONER FOSKEY: If they
14 work on any FEMA projects that we're
15 reimbursed, we'll reimburse Hotel Motel, ys.

16 LEGISLATOR DENENBERG: This was
17 already done?

18 COMMISSIONER FOSKEY: Yes, it was
19 done already.

20 CHAIRWOMAN GONSALVES: Minority
21 Leader Abrahams.

22 LEGISLATOR ABRAHAMS: How are
23 you, Mr. Foskey. It's actually not a
24 question for you, it's just the topic of
25 FEMA. When I heard FEMA brought up, I just

1 Full Legislature/9-23-13
2 wanted to bring up the fact that Legislator
3 DeRiggi-Whitton also provided a letter. It
4 was more in conjunction with FEMA and
5 cleanup of Super Storm Sandy, which I know
6 is not related to Hotel Motel tax, but I
7 just wanted to make sure that the
8 administration got a copy of the letter that
9 was sent to the presiding officer, but I
10 wanted to make sure the administration got a
11 copy of the letter because, obviously, if we
12 are talking about FEMA reimbursement, we
13 want to make sure we're getting every dime
14 from that cleanup as well.

15 MR. MAY: Sure. I don't recall
16 seeing a copy of that letter so if you send
17 it to my office -- the administration may
18 have received it. May have sent directly to
19 Chief Deputy County Executive Walker or
20 County Executive Mangano.

21 LEGISLATOR ABRAHAMS: Let me
22 stand to apologize, you are not cc'd on this
23 letter. So let's make sure you get a copy
24 of it now.

25 MR. MAY: Excellent. Thank you.

1 Full Legislature/9-23-13

2 LEGISLATOR DERIGGI-WHITTON:
3 Presiding Officer, may I?

4 CHAIRWOMAN GONSALVES: Yes.

5 LEGISLATOR DERIGGI-WHITTON: I
6 have a statement. We just requested that
7 the comptroller come before the Full Leg at
8 our next meeting just to testify as to where
9 we are with not only Looks Great Service but
10 the other reimbursement.

11 The last I heard it's only going
12 to be around 40 to 50 percent at this point.
13 That's really the last information I have
14 really been given. And we just have to
15 discuss now that we're talking about the
16 budget, I just want to see how we are going
17 to make adjustments for that should that be
18 the amount that we get.

19 MR. MAY: Did you also send a
20 copy of that letter to the comptroller?

21 LEGISLATOR DERIGGI-WHITTON: It's
22 been hand delivered and, again, I think it
23 would be good for him to come in and testify
24 in front of us. I know we gave him ample
25 time to do his review and I think, by now,

1 Full Legislature/9-23-13

2 he should be ready to come forth.

3 MR. MAY: As a separately elected
4 branch, I can't speak for the comptroller's
5 office, but if they received a letter, I'm
6 sure they'll respond appropriately.

7 CHAIRWOMAN GONSALVES: I just
8 want to reiterate the items that we are
9 speaking about, Items 25, 26, 27, 28, and
10 29. They are all Hotel Motel tax grants.

11 Any other comments regarding
12 those items?

13 (No verbal response.)

14 Is there any public comment?

15 (No verbal response.)

16 There being none, all those in
17 favor of Items 25, 26, 27, 28 and 29 signify
18 by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The items pass unanimously.

23 The next item which is on the
24 non-consent calendar is Item 36, Clerk Item
25 386-13, a resolution authorizing the release

1 Full Legislature/9-23-13
2 of a surety bond and cash escrow monies for
3 the Map of the Seasons at East Meadow
4 subdivision. A motion, please.

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator
9 Walker. Any questions regarding this item?

10 Is there any public comment?

11 (No verbal response.)

12 There being none, all those in
13 favor of Item 36, Clerk Item 386-13 -- there
14 were concerns regarding Clerk Item 386, the
15 Homeowners Association of the Seasons met
16 with the developer and they had a whole
17 check list of items that they agreed they
18 would take care of, and, therefore, we felt
19 that this was legitimate for us to put it on
20 the calendar.

21 Since there is an agreement
22 between the developer and the Homeowner's
23 Association. Come up, introduce yourself
24 please.

25 MR. KATZ: Martin Katz, Division

1 Full Legislature/9-23-13
2 of Planning and Department of Public Works.

3 A week ago today there was a
4 meeting. All the relevant parties met
5 including the reps from Engel Burman
6 including the attorney and the reps from HOA
7 and the chief building inspector for DPW.

8 A ten item punch-list was
9 generated and it was agreed on that those
10 ten items would be taken care of and I think
11 the HOA was satisfied. If you have any
12 questions, John O'Dougherty from DPW to
13 answer them with respect to the items on the
14 punch-list.

15 CHAIRWOMAN GONSALVES: Mr. Katz,
16 it's my understanding as well, because I
17 have those ten items that were part of the
18 punch-list and that there was an agreement
19 between the developer and the homeowners
20 association.

21 MR. KATZ: As far as I know, a
22 verbal agreement, the attorney for Engel
23 Burman, Dominic Minerva, and it's not
24 written, but --

25 CHAIRWOMAN GONSALVES: Do you

1 Full Legislature/9-23-13

2 want to testify to this? Be my guest.

3 MR. MINERVA: Good evening.

4 Dominic Minerva, Minerva & D'Agostino, 107
5 South Central Avenue, Valley Stream, New
6 York, attorney for the Engel Burman Group
7 and Seasons at Mitchell Field, L.L.C., the
8 applicant for the bond release. Yes, there
9 was a verbal agreement to repair those ten
10 punch-list items. We received a draft
11 written agreement. The items were supposed
12 to be complete on Thursday. They actually
13 postponed it. It should be completed next
14 week. And we have committed to do those ten
15 items.

16 CHAIRWOMAN GONSALVES: Mr. Katz.

17 MR. KATZ: They are maintenance
18 items not construction items with respect to
19 the public improvements.

20 CHAIRWOMAN GONSALVES: Would you
21 mind if I submitted these ten items to the
22 stenographer?

23 MR. MINERVA: I have no
24 objection.

25 CHAIRWOMAN GONSALVES: We'll make

1 Full Legislature/9-23-13

2 it part of the record. Okay. All those in
3 favor of Item 36, Clerk Item 386-13 signify
4 by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 Passes unanimously. We have
9 several emergencies now and I need
10 Mr. Clerk, and I will ask if we can dispense
11 with the reading of the emergencies.

12 LEGISLATOR JACOBS: I move to
13 dispense with the reading.

14 LEGISLATOR NICOLELLO: I second
15 that.

16 CHAIRWOMAN GONSALVES: And Mr.
17 Nicolello going to dispense with the
18 reading. So we can establish the
19 emergencies, Mr. Clerk.

20 CLERK MULLER: Would like me to
21 just read the clerk item number and what the
22 underlying emergency would be? You need to
23 vote on the emergency and then on the
24 underlying item, so you want to establish
25 the emergency first, just numerically? We

1 Full Legislature/9-23-13
2 can even incorporate it through reference.
3 I will put it with the court reporter as to
4 the chart.

5 Clerk Item 342-13, emergency
6 resolution 193A, 343-13, Emergency
7 Resolution 33-193B, 345-13, Emergency
8 Resolution 34-193C, 373-13, Emergency Item
9 35, Resolution 193D, 375-13, Emergency 36,
10 Resolution 193E, 376-13, Emergency 37,
11 Resolution 193F, 377-13, Emergency 38,
12 Resolution 193G, 378-13, Emergency 39,
13 Resolution 193H, 379-13, Emergency 40,
14 Resolution 193I, 380-13, Emergency 41,
15 Resolution 193J, 381-13, Emergency 42,
16 Resolution 193K, 382-13, Emergency 43,
17 Resolution 193L, 384-13, Emergency 44,
18 Resolution 193M, 406-13, Emergency Item 45,
19 Resolution 193N, 407-13, Emergency 46,
20 Resolution 193O, 408-13, Emergency 47,
21 Resolution 193P, 413-13, Emergency 48,
22 Resolution 193Q, 414-13, Emergency Item 49,
23 Resolution 193R, 415-13, Emergency 50,
24 Ordinance 151A, 416-13, Emergency 51,
25 Resolution 193S, 417-13, Emergency 52,

1 Full Legislature/9-23-13
2 Ordinance 151B, 418-13, Emergency 53,
3 Ordinance 151C, 419-13, Emergency 54,
4 Ordinance 151-D, 420-13, Emergency 55,
5 Resolution 193T, 427-13, Emergency 56,
6 Resolution 193U, 428-13, Emergency
7 Resolution 57, Resolution 193V, 429-13,
8 Emergency 58, Ordinance 151E, 430-13,
9 Emergency 59, Resolution 193W, 431-13,
10 Emergency 60, Emergency Resolution 193-X.

11 What I just read I believe was
12 given to both sides and also to the county
13 executive's office. So if there's any
14 holes, I'm sure they'll correct me
15 immediately.

16 Motion to establish the
17 emergency.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator
22 Walker. We have established the emergency
23 for each of these items. All those in favor
24 of establishing the emergencies signify by
25 saying aye.

1 Full Legislature/9-23-13

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The emergencies have been
6 established. Now we can call them
7 separately and take a vote on them
8 separately or we can, once again, block the.
9 Can I block them?

10 CLERK MULLER: That's everything
11 that county executive submitted to me this
12 afternoon.

13 CHAIRWOMAN GONSALVES: Do me a
14 favor so I don't have to do it, just call
15 the items all together.

16 CLERK MULLER: Just numerically,
17 correct?

18 CHAIRWOMAN GONSALVES: Yes.

19 CLERK MULLER: Resolution 193A,
20 Resolution 193B, Resolution 193C, Resolution
21 193D, Resolution 193E, Resolution 193F,
22 Resolution 193G, Resolution 193H, Resolution
23 193I, Resolution 193J, Resolution 193K,
24 Resolution 193L, Resolution 193M, Resolution
25 193N, Resolution 193O, Resolution 193P,

1 Full Legislature/9-23-13
2 Resolution 193Q, Resolution 193R, Ordinance
3 151A, Resolution 193S, Ordinance 151B,
4 Ordinance 151C, Ordinance 151-D, Resolution
5 193T, Resolution 193U, Resolution 193V,
6 Ordinance 151E, Resolution 193W, Resolution
7 193-X.

8 CHAIRWOMAN GONSALVES: Motion,
9 please.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR DUNNE: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Walker, seconded by Legislator
14 Dunne. Are there any questions regarding
15 these items?

16 (No verbal response.)

17 There being none, all those in
18 favor of each of these items that were
19 called by the clerk signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The items pass unanimously. I
24 think that's the end of the calendar.

25 A motion to adjourn.

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Full Legislature/9-23-13

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator
Kopel. All those in favor of adjourning
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

This was a unanimous day. The
only ones who have to stay a little longer
are those who are on the Rules Committee.

(Whereupon, the Full Legislative
Committee adjourned at 6:12 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby stated:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2013.

FRANK GRAY