

1. Public Notice

Documents: [6-27-16 AND 7-11-16.PDF](#)

2. Committee Agendas

Documents: [E-6-27-16.PDF](#), [F-6-27-16.PDF](#), [GS-6-27-16.PDF](#), [H-6-27-16.PDF](#), [MA -6-27-16.PDF](#), [PL-6-27-16.PDF](#), [PS-6-27-16.PDF](#), [PW-6-27-16.PDF](#), [R-6-27-16.PDF](#), [TV-6-27-16.PDF](#), [VS-6-27-16.PDF](#)

3. Addendums

Documents: [6-27-16RA.PDF](#), [E-102-16 WEB.PDF](#), [F-6-27-16 ADDENDUM.PDF](#), [H-6-27-16 ADDENDUM.PDF](#), [PL-6-27-16 ADDENDUM.PDF](#), [PS-6-27-16 ADDENDUM.PDF](#), [R-6-27-16 ADDENDUM.PDF](#), [6-27-16FA.PDF](#), [6-27-16HA.PDF](#), [6-27-16PLA.PDF](#), [6-27-16PSA.PDF](#)

4. Meeting Minutes

Documents: [FINANCE, 06-27-16.PDF](#), [HEALTH, 06-27-16.PDF](#), [PLANNING, 06-27-16.PDF](#), [PUBLIC SAFETY, 06-27-16.PDF](#), [RULES, 06-27-16.PDF](#)

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE NASSAU COUNTY LEGISLATURE WILL HOLD COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, JUNE 27, 2016 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, JULY 11, 2016 STARTING AT 1:00 PM IN THE PETER J. SCHMITT MEMORIAL LEGISLATIVE CHAMBER, 1ST FLOOR, THEODORE ROOSEVELT EXECUTIVE AND LEGISLATIVE BUILDING, 1550 FRANKLIN AVENUE, MINEOLA, NEW YORK 11501.

FULL LEGISLATIVE SESSION.....1:00 PM

COMMITTEE	TIME
RULES	1:00PM
PUBLIC SAFETY	1:00PM
PLANNING, DEVELOPMENT & THE ENVIRONMENT	1:00PM
TOWNS, VILLAGES AND CITIES	1:00PM
ECONOMIC & COMMUNITY DEVELOPMENT & LABOR	1:00PM
PUBLIC WORKS AND PARKS	1:00PM
HEALTH AND SOCIAL SERVICES	1:00PM
GOVERNMENT SERVICES AND OPERATIONS	1:00PM
MINORITY AFFAIRS	1:00PM
VETERANS AND SENIOR AFFAIRS	1:00PM
FINANCE	1:00PM

MICHAEL C. PULITZER
Clerk of the Legislature
Nassau County, New York

Dated: June 20, 2016
Mineola, NY

As per the Nassau County Fire Marshall's Office, the Peter J. Schmitt Memorial Legislative Chamber has a maximum occupancy of 251 people and the outer chamber which will stream the meeting live, has a maximum occupancy of 72. Passes will be distributed on a first come first served basis beginning one half hour before the meeting begins and attendees will be given an opportunity to sign in to address the Legislature for a maximum of three minutes. Public comment is limited to Agenda items. The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>.

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

ECONOMIC & COMMUNITY DEVELOPMENT & LABOR COMMITTEE

JUNE 27, 2016 1:00 PM

Denise Ford – Chairwoman
Howard Kopel– Vice Chairman
James Kennedy
Steven Rhoads
Carrié Solages – Ranking
Siela A. Bynoe
Ellen Birnbaum

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

FINANCE COMMITTEE

JUNE 27, 2016 1:00 PM

Richard Nicoletto – Chairman

Vincent Muscarella – Vice Chairman

Rose Marie Walker

Donald MacKenzie

Delia DeRiggi-Whitton – Ranking

Laura Curran

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
217-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$722,572 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 217-16(PW)
231-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES. 231-16(OMB)
233-16	AT	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, KATHLEEN MCQUADE, AS SET FORTH IN THE ACTION ENTITLED KATHLEEN MCQUADE V. COUNTY OF NASSAU, 13T 65418 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 233-16(AT)
234-16	CD	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY OF NASSAU TO FILE AN APPLICATION FOR FEDERAL ASSISTANCE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. 234-16(CD)
235-16	PD	PS, F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE SIGNING OF A NEW YORK STATE DEPARTMENT OF TRANSPORTATION SUPPLEMENTAL GRANT AGREEMENT FOR FUNDS TO SUPPORT ENFORCEMENT OF HIGH OCCUPANCY VEHICLE (H.O.V.) TRAFFIC LAWS ON THE LONG ISLAND EXPRESSWAY. 235-16(PD)
236-16	AT	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, MICHAEL BRESNAHAN, AS SET FORTH IN THE ACTION ENTITLED MICHAEL BRESNAHAN V. COUNTY OF NASSAU, NASSAU COUNTY POLICE DEPARTMENT AND OFFICER DENNIS MCHALE, INDEX NO. 7720/2012 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 236-16(AT)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
237-16	PK	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE AFRICAN AMERICAN GENEALOGICAL SOCIETY. 237-16(PK)
239-16	AT	F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE PAYMENT OF CERTAIN JUDGMENTS OR COMPROMISED OR SETTLED CLAIMS AGAINST THE COUNTY OF NASSAU, AUTHORIZING \$45,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE, AND MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 239-16(AT)
241-16	OMB	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 241-16(OMB)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

GOVERNMENT SERVICES & OPERATIONS COMMITTEE JUNE 27, 2016 1:00 PM

James Kennedy – Chairman

Denise Ford – Vice Chairwoman

Richard Nicoletto

Laura Schaefer

Siela A. Bynoe– Ranking

Carrié Solages

Ellen Birnbaum

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

HEALTH AND SOCIAL SERVICES COMMITTEE

JUNE 27, 2016 1:00 PM

Rose Marie Walker – Chairwoman

C. William Gaylor III – Vice Chairman

Laura Schaefer

James Kennedy

Delia DeRiggi-Whitton – Ranking

Judy Jacobs

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
231-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES. 231-16(OMB)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

MINORITY AFFAIRS COMMITTEE

JUNE 27, 2016 1:00 PM

Steve Rhoads – Chairman

James Kennedy– Vice Chairman

Dennis Dunne

Rose Marie Walker

Siela A. Bynoe – Ranking

Carrié Solages

Laura Curran

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PLANNING, DEVELOPMENT AND THE ENVIRONMENT COMMITTEE

JUNE 27, 2016 1:00 PM

Laura Schaefer - Chairwoman

Dennis Dunne - Vice Chairman

Denise Ford

Steve Rhoads

Judy Jacobs – Ranking

Carrié Solages

Laura Curran

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PUBLIC SAFETY COMMITTEE

JUNE 27, 2016 1:00 PM

Dennis Dunne - Chairman

Donald MacKenzie - Vice Chairman

Vincent Muscarella

Denise Ford

Laura Curran - Ranking

Kevan Abrahams

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
235-16	PD	PS, F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE SIGNING OF A NEW YORK STATE DEPARTMENT OF TRANSPORTATION SUPPLEMENTAL GRANT AGREEMENT FOR FUNDS TO SUPPORT ENFORCEMENT OF HIGH OCCUPANCY VEHICLE (H.O.V.) TRAFFIC LAWS ON THE LONG ISLAND EXPRESSWAY. 235-16(PD)

**NASSAU COUNTY LEGISLATURE
11th TERM MEETING AGENDA**

**PUBLIC WORKS AND PARKS
COMMITTEE**

JUNE 27, 2016 1:00 PM

Vincent Muscarella – Chairman

Steve Rhoads– Vice Chairman

Donald MacKenzie

C. William Gaylor III

Ellen Birnbaum– Ranking

Judy Jacobs

Laura Curran

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

PUBLIC WORKS

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

JUNE 27, 2016 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Dennis Dunne
Howard Kopel
Kevan Abrahams – Ranking
Judy Jacobs
Carrié Solages

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
217-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$722,572 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 217-16(PW)
231-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES. 231-16(OMB)
233-16	AT	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, KATHLEEN MCQUADE, AS SET FORTH IN THE ACTION ENTITLED KATHLEEN MCQUADE V. COUNTY OF NASSAU, 13T 65418 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 233-16(AT)
234-16	CD	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY OF NASSAU TO FILE AN APPLICATION FOR FEDERAL ASSISTANCE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. 234-16(CD)
235-16	PD	PS, F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE SIGNING OF A NEW YORK STATE DEPARTMENT OF TRANSPORTATION SUPPLEMENTAL GRANT AGREEMENT FOR FUNDS TO SUPPORT ENFORCEMENT OF HIGH OCCUPANCY VEHICLE (H.O.V.) TRAFFIC LAWS ON THE LONG ISLAND EXPRESSWAY. 235-16(PD)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
236-16	AT	F, R	<p><u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, MICHAEL BRESNAHAN, AS SET FORTH IN THE ACTION ENTITLED MICHAEL BRESNAHAN V. COUNTY OF NASSAU, NASSAU COUNTY POLICE DEPARTMENT AND OFFICER DENNIS MCHALE, INDEX NO. 7720/2012 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 236-16(AT)</p>
237-16	PK	F, R	<p><u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE AFRICAN AMERICAN GENEALOGICAL SOCIETY. 237-16(PK)</p>
239-16	AT	F, R	<p><u>ORDINANCE NO. -2016</u> AN ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE PAYMENT OF CERTAIN JUDGMENTS OR COMPROMISED OR SETTLED CLAIMS AGAINST THE COUNTY OF NASSAU, AUTHORIZING \$45,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SAID EXPENDITURE, AND MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 239-16(AT)</p>
241-16	OMB	F, R	<p><u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 241-16(OMB)</p>
A-25-16	PR	R	<p><u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY OFFICE OF EMERGENCY MANAGEMENT AND GLOBAL SECURITY SYSTEMS LLC. A-25-16</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-153-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY ATTORNEY'S OFFICE, AND WILSON ELSEER MOSKOWITZ EDELMAN& DICKER LLP. E-153-16
E-154-16	CC	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF CORRECTION AND THE NASSAU COUNCIL OF BLACK CLERGY, INC. T/A UNIFIED COUNCIL OF CHURCHES. E-154-16
E-156-16	PR	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF THE COUNTY EXECUTIVE AND AUCTIONS INTERNATIONAL, INC. E-156-16
E-157-16	TS	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF TRAFFIC SAFETY BOARD AND THE NEW YORK COALITION FOR TRANSPORTATION SAFETY, INC. E-157-16
E-159-16	SS	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF SOCIAL SERVICES, AND ADELPHI UNIVERSITY INSTITUTE FOR PARENTING. E-159-16
U-6-16	TV	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY, AND ROBERT HOROWITZ. U-6-16

U-11-16	TV	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY, AND RICHARD A. LAPERA. U-11-16
U-43-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND STUART MARKUS, D/B/A GATHERING TIME. U-43-16
U-44-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND PAUL GERGENTI. U-44-16
U-45-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND CHRISTOPHER EYERS YERLIG. U-45-16
U-46-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND MLCATA ENTERTAINMENT LLC. U-46-16
U-48-16	HI	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY OFFICE OF HOUSING AND HOMELESS SERVICES AND LESLIE FRANCIS, ESQ. U-48-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
U-49-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY ATTORNEY’S OFFICE, AND SOBEL LAW GROUP, LLC. U-49-16
U-50-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND BAREFOOT PRODUCTIONS, INC. DBA ROCKET REHEARSAL STUDIO. U-50-16
U-51-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND EAST MEADOW SOCCER CLUB. U-51-16
U-52-16	TS	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF TRAFFIC SAFETY BOARD AND THE NEW YORK COALITION FOR TRANSPORTATION SAFETY, INC. U-52-16
U-53-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND OBVIOUS MEDIA, INC. U-53-16
U-54-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND MLCATA ENTERTAINMENT LLC. U-54-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
U-55-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND PLAZA THEATRICAL PRODUCTIONS, INC. U-55-16
U-56-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND CBS RADIO, INC. U-56-16
U-57-16	ME	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY MEDICAL EXAMINER AND RICHARD SERCHUK, D.D.S. U-57-16
U-58-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND GREGG RAFFA EVENTS. U-58-16
U-59-16	PK	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS AND ANTHONY GUADAGNO. U-59-16
			<u>THE FOLLOWING ITEMS MAY BE UNTABLED</u>
197-16	OMB	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 197-16(OMB)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
A-4-16	PR	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE DIRECTOR OF NASSAU COUNTY OFFICE OF PURCHASING TO REQUEST OVERSIGHT OF A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF VARIOUS NASSAU COUNTY DEPARTMENTS AND HVAC INC. A-4-16
B-4-16	PW	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AWARD AND EXECUTE A CONTRACT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND R.J. INDUSTRIES, INC. B-4-16
E-51-16	TS	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF TRAFFIC SAFETY BOARD AND DANIELLE P. RELLE. E-51-16
E-56-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AFFIRMING TO AN AMENDMENT TO A SPECIAL COUNSEL CONTRACT ENTERED INTO BY THE NASSAU COUNTY ATTORNEY AND WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP. E-56-16
E-66-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AFFIRMING TO AN AMENDMENT TO A SPECIAL COUNSEL CONTRACT ENTERED INTO BY THE NASSAU COUNTY ATTORNEY AND LEVENTHAL, MULLANEY & BLINKOFF LLP. E-66-16
E-120-16	SS	R	<u>RESOLUTION NO. -2016</u> RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF SOCIAL SERVICES AND SUMMIT SECURITY SERVICES, INC. E-120-16

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
U-16-16	AT	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF THE NASSAU COUNTY ATTORNEY, AND JACKSON LEWIS P.C. U-16-16

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

TOWNS, VILLAGES & CITIES COMMITTEE

JUNE 27, 2016 1:00 PM

Donald MacKenzie – Chairman

Laura Schaefer – Vice Chairwoman

Howard Kopel

C. William Gaylor III

Delia DeRiggi-Whitton – Ranking

Laura Curran

Ellen Birnbaum

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

**NASSAU COUNTY LEGISLATURE
11TH TERM MEETING AGENDA**

**VETERANS
AND SENIOR AFFAIRS
COMMITTEE**

JUNE 27, 2016 1:00 PM

**C. William Gaylor III –Chairman
Rose Marie Walker – Vice Chairwoman
Dennis Dunne
Vincent Muscarella
Carrié Solages- Ranking
Delia DeRiggi-Whitton
Ellen Birnbaum**

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

ADDENDUM

JUNE 27, 2016 1:00 PM

Norma Gonsalves – Chairwoman

Richard Nicoello– Vice Chairman

Dennis Dunne

Howard Kopel

Kevan Abrahams – Ranking

Judith Jacobs

Carrié Solages

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
240-16	AT	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, DAVID PAGE, AS SET FORTH IN THE ACTION ENTITLED DAVID PAGE V. COUNTY OF NASSAU, NASSAU COUNTY SHERIFF'S DEPARTMENT, CORRECTIONS OFFICER JOHN ANDUJAR, CORRECTIONS OFFICER JOSEPH DONLON, CORRECTIONS LT. PHILLIP ZORN, INDEX NO. 14-CV-05587 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 240-16(AT)
242-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF THE COUNTY EXECUTIVE. 242-16(OMB)
243-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 243-16(OMB)
244-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 244-16(OMB)
245-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 245-16(OMB)
246-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE SOCIAL SERVICES. 246-16(OMB)
247-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/ DIVISION OF FORENSIC SERVICES. 247-16(OMB)
248-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/DIVISION OF FORENSIC SERVICES. 248-16(OMB)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
249-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 249-16(OMB)
250-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 250-16(OMB)
251-16	OMB	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 251-16(OMB)
252-16	OMB	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2016. 252-16(OMB)
253-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$11,600,00 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 253-16(PW)
254-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$6,088,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 254-16(PW)
255-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 4 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 255-16(PW/PL)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
256-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 6 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 256-16(PW/PL)
257-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 5 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 257-16(PW/PL)
E-102-16	HE	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH AND RENEE K. BARSA. E-102-16

Contract ID#: COHE15000016-3Department: Health**E-102-16****Contract Details**SERVICE:
Public Health Emergency PreparednessNIFS ID #: CLHE16000003NIFS Entry Date 3/9/2016 Term: from: 9/1/2016 – 8/31/2017

New <input type="checkbox"/> Renewal <input checked="" type="checkbox"/>
Amendment <input checked="" type="checkbox"/>
Time Extension <input type="checkbox"/>
Addl. Funds <input type="checkbox"/>
Blanket Resolution <input type="checkbox"/>
RES#

1) Mandated Program:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2) Comptroller Approval Form Attached:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
3) CSEA Agmt. § 32 Compliance Attached:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4) Vendor Ownership & Mgmt. Disclosure Attached:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5) Insurance Required	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Agency Information

Vendor	
Name RENEE BARS	Vendor ID# [REDACTED]
Address [REDACTED]	Contact Person Renee K. Barsa
	Phone [REDACTED]

County Department
Department Contact Ginny Mundy
Address 60 Charles Lindbergh Blvd. Ste. 112 Uniondale, NY 11553
Phone 516-227-8589

Routing Slip

DATE Rec'd	DEPARTMENT	Internal Verification	DATE App'd & Fw'd	SIGNATURE	Leg. Approval Required
3/9/16	Department	NIFS Entry (Dept) NIFS Appvl (Dept. Head) Contractor Registered <input checked="" type="checkbox"/>	3/9/16	[Signature]	
	OMB	NIFS Approval (Contractor Registered) <input type="checkbox"/>	3/15/16	[Signature]	Yes <input type="checkbox"/> No <input type="checkbox"/> Not required if blanket resolution
3/23/16	County Attorney	CA RE & Insurance Verification <input checked="" type="checkbox"/>	3/23/16	[Signature]	
3/23/16	County Attorney	CA Approval as to form <input checked="" type="checkbox"/>	3/23/16	[Signature]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Legislative Affairs	Fw'd Original Contract to CA <input type="checkbox"/>			
	County Attorney	NIFS Approval <input type="checkbox"/>			
	Comptroller	NIFS Approval <input type="checkbox"/>			
4/18/16	County Executive	Notarization Filed with Clerk of the Leg. <input type="checkbox"/>	4/18/16	[Signature]	

RECEIVED
NASSAU COUNTY



Contract Summary

Description: This contract serves to provide Public Health Emergency preparedness training for Nassau County Dept. of Health Medical Reserve Corp. Volunteers and health Department Personnel.
Purpose: Improve capability to respond to Public Health Emergencies.
Method of Procurement: Competitive Bid through Purchasing Procurement Process.
Procurement History: N/A
Description of General Provisions: The Contractor shall provide Public Health Preparedness Training Classes on an as needed basis and as determined by the Department, for Medical Reserve Corps (MRC) Volunteers, County Employees and other volunteers as requested by the Department in order to enhance the ability to respond to public health emergencies, which such services are more fully described in the attached Appendix A.
Impact on Funding / Price Analysis: Grant Funded 100%
Change in Contract from Prior Procurement: N/A
Recommendation: (approve as submitted) Approved as Submitted.

Advisement Information

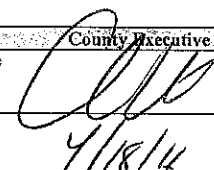
BUDGET CODES	
Fund:	GRT
Control:	ES
Resp:	ESX5
Object:	DE500
Transaction:	109

FUNDING SOURCE	AMOUNT
Revenue Contract <input type="checkbox"/>	XXXXXXXX
County	\$
Federal	\$ 975.00
State	\$
Capital	\$
Other	\$
TOTAL	\$ 975.00

LINE	INDEX/OBJECT CODE	AMOUNT
1		\$
2		\$
3	HEGRTESX5FED/DE500	\$ 975.00
4		\$
5		\$
6		\$
TOTAL		\$ 975.00

RENEWAL	
% Increase	
% Decrease	

Document Prepared By: Ginny Mundy 227-8589Date: 3/9/2016

NIFS Certification	Comptroller Certification	County Executive Approval
I certify that this document was accepted into NIFS.	I certify that an unencumbered balance sufficient to cover this contract is present in the appropriation to be charged.	Name 
Name	Name	Date <u>4/18/16</u>
Date	Date	(For Office Use Only)
		E #:



Nassau County Interim Finance Authority

Contract Approval Request Form (As of January 1, 2015)

1. Vendor: Renee Barsa CQHE15000016 CLHE16000003

2. Dollar amount requiring NIFA approval: \$ 975.00

Amount to be encumbered: \$ 975.00

This is a ☐ New Contract ☐ Advisement ☒ Amendment

If new contract - \$ amount should be full amount of contract

If advisement - NIFA only needs to review if it is increasing funds above the amount previously approved by NIFA

If amendment - \$ amount should be full amount of amendment only

3. Contract Term: 9/1/2016- 8/31/2017

Has work or services on this contract commenced? ☐ Yes ☒ No

If yes, please explain: _____

4. Funding Source:

☐ General Fund (GEN) ☒ Grant Fund (GRT)
☐ Capital Improvement Fund (CAP) Federal % 100
☐ Other State % _____
County % _____

Is the cash available for the full amount of the contract? ☒ Yes ☐ No

If not, will it require a future borrowing? ☐ Yes ☐ No

Has the County Legislature approved the borrowing? ☐ Yes ☐ No ☐ N/A

Has NIFA approved the borrowing for this contract? ☐ Yes ☐ No ☐ N/A

5. Provide a brief description (4 to 5 sentences) of the item for which this approval is requested:

To provide Public Health Emergency preparedness training for Nassau County Dept. of Health Medical Reserve Corp. Volunteers and Health Department Personnel.

6. Has the item requested herein followed all proper procedures and thereby approved by the:

Nassau County Attorney as to form ☐ Yes ☐ No ☐ N/A
Nassau County Committee and/or Legislature ☐ Yes ☐ No ☐ N/A

Date of approval(s) and citation to the resolution where approval for this item was provided:

N/A

7. Identify all contracts (with dollar amounts) with this or an affiliated party within the prior 12 months:

See attached

AUTHORIZATION

To the best of my knowledge, I hereby certify that the information contained in this Contract Approval Request Form and any additional information submitted in connection with this request is true and accurate and that all expenditures that will be made in reliance on this authorization are in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan. I understand that NIFA will rely upon this information in its official deliberations.

Kassam D. Allen
Signature Title

3/16/16
Date

Print Name

COMPTROLLER'S OFFICE

To the best of my knowledge, I hereby certify that the information listed is true and accurate and is in conformance with the Nassau County Approved Budget and not in conflict with the Nassau County Multi-Year Financial Plan.

Regarding funding, please check the correct response:

_____ I certify that the funds are available to be encumbered pending NIFA approval of this contract.

If this is a capital project:

_____ I certify that the bonding for this contract has been approved by NIFA.

_____ Budget is available and funds have been encumbered but the project requires NIFA bonding authorization

Signature Title

Date

Print Name

NIFA

Amount being approved by NIFA: _____

Signature Title

Date

Print Name

NOTE: All contract submissions MUST include the County's own routing slip, current NIFS printouts for all relevant accounts and relevant Nassau County Legislature communication documents and relevant supplemental information pertaining to the item requested herein.

NIFA Contract Approval Request Form MUST be filled out in its entirety before being submitted to NIFA for review.

NIFA reserves the right to request additional information as needed.

RULES RESOLUTION NO. – 2016

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO
EXECUTE AN AMENDMENT TO A PERSONAL SERVICES
AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON
BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH
AND RENEE K. BARSA

WHEREAS, the County has negotiated an amendment to a personal
services agreement with Renee K. Barsa to provide Public Health
Preparedness Training Classes, a copy of which is on file with the Clerk of
the Legislature; now, therefore, be it

RESOLVED, that the Rules Committee of the Nassau County
Legislature authorize the County Executive to execute the said amendment
to an agreement with Renee K. Barsa

COUNTY OF NASSAU

CONSULTANT'S, CONTRACTOR'S AND VENDOR'S DISCLOSURE FORM

1. Name of the Entity: Renee K. Barsa
Address: [REDACTED]
City, State and Zip Code: [REDACTED]

2. Entity's Vendor Identification Number: Federal ID # [REDACTED]

3. Type of Business: ☐ Public Corp ☐ Partnership ☐ Joint Venture
☐ Ltd. Liability Co ☐ Closely Held Corp Sole Prop Other (specify)

4. List names and addresses of all principals; that is, all individuals serving on the Board of Directors or comparable body, all partners and limited partners, all corporate officers, all parties of Joint Ventures, and all members and officers of limited liability companies (attach additional sheets if necessary):

None

5. List names and addresses of all shareholders, members, or partners of the firm. If the shareholder is not an individual, list the individual shareholders/partners/members. If a Publicly held Corporation include a copy of the 10K in lieu of completing this section.

None

6. List all affiliated and related companies and their relationship to the firm entered on line 1. above (if none, enter "None"). Attach a separate disclosure form for each affiliated or subsidiary company.

None

7. List all lobbyists whose services were utilized at any stage in this matter (i.e., pre-bid, bid, post-bid, etc.). The term "lobbyist" means any and every person or organization retained, employed or designated by any client to influence - or promote a matter before - Nassau County, its agencies, boards, commissions, department heads, legislators or committees, including but not limited to the Open Space and Parks Advisory Committee and Planning Commission. Such matters include, but are not limited to, requests for proposals, development or improvement of real property subject to County regulation, procurements, or to otherwise engage in lobbying as the term is defined herein. The term "lobbyist" does not include any officer, director, trustee, employee, counsel or agent of the County of Nassau, or State of New York, when discharging his or her official duties.

(a) Name, title, business address and telephone number of lobbyist(s):

None

Page 3 of 4

(b) Describe lobbying activity of each lobbyist. See page 4 of 4 for a complete description of lobbying activities.

None

(c) List whether and where the person/organization is registered as a lobbyist (e.g., Nassau County, New York State):

None

8. VERIFICATION: This station must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

Dated: 6-17-15

Signed: R B

Print Name: Renee K. Barsa

Title: Owner

Page 4 of 4;

The term lobbying shall mean any attempt to influence: any determination made by the Nassau County Legislature, or any member thereof, with respect to the introduction, passage, defeat, or substance of any local legislation or resolution; any determination by the County Executive to support, oppose, approve or disapprove any local legislation or resolution, whether or not such legislation has been introduced in the County Legislature; any determination by an elected County official or an officer or employee of the County with respect to the procurement of goods, services or construction, including the preparation of contract specifications, including but not limited to the preparation of requests for proposals, or solicitation, award or administration of a contract or with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies; any determination made by the County Executive, County Legislature, or by the County of Nassau, its agencies, boards, commissions, department heads or committees, including but not limited to the Open Space and Parks Advisory Committee, the Planning Commission, with respect to the zoning, use, development or improvement of real property subject to County regulation, or any agencies, boards, commissions, department heads or committees with respect to requests for proposals, bidding, procurement or contracting for services for the County; any determination made by an elected county official or an officer or employee of the county with respect to the terms of the acquisition or disposition by the county of any interest in real property, with respect to a license or permit for the use of real property of or by the county, or with respect to a franchise, concession or revocable consent; the proposal, adoption, amendment or rejection by an agency of any rule having the force and effect of law; the decision to hold, timing or outcome of any rate making proceeding before an agency; the agenda or any determination of a board or commission; any determination regarding the calendaring or scope of any legislature oversight hearing; the issuance, repeal, modification or substance of a County Executive Order; or any determination made by an elected county official or an officer or employee of the county to support or oppose any state or federal legislation, rule or regulation, including any determination made to support or oppose that is contingent on any amendment of such legislation, rule or regulation, whether or not such legislation has been formally introduced and whether or not such rule or regulation has been formally proposed.

George Maragos
Comptroller



OFFICE OF THE COMPTROLLER
240 Old Country Road
Mineola, New York 11501

COMPTROLLER APPROVAL FORM FOR PERSONAL, PROFESSIONAL OR HUMAN SERVICES CONTRACTS

Attach this form along with all personal, professional or human services contracts, contract renewals, extensions and amendments.

CONTRACTOR NAME: RENEE BARSA

CONTRACTOR ADDRESS: [REDACTED]

FEDERAL TAX ID #: [REDACTED]

Instructions: Please check the appropriate box ("☑") after one of the following roman numerals, and provide all the requested information.

I. ☐ The contract was awarded to the lowest, responsible bidder after advertisement for sealed bids. The contract was awarded after a request for sealed bids was published in _____ [newspaper] on _____ [date]. The sealed bids were publicly opened on _____ [date]. _____ [#] of sealed bids were received and opened.

II. ☐ The contractor was selected pursuant to a Request for Proposals.

The Contract was entered into after a written request for proposals was issued on _____ [date]. Potential proposers were made aware of the availability of the RFP by advertisement in _____ [newspaper], posting on industry websites, via email to interested parties and by publication on the County procurement website. Proposals were due on _____ [date]. _____ [state #] proposals were received and evaluated. The evaluation committee consisted of: _____

_____ (list # of persons on committee and their respective departments). The proposals were scored and ranked. As a result of the scoring and ranking, the highest-ranking proposer was selected.

III. ☒ This is a renewal, extension or amendment of an existing contract.

The contract was originally executed by Nassau County on November 17, 2015 [date]. This is a renewal or extension pursuant to the contract, or an amendment within the scope of the contract or RFP (copies of the relevant pages are attached). The original contract was entered into after a request for sealed bids was published on the County Procurement Site on 12/11/2014 [describe procurement method, i.e., RFP, three proposals evaluated, etc.] Attach a copy of the most recent evaluation of the contractor's performance for any contract to be renewed or extended. If the contractor has not received a satisfactory evaluation, the department must explain why the contractor should nevertheless be permitted to continue to contract with the county.

IV. ☐ Pursuant to Executive Order No. 1 of 1993, as amended, at least three proposals were solicited and received. The attached memorandum from the department head describes the proposals received, along with the cost of each proposal.

- ☐ A. The contract has been awarded to the proposer offering the lowest cost proposal; **OR:**
- ☐ B. The attached memorandum contains a detailed explanation as to the reason(s) why the contract was awarded to other than the lowest-cost proposer. The attachment includes a specific delineation of the unique skills and experience, the specific reasons why a proposal is deemed superior, and/or why the proposer has been judged to be able to perform more quickly than other proposers.

V. ☐ Pursuant to Executive Order No. 1 of 1993 as amended, the attached memorandum from the department head explains why the department did not obtain at least three proposals.

- ☐ A. There are only one or two providers of the services sought or less than three providers submitted proposals. The memorandum describes how the contractor was determined to be the sole source provider of the personal service needed or explains why only two proposals could be obtained. If two proposals were obtained, the memorandum explains that the contract was awarded to the lowest cost proposer, or why the selected proposer offered the higher quality proposal, the proposer's unique and special experience, skill, or expertise, or its availability to perform in the most immediate and timely manner.
- ☐ B. The memorandum explains that the contractor's selection was dictated by the terms of a federal or New York State grant, by legislation or by a court order. (Copies of the relevant documents are attached).
- ☐ C. Pursuant to General Municipal Law Section 104, the department is purchasing the services required through a New York State Office of General Services contract no. _____, and the attached memorandum explains how the purchase is within the scope of the terms of that contract.
- ☐ D. Pursuant to General Municipal Law Section 119-o, the department is purchasing the services required through an inter-municipal agreement.

VI. ☐ This is a human services contract with a not-for-profit agency for which a competitive process has not been initiated. Attached is a memorandum that explains the reasons for entering into this contract without conducting a competitive process, and details when the department intends to initiate a competitive process for the future award of these services. For any such contract, where the vendor has previously provided services to the county, attach a copy of the most recent evaluation of the vendor's performance. If the contractor has not received a satisfactory evaluation, the department must explain why the contractor should nevertheless be permitted to contract with the county.

In certain limited circumstances, conducting a competitive process and/or completing performance evaluations may not be possible because of the nature of the human services program, or because of a compelling need to continue services through the same provider. In those circumstances, attach an explanation of why a competitive process and/or performance evaluation is inapplicable.

VII. ☐ This is a public works contract for the provision of architectural, engineering or surveying services. The attached memorandum provides details of the department's compliance with Board of Supervisors' Resolution No. 928 of 1993, including its receipt and evaluation of annual Statements of Qualifications & Performance Data, and its negotiations with the most highly qualified firms.

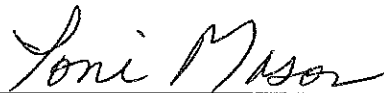
Instructions with respect to Sections VIII, IX and X: All Departments must check the box for VIII. Then, check the box for either IX or X, as applicable.

VIII. ☒ Participation of Minority Group Members and Women in Nassau County Contracts. The selected contractor has agreed that it has an obligation to utilize best efforts to hire MWBE sub-contractors. Proof of the contractual utilization of best efforts as outlined in Exhibit "EE" may be requested at any time, from time to time, by the Comptroller's Office prior to the approval of claim vouchers.

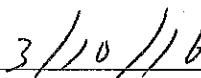
IX. ☒ Department MWBE responsibilities. To ensure compliance with MWBE requirements as outlined in Exhibit "EE", Department will require vendor to submit list of sub-contractor requirements prior to submission of the first claim voucher, for services under this contract being submitted to the Comptroller.

X. ☐ Vendor will not require any sub-contractors.

In addition, if this is a contract with an individual or with an entity that has only one or two employees: ☐ a review of the criteria set forth by the Internal Revenue Service, *Revenue Ruling No. 87-41, 1987-1 C.B. 296*, attached as Appendix A to the Comptroller's Memorandum, dated February 13, 2004, concerning independent contractors and employees indicates that the contractor would not be considered an employee for federal tax purposes.



Department Head Signature



Date

NOTE: Any information requested above, or in the exhibit below, may be included in the county's "staff summary" form in lieu of a separate memorandum.

Compt. form Pers./Prof. Services Contracts: Rev. 03/16

Mundy, Virginia C (HHSNASSAUCOUNTYNY)

From: Renee Barsa [REDACTED]
Sent: Wednesday, February 24, 2016 12:38 PM
To: Mundy, Virginia C (HHSNASSAUCOUNTYNY)
Subject: Re: Sub-Contractors

Hi Ginny,
I believe I stated on the contract that I plan on utilizing a sub-contractor. As for the specific details, Libby Stuyt, MD of the non-profit National Acupuncture and Detoxification Association will volunteer her services to assist the training.
Warmest,
Renee

From: "Mundy, Virginia C (HHSNASSAUCOUNTYNY)" <Virginia.Mundy@hhsnassaucountyny.us>
To: [REDACTED]
Sent: Wednesday, February 24, 2016 11:45 AM
Subject: Sub-Contractors

Hi Renee:

We now require all contractors to state if they plan to utilize sub-contractors and if so either provide a list of sub-contractor, or sub-contractor requirements if plans are to hire.

This is to meet both our and your obligation to utilize best efforts to hire MWEB sub-contractors as stated in your contract.

Please reply to me by email as soon as possible. Thank you in advance.

Ginny Mundy
Fiscal Dept.
60 Charles Lindbergh Blvd. Suite 112
Uniondale, NY 11553
516-227-8589
Fax: (516-227-7079)
E-mail: Virginia.Mundy@hhsnassaucountyny.us

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**NASSAU COUNTY
DEPARTMENT OF HEALTH
106 CHARLES LINDBERGH BLVD.
UNIONDALE, NY 11553**

Contractor Evaluation Form

Contract Number: CQHE15000016

Contract Name: Renee Barsa

Service Provided: Public Health Emergency Preparedness Training Classes .

Evaluation Period: From: 9/1/2015 To: 8/31/2016

Evaluator's Name, Title, Phone #: Ann DeSimone, PHA II

Date: February 29, 2014

Please evaluate the contractor's performance for the evaluation period. Upon completing factors (a) through (e), provide your overall assessment of contractor performance and answer the final question. Definitions of the rating scale and rating factors are provided on the back of this form. Additional comments may be provided on a separate sheet.

PERFORMANCE EVALUATION FACTORS	Unsatis- factory 1	Poor 2	Fair 3	Good 4	Excellent 5
a. Quality of Service					5
b. Timeliness of Service					5
c. Cost Effectiveness					5
d. Responsiveness to NCDOH Requests					5
e. Number of Complaints					5
f. Problem Resolution					5
Overall Performance Evaluation					30

Do you recommend the contractor for future contracts? Yes ☒ No

Definition of Quantitative Scale

1 = Unsatisfactory 2 = Poor 3 = Fair 4 = Good 5 = Excellent

Unsatisfactory	Performance is not effective.
Poor	Performance is marginally effective.
Fair	Performance is somewhat effective.
Good	Performance is consistently effective.
Excellent	Performance exceeds expectations.

Definition of Rating Factors

Quality of Service. This factor addresses the quality of service provided by the contractor. In assessing service quality, address the following questions:

- Does the vendor comply with contract requirements?
- Are reports accurate?
- Are vendor staff properly trained and managed?
- Does the vendor exhibit technical proficiency in service delivery?
- Does the vendor understand and embrace service and program goals?
- Is positive feedback received from customers served and NCDOH staff?

Timeliness of Performance. This factor addresses the timeliness of service delivery. In assessing timeliness of performance, address the following questions:

- Does the vendor meet established schedules for service delivery?
- Is the vendor reliable?
- Does the vendor stay on schedule despite problems?

Cost Effectiveness

- Does the vendor operate within the contract budget?
- Are vendor personnel appropriate for the service provided?
- Does the vendor exhibit an appropriate and efficient use of resources?
- Are billings current, accurate and complete?
- Are costs properly allocated?
- Does the vendor bill unallowable costs?

Responsiveness to NCDOH Requests

- Are the vendor's communications clear and effective?
- Is the vendor positively responsive to NCDOH requests?
- Is the vendor positively responsive to NCDOH special requests?

Number of Complaints

- Have a large number of complaints concerning service delivery been received from:
 - NCDOH staff?
 - Other Nassau County departments?
 - Customers served?

Problem Resolution.

- Is the vendor able to positively address and resolve problems?
 - Is the vendor pro-active in anticipating and avoiding or mitigating problems?
 - Does the vendor satisfactorily overcome or resolve problems?
 - Does the vendor provide prompt notification of problems to NCDOH?
 - Does the vendor provide effective solutions?
 - Does the vendor take prompt corrective action?
-

AMENDMENT NO. 1

AMENDMENT (together with any appendices or exhibits hereto, this "Amendment") dated as of the date _____, 2016 (the "Effective Date") that this Amendment is executed by Nassau County, between (i) Nassau County, a municipal corporation having its principal office at 1550 Franklin Avenue, Mineola, New York 11501 (the "County"), acting for and on behalf of the County Department of Health, having its principal office at 200 County Seat Drive, Mineola, New York 11501 (the "Department"), and (ii) Renee K. Barsa, having an office at [REDACTED] (the "Contractor").

WITNESSETH:

WHEREAS, pursuant to County contract number CQHE15000016 between the County and the Contractor, executed on behalf of the County on November 17, 2015 (the "Original Agreement"), the Contractor provides services in connection with the Department's Public Health Emergency Preparedness, which services are more fully described in the Scope of Work attached as Appendix A to the Original Agreement (the services contemplated by the Original Agreement, the "Services"); and

WHEREAS, the term of the Original Agreement is from September 1, 2015 until August 31, 2016 with two (2) available one (1) year options to renew (the "Original Term"); and

WHEREAS, the maximum amount that the County agreed to reimburse the Contractor for Services under the Original Agreement, as full compensation for the Services, was Ten Thousand Dollars (\$10,000.00) (the "Maximum Amount"); and

WHEREAS, the County desires to exercise one (1) of the two (2) options to renew by extending the Original Term and increasing the Maximum Amount.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained in this Amendment, the parties agree as follows:

1. Renewal of Term. The Original Agreement shall be renewed and thereby extended by one (1) year (the period September 1, 2016 – August 31, 2017, the "First Renewal Year"), so that the termination date of the Original Agreement, as amended by this Amendment (the "Amended Agreement"), shall be August 31, 2017.

2. Maximum Amount. The Maximum Amount in the Original Agreement shall be increased by Ten Thousand Dollars (\$10,000.00) (the "Amendment Maximum Amount"), payable for services rendered during the First Renewal Year only, so that the maximum amount that the County shall pay to the Contractor as full consideration for all Services provided under the Amended Agreement shall be Twenty Thousand Dollars (\$20,000.00) (the "Amended Maximum Amount"). The increase provided under this Amendment shall be payable in accordance with the Contingency Fee Schedule attached to the Original Agreement as Appendix A.


3. Partial Encumbrance. The Contractor acknowledges that the County will partially encumber funds to be applied toward the Amendment Maximum Amount throughout the term of this Amended Agreement. The Contractor further acknowledges that the first encumbrance shall be Nine Hundred Seventy-five Dollars (\$975.00). Thereafter, the Department will notify the Contractor of the availability of additional monies, which notice shall include the amount encumbered. Such notification shall serve as notice to proceed.

4. Full Force and Effect. All the terms and conditions of the Original Agreement not expressly amended by this Amendment shall remain in full force and effect and govern the relationship of the parties for the term of the Amended Agreement.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the Effective Date.

RENEE K. BARSA

By: 

Name: Renee Barsa

Title: Owner

Date: 3/4/16

NASSAU COUNTY

By: _____

Name: _____

Title: County Executive

☐ Deputy County Executive

Date: _____

PLEASE EXECUTE IN BLUE INK

STATE OF NEW YORK)

)ss.:

COUNTY OF NASSAU)

On the 4 day of March in the year 2016 before me personally came Renee Karen Barsa to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of [REDACTED]; that he or she is the owner of Renee K Barsa, the corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto by authority of the board of directors of said corporation.

NOTARY PUBLIC

Joseph Bryan Foley
NOTARY PUBLIC
Wake County, North Carolina

STATE OF NEW YORK)

)ss.:

COUNTY OF NASSAU)

On the 4th day of March in the year 2016 before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of Wake; that he or she is a Deputy County Executive of the County of Nassau, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to Section 205 of the County Government Law of Nassau County.

NOTARY PUBLIC

STATE OF NEW YORK)

)ss.:

COUNTY OF NASSAU)

On the ____ day of _____ in the year 20__ before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of _____; that he or she is a Deputy County Executive of the County of Nassau, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to Section 205 of the County Government Law of Nassau County.

NOTARY PUBLIC

Appendix EE

Equal Employment Opportunities for Minorities and Women

The provisions of this Appendix EE are hereby made a part of the document to which it is attached.

The Contractor shall comply with all federal, State and local statutory and constitutional anti-discrimination provisions. In addition, Local Law No. 14-2002, entitled "Participation by Minority Group Members and Women in Nassau County Contracts," governs all County Contracts as defined herein and solicitations for bids or proposals for County Contracts. In accordance with Local Law 14-2002:

(a) The Contractor shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status in recruitment, employment, job assignments, promotions, upgradings, demotions, transfers, layoffs, terminations, and rates of pay or other forms of compensation. The Contractor will undertake or continue existing programs related to recruitment, employment, job assignments, promotions, upgradings, transfers, and rates of pay or other forms of compensation to ensure that minority group members and women are afforded equal employment opportunities without discrimination.

(b) At the request of the County contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, or marital status and that such employment agency, labor union, or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein.

(c) The Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the County Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

(d) The Contractor shall make best efforts to solicit active participation by certified minority or women-owned business enterprises ("Certified M/WBEs") as defined in Section 101 of Local Law No. 14-2002, for the purpose of granting of Subcontracts.

(e) The Contractor shall, in its advertisements and solicitations for Subcontractors, indicate its interest in receiving bids from Certified M/WBEs and the requirement that Subcontractors must be equal opportunity employers.

(f) Contractors must notify and receive approval from the respective Department

Head prior to issuing any Subcontracts and, at the time of requesting such authorization, must submit a signed Best Efforts Checklist.

- (g) Contractors for projects under the supervision of the County's Department of Public Works shall also submit a utilization plan listing all proposed Subcontractors so that, to the greatest extent feasible, all Subcontractors will be approved prior to commencement of work. Any additions or changes to the list of subcontractors under the utilization plan shall be approved by the Commissioner of the Department of Public Works when made. A copy of the utilization plan any additions or changes thereto shall be submitted by the Contractor to the Office of Minority Affairs simultaneously with the submission to the Department of Public Works.
- (h) At any time after Subcontractor approval has been requested and prior to being granted, the contracting agency may require the Contractor to submit Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises. In addition, the contracting agency may require the Contractor to submit such documentation at any time after Subcontractor approval when the contracting agency has reasonable cause to believe that the existing Best Efforts Checklist may be inaccurate. Within ten working days (10) of any such request by the contracting agency, the Contractor must submit Documentation.
- (i) In the case where a request is made by the contracting agency or a Deputy County Executive acting on behalf of the contracting agency, the Contractor must, within two (2) working days of such request, submit evidence to demonstrate that it employed Best Efforts to obtain Certified M/WBE participation through proper documentation.
- (j) Award of a County Contract alone shall not be deemed or interpreted as approval of all Contractor's Subcontracts and Contractor's fulfillment of Best Efforts to obtain participation by Certified M/WBEs.
- (k) A Contractor shall maintain Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises for a period of six (6) years. Failure to maintain such records shall be deemed failure to make Best Efforts to comply with this Appendix EE, evidence of false certification as M/WBE compliant or considered breach of the County Contract.
- (l) The Contractor shall be bound by the provisions of Section 109 of Local Law

No. 14-2002 providing for enforcement of violations as follows:

- a. Upon receipt by the Executive Director of a complaint from a contracting agency that a County Contractor has failed to comply with the provisions of Local Law No. 14-2002, this Appendix EE or any other contractual provisions included in furtherance of Local Law No. 14-2002, the Executive Director will try to resolve the matter.
- b. If efforts to resolve such matter to the satisfaction of all parties are unsuccessful, the Executive Director shall refer the matter, within thirty days (30) of receipt of the complaint, to the American Arbitration Association for proceeding thereon.
- c. Upon conclusion of the arbitration proceedings, the arbitrator shall submit to the Executive Director his recommendations regarding the imposition of sanctions, fines or penalties. The Executive Director shall either (i) adopt the recommendation of the arbitrator (ii) determine that no sanctions, fines or penalties should be imposed or (iii) modify the recommendation of the arbitrator, provided that such modification shall not expand upon any sanction recommended or impose any new sanction, or increase the amount of any recommended fine or penalty. The Executive Director, within ten days (10) of receipt of the arbitrators award and recommendations, shall file a determination of such matter and shall cause a copy of such determination to be served upon the respondent by personal service or by certified mail return receipt requested. The award of the arbitrator, and the fines and penalties imposed by the Executive Director, shall be final determinations and may only be vacated or modified as provided in the civil practice law and rules ("CPLR").

(m) The contractor shall provide contracting agency with information regarding all subcontracts awarded under any County Contract, including the amount of compensation paid to each Subcontractor and shall complete all forms provided by the Executive Director or the Department Head relating to subcontractor utilization and efforts to obtain M/WBE participation.

Failure to comply with provisions (a) through (m) above, as ultimately determined by the Executive Director, shall be a material breach of the contract constituting grounds for immediate termination. Once a final determination of failure to comply has been reached by the Executive Director, the determination of whether to terminate a contract shall rest with the Deputy County Executive with oversight responsibility for the contracting agency.

Provisions (a), (b) and (c) shall not be binding upon Contractors or Subcontractors in the performance of work or the provision of services or any other activity that are unrelated, separate, or distinct from the County Contract as expressed by its terms.

The requirements of the provisions (a), (b) and (c) shall not apply to any employment or application for employment outside of this County or solicitations or advertisements therefor or any existing programs of affirmative action regarding employment outside of this County and the effect of contract provisions required by these provisions (a), (b) and (c) shall be so limited.

The Contractor shall include provisions (a), (b) and (c) in every Subcontract in such a manner that these provisions shall be binding upon each Subcontractor as to work in connection with the County Contract.

As used in this Appendix EE the term "Best Efforts Checklist" shall mean a list signed by the Contractor, listing the procedures it has undertaken to procure Subcontractors in accordance with this Appendix EE.

As used in this Appendix EE the term "County Contract" shall mean (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of twenty-five thousand dollars (\$25,000), whereby a County contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the County; or (ii) a written agreement in excess of one hundred thousand dollars (\$100,000), whereby a County contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon. However, the term "County Contract" does not include agreements or orders for the following services: banking services, insurance policies or contracts, or contracts with a County contracting agency for the sale of bonds, notes or other securities.

As used in this Appendix EE the term "County Contractor" means an individual, business enterprise, including sole proprietorship, partnership, corporation, not-for-profit corporation, or any other person or entity other than the County, whether a contractor, licensor, licensee or any other party, that is (i) a party to a County Contract, (ii) a bidder in connection with the award of a County Contract, or (iii) a proposed party to a County Contract, but shall not include any Subcontractor.

As used in this Appendix EE the term "County Contractor" shall mean a person or firm who will manage and be responsible for an entire contracted project.

As used in this Appendix EE "Documentation Demonstrating Best Efforts to Obtain Certified Minority or Women-owned Business Enterprises" shall include, but is not limited to the following:

- a. Proof of having advertised for bids, where appropriate, in minority publications, trade newspapers/notices and magazines, trade and union publications, and publications of general circulation in Nassau County and surrounding areas or having verbally solicited M/WBEs whom the County Contractor reasonably believed might have the qualifications to do the work. A copy of the advertisement, if used, shall be included to demonstrate that it contained language indicating that the County Contractor welcomed bids and quotes from M/WBE Subcontractors. In addition, proof of the date(s) any such advertisements appeared must be included in the Best Effort Documentation.

- If verbal solicitation is used, a County Contractor's affidavit with a notary's signature and stamp shall be required as part of the documentation.
- b. Proof of having provided reasonable time for M/WBE Subcontractors to respond to bid opportunities according to industry norms and standards. A chart outlining the schedule/time frame used to obtain bids from M/WBEs is suggested to be included with the Best Effort Documentation
 - c. Proof or affidavit of follow-up of telephone calls with potential M/WBE subcontractors encouraging their participation. Telephone logs indicating such action can be included with the Best Effort Documentation
 - d. Proof or affidavit that M/WBE Subcontractors were allowed to review bid specifications, blue prints and all other bid/RFP related items at no charge to the M/WBEs, other than reasonable documentation costs incurred by the County Contractor that are passed onto the M/WBE.
 - e. Proof or affidavit that sufficient time prior to making award was allowed for M/WBEs to participate effectively, to the extent practicable given the timeframe of the County Contract.
 - f. Proof or affidavit that negotiations were held in good faith with interested M/WBEs, and that M/WBEs were not rejected as unqualified or unacceptable without sound business reasons based on (1) a thorough investigation of M/WBE qualifications and capabilities reviewed against industry custom and standards and (2) cost of performance. The basis for rejecting any M/WBE deemed unqualified by the County Contractor shall be included in the Best Effort Documentation
 - g. If an M/WBE is rejected based on cost, the County Contractor must submit a list of all sub-bidders for each item of work solicited and their bid prices for the work.
 - h. The conditions of performance expected of Subcontractors by the County Contractor must also be included with the Best Effort Documentation
 - i. County Contractors may include any other type of documentation they feel necessary to further demonstrate their Best Efforts regarding their bid documents.

As used in this Appendix EE the term "Executive Director" shall mean the Executive Director of the Nassau County Office of Minority Affairs; provided, however, that Executive Director shall

include a designee of the Executive Director except in the case of final determinations issued pursuant to Section (a) through (l) of these rules.

As used in this Appendix EE the term "Subcontract" shall mean an agreement consisting of part or parts of the contracted work of the County Contractor.

As used in this Appendix EE, the term "Subcontractor" shall mean a person or firm who performs part or parts of the contracted work of a prime contractor providing services, including construction services, to the County pursuant to a county contract. Subcontractor shall include a person or firm that provides labor, professional or other services, materials or supplies to a prime contractor that are necessary for the prime contractor to fulfill its obligations to provide services to the County pursuant to a county contract. Subcontractor shall not include a supplier of materials to a contractor who has contracted to provide goods but no services to the County, nor a supplier of incidental materials to a contractor, such as office supplies, tools and other items of nominal cost that are utilized in the performance of a service contract.

Provisions requiring contractors to retain or submit documentation of best efforts to utilize certified subcontractors and requiring Department head approval prior to subcontracting shall not apply to inter-governmental agreements. In addition, the tracking of expenditures of County dollars by not-for-profit corporations, other municipalities, States, or the federal government is not required.

BUSINESS ASSOCIATE ADDENDUM

This addendum ("Addendum") is effective as of _____, 2016 and amends and is made part of the agreement dated as of _____ (as the same may be amended, modified, or supplemented, including, without limitation, by this Addendum, the "Agreement") by and between Renee K. Barsa (the "Contractor") and Nassau County, a New York municipal corporation, acting on behalf of the County Department of Health (collectively, the "County"). The County, and the Contractor mutually agree to modify the Agreement to incorporate the terms and conditions of this Addendum to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996, as amended, and its implementing regulations (45 C.F.R. Parts 160-164) (collectively, "HIPAA").

WITNESSETH:

WHEREAS, the County wishes to allow the Contractor to have access to Protected Health Information ("PHI"), including but not limited to, Electronic Protected Health Information ("EPHI") which is either provided to the Contractor by the County, or received, viewed, or created by the Contractor on behalf of the County in the course of performing the Services hereinafter set forth;

WHEREAS, the Contractor requires access to such PHI and EPHI to effectively perform the Services;

WHEREAS, the County is required by the Privacy and Security Rules promulgated pursuant to HIPAA to have a written agreement with the Contractor with respect to the use and disclosure of PHI and EPHI; and

WHEREAS, the parties desire to enter into this Addendum to set forth the terms and conditions pursuant to which PHI and EPHI will be handled by the Contractor and certain third parties, as applicable, during the duration of the Agreement of which it is a part, and upon that Agreement's termination, cancellation, expiration, or other conclusion.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, and for other good and valuable consideration, the receipt of which is hereby mutually acknowledged, the parties hereby agree as follows:

1. DEFINITIONS

Capitalized terms used, but not otherwise defined, in this Addendum shall have the meaning set forth in HIPAA at 45 CFR §§160.103, 164.103 and 164.501.

1.1 Designated Record Set. "Designated Record Set" shall have the meaning set forth in 45 C.F.R. §164.501.

1.2 Electronic Protected Health Information. "Electronic Protected Health Information" or "EPHI" shall have the meaning set forth in 45 C.F.R. § 160.103.

1.3 HHS. "HHS" shall mean the U.S. Department of Health and Human Services, or any successor agency thereto.

1.4 Individual. "Individual" shall have the same meaning as the term "individual" set forth in 45 CFR §160.103 and shall include a person who qualifies as a personal representative in accordance with 45 CFR §164.502(g).

1.5 Privacy Officer. "Privacy Officer" shall have the meaning set forth in 45 C.F.R. §164.530(a)(1).

1.6 Privacy Rule. "Privacy Rule" shall mean the Standards for Privacy of Individually Identifiable Health Information provided at 45 CFR Part 160 and Part 164.

1.7 Protected Health Information or PHI. "Protected Health Information," or "PHI" shall have the same meaning as the term "protected health information" set forth in 45 CFR § 160.103.

1.8 Required by Law. "Required by Law" shall have the same meaning as the term "required by law" in 45 CFR §164.103.

1.9 Secretary. "Secretary" shall mean the Secretary of the Department of Health and Human Services or his or her designee, or their respective successors.

1.10 Security Incident. "Security Incident" shall mean the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with systems operations in an information system.

1.11 Security Rule. "Security Rule" shall mean the Security Standards for the Protection of Electronic Protected Health Information at 45 C.F.R. Part 160 and Part 164.

1.12 Standard Transactions. "Standard Transactions" shall have the meaning set forth in 45 C.F.R. §162.103.

2. PERMITTED USES AND DISCLOSURES OF PROTECTED HEALTH INFORMATION BY THE CONTRACTOR

2.1 Use and Disclosure to Provide the Services to the Contractor. The Contractor provides or will provide to, for, or on behalf of the County certain services (the "Services"), which Services require the use and/or disclosure of PHI pursuant to and as described in the Agreement, of which this Addendum is made a part. Except as otherwise expressly provided herein, the Contractor may use or disclose PHI in relation to such Services only as necessary to comply with applicable state and federal laws and to satisfy its obligations hereunder, as long as such use or disclosure of PHI would not violate (a) the Privacy Rule if done by the County and (b) any other applicable federal or state law which imposes requirements of confidentiality on the use and/or disclosure of PHI more stringent than those imposed by the Privacy Rule ("Other Legal Requirements"). If there shall exist any conflict between the requirements of the Privacy Rule and the Other Legal Requirements, the Contractor shall comply with both, to the extent possible, and otherwise with the more stringent requirements. All other uses or disclosures of the PHI not expressly authorized herein are strictly prohibited.

2.2 Use and Disclosure for Management and Administration Purposes. In addition to the uses and disclosures described above, the Contractor may:

a) use PHI for management and administration purposes and to satisfy any present or future legal responsibilities of the Contractor provided that such uses are permitted under applicable state and federal laws;

b) disclose PHI in its possession to third parties for management and administration purposes and to satisfy any present or future legal responsibilities of the Contractor, provided that the Contractor shall represent to the County, promptly in writing, that: (i) the disclosures are Required by Law, or (ii) the Contractor has obtained from the third party written assurances regarding its confidential handling of such PHI as required under 45 C.F.R. §164.504(e)(4). For such written assurances to be satisfactory, they must bind the third party to:

i) maintain the confidentiality of PHI in its possession and limit the use and/or disclosure of such PHI to the purposes for which the Contractor disclosed the PHI to the third party, unless otherwise Required by Law; and

ii) immediately notify the Contractor (who shall immediately notify the County) of any instance in which the third party learns of any unauthorized use and/or disclosure of such PHI.

3. RESPONSIBILITIES OF THE CONTRACTOR WITH RESPECT TO PHI

3.1 Contractor's Responsibilities. With respect to any use and/or disclosure of PHI, the Contractor hereby agrees that it shall:

a) use and/or disclose PHI only as permitted or required by this Addendum, as required by the Privacy Rule, or as otherwise Required by Law;

b) implement comprehensive procedures for mitigating any harmful effects from any unauthorized use and/or disclosure of PHI by the Contractor, its agents or subcontractors;

c) report to the County's designated Privacy Officer, in writing, any use and/or disclosure of PHI which is not authorized hereunder of which the Contractor becomes aware or has knowledge within one (1) day of the Contractor's discovery of such unauthorized use and/or disclosure. The Contractor's report of such unauthorized use and/or disclosure shall specify at least: (i) the nature of the unauthorized use and/or disclosure; (ii) the specific PHI that was disclosed; (iii) the party responsible for making the unauthorized use and/or disclosure; (iv) what, if any, actions the Contractor has taken or will take to limit the extent of the unauthorized use(s) and/or disclosure(s), and to mitigate the damage resulting therefrom; (v) what, if any, corrective actions the Contractor has or will take to prevent further unauthorized uses and/or disclosures; (vi) when such corrective measures will be taken (if they have not already been completed), and, as applicable, an explanation of why they have not already been completed; and (vii) provide the County with any other information it reasonably requests;

d) develop, implement, maintain and utilize appropriate administrative, technical, and physical safeguards, in compliance with the Social Security Act § 1173(d) (42 U.S.C. § 1320d-2(d)), the Privacy Rule, and any other regulations now in effect or later issued by HHS which implement HIPAA, to preserve the integrity and confidentiality, and to prevent unauthorized use and/or disclosure, of PHI;

e) require any of its subcontractors and/or agents that receive, use, or have any access to PHI, as authorized by this Addendum, to enter into a written agreement, which agreement shall contain provisions substantially similar to this Addendum, to comply with the same obligations and restrictions as are required of the Contractor hereunder;

f) provide the Secretary of HHS with access to all records, books, agreements, policies, and procedures relating to the use and/or disclosure of PHI for compliance investigations;

g) within ten (10) days of receipt of a written request, provide the County with access to all records, books, agreements, policies, and procedures relating to the use and/or disclosure of PHI for purposes of enabling the County to determine the Contractor's compliance with the terms of this Addendum. Such access shall be at the Contractor's place of business during normal operating hours;

h) within five (5) days of receipt of a written request from the County, provide the County with such information as is requested to permit it to respond to a request by an Individual for an accounting of disclosures of all PHI related to the Individual;

i) subject to Section 7.4 below, within thirty (30) days of the earlier of the termination of the Agreement or this Addendum, return to the County or destroy all PHI in its possession. The Contractor shall not retain any copies of such information in any form; and

j) disclose to its subcontractors, agents, and any other third parties, and request from the County, only the minimum PHI necessary to conduct or fulfill a specific function authorized hereunder.

3.2 Responsibilities of the Contractor with Respect to Access, Amendment, Restrictions, and Accounting of Disclosures of PHI. The Contractor hereby agrees to do the following with respect to providing access to PHI, amending inaccuracies contained in PHI, restrictions regarding PHI, and accounting for disclosures of PHI in its possession:

a) at the request of, and in the time and manner designated by the County, provide access to any PHI contained in a Designated Record Set to the County or to the Individual who is the subject of such PHI or his or her authorized representative, as applicable, to satisfy a request for inspection and/or copying under 45 C.F.R. § 164.524;

b) at the request of, and in the time and manner designated by the County, make any amendment(s) that the County so directs, or permit the County access to amend, any portion of the PHI pursuant to 45 C.F.R. § 164.526 to allow the County to comply with the Privacy Rule;

c) at the request of, and in the time and manner designated by the County, comply with any restrictions that the County has agreed to adhere to with regard to the use and disclosure of PHI of any Individual that materially affects and/or limits the uses and disclosures which are otherwise permitted; and

d) record each disclosure that the Contractor makes of PHI for the County to respond to an Individual's request for an accounting in accordance with 45 C.F.R. § 164.528. Such record shall include, but not be limited to: (i) the date of disclosure; (ii) the name and address of the Individual or organization to whom the disclosure was made; (iii) a description of the PHI disclosed; and (iv) a statement of the purpose for the disclosure (collectively the "disclosure information"). If the Contractor makes multiple disclosures of PHI to the same person or entity for a single purpose, the Contractor may provide: (i) the disclosure information for the first disclosure; (ii) the frequency, periodicity, or number of these repetitive disclosures; and (iii) the date of the last of these repetitive disclosures. Such disclosure information must be kept by the Contractor for a period of not less than six (6) years from the date of disclosure.

4. RESPONSIBILITIES OF THE COUNTY WITH RESPECT TO PHI

4.1 Responsibilities of the County. With respect to any use and/or disclosure of PHI, the County hereby undertakes to do the following to the extent material to the PHI held by the Contractor:

a) inform the Contractor of any changes in the County's Notice of Privacy Practices (the "Notice"), which the County provides to Individuals pursuant to 45 C.F.R. §164.520, and provide the Contractor a current copy of such Notice and a copy of all updated versions thereof prior to their effective date;

b) inform the Contractor of any changes in, or withdrawal of, any relevant authorization provided to the County by Individuals pursuant to 45 C.F.R. §164.508, which impact the Contractor under the Agreement;

c) inform the Contractor of any applicable decisions made by any Individual to opt-out of allowing his or her PHI to be used for fundraising activities of the County pursuant to 45 C.F.R. §164.514(f), which impact the Contractor under the Agreement; and

d) notify the Contractor, in writing, of any arrangements permitted or required under 45 C.F.R. parts 160 and 164, which impact the use and/or disclosure of PHI by the Contractor under the Agreement, including, but not limited to, restrictions on use and/or disclosure of PHI as provided for in 45 C.F.R. §164.522 agreed to by the County.

4.2 Responsibilities of the County with Respect to Access, Amendment, Restrictions and Accounting of Disclosures of PHI. The County hereby agrees to do the following regarding access to PHI, amendments to inaccuracies contained in PHI, and restrictions regarding PHI in the Contractor's possession, to the extent material to the PHI held by the Contractor:

a) notify the Contractor, in writing, of any PHI that the County seeks to make available to an Individual pursuant to 45 C.F.R. § 164.524 and the time, manner, and form which the Contractor shall provide such access;

b) notify the Contractor, in writing, of any amendment(s) to PHI in the possession of the Contractor that the Contractor shall make and inform the Contractor of the time, form, and manner in which such amendment(s) shall be made; and

c) notify the Contractor, in writing, of any restrictions that the County has agreed to adhere to with regard to the use and disclosure of PHI of any Individual that materially affects and/or limits the uses and disclosures which are otherwise permitted.

5. RESPONSIBILITIES OF THE CONTRACTOR WITH RESPECT TO EPHI

5.1 The Contractor's Responsibilities. With respect to any use and/or disclosure of EPHI, Contractor agrees that it shall:

a) implement administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of EPHI that Contractor creates, receives, maintains, or transmits on behalf of the County. Contractor shall be responsible for ensuring that such safeguards are adequate to comply with the requirements of the Security Rule.

b) ensure that any agent to whom it provides EPHI, including a subcontractor, agrees to implement reasonable and appropriate safeguards to protect such EPHI.

c) report to the County, in writing, any Security Incident within three (3) business days of becoming aware of such Security Incident. Without limiting the foregoing, the Contractor shall

report to the County regarding whether such Security Incident has resulted in a breach of the Security Rule.

d) upon the County's request, provide the County with immediate access to the Contractor's security systems and programs in order for the County to investigate any Security Incident or to audit the Contractor's security systems and programs. The Contractor acknowledges that the County has the right, but not the obligation, to access and audit the Contractor's security systems and programs.

e) provide the Secretary of HHS with access to all records, books, agreements, policies and procedures relating to the use and/or disclosure of EPHI for compliance investigations.

f) within ten (10) days of receipt of a written request, provide the County with access to all records, books, agreements, policies and procedures relating to the use and/or disclosure of EPHI for purposes of enabling the County to determine the Contractor's compliance with the terms of this Agreement. Such access shall be at the Contractor's place of business during routine operating hours.

6. COMPLIANCE WITH STANDARD TRANSACTIONS

6.1 Compliance with Standard Transactions by the Contractor. If the Contractor conducts in whole or in part Standard Transactions for or on behalf of the County, the Contractor shall:

a) comply and require all subcontractors and agents of the Contractor to comply with each applicable requirement of 45 C.F.R. Part 162; and

b) not enter into, or permit its subcontractors or agents to enter into, any trading partner addendum or agreement in connection with the conduct of Standard Transactions for or on behalf of the County that:

- i) alters the definition, data condition, or use of any data element or segment in any Standard Transaction;
- ii) adds any elements or segments to the maximum defined data set;
- iii) uses any code or data element that is marked "not used" in the Standard Transaction's specifications for execution or is not in the Standard Transaction's specifications for execution; or
- iv) changes the meaning or intent of the Standard Transaction's specifications for implementation.

7. TERMS AND TERMINATION

7.1 Term. This Addendum shall become effective as of the date first indicated above, and shall continue in effect until all of the PHI provided by the County to the Contractor, or created or received by the Contractor on behalf of the County, is destroyed or returned to the County, and all other obligations of the parties have been met, unless terminated by the County as provided in Section 7.2. If it is infeasible to return or destroy such PHI, then such PHI shall continue to be protected as set forth in Section 7.4.

7.2 Termination by the County. As provided for under 45 C.F.R. §§ 164.504(e)(2)(iii) and 164.314(a)(2)(i), the County may (a) exercise its rights under Section 7.3 below or (b) immediately terminate the Agreement if the County, in its sole discretion, determines that the Contractor has breached a material term of this Addendum. The County may exercise such right to terminate the Agreement by providing the Contractor with written notice of its intent to terminate specifying the material breach of the Agreement that provides the basis for termination. Such termination will be effective immediately, unless another date is specified in such notice.

7.3 Opportunity to Cure. As provided for under 45 C.F.R. § 164.504(e)(2)(iii) and notwithstanding Section 7.2 hereof, the County may terminate the Agreement, after notice and opportunity to cure as herein provided, if the County, in its sole discretion, determines that the Contractor has unintentionally breached a material term of this Addendum. If the County decides to provide an opportunity to cure in such case, it shall: (a) provide the Contractor with written notice of the existence of an alleged material breach; and (b) afford the Contractor an opportunity to cure the alleged material breach. Failure to cure within fourteen (14) days shall constitute grounds for the immediate termination of the Agreement by the County.

7.4 Effect of Termination. Upon the termination, cancellation, or any other conclusion of the Agreement, the Contractor shall, if feasible, return to the County or destroy all PHI, in whatever form or medium, pursuant to 45 C.F.R. § 164.504(e)(2)(ii)(I), including, but not limited to, PHI in the possession of its subcontractors and/or agents, within thirty (30) days of the effective date of the termination, cancellation, or other conclusion of the Agreement.

a) Once all PHI in the Contractor's possession or control, including, but not limited to, PHI in the possession or control of its subcontractors and/or agents, has been returned to the County or destroyed, the Contractor shall provide a written certification to the County regarding the return or destruction of such PHI within such thirty (30) day period. Such certification shall be relied upon by the County as a binding representation; and

b) if the Contractor believes that return or destruction of PHI in its possession and/or in the possession of its subcontractors or agents is infeasible, the Contractor shall notify the County of such infeasibility in writing. Said notification shall include, but not be limited to: (i) a statement that the Contractor has, in good faith, determined that it is infeasible to return or destroy the PHI in its possession and/or in the possession of its subcontractors or agents, as applicable, (ii) identification of the PHI that the Contractor believes it is infeasible to return or destroy, and (iii) the specific reasons for such determination. In addition to providing such notification, the Contractor shall certify within such thirty (30) day period that it will and will require its subcontractors or agents, as applicable, to limit any further uses and/or disclosures of such PHI to the purposes that make the return or destruction of the PHI infeasible.

8. INDEMNIFICATION

8.1 Indemnity. The Contractor agrees to indemnify and hold harmless the County and any of its affiliates, officers, directors, employees, attorneys, or agents (collectively, "Indemnitees") from and against any claim, cause of action, liability, damage, cost, or expense, including attorneys' fees and court or proceeding costs, and the fees and costs of enforcement of the indemnification rights provided herein, arising out of or in connection with any non-permitted or violating use or disclosure of PHI or other breach of this Addendum by the Contractor or any subcontractor, agent, person, or entity under the Contractor's control.

8.2 Control of Defense. If any Indemnitees are named a party in any judicial, administrative, or other proceeding arising out of or in connection with any use or disclosure of PHI by the Contractor or any subcontractor, agent, Individual, or organization under the Contractor's control, and such use or disclosure of PHI was not permitted by this Addendum, then any Indemnitee shall have the option at any time either: (i) to tender defense to the Contractor, in which case the Contractor shall provide qualified attorneys, consultants, and other appropriate professionals to represent the Indemnitee's interests at the Contractor's expense, or (ii) undertake its own defense, choosing the attorneys, consultants, and other appropriate professionals to represent its interests, in which case the Contractor shall be responsible for and pay the fees and expenses of such attorneys, consultants, and other professionals.

8.3 Control of Resolution. The Indemnitees shall have the sole right and discretion to settle, compromise, or otherwise resolve any and all claims, causes of actions, liabilities, or damages against them, notwithstanding that the Indemnitees may have tendered their defense to the Contractor. Any such resolution will not relieve the Contractor of its obligation to indemnify the Indemnitees under this Section.

9. CONFIDENTIALITY

This Addendum does not affect any other obligations in the Agreement to the extent not inconsistent herewith or not involving the confidentiality, use, or disclosure of PHI. This Addendum, however, does supercede all other obligations in the Agreement to the extent they are inconsistent herewith and involve the confidentiality, use, or disclosure of PHI.

10. MISCELLANEOUS

10.1 Survival. The respective rights and obligations of the Contractor and the County under the provisions of Sections 3, 4, 5, 7.4, and 8, solely with respect to PHI the Contractor retains in accordance with Section 7.4 because it is not feasible to return or destroy such PHI, shall survive the termination of the Agreement indefinitely. In addition, Section 9 shall survive termination of this Addendum indefinitely, notwithstanding whether the Contractor retains PHI in accordance with Section 7.4 hereto.

10.2 Amendments. The Agreement (including the terms of this Addendum) may not be modified, nor shall any provision of the Agreement be waived or amended, except in a writing duly signed by authorized representatives of the parties and expressly referencing the Agreement. Notwithstanding anything in the Agreement to the contrary, to the extent that the Privacy Rule or Security Rule, or any other applicable law related to the privacy or security of health information is materially amended, updated, or revised following the execution of this Addendum, the parties agree to take such action as is necessary to amend this Addendum from time to time as is necessary for the County to comply with the requirements of HIPAA.

10.3 No Third Party Beneficiaries. Nothing contained in the Agreement (including, but not limited to, this Addendum), whether express or implied, is intended to confer, nor shall anything herein confer, upon any person other than the parties and their respective successors or assigns of the parties, any rights, remedies, obligations, or liabilities whatsoever in relation to the disclosure or use of PHI.

10.4 Cooperation and Disputes. Each party will reasonably cooperate with the other in the performance of the mutual obligations under this Addendum. If any controversy, dispute, or claim arises between the parties with respect to the Agreement (including, but not limited to, this Addendum), the parties shall make reasonable good faith efforts to resolve such matters informally.

10.5 Regulatory References. Any reference to any part or section of the CFR shall include such part or section as drafted upon the effective date of this Addendum and as it is subsequently updated, amended, supplemented, superceded, or revised.

10.6 Conflicts. Any conflicts or inconsistencies between the terms in this Addendum and terms in other parts of the Agreement shall be resolved in favor of the terms in this Addendum.


10.7 Interpretation. Any ambiguity in the Agreement (including, but not limited to, this Addendum) shall be resolved in favor of a meaning that permits the County to comply to the greatest extent possible with the Privacy Rule, the Security Rule and Other Legal Requirements.

IN WITNESS WHEREOF, each of the undersigned has caused this Addendum to be duly executed in its name and on its behalf effective as of the date first indicated above.

NASSAU COUNTY

RENEE K. BARSA

By: _____
Print Name: _____
Title: _____
Date: _____

By: 
Print Name: Renee Barsa
Title: Owner
Date: 3/4/16

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name Renee Barsa
Date of birth [REDACTED]
Home address [REDACTED]
City/state/zip [REDACTED]
Business address Same as above
City/state/zip _____
Telephone [REDACTED]
Other present address(es) _____
City/state/zip _____
Telephone _____
List of other addresses and telephone numbers attached _____
2. Positions held in submitting business and starting date of each (check all applicable)
President ____/____/____ Treasurer ____/____/____
Chairman of Board ____/____/____ Shareholder ____/____/____
Chief Exec. Officer ____/____/____ Secretary ____/____/____
Chief Financial Officer ____/____/____ Partner ____/____/____
Vice President ____/____/____
(Other) owner _____
3. Do you have an equity interest in the business submitting the questionnaire?
YES X NO ____ If Yes, provide details. Sole Prop
4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire? YES ____ NO X If Yes, provide details.
5. Within the past 3 years, have you been a principal owner or officer of any business or not-for-profit organization other than the one submitting the questionnaire? YES ____ NO X;
If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer? YES ____ NO X
If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency.
Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:
- a. Been debarred by any government agency from entering into contracts with that agency? YES ____ NO X If Yes, provide details for each such instance.
 - b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause? YES ____ NO X If Yes, provide details for each such instance.
 - c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards? YES ____ NO X If Yes, provide details for each such instance.
 - d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract? YES ____ NO X If Yes, provide details for each such instance.
8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated? If 'Yes', provide details for each such instance. (Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.) No
- a) Is there any felony charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - b) Is there any misdemeanor charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - c) Is there any administrative charge pending against you? YES ____ NO X If Yes, provide details for each such charge.
 - d) In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? YES ____ NO X If Yes, provide details for each such conviction.

- e) In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor? YES ____ NO X If Yes, provide details for each such conviction.
- f) In the past 5 years, have you been found in violation of any administrative or statutory charges? YES ____ NO X If Yes, provide details for each such occurrence.
9. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5? YES ____ NO X If Yes, provide details for each such investigation.
10. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer? YES ____ NO X If Yes; provide details for each such investigation.
11. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? YES ____ NO X If Yes; provide details for each such instance.
12. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? YES ____ NO X If Yes, provide details for each such year.

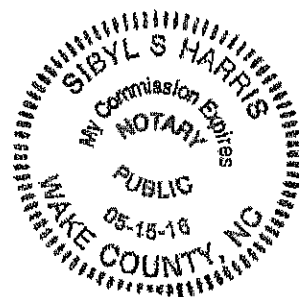
CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Renee Barsa, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 12 day of April 2016

Sibyl S Harris
Notary Public



Renee Barsa

Name of submitting business

Renee Barsa

Print name

R-B

Signature

Owner

Title

04 / 08 / 16
Date

Renée K. Barsa, L.Ac.

Phone: [REDACTED] • www.pathofheart.com • E-Mail: [REDACTED]

Education

M.S. Santa Barbara College of Oriental Medicine, 1999-2002, Santa Barbara, CA

Master of Science in Oriental Medicine

B.S. University of Vermont, 1992-1996, Burlington, VT

Bachelor of Science in Wildlife Biology, Cum Laude

Honors: Wildlife Bio-Ecology Award, Lola Aiken Leadership Award, Dean's Book Award

Professional Experience

- Licensed Acupuncturist, Private Practice, Santa Barbara, CA/Cary, NC 2005-present
- Yoga Teacher, Private Practice, Santa Barbara, CA 2005-2014
- Consultant, Elements Consulting, Santa Barbara, CA 2013-2014
- Licensed Acupuncturist, La Therapié Medical Spa, Cary, NC 2003-2005
- Yoga Teacher, Private Practice, Cary, NC 2003-2005
- Grant Writer/Executive Assistant, Healing Opportunities, Inc. 2001-2006
Santa Barbara, CA
- Humpback Whale Research Assistant, Socorro Island, Mexico 1997

Board Certifications and Licensures

- California Acupuncture Board Licensed 2003-present
- North Carolina Acupuncture Board Licensed 2003-2005/present
- NCCAOM Certified 2003-present

Volunteer Work

- Healing Opportunities, Inc. Volunteer and Board Member, 2006-present
Promoting Integrative Medicine in the Santa Barbara Community
- Medical Reserve Corps (MRC) Acupuncture Team Leader, Disaster 2010-present
Preparedness and Public Health, Santa Barbara County
- Acupuncturists Without Borders Volunteer, Leading a Collaboration 2011-present
with the MRC on a National Level

Teaching Experience

- Acupuncturists Without Borders, Healing Community Trauma Training, Los Angeles, Guest Speaker 2008-present
- Acupuncture in the Medical Reserve Corps, National Speaking Engagements 2010-present
- Santa Barbara College of Oriental Medicine, Guest Speaker 2005-2006
- Jandd Mountaineering, Santa Barbara, CA, Rock Climbing Instructor and Guide 1997-1998
- Richardson Bay Audubon Center, Tiburon, CA, Environmental Education Intern 1996

Professional Development

- Continuing Education Coursework, Fertility Specialty Focus 2004-present
- NADA Protocol Training, Santa Barbara 2010
- Acupuncturists Without Borders, Healing Community Trauma 2008, 2012
- Therapeutic Yoga Teacher Training, Santa Barbara Yoga Center 2004
- Marine Biology, School for Field Studies, La Paz, Mexico 1995
- Marine Biology, School for Field Studies, Glacier Bay, Alaska 1991

Affiliations/Memberships

- Acupuncturists Without Borders 2008-present
- Santa Barbara Medical Reserve Corps 2009-present
- National Acupuncture Detoxification Association 2010-present

Interests

- 

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 04/08/16

1) Proposer's Legal Name: Renee Barsa

2) Address of Place of Business: [REDACTED]

List all other business addresses used within last five years:

[REDACTED]

3) Mailing Address (if different):

Phone : [REDACTED]

Does the business own or rent its facilities? own

4) Dun and Bradstreet number: None

5) Federal I.D. Number: [REDACTED]

6) The proposer is a (check one): X Sole Proprietorship Partnership
Corporation Other (Describe)

7) Does this business share office space, staff, or equipment expenses with any other business?

Yes No X If Yes, please provide details:

8) Does this business control one or more other businesses? Yes No X If Yes, please provide details:

- 9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business? Yes ☐ No ☒ If Yes, provide details. _____
- 10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated? Yes ☐ No ☒ If Yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract). _____
- 11) Has the proposer, during the past seven years, been declared bankrupt? Yes ☐ No ☒ If Yes, state date, court jurisdiction, amount of liabilities and amount of assets _____
- 12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.
Yes ☐ No ☒ If Yes, provide details for each such investigation. _____
- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business. Yes ☐ No ☒ If Yes, provide details for each such investigation. _____
- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:
- a) Any felony charge pending? Yes ☐ No ☒ If Yes, provide details for each such charge. _____
- b) Any misdemeanor charge pending? Yes ☐ No ☒ If Yes, provide details for each such charge. _____
- c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Yes ☐ No ☒

If Yes, provide details for each such conviction _____

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?
Yes ____ No X If Yes, provide details for each such conviction. _____

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions? Yes ____ No X If Yes, provide details for each such occurrence. _____

15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held? Yes ____ No X; If Yes, provide details for each such instance. _____

16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges? Yes ____ No X If Yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire. _____

Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17) Conflict of Interest:

a) Please disclose any conflicts of interest as outlined below. **NOTE: If no conflicts exist, please expressly state "No conflict exists."**

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No conflict exists

b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.
I do not reside in Nassau County and have no other affiliations with anyone in the County

- A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Should the proposer be other than an individual, the Proposal **MUST** include:

- i) Date of formation;
- ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner;
- iii) Name, address and position of all officers and directors of the company;
- iv) State of incorporation (if applicable);
- v) The number of employees in the firm;
- vi) Annual revenue of firm;
- vii) Summary of relevant accomplishments
- viii) Copies of all state and local licenses and permits.

- B. Indicate number of years in business. 14 years

- C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

- D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Ventura County Public Health

Contact Person Dan Wall

Address 2220 E. Gonzales Rd. #130

City/State Oxnard, CA 93036

Telephone 805.981.5307

Fax # _____

E-Mail Address dan.wall@ventura.org

Company Santa Barbara County Public Health

Contact Person Ric Hovseplan

Address 300 N San Antonio Rd.

City/State Santa Barbara, CA 93110

Telephone 805.681.4759

Fax # _____

E-Mail Address richard.hovseplan@sbcphd.org

Company NADA

Contact Person Sara Bursac

Address PO Box 1066

City/State Laramie, WY 82073

Telephone 307.460.2771

Fax # _____

E-Mail Address nadaoffice@acudetox.com

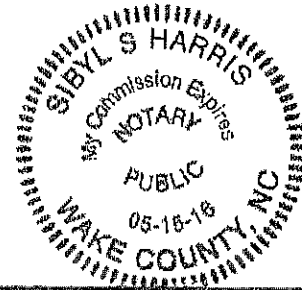
CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, Renee Barsa, being duly sworn, state that I have read and understand all the items contained in the foregoing pages of this questionnaire and the following pages of attachments; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this questionnaire and before the execution of the contract; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this questionnaire as additional inducement to enter into a contract with the submitting business entity.

Sworn to before me this 12 day of April, 2016

Sibyl S. Harris
Notary Public



Name of submitting business: Renee Barsa

By: Renee Barsa
Print name
R-B
Signature

Owner
Title

04 / 08 / 2016
Date

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.610, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Renee Barsa, Owner

04/08/16

Name and Title of Authorized Representative

m/d/yy



04/08/16

Signature

Date

Renee Barsa

Name of Organization

110 Rushing Wind Way, Apex, NC 27502

Address of Organization

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposes," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of reports in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Redacted copy of Contract

You may submit, in addition to your routine paperwork, a duplicate redacted version of this contract package. This "web site ready" paperwork will be posted on the County Legislature's website upon filing the proposed contract for Legislative approval.

The "website ready" paperwork shall be identical to the paperwork being submitted for consideration by the department, except that the Contractor will have the opportunity to redact all information of a private or personal nature. The "website ready" paperwork is to be attached to the contract package that is being submitted for County approvals. It will be presumed that an un-redacted version of the paperwork is acceptable for posting on the County website if no redacted version is submitted. Please be advised that redactions must be limited to information that is excepted from FOIL disclosure under Article 6 of the New York State Public Officers Law. The type of information that is excepted from FOIL disclosure and may be redacted includes, but is not limited to, social security numbers, home or personal telephone numbers, home addresses, e-mail addresses or social network usernames, information of a personal nature where disclosure would result in economic or personal hardship, and trade secrets or similar information the disclosure of which would cause substantial injury to the competitive position of the person or company providing it. The Contractor shall explain the reason(s) for each redaction. Further, the County reserves the right to unilaterally, without notice, reject Contractor redactions or make additional redactions.

Contractors are further advised that failure to submit "website ready" paperwork, including paperwork where redactions are not explained, shall be deemed their consent to the posting of the paperwork in its entirety. The County Legislature will then post an un-redacted version of the paperwork and provide such version to the public if requested pursuant to FOIL, subject to redaction by the County's internal FOIL disclosure procedures.

Exhibit A



COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator? If yes, to what campaign committee?

NO

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Vendor: Renee Barsa

Dated: 04/08/2016

Signed:

A handwritten signature in black ink, appearing to be "R-B", is written over a horizontal line.

Print Name: Renee Barsa

Title: Owner

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

FINANCE COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Richard Nicoletto – Chairman

Vincent Muscarella – Vice Chairman

Rose Marie Walker

Donald MacKenzie

Delia DeRiggi-Whitton – Ranking

Laura Curran

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	Summary
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243-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 243-16(OMB)
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247-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/ DIVISION OF FORENSIC SERVICES. 247-16(OMB)
248-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/DIVISION OF FORENSIC SERVICES. 248-16(OMB)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
249-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 249-16(OMB)
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253-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$11,600,00 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 253-16(PW)
254-16	PW	F, R	<u>ORDINANCE NO. -2016</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECTS IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$6,088,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY. 254-16(PW)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

HEALTH AND SOCIAL SERVICES COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Rose Marie Walker – Chairwoman

C. William Gaylor III – Vice Chairman

Laura Schaefer

James Kennedy

Delia DeRiggi-Whitton – Ranking

Judy Jacobs

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
243-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 243-16(OMB)
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245-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 245-16(OMB)
246-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE SOCIAL SERVICES. 246-16(OMB)
249-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 249-16(OMB)
250-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 250-16(OMB)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PLANNING, DEVELOPMENT AND THE ENVIRONMENT COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Laura Schaefer - Chairwoman

Dennis Dunne - Vice Chairman

Denise Ford

Steven Rhoads

Judy Jacobs – Ranking

Carrié Solages

Laura Curran

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
255-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “SECTION 4 MAP OF MEADOWBROOK POINTE”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 255-16(PW/PL)
256-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “SECTION 6 MAP OF MEADOWBROOK POINTE”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 256-16(PW/PL)
257-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “SECTION 5 MAP OF MEADOWBROOK POINTE”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 257-16(PW/PL)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PUBLIC SAFETY COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Dennis Dunne - Chairman

Donald MacKenzie - Vice Chairman

Vincent Muscarella

Denise Ford

Laura Curran - Ranking

Kevan Abrahams

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
242-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF THE COUNTY EXECUTIVE. 242-16(OMB)
247-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/ DIVISION OF FORENSIC SERVICES. 247-16(OMB)
248-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/DIVISION OF FORENSIC SERVICES. 248-16(OMB)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Dennis Dunne
Howard Kopel
Kevan Abrahams – Ranking
Judith Jacobs
Carrié Solages

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	Summary
240-16	AT	F, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIMS OF PLAINTIFF, DAVID PAGE, AS SET FORTH IN THE ACTION ENTITLED DAVID PAGE V. COUNTY OF NASSAU, NASSAU COUNTY SHERIFF'S DEPARTMENT, CORRECTIONS OFFICER JOHN ANDUJAR, CORRECTIONS OFFICER JOSEPH DONLON, CORRECTIONS LT. PHILLIP ZORN, INDEX NO. 14-CV-05587 PURSUANT TO THE COUNTY LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 240-16(AT)
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243-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 243-16(OMB)
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245-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 245-16(OMB)
246-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE SOCIAL SERVICES. 246-16(OMB)
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248-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/DIVISION OF FORENSIC SERVICES. 248-16(OMB)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
249-16	OMB	H, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 249-16(OMB)
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255-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “SECTION 4 MAP OF MEADOWBROOK POINTE”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 255-16(PW/PL)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
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257-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE “SECTION 5 MAP OF MEADOWBROOK POINTE”, SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 257-16(PW/PL)
E-102-16	HE	R	<u>RESOLUTION NO. -2016</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH AND RENEE K. BARSA. E-102-16

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

FINANCE COMMITTEE

ADDENDUM

JUNE 27, 2016 1:00 PM

Richard Nicoletto – Chairman

Vincent Muscarella – Vice Chairman

Rose Marie Walker

Donald MacKenzie

Delia DeRiggi-Whitton – Ranking

Laura Curran

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

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NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

HEALTH AND SOCIAL SERVICES COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Rose Marie Walker – Chairwoman

C. William Gaylor III – Vice Chairman

Laura Schaefer

James Kennedy

Delia DeRiggi-Whitton – Ranking

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Michael C. Pulitzer, Clerk of the Legislature

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NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PLANNING, DEVELOPMENT AND THE ENVIRONMENT COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Laura Schaefer - Chairwoman

Dennis Dunne - Vice Chairman

Denise Ford

Steven Rhoads

Judy Jacobs – Ranking

Carrié Solages

Laura Curran

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
255-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 4 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 255-16(PW/PL)
256-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 6 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 256-16(PW/PL)
257-16	PW/PL	PL, R	<u>RESOLUTION NO. -2016</u> A RESOLUTION TO AUTHORIZE THE RELEASE OF THE SURETY BOND AND ESCROW DEPOSIT COVERING IMPROVEMENTS ON THE "SECTION 5 MAP OF MEADOWBROOK POINTE", SITUATED IN WESTBURY, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, NEW YORK. 257-16(PW/PL)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

PUBLIC SAFETY COMMITTEE ADDENDUM

JUNE 27, 2016 1:00 PM

Dennis Dunne - Chairman

Donald MacKenzie - Vice Chairman

Vincent Muscarella

Denise Ford

Laura Curran - Ranking

Kevan Abrahams

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
242-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE OFFICE OF THE COUNTY EXECUTIVE. 242-16(OMB)
247-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/ DIVISION OF FORENSIC SERVICES. 247-16(OMB)
248-16	OMB	PS, F, R	<u>ORDINANCE NO. -2016</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE MEDICAL EXAMINER/DIVISION OF FORENSIC SERVICES. 248-16(OMB)

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

FINANCE COMMITTEE

RICHARD NICOLELLO,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

June 27, 2016
3:14 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

RICHARD NICOLELLO
Chairman

VINCENT MUSCARELLA (Not Present)
Vice-Chair

HOWARD KOPEL (Sitting in for Vincent Muscarella)

ROSE MARIE WALKER

DONALD MACKENZIE

DELIA DeRIGGI-WHITTON
Ranking

SIELA A. BYNOE

LAURA CURRAN

MICHAEL C. PULITZER
Clerk of the Legislature

LIST OF SPEAKERS

SAMANTHA GOETZ	5
KEN ARNOLD	5
META MEREDAY	37
MICHAEL SETZER	71
ROSEANNE D'ALEVA	81
ERIC NAUGHTON.	92
LISA LOCURTO	85

INSERTS TO TRANSCRIPT

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Page 54, Line 4 - Page 55, Line 19

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2 CHAIRMAN NICOLELLO: I call the Finance

3 Committee to order. The Clerk is on his way back

4 so I'll just call the roll.

5 Legislator Bynoe?

6 LEGISLATOR BYNOE: Here.

7 CHAIRMAN NICOLELLO: Legislator Curran?

8 LEGISLATOR CURRAN: Here.

9 CHAIRMAN NICOLELLO: Ranking Member

10 DeRiggi-Whitton?

11 LEGISLATOR DeRIGGI-WHITTON: Here.

12 CHAIRMAN NICOLELLO: Legislator

13 MacKenzie?

14 LEGISLATOR MACKENZIE: Here.

15 CHAIRMAN NICOLELLO: Legislator Walker?

16 LEGISLATOR WALKER: Here.

17 CHAIRMAN NICOLELLO: Legislator Kopel,

18 sitting in for Legislator Muscarella?

19 LEGISLATOR KOPEL: Here.

20 CHAIRMAN NICOLELLO: And myself, that

21 makes a quorum.

22 Item 217-16 is a bond ordinance providing

23 for a capital expenditure to finance the capital

24 projects identified herein within the County of

25 Nassau and authorizing \$722,572 of bonds of the

2 County to finance such expenditure.

3 LEGISLATOR KOPEL: So moved.

4 LEGISLATOR WALKER: Second.

5 CHAIRMAN NICOLELLO: Moved by Legislator
6 Kopel, seconded by Legislator Walker.

7 The item is now before us. Do we have
8 someone here to speak on this?

9 MS. GOETZ: Yes. We have Ken Arnold.

10 CHAIRMAN NICOLELLO: Okay.

11 MR. ARNOLD: Good afternoon. Ken
12 Arnold, Public Works. Item 217-16 is a bond
13 ordinance associated with asbestos abatement at
14 county facilities. It's a health and safety
15 issue. We use this capital project to fund
16 asbestos-related remediations and monitoring at
17 buildings, whether they're under renovation or
18 there are hazards that are uncovered during our
19 maintenance activities.

20 CHAIRMAN NICOLELLO: Is this something
21 we've done in the past?

22 MR. ARNOLD: That is correct.

23 CHAIRMAN NICOLELLO: Any other questions
24 among the legislators? Legislator DeRiggi-
25 Whitton.

LEGISLATOR DeRIGGI-WHITTON: I know that NIFA passed a resolution on May 17 stating that up to 20 million may be used for legal settlements or other uses permitted by NIFA other than for termination pay. It's really my opinion that this type of project, we should be able to find, you know, room in the 20 million to fit something like this in. I guess it's more of a statement than a question. I really do think that we could, if we're careful, this is less than, you know, less than five percent than what is allotted there for this item. I hope that that's what we use that funding for.

CHAIRMAN NICOLELLO: Just to note for the record, the bond premium may be used for settlements, which NIFA has indicated they will not allow bonded monies to be used for settlements. So to the extent that we use capital projects, we use the bond premiums to pay for capital projects, that money is no longer available for settlement. I would note also that today we have several settlements that we will be considering, and each one of those settlements will erode that amount of bond premium. In my

2 opinion, to spend the bond premium for that
3 purpose, for bonding purposes, which is
4 traditionally done by governments is not prudent
5 or reckless, depending on which way you want to
6 look at it.

7 Any other comments?

8 LEGISLATOR DeRIGGI-WHITTON: Just the
9 fact that NIFA approved it for that reason, I
10 think it's something that we should look into.
11 Rather than borrowing more money again, it's - it
12 was recommended by NIFA, otherwise I wouldn't be
13 saying it. I agree with NIFA.

14 LEGISLATOR MACKENZIE: So you no longer
15 have a problem with a contracting process? Is
16 your problem then with the way that these
17 contracts are being paid for? There seems to be
18 a change in position.

19 LEGISLATOR DeRIGGI-WHITTON: Not at all.
20 I just think as a thinking legislator we should
21 look at all aspects of what's going on in our
22 county. I also think we should be careful with
23 how we spend county money in letters and things
24 like that to other people's districts. I just
25 think it's totally improper.

2 CHAIRMAN NICOLELLO: Last week we were
3 considering a number of different items, bonded
4 items, some of which passed. Two of them are
5 back on the agenda this week, monies with respect
6 to the match for NICE Bus and \$11.6 million for
7 tank replacement, which is about 17 million or
8 so. It was suggested last week that we use the
9 bond premium for that. Apparently, this is an
10 unending pool of money that the democrats think
11 we can tap into.

12 As I said before, the bond premium -
13 since NIFA will not allow us to borrow for
14 settlements, to exhaust the bond premium, erode
15 the bond premium when we know we have settlements
16 coming to us would be a foolish thing to do.

17 LEGISLATOR DeRIGGI-WHITTON: You guys
18 haven't agreed to use any of it, so I don't think
19 we're exhausting anything at this point.

20 CHAIRMAN NICOLELLO: Didn't we approve a
21 \$20 million settlement with, what was it, the
22 Town of Oyster Bay?

23 LEGISLATOR DeRIGGI-WHITTON: Which was
24 already from the prior amount. Remember that?
25 This is a new amount.

2 CHAIRMAN NICOLELLO: But we have used it
3 this year. Again, this is another 20 million,
4 but today we are exhausting a part of it with
5 settlements -

6 LEGISLATOR DeRIGGI-WHITTON: Right.

7 CHAIRMAN NICOLELLO: and this only half
8 way through the year. So if we exhaust all the
9 money, it's gone and you can't use it again. If
10 we have settlements, something of an emergency
11 nature at that point, we can't use it.

12 LEGISLATOR DeRIGGI-WHITTON: Listen. I
13 think it's good if we're careful we could really
14 lower the bonding and lower the borrowing that
15 we're doing. I also think that before we give
16 any further funds we really have to consider an
17 independent IG. If you read the article that
18 Kevan Abrahams referenced before, there have been
19 attempts by employees sitting in this room to
20 stop certain contracts from going out and those
21 attempts were completely ignore.

22 I sat here while we saw Singh, we've seen
23 - just in the few years that I've been here we've
24 seen so many contracts be given. I'm tired of
25 seeing the waste. I don't trust the process.

2 Listen. We've said it before. I don't
3 understand why you're not considering giving
4 independent clarification to an inspector
5 general. The whole purpose being, it would avoid
6 a situation like we saw with Blue Chips. If
7 someone doesn't agree with the independent, you
8 know, inspector general, that person cannot be
9 fired. And what we saw in that article just
10 exploited the fact that the employees did not
11 agree, they protested the contracts and yet it
12 still got passed. The reason why no one said
13 anything publicly or nothing else happened is
14 because they could have been afraid for their
15 jobs, possibly.

16 Until we address the elephant in the room
17 - again, I have been here through a number of
18 things, like I mentioned, with Singh and,
19 honestly, Looks Great Service - I know you
20 mentioned that that settled, I haven't been told
21 that, I haven't seen a release. So I don't feel
22 comfortable with this process and I'm not going
23 to give any more bonding until I do.

24 CHAIRMAN NICOLELLO: The elephant in the
25 room, from my perspective, is legislators who are

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2 elected to do a job, who are here not doing that
3 job, who are slowing down and grinding to a halt
4 this county government for a political agenda.
5 So if we want to talk about elephants, let's look
6 -
7 LEGISLATOR DeRIGGI-WHITTON: In my
8 opinion, I think if you -
9 CHAIRMAN NICOLELLO: Wait. Are you
10 going to let me finish speaking, because I
11 usually let you finish speaking.
12 LEGISLATOR DeRIGGI-WHITTON: Go ahead.
13 CHAIRMAN NICOLELLO: Go ahead. Go
14 ahead. Thank you. I appreciate that.
15 Again, the elephant in the room is a
16 group of legislators who are abstaining on a vast
17 majority of contracts, who are voting no for
18 bonding, who are not doing their jobs, and who
19 are bringing this government to a grinding halt
20 for --
21 LEGISLATOR DeRIGGI-WHITTON: In my
22 opinion - are you done?
23 CHAIRMAN NICOLELLO: a political agenda.
24 LEGISLATOR DeRIGGI-WHITTON: In my
25 opinion -

2 CHAIRMAN NICOLELLO: Legislator DeRiggi-
3 Whitton.

4 LEGISLATOR DeRIGGI-WHITTON: Thank you,
5 Chairman.

6 Listen. I received a number of calls and
7 I spoke to a number of mayors about bonding for
8 different projects and they all, by the end of
9 the conversation, agreed with me that we need
10 some kind of reform, as well as 80 percent of the
11 population, according to certain surveys agree.

12 We're going to have a referendum in
13 November. I can't even tell you the number of
14 republicans, democrats, independents that are all
15 happy to sign the petitions for it. There is a
16 need here. Unfortunately, things were abused.

17 I'm glad that we no longer have the
18 25,000 and under contracts. I'm glad that there
19 is some type of disclosure. But the real thing
20 that we need, which is an independent inspector
21 general, I mean, you're really the obstructionist
22 because you absolutely refuse to even consider
23 it. You refuse to give any protection to the
24 person in this position. Without that, I don't
25 think that the person could function in this

2 position. So I honestly think you're the
3 obstructionist in this situation.

4 CHAIRMAN NICOLELLO: We have implemented
5 a number of reforms to the process and we have
6 implemented a number of reforms to the process
7 including the appointment of an individual who is
8 in the position of commissioner of investigation,
9 the procurement officer, lowering the threshold,
10 vendor disclosures, etcetera, etcetera, etcetera.
11 So the minority now is stopping government
12 because they want the commissioner of
13 investigations to have a contract. Now, if that
14 is a reason to stop government from working then
15 - let me say this - it's not a reason to stop
16 government from working.

17 I'm going to say this again. You can
18 have that position. You're free to do that.
19 This is simply a political attempt to keep this
20 issue alive as long as possible. And if you want
21 to stop the government from working, you're not
22 doing what the public elected you to come here
23 and do.

24 Legislator Bynoe.

25 LEGISLATOR DeRIGGI-WHITTON: I just

2 wanted to finish this. Is that okay?

3 CHAIRMAN NICOLELLO: I recognized
4 Legislator Bynoe, she has been waiting. Are you
5 ceding your time to Legislator DeRiggi-Whitton?

6 LEGISLATOR BYNOE: I don't think that
7 there is a time limit on us.

8 CHAIRMAN NICOLELLO: There isn't.

9 LEGISLATOR BYNOE: I'm allowing her to
10 go ahead, to finish her thought.

11 CHAIRMAN NICOLELLO: Right.

12 LEGISLATOR DeRIGGI-WHITTON: Those steps
13 that we've put in, which you have mentioned, I do
14 agree. Most of them came from this side as
15 recommendations. I do agree with what we've one
16 so far, but nothing we've done would have stopped
17 the Abtec or other contracts that I have a real
18 problem with.

19 The fact that the procurement officer
20 cannot subpoena is a real issue. This is all
21 things that we need to protect our taxpayers
22 money. Honestly, I hear - and I don't know what
23 you hear from your constituents. But I'm
24 actually stopped at the bus stop with people
25 asking me what we're doing to make sure that this

2 stops and applauding the fact that we're not
3 bonding, we're not putting more money into this
4 system that we know is flawed.

5 I don't think government is stopped. But
6 I do think that we hopefully are stopping things
7 like Blue Chip from proceeding in the future.

8 CHAIRMAN NICOLELLO: By voting against
9 the bonding for the capital plan in March you
10 don't think government's been stopped. It's been
11 three months. These projects take years to
12 start. When you slow them down, when you stop
13 them over that three month period things come to
14 a grinding halt. You may not see it today but,
15 for example, what Mr. Setzer spoke about last
16 time, if you don't approve the NICE Bus match,
17 you have buses that are two years down the road
18 that are not going to arrive and possible issues
19 at that date. So to sit here and to willfully to
20 believe nothing's happened is just silly.

21 The movement of government has come to a
22 stop in many, many different ways. I could tell
23 you some issues I have had in my district is
24 getting emergency repaving done because we're
25 getting to the point where the funds that were

2 supposed to be approved for that haven't been
3 approved yet. To think that's nothing's happened
4 just shows that you don't have an understanding
5 of how government works.

6 Legislator Bynoe.

7 LEGISLATOR DeRIGGI-WHITTON: I just have
8 one last question. Rich, why is it that you have
9 - why will you not vote for someone being given
10 the guarantee of an independence so they feel
11 free to convey what information and what opinion
12 they have? I'm honestly, like, wait, I'm not
13 done.

14 I have a lot of respect for you. I think
15 you are smart, and I think that you don't like
16 what's going on either. And this is a way that
17 we can stop anything but highest criteria, which
18 our residents deserve.

19 CHAIRMAN NICOLELLO: Look. I have a lot
20 respect for you and all the members of your
21 caucus, and I think the same thing of all of you;
22 I think you are all bright individuals. I think
23 to argue over semantics, because you want an
24 inspector general and we have a commissioner of
25 investigations and you want this person to have a

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2 contract so, therefore, you have to shut down the
3 government; in my opinion, that is either
4 completely irrational or it's political. One of
5 the two. So why won't you -
6 LEGISLATOR DeRIGGI-WHITTON: Can you
7 answer my question?
8 CHAIRMAN NICOLELLO: Because I don't
9 think it's necessary. It's not necessary.
10 LEGISLATOR DeRIGGI-WHITTON: Why not
11 give the person -
12 CHAIRMAN NICOLELLO: It's not necessary.
13 LEGISLATOR DeRIGGI-WHITTON: It is.
14 CHAIRMAN NICOLELLO: I'm answering your
15 question.
16 LEGISLATOR DeRIGGI-WHITTON: Look -
17 CHAIRMAN NICOLELLO: I answered your
18 question.
19 LEGISLATOR DeRIGGI-WHITTON: We say in
20 the Blue Chips article -
21 CHAIRMAN NICOLELLO: You asked me a
22 question, I answered it.
23 LEGISLATOR DeRIGGI-WHITTON: You didn't
24 answer it.
25 CHAIRMAN NICOLELLO: Why? Because I

2 didn't say yes?

3 LEGISLATOR DeRIGGI-WHITTON: Why don't
4 you feel comfortable giving someone the security
5 of a contract? Let's just go back to what
6 happened with Blue Chips. Other employees did
7 come up. Other, you know, people that are in
8 charge of different - I don't want to name anyone
9 - but different groups did come up and say that
10 they were not comfortable with this situation.
11 If we had someone that was secure in their job
12 and had a contract and did not have to worry
13 about the ramification of this situation that
14 could have been avoided. And that's \$50,000. It
15 doesn't sound like much, but that's just part of
16 it.

17 Just tell me why you don't feel
18 comfortable -

19 CHAIRMAN NICOLELLO: I told you why. I
20 don't believe after all - well, after all of the
21 reforms that we put into place, number one.
22 Number two. After surveying most of the counties
23 in the state, we have the most transparent
24 process in New York State.

25 That's real nice. We have a lot of

2 respect. We let you come up here all the time
3 and talk and nobody interrupts you. Right. But
4 we have the respect for you. We have the respect
5 for you, Ms. Mereday. We have the respect for
6 you to let you do what your rights say you are
7 able to do. But we sit here quietly. We sit
8 here quietly and listen to you. So when we're
9 having a discussion up here, you have to make let
10 out this fake cough. Obviously, it's not a two-
11 way street with you. It's obvious to us.

12 LEGISLATOR DeRIGGI-WHITTON: Let's sum
13 this up, Rich, just so I understand, Mr.
14 Nicoletto.

15 CHAIRMAN NICOLELLO: I wasn't finished
16 talking, before Ms. Mereday decided she was going
17 to give that phony cough of hers, the loudest in
18 the room. I'm not insulting you. I'm just
19 asking you to have the same amount of respect for
20 us as human beings as we have for you.

21 You have the right to speak. You have
22 the right to speak. We understand that. But we
23 sit and listen to you respectfully. All right.
24 We're talking up here and you don't have the
25 respect to sit and listen to us. Yeah, you are

2 now.

3 LEGISLATOR DeRIGGI-WHITTON: Rich, just
4 to wrap this up.

5 CHAIRMAN NICOLELLO: Wait a second.
6 Let's wrap this up because I wasn't finished
7 speaking.

8 Very simply, it's completely unnecessary.
9 We have the most transparent contracting process
10 in the State of New York. We put in, in fact,
11 all these reforms. We have a commissioner of
12 investigations that's going to be doing exactly
13 what you want them to do. So to say, okay,
14 you've done all those things, we have the most
15 transparent system in the State of New York but
16 we want you to do more and we're going to shut
17 down government. That makes no sense to me.
18 It's irrational. So just for the sake of
19 principle I'm not going to agree to you.

20 You are using your power as a minority to
21 grind things to a halt, and as a sense of
22 principle I'm not going to sit here and agree
23 with you to do that, under no circumstances.

24 LEGISLATOR DeRIGGI-WHITTON: So just to
25 be clear, you object to having an independent

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2 inspector general with the protection -
3 CHAIRMAN NICOLELLO: This is going
4 around in a circle.
5 LEGISLATOR DeRIGGI-WHITTON: to
6 investigate - no.
7 CHAIRMAN NICOLELLO: Legislator Bynoe.
8 LEGISLATOR DeRIGGI-WHITTON: No.
9 CHAIRMAN NICOLELLO: This is going
10 around in a circle.
11 LEGISLATOR DeRIGGI-WHITTON: Just
12 explain to me one last time -
13 CHAIRMAN NICOLELLO: Legislator Bynoe,
14 you're up.
15 LEGISLATOR DeRIGGI-WHITTON: Mr.
16 Nicolello -
17 CHAIRMAN NICOLELLO: It's going around
18 in a circle.
19 LEGISLATOR DeRIGGI-WHITTON: I haven't
20 finished. So you are objecting to the idea of an
21 independent inspector general with a contract to
22 investigate public corruption?
23 CHAIRMAN NICOLELLO: I'm objecting to
24 you politically shutting down this government for
25 a political agenda.

2 LEGISLATOR DeRIGGI-WHITTON: Forget it.
3 You know what?

4 CHAIRMAN NICOLELLO: That's my
5 statement.

6 LEGISLATOR DeRIGGI-WHITTON: I've never
7 seen anything like it. But are you objecting to
8 -

9 CHAIRMAN NICOLELLO: I'm objecting to
10 you voting down contractual items for buses,
11 things we've done forever, for political basis.

12 LEGISLATOR DeRIGGI-WHITTON: On the
13 record you're going to object to having an
14 independent inspector with a contract to protect
15 their position -

16 CHAIRMAN NICOLELLO: We have an
17 independent inspector.

18 LEGISLATOR DeRIGGI-WHITTON: I'm not
19 finished, wait - to investigate public
20 corruption. Yes or no?

21 CHAIRMAN NICOLELLO: Yes or no?

22 LEGISLATOR DeRIGGI-WHITTON: Yes or no?

23 CHAIRMAN NICOLELLO: The answer to the
24 question is this - we have a commissioner of
25 investigations -

2 LEGISLATOR DeRIGGI-WHITTON: No. No.

3 CHAIRMAN NICOLELLO: who -

4 LEGISLATOR DeRIGGI-WHITTON: Yes or no?

5 Yes or no?

6 CHAIRMAN NICOLELLO: Wait. Wait. This
7 is not a cross examination. Are you out of your
8 mind?

9 LEGISLATOR DeRIGGI-WHITTON: No.

10 CHAIRMAN NICOLELLO: That's enough of
11 this. Legislator Bynoe, go ahead.

12 LEGISLATOR DeRIGGI-WHITTON: What is
13 that? Will we leave it blank? Is it a yes or a
14 no?

15 CHAIRMAN NICOLELLO: Do you want me to
16 tell you again? I think it's completely
17 irrational and a derogation of your public duties
18 to sit there and vote no for these public safety
19 health items for political reasons. So why do
20 you do that? Yes or no?

21 LEGISLATOR DeRIGGI-WHITTON: Because I
22 think that you're doing -

23 CHAIRMAN NICOLELLO: Why would you to do
24 something like that?

25 LEGISLATOR DeRIGGI-WHITTON: You are

2 being the obstructionist.

3 CHAIRMAN NICOLELLO: Why would you be an
4 obstructionist?

5 LEGISLATOR DeRIGGI-WHITTON: There is a
6 clear need and there is a political -

7 CHAIRMAN NICOLELLO: I'm an
8 obstructionist?

9 LEGISLATOR DeRIGGI-WHITTON: There is --
10 all of our constituents -

11 CHAIRMAN NICOLELLO: All right.

12 LEGISLATOR DeRIGGI-WHITTON: 80 percent
13 of our constituents agree that we need this.
14 This is something that our residents want. You
15 are obstructing it because we're basically at the
16 point where we're saying, look, this is what we
17 need. It's not a huge thing. It's basically
18 just securing their occupation and their job and
19 allowing them to investigate possible public
20 corruption. How you can object to it as a
21 finance ranking member, I think you would want
22 that. I would think you would want to be
23 protected.

24 We've been embarrassed enough. So I
25 guess your answer is no.

2 CHAIRMAN NICOLELLO: I'm glad you're
3 bringing up obstructionist, because I'm assuming
4 when we get to the part of the calendar in which
5 we vote for the county match to make sure that we
6 still have buses running in this county for the
7 people who most need it - the students, the poor
8 people, that you're going to vote yes. If you
9 vote no, you are a 100 percent obstructionist.

10 LEGISLATOR DeRIGGI-WHITTON: That's
11 really not true. I believe, number one, number
12 one, I'm not ready to give more money without
13 this reassurance. All you have to do is say, you
14 know what? You're right. We've lived through
15 it. We've lived through -

16 CHAIRMAN NICOLELLO: Isn't that the
17 essence of extortion?

18 LEGISLATOR DeRIGGI-WHITTON: We've lived
19 through everything else.

20 CHAIRMAN NICOLELLO: Isn't that the
21 essence of extortion? We're not going to let you
22 run this government. We're not going to let the
23 buses roll -

24 LEGISLATOR DeRIGGI-WHITTON: Until we
25 know you're being careful.

2 CHAIRMAN NICOLELLO: We're going to make
3 sure that people who most desperately need buses
4 don't get them unless you do what we want.
5 That's extortion. It's not going to work here.

6 LEGISLATOR DeRIGGI-WHITTON: I think the
7 people want this referendum, and I think that the
8 people want to see their money being accounted
9 for.

10 I don't understand how you don't agree
11 with that.

12 CHAIRMAN NICOLELLO: The people have a
13 say every two years.

14 LEGISLATOR DeRIGGI-WHITTON: I really
15 don't see how you don't agree with the fact that
16 we need this protection.

17 CHAIRMAN NICOLELLO: It boggles my mind
18 that you can't understand this very simple
19 position that we have. I don't think the issue
20 is with us. I honestly think the issue is with
21 you not understanding a very simple concept of
22 how government operates, but that's -

23 LEGISLATOR DeRIGGI-WHITTON: I don't
24 think government should operate this way, not
25 after seeing the Abtec, sitting here through the

2 Singh contract, and the VIP Splash. We've seen
3 one example after another. This is not the way
4 government should work. I think we have to fix
5 it.

6 CHAIRMAN NICOLELLO: Actually, the
7 process that this legislature has followed has -
8 you mentioned a number of different contracts.
9 But this legislature has been above reproach and
10 I would say both sides since we've been in the
11 majority. I think we've asked the appropriate
12 questions. Do we always get all of the
13 information that we need? Is it possible that
14 somebody could always work the system? Yeah,
15 it's always the case. But I think governmentally
16 this legislature, as a body, has functioned the
17 way it should for the last few years. And I
18 think with the additional reforms in place, some
19 of which are going to help, let's be honest, some
20 of which are simply going to slow the process up
21 further. But, with the reforms in place and the
22 way this legislature works, I think the
23 legislature, itself, has been above reproach, and
24 I think we've actually done the job - until now,
25 we've done the job we're supposed to do.

LEGISLATOR DeRIGGI-WHITTON: First of all, I don't see how you can think that with all this going on.

Number two. I don't think any of the things we put in place to this date would have stopped an Abtec from being passed. Honestly, like you said, we are dependent on getting the correct information, but we've already seen that that's not enough for us to depend on. We need someone who can subpoena, and we need someone who is secure enough to say what is going on before the taxpayers' money is wasted.

CHAIRMAN NICOLELLO: All right. You get the last word.

Legislator Bynoe.

LEGISLATOR BYNOE: All right. I wanted to talk about this specific issue, and I see that we've kind of gone beyond that. I think you're probably going to assert some of your same arguments, but I'm going to go have it out and speak to this anyway.

In our OMB report, the monthly report, as of May 31, 2016, it stated that we're expected to have a \$3.7 million surplus, and I'm suggesting

2 that we use that to pay this three-quarters of a
3 million dollars in expenses for the abatement.

4 So while I believe that we are going to be voting
5 no on issues, I do think that the administration
6 has the ability to administer government because
7 we have identified several pools of money to
8 which the administration has the ability to
9 utilize to make sure that essential services are
10 being provided.

11 So, I don't think this government needs
12 to grind to a halt. I think what this government
13 needs to, as the administration needs to, look at
14 the money that is available for use, disencumber
15 some of the contracts that aren't essential, and
16 I also think and agree wholeheartedly that the IG
17 or the corrections - I'm sorry - commissioner of
18 contracts needs to be independent. I think that
19 every single individual that is here - I don't
20 think anyone is listening. Are you listening?
21 Every individual that is here, if they had put
22 themselves in the shoes of the new hire and was
23 required to now investigate the actual people who
24 hired them and did not have any particular
25 protections, that they, themselves, would have to

2 feel that in some way or another they could have
3 a potential compromise if this, in some way, is
4 not a totally objective position.

5 I am in favor of us moving forward with
6 an IG. I think while we vote no, we have
7 identified several pools of money that is
8 available to this administration, and I think the
9 administration should do just that, administer
10 government.

11 Thank you.

12 CHAIRMAN NICOLELLO: Just two quick
13 points. I respectfully disagree with your
14 position.

15 Number one is that, you know, even if you
16 look at this \$3 million and we have a \$278
17 million capital plan which requires capital
18 borrowing, so that three million is a small
19 fraction.

20 Number two - we may even have a projected
21 \$3 million surplus at this point, but you only
22 look on television to see what's going on in the
23 financial markets, because of what happened with
24 Britain apparently, and you see also job reports
25 that are extremely discouraging. This county is

2 extremely reliant on sales taxes. So to blindly
3 go into the next six months and think that the
4 sales taxes are going to continue to perform is a
5 very risky proposition. We could very well see
6 the beginnings of a recession. We could see
7 impacts because of the loss of what's happening
8 in the stock market and people lose their
9 disposable income. You could see sales taxes
10 drop. So to go out and spend a projected surplus
11 in June when you have six months to go is not
12 something that is wise, in my opinion.

13 LEGISLATOR BYNOE: Okay. But again,
14 there are capital funds that could be
15 disencumbered to deal with some of these issues
16 and I think we need to look at that. We didn't
17 just identify one pool of money that would allow
18 the administration to move forward and govern
19 appropriately; we identified a few, at least
20 three or four different pools of money. Each
21 time we speak to those pools of money there is
22 some argument or some contention as to why we
23 won't do it. Not why we can't do it, why we
24 won't do it. So I think we need to look passed
25 why we won't do it and start doing the work of

2 the people with that money. The money is there.
3 Prioritize. You've clearly identified those
4 issues that you think are essential or the
5 administration, or whoever else. Now we are
6 seeing things in piecemeal that are considered to
7 be essential, and we've identified pools of money
8 that can address those things.

9 LEGISLATOR MACKENZIE: Okay. So is it
10 clear then you would no longer have any problem
11 with the process and how they got to this body
12 and how those contracts were evaluated as long as
13 the money came from a different place? The
14 position seems to be inconsistent to me.

15 On the one hand you all keep saying that
16 you don't want to pass any contracts because
17 there is no - I'm sorry, what do you call it -
18 investigator general, and then once we get passed
19 that stage and we bring up an item that you know
20 is essential and you know you should be voting
21 for, then you say there are other monies
22 somewhere else that should be paying for it.

23 I'll tell you what I hear in my district.
24 When I go around my district, we have capital
25 projects there that severely impact the health

2 and safety of some of the communities there. And
 3 many legislators on this body formerly
 4 represented those areas and campaigned very
 5 strongly for those projects to go forward. Now
 6 that they no longer represent that area their
 7 positions have changed. There are no allegations
 8 of any, any impropriety in the awarding of the
 9 contracts that are at issue there or the bonding.
 10 So, when I go around my district people say to me
 11 how come all of a sudden they want an
 12 investigator general; when they were in charge it
 13 wasn't such a high moment of principle. When
 14 they had members of their body being indicted
 15 nobody asked for an investigator general. Now
 16 you have one contract in this body that's
 17 actually being investigated and resulted in a
 18 criminal charge and all of a sudden an
 19 investigator general is needed.

20 Every day you put articles in the paper
 21 about bus routes, when one or two of them get
 22 cut. But then you vote against, last week, \$6
 23 million in funding that would have got this
 24 county \$60 million in match and not a word is
 25 said from anyone.

2 I think the hypocrisy of this is clear,
3 and I think the fact that your history on this
4 issue is so inconsistent really reveals it to be
5 what it is is - it's a political agenda. It's
6 been well reported that it's being dictated to
7 you by other people, by political bosses, and we
8 all see through that. So I think for you to get
9 on a high horse and talk to us about these things
10 day after day gets a little bit tiresome for
11 everyone.

12 If we could just deal with the items in
13 front of us it would save us a lot of time and a
14 lot of theater.

15 LEGISLATOR BYNOE: Well, I just want to
16 - I'm sorry, Mr. MacKenzie, Legislator MacKenzie
17 -

18 CHAIRMAN NICOLELLO: Legislator Bynoe.

19 LEGISLATOR BYNOE: To that point - thank
20 you, Chair.

21 I think the message has been pretty
22 consistent. The message is that we are not
23 comfortable giving you yet another pool of
24 capital funds to move forward unless we have an
25 independent inspector general. Until that time,

2 we are not just going to approve the capital
3 plan. We will look at emergency items, items
4 related to emergency responders. However, we are
5 not going to support even some of the contracts
6 that come forward because we don't know that they
7 are vetted properly. Okay. So I think our
8 message has been very consistent and very clear
9 that we're not going to give you any additional
10 money. However, there is money that is available
11 to you for the use of addressing these emergency
12 items, to which you guys have pulled out of I
13 guess the capital plan, and you should move
14 forward in using that money.

15 LEGISLATOR MACKENZIE: So then -

16 LEGISLATOR BYNOE: I think that's pretty
17 clear.

18 LEGISLATOR MACKENZIE: So then there's
19 no problem with the contracting process that gets
20 those items here, it's the problem with where the
21 money comes from. It's completely inconsistent to
22 say that certain items you're going to consider
23 and if there is other money available you will
24 vote for them -

25 LEGISLATOR BYNOE: There's a problem

2 with the -

3 LEGISLATOR MACKENZIE: when you're
4 saying it's the contracting process that you have
5 a problem with. Because those items that you
6 want to find other money for to pay for go
7 through the same contracting process. It's a
8 completely inconsistent position.

9 LEGISLATOR BYNOE: It's the procurement
10 process. Further, let me just be clear, we did
11 speak, last week, with the police department at
12 length about the body armor and it was very clear
13 to us that the body armor is suggested by the end
14 users. It's suggested by the police department.
15 There is a process, a methodology that I was
16 comfortable with when I heard from the police
17 department directly, last week, as to how the
18 vest was selected.

19 I think we can go back and forth, and I'm
20 comfortable doing this all day. But, as you
21 mentioned, there are some items before us. Until
22 I think both sides decide to get serious about
23 what our constituents are asking for, that 84
24 percent of the people that were polled about
25 reform want to see something that's serious. And

2 while I agree that we have made tremendous
3 lengths to this point - and to be mentioned that
4 it was really with the pressure of this caucus
5 and at the suggestions of this caucus that a lot
6 of those changes were made - I don't think we
7 should fall short of really doing a complete job.
8 Just to say that you've done something doesn't
9 mean that you don't do all that you can, and I
10 think that we're falling short of that. Let's do
11 something meaningful. Let's not waste our time.

12 CHAIRMAN NICOLELLO: Thank you. Mr.
13 Arnold, I guess you've given your presentation.

14 MR. ARNOLD: Just on the procurement of
15 asbestos. That would be a publicly bid contract.
16 We go with the lowest responsible bidder. It
17 would not be an RFP process. It would be a
18 publicly bid contract through our procurement
19 process.

20 CHAIRMAN NICOLELLO: Thank you.
21 Any public comment? Ms. Mereday.

22 MS. MEREDAY: Meta Mereday, Baldwin,
23 taxpayer and one who has a right, as do many
24 other residents, to speak before this body, not
25 because someone let me.

Some people seem to forget, on this body, that they are elected by the people and some people seem to be in need of being informed that those of us who sit out here are not doing this for your entertainment or for my pleasure; it's to protect my investment.

Just from a historical background, Deputy Nicolello, you don't know me nor do I know you. I'll try to be respectful of you, but I require the same. So your comments to me were highly uncalled for.

Now with regard to this issue, the bond issue. Just from a point of personal reference. If you might recall, and the record should dictate, that I was in full support of the total body pushing for the buses because, again, there are individuals out here who are being detrimentally harmed by this back and forth. I understand what this side of the room is dealing with but I also disagree in regard to those issues that pertain to the residents who cannot speak for themselves. I am here to be a voice for the voiceless. On top of that is veterans. Because I am again appalled at the fact that we

2 are once again detailing information about major
3 contracts and the veterans services initiative
4 for this county is again blank. Where is an
5 initiative that is focusing on involving veteran
6 businesses in this process? Just to say it's
7 going to go to an open bid process, to who?

8 We again have a bill on the books that I
9 was personally involved with putting together
10 with Legislator Curran that addressed veteran-
11 owned businesses in this county. But just to
12 have it on the books, probably 9,000 pages under
13 all this other nonsense, without having anything
14 active or mandated to really push it through so
15 that we could create business opportunities for
16 veteran-owned businesses and jobs for our
17 returning veterans and to keep those veterans,
18 who are among the 8,000-plus who are sitting on
19 the court records for foreclosure, who would not
20 qualify for the victims fund when they get put
21 out of their home, which to me is criminal, and
22 you're going to sit there and try to judge me and
23 admonish me. How dare you. How dare you.

24 This whole situation right here is a
25 farce. It's ridiculous, it's sad, but most

2 importantly it is costly to the residents. This
3 room can't be filled because most of the people
4 who are impacted by this are working two and
5 three jobs just to try to stay in this county.

6 CLERK PULITZER: Ma'am, your three
7 minutes are up.

8 MS. MEREDAY: So somebody has got to
9 stop it, whether it is this side - trust me, at
10 this point they are not going to agree to an
11 inspector general. If they're not even going to
12 give you the courtesy of a discussion, you need
13 to move forward.

14 This side. Start thinking for yourselves
15 and start representing your constituency.
16 Because people are tired. Tired. It's about
17 time. It is about time that you start speaking
18 your own mind and representing your constituency.

19 CHAIRMAN NICOLELLO: Ms. Mereday, could
20 you wrap up, please.

21 MS. MEREDAY: I will wrap up when I'm
22 ready to wrap up.

23 9-11 responders. \$500,000 was invested
24 in this and you got to find more money to fix
25 this. And you want to authorize more money to

2 try to do something, to do it wrong.

3 And as I said to you before when I was
4 sitting there, I will give you your respect and
5 apologize to you because I was not allowed to -
6 it was not public comment at that point. I will
7 give you that respect and apologize to you for
8 that.

9 CHAIRMAN NICOLELLO: You do not have to
10 apologize.

11 All in favor of 217-16 signify by saying
12 aye.

13 (Aye.)

14 Those opposed?

15 (Nay.)

16 LEGISLATOR CURRAN: I abstain.

17 CHAIRMAN NICOLELLO: Four-two-one. Four
18 votes in the affirmative, two negative, and one
19 abstention.

20 Item 231-2016 is an ordinance
21 supplemental to the annual appropriation
22 ordinance in connection with the Department of
23 Social Services.

24 LEGISLATOR WALKER: So moved.

25 LEGISLATOR MACKENZIE: Second.

2 CHAIRMAN NICOLELLO: Moved by Legislator
3 Walker, seconded by Legislator MacKenzie.

4 The item is before the committee. Any
5 discussion among the legislators?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 All in favor signify by saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 The item carries unanimously.

14 (Whereupon, the following is the minutes
15 of the Health and June 27, 2016, Public Safety
16 Committee pertaining to Clerk Item 231-16.)

17 CHAIRWOMAN WALKER: We have one item on
18 the original agenda, which is Clerk Item 231-16,
19 an ordinance supplemental to the annual
20 appropriation ordinance in connection with the
21 Department of Social Services.

22 May I have a motion, please?

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR KENNEDY: Second.

25 CHAIRWOMAN WALKER: Motion by Legislator

2 Kopel, seconded by Legislator Kennedy.

3 We have Mr. Paul Broderick here.

4 MR. BRODERICK: Legislators, good
5 afternoon. Paul Broderick, Deputy Commissioner,
6 Department of Social Services.

7 The item before you is a supplemental
8 appropriation for \$41,400 to finance a local re-
9 entry task force called STEERS Program. Do you
10 have any questions?

11 CHAIRWOMAN WALKER: Any questions by the
12 legislators? Legislator Bynoe.

13 LEGISLATOR BYNOE: Hi, Paul. How are
14 you?

15 MR. BRODERICK: Good afternoon.

16 LEGISLATOR BYNOE: Could you tell me a
17 little bit more about what this re-entry task for
18 strategic plan is actually supposed to achieve
19 and who is going to be on the task force?

20 MR. BRODERICK: Absolutely. The STEERS
21 re-entry is basically reintroducing individuals
22 that are currently incarcerated back into the
23 community. It is a program which is run by DOCS,
24 correctional services. When people are
25 incarcerated they are selected for the program

2 and they work with individuals down here in the
3 county to seek employment and reintroduce them
4 back into the community, basically casework to
5 help them integrate back and, I guess, mend their
6 ways.

7 LEGISLATOR BYNOE: Okay. And who is
8 going to be part of the task force?

9 MR. BRODERICK: Actually, right now
10 there are funds in outside contract with FCA, and
11 they work in collaboration with the Department of
12 Social Services and New York State Parole.

13 LEGISLATOR BYNOE: Sorry. This amount
14 has been reduced from previous?

15 MR. BRODERICK: Actually, it's extending
16 the contract. New York State Corrections, they
17 are the ones who oversee the funding of this.
18 They are re-RFPing this contract. It was ending
19 July 1. They are re-RFPing, New York State is.
20 And I believe this for a period of July, August,
21 and September, and they are looking to re-
22 solicit. Really, it's an extension of the
23 contract.

24 LEGISLATOR BYNOE: Have we been able to
25 isolate some data that could tell us whether we

2 are actually achieving our projections or?

3 MR. BRODERICK: We have data. I don't
4 have anything with me unfortunately. But we have
5 different targets that we have to achieve for New
6 York State which we can, by all means, share with
7 you.

8 LEGISLATOR BYNOE: And does this include
9 going into the community at all and meeting the
10 folks where they reside?

11 MR. BRODERICK: That might be more on
12 the parole side, as opposed to more, you know,
13 find suitable housing, suitable employment. It's
14 really primarily employment, to try to get people
15 working in a meaningful manner.

16 LEGISLATOR BYNOE: Part of my concern is
17 that individuals who have been out of the jail
18 system for some time, still finding themselves
19 flounder and they're not really able to connect
20 in and find employment. I wanted to know if this
21 would help those individuals at all.

22 MR. BRODERICK: It does. However, I
23 mentioned earlier that they select the
24 individuals. This is a subset of the population
25 who are being reintroduced to their

2 neighborhoods. Not everyone fits in this
3 program. There is only so much volume that they
4 can manage to do case management for.

5 LEGISLATOR BYNOE: I guess then I would
6 like to see what is the selection criteria, how
7 you're determining who goes into the program.

8 MR. BRODERICK: Let me just assure you
9 that we don't. We are told who is. But we can
10 share that with you. We can get that from the
11 funding source.

12 LEGISLATOR BYNOE: Thank you.

13 LEGISLATOR GAYLOR: Madam Chairwoman,
14 question.

15 CHAIRWOMAN WALKER: Sure.

16 LEGISLATOR GAYLOR: This grant applies
17 to drug offenders that are currently in state
18 prisons being returned to the county, is that
19 correct?

20 MR. BRODERICK: I don't know what their
21 crimes WIA. We can definitely find out.

22 LEGISLATOR GAYLOR: My understanding is
23 it's the chemically dependent offenders that are
24 in the state prisons returning back to the county
25 that would get this outreach kind of help, I

2 guess.

3 These are state dollars we're talking
4 about, correct?

5 MR. BRODERICK: That is correct.

6 LEGISLATOR GAYLOR: Okay.

7 MR. BRODERICK: I'm not really sure of
8 their criteria, but I'm sure it captures across
9 all type of infractions.

10 LEGISLATOR GAYLOR: I'm not so sure of
11 that. I think it's only the chemically dependent
12 that we are specifically addressing today.

13 CHAIRWOMAN WALKER: That was my
14 understanding also.

15 LEGISLATOR BYNOE: I'm sorry. I'm sure
16 it's not addressing every single person that's
17 going to be entered back into the community that
18 had a drug-related, chemically-dependent related
19 arrest. There are some other criteria they're
20 using to then identify which one of those will
21 then be assisted. So I would like to know how
22 they do that, how it's determined.

23 MR. BRODERICK: They could be chemically
24 dependent but that might not be the nature of
25 their crime. We can definitely share information

2 with you on that.

3 CHAIRWOMAN WALKER: If you could get
4 that information to us as soon as possible, and
5 we will make sure we share it with everyone.

6 MR. BRODERICK: Absolutely.

7 CHAIRWOMAN WALKER: Thank you, Mr.
8 Broderick.

9 Any other questions or comments?

10 (No verbal response.)

11 Any public comment? Ms. Mereday.

12 MS. MEREDAY: Meta Mereday, Baldwin.

13 Again, Legislator Bynoe continues to encourage me
14 because she does ask the questions as it pertains
15 to my tax dollars. As I sit back and I'm
16 frustrated with the fact that my elected
17 officials continue to just nod heads when it
18 comes down to our money and you have these
19 questions that sit there but you just continue to
20 pass it along as if somebody else is going to be
21 responsible for it.

22 I can't see how you can fund an
23 initiative where you don't have all the
24 information presented to you - how this money is
25 actually being utilized, what is the success

rate? What are the benchmarks in place? The determination of the participants. What is the level of recidivism within that group set itself? How can you just sit there and justify, well, we're just going to move it forward? What will it take to actually get that emphasis in place that we have to stop somewhere? The bleeding has to stop somewhere. We have to look at what we are doing with people's money and their lives. You have to stop somewhere.

And to have presentations - and no offense to the presenters. But to have presentations that are ill prepared and you're still just voting for it anyway. That just smacks to me of an ongoing systemic problem within this body that does not seem to get any relief.

Hearings don't do it. Criminal convictions don't do it. The district attorney coming here doesn't do it. You're renewing contracts, extending deals. You're acting like you want to do what is right by the people but you are still, you know, embodying the same nonsense that is costing people. The fact that

2 you have to legislate about zombie houses. You
3 have to address the issue that we have to do
4 something about re-entry.

5 Re-entry is not just about, you know,
6 helping them to mend their ways when they get out
7 and then they still don't have a job or they
8 don't have a job that gives them enough money so
9 that they can stay here. We don't provide them
10 enough resources so that they can move themselves
11 from their chemical dependency. So they repeat
12 those same bad habits, go back to those same
13 scenarios, and they look like all of us.

14 What is it going to take for you to
15 realize that this bleeding has to stop? And I
16 know my words are just bouncing in the air
17 because you got this side and you got that side.
18 But you're killing us. In the meantime, you're
19 killing us, killing us, because we're all one
20 body.

21 CLERK PULITZER: Ma'am your three
22 minutes are up.

23 CHAIRWOMAN WALKER: Any other comments?

24 (No verbal response.)

25 Any other public comments?

2 (No verbal response.)

3 All those in favor of Clerk Item 231-16
4 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 Any abstentions?

9 (No verbal response.)

10 Then this will move on to Finance.

11 (Whereupon, the following is the
12 continuation of the minutes of the June 27, 2016,
13 Finance Committee meeting.)

14 CHAIRMAN NICOLELLO: The next item is
15 going to be an executive session so we will hold
16 that. We are going to hold 236-16 is also
17 executive session.

18 245-16 is a resolution authorizing the
19 County of Nassau to file an application for
20 federal assistance with the U.S. Department of
21 Housing and Urban Development.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRMAN NICOLELLO: Moved by Legislator
25 Walker, seconded by Legislator Kopel.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

That item carries unanimously.

Item 235-16 is a resolution authorizing the signing of a New York State Department of Transportation Supplemental Grant Agreement for funds to support enforcement of high occupancy vehicle, H.O.V., traffic laws on the Long Island Expressway.

LEGISLATOR MACKENZIE: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator MacKenzie, seconded by Legislator Walker.

That item is before this committee.

I didn't say this before, but we ask that the testimony of the previous committees be incorporated by reference.

(Whereupon, the following is the minutes

1 Finance Committee - 6-27-16 54
2 of the June 27, 2016, Public Safety Committee
3 pertaining to Clerk Item 235-16.)

4 CHAIRMAN DUNNE: The first item to come
5 before this committee is Item 235-16, a
6 resolution authorizing the signing of the New
7 York State Department of Transportation
8 supplemental grant agreement for funds to support
9 enforcement of high occupancy vehicle (HOV)
10 traffic laws on the Long Island Expressway.

11 I have a motion by Denise Ford, seconded
12 by Rose Walker.

13 On this item, yes.

14 LIEUTENANT STEPHANOFF: Lieutenant Greg
15 Stephanoff from the police department.

16 Item 235 -

17 CHAIRMAN DUNNE: The motion was by
18 Denise Ford, seconded by Rose Walker. I'm sorry.

19 LIEUTENANT STEPHANOFF: Item 235-16 is a
20 grant from New York State for HOV lane
21 enforcement. It's for \$501,800. This is a - the
22 state supplemented just for the first six months
23 for this year. This is not a full year. This is
24 going to be a six-month grant.

25 This money is going to be used for extra

2 personnel to go out and patrol the HOV to enforce
3 the laws in relation to the HOV lanes. Also,
4 they will do auto accident, anything that comes
5 up in those HOV lanes will be enforced as well.

6 CHAIRMAN DUNNE: And this comes from the
7 state?

8 LIEUTENANT STEPHANOFF: Yes.

9 CHAIRMAN DUNNE: Fully funded. Okay.
10 Any questions by any of the legislators?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 There being none; all in favor indicate
15 by saying aye.

16 (Aye.)

17 Any against?

18 (No verbal response.)

19 This passes on to Finance.

20 (Whereupon, the following is the
21 continuation of the minutes of the June 27, 2016,
22 Finance Committee meeting.)

23 CHAIRMAN NICOLELLO: Any discussion on
24 this item?

25 (No verbal response.)

1 Finance Committee - 6-27-16 56
2 Public comment?
3 (No verbal response.)
4 All in favor signify by saying aye.
5 (Aye.)
6 It carries unanimously.
7 Item 236-16 is also an executive session
8 item so we will come back to that.
9 Item 237-16 is a resolution authorizing
10 the county executive to execute a grant agreement
11 between the County of Nassau, acting on behalf of
12 the Department of Parks, Recreation, and Museums,
13 and the African American Genealogical Society.
14 LEGISLATOR WALKER: So moved.
15 LEGISLATOR KOPEL: Second.
16 CHAIRMAN NICOLELLO: Moved by Legislator
17 Walker, seconded by Legislator Kopel.
18 Any discussion?
19 (No verbal response.)
20 Public comment?
21 (No verbal response.)
22 All in favor signify by saying aye.
23 (Aye.)
24 Those opposed?
25 (No verbal response.)

2 It carries unanimously.

3 Item 241-2016 is a resolution to
4 authorize the transfer of appropriations
5 heretofore made within the budget for the year
6 2016.

7 LEGISLATOR MACKENZIE: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRMAN NICOLELLO: Moved by Legislator
10 MacKenzie, seconded by Legislator Kopel.

11 That item is before the committee.

12 Any discussion?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 All in favor signify by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 That item carries unanimously.

21 Legislator Walker, do you want to make a
22 motion to suspend the rules?

23 LEGISLATOR WALKER: Yes. I'd like to
24 make a motion to suspend the rules.

25 LEGISLATOR KOPEL: Second.

2 CHAIRMAN NICOLELLO: Seconded by
3 Legislator Kopel.

4 All in favor of suspending the rules
5 signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (No verbal response.)

9 The rules are suspended.

10 We have an addendum. We have another
11 item that is going to go into executive session,
12 that's 240-16. We will call them all for
13 executive session at once.

14 Next several items - 242, 243, 244, 245,
15 246, 247, 248, 249, 250 - are all ordinances
16 supplemental to the annual appropriation
17 ordinance in connection with the Office of the
18 County Executive, Department of Health,
19 Department of Social Services, and the Medical
20 Examiner, Division of Forensic Services.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR KOPEL: Second.

23 CHAIRMAN NICOLELLO: Moved by Legislator
24 Walker, seconded by Legislator Kopel.

25 Those items are before the committee.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Carries unanimously.

(The following is the minutes of the June 27, 2016, Health Committee pertaining to Clerk Items 242, 243, 244, 245, 246, 247, 248, 249, 250-16.)

There are six items on the addendum. I first need a motion to suspend the rules.

LEGISLATOR GAYLOR: So moved.

LEGISLATOR KENNEDY: Second.

CHAIRWOMAN WALKER: Moved by Legislator Gaylor, seconded by Legislator Kennedy.

All in favor of suspending the rules?

(Aye.)

Again, there are six items on the agenda. I'm going to put all the health together.

Clerk Item 243-16, it is an ordinance

2 supplemental to the annual appropriation
3 ordinance in connection with the Department of
4 Health.

5 Clerk Item 244-16, Clerk Item 245-16,
6 Clerk Item 249-16, and 250-16 are also all
7 ordinances supplemental to the annual
8 appropriation ordinance in connection with the
9 Department of Health.

10 May I have a motion, please?

11 LEGISLATOR GAYLOR: Motion.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN WALKER: Motion by Legislator
14 Gaylor, seconded by Legislator Kopel.

15 MS. GOETZ: We have Mary Ellen Laurain.

16 MS. LAURAIN: Good afternoon. Mary
17 Ellen Laurain, Department of Health.

18 Item 243-16 is a supplemental
19 appropriation in the amount of \$54,172. This is
20 for the child and family safety grant. It's 100
21 percent funded through New York State Office of
22 Children and Family Services. This team reviews
23 all deaths of children who reside in Nassau
24 County and whose death is unexplained or
25 unexpected. This program just won a national

2 award for its Safe Sleep Program.

3 CHAIRWOMAN WALKER: Any questions by the
4 legislators for Ms. Laurain?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 Clerk Item 244-16.

9 MS. LAURAIN: Item 244-16 is a
10 supplemental appropriation in the amount of
11 \$43,145. This for our tuberculosis public health
12 campaign. This is an additional COLA award, and
13 it is funded through New York State Department of
14 Health. Total funding after this award is
15 \$566,745.

16 CHAIRWOMAN WALKER: Any comments or
17 questions from the legislators?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 Clerk Item 245-16.

22 MS. LAURAIN: Item 245-16 is a
23 supplemental appropriation in the amount of
24 \$24,720. This is for our immunization action
25 plan. It is funded through New York State

2 Department of Health. It is also an additional
3 COLA award. Total funding after the award is
4 \$324,720. This program protects the public from
5 vaccine preventable diseases.

6 CHAIRWOMAN WALKER: Any questions or
7 comments from the legislators?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 Clerk Item 249-16.

12 MS. LAURAIN: Item 249-16 is a
13 supplemental appropriation for the HIV
14 surveillance and partner notification in the
15 amount of \$283,552. This is New York State
16 Department of Health funded, and it is a mandated
17 program.

18 CHAIRWOMAN WALKER: Any questions or
19 comments from the legislators?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 Okay. Clerk Item 250-16.

24 MS. LAURAIN: Item 250-16 is a
25 supplemental appropriation in the amount of

2 \$214,775 for the childhood lead poison prevention
3 grant. This is funded through New York State
4 Department of Health and provides comprehensive
5 services to reduce the prevalence of blood lead
6 in children under age six.

7 CHAIRWOMAN WALKER: Any questions or
8 comments from the legislators?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 Clerk Items 243, 244, 245, 249, and 250-
13 16, all those in favor signify by saying aye.

14 (Aye.)

15 Any opposed?

16 Any abstentions?

17 These items will move on to the Finance
18 Committee.

19 (Whereupon, the following is the
20 continuation of the June 27, 2016, minutes of the
21 Finance Committee meeting.)

22 CHAIRMAN NICOLELLO: Items 251 and 252
23 are resolutions to authorize the transfer of
24 appropriations heretofore made within the budget
25 for the year 2016.

LEGISLATOR KOPEL: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN NICOLELLO: Moved by Legislator
Kopel, seconded by Legislator MacKenzie.

Any discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Item 253-2016 is a bond ordinance
providing for a capital expenditure to finance
the capital projects identified herein within the
County of Nassau and authorizing \$11,600,000 of
bonds of the County of Nassau to finance such
expenditure.

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator
Kopel, seconded by Legislator Walker.

This is an item that obviously had much

2 debate about at the Full Legislature. It is the
3 attention of the Majority to move this along so
4 that it's in a position for the Full Legislature
5 at some point to be moved - to be passed, in
6 other words, so to expedite the process.

7 Did you have anything to add, Mr. Arnold?

8 MR. ARNOLD: In addition to my testimony
9 from the last Full Leg? No. Just that this is
10 an important project. It's associated with the
11 county's consent order. Under our fuel storage
12 tanks, it's holding up our moving forward with
13 work that is required to be done.

14 CHAIRMAN NICOLELLO: Okay. Thanks.

15 Any questions? Legislator DeRiggi-
16 Whitton.

17 LEGISLATOR DeRIGGI-WHITTON: In our
18 prior conversation, when Legislator MacKenzie
19 brought up a project, honestly, that contract,
20 after it was awarded, was one of the ones that I
21 had an issue with. I'm afraid that some of the
22 people that were involved with the company were
23 not disclosed prior to the vote. It was later
24 determined that there were possible relations,
25 even in the comptroller's office. It's just

2 another example of -

3 LEGISLATOR MACKENZIE: I'm sorry. I
4 didn't bring up any - name any person or any
5 contracts. What contract are you talking about?

6 LEGISLATOR DeRIGGI-WHITTON: You
7 mentioned the contracts when you mentioned with
8 your capital project.

9 LEGISLATOR MACKENZIE: G&M Land Moving
10 is the person who -

11 LEGISLATOR DeRIGGI-WHITTON: No. The
12 prior two contracts were awarded to someone who
13 was a possible relative to someone who worked in
14 the comptroller's office. So it's another
15 example of why we need further investigation into
16 these contracts.

17 LEGISLATOR MACKENZIE: It's not an
18 example of anything.

19 LEGISLATOR DeRIGGI-WHITTON: It
20 definitely is.

21 LEGISLATOR MACKENZIE: You shouldn't
22 make any allegations that there was any
23 impropriety there because there has never been an
24 allegation of any impropriety on those prior two
25 contracts, number one.

2 LEGISLATOR DeRIGGI-WHITTON: I don't
3 know.

4 LEGISLATOR MACKENZIE: And number two -

5 LEGISLATOR DeRIGGI-WHITTON: I know that
6 he's no longer in the comptroller's office.

7 LEGISLATOR MACKENZIE: the contract
8 that's currently was voted upon is with a
9 completely different company. So to try to
10 associate the two is reckless.

11 If you want to make allegations about
12 people and accuse them of wrongdoing on the
13 record that's your own -

14 LEGISLATOR DeRIGGI-WHITTON: I don't
15 take your word for that, MacKenzie, I'm sorry.

16 LEGISLATOR MACKENZIE: business. But
17 I'm not going to allow you to make allegations
18 about people when there were no allegations of -

19 LEGISLATOR DeRIGGI-WHITTON: There were
20 allegations of -

21 LEGISLATOR MACKENZIE: wrongdoing.

22 LEGISLATOR DeRIGGI-WHITTON: a
23 relationship between someone who worked in the
24 comptroller's office and someone who was a
25 principal in the contract, okay.

2 Do you know who the principals are at
3 this new company? Have you seen that list?
4 Because I haven't seen it yet. Do you know the
5 principals of that company that you just
6 mentioned? I haven't gotten a copy of it. So
7 we're hoping to get that.

8 LEGISLATOR MACKENZIE: You'd have to
9 speak to your staff; that's not my department.

10 LEGISLATOR DeRIGGI-WHITTON: I know.
11 It's a question of who the principals are of
12 that.

13 Just continuing on. I just also want to
14 mention that I don't go out of my way by sending
15 emails to elected officials in your district,
16 okay. I really don't. But speaking to a lot of
17 them was very interesting, including 22 phone
18 calls without a phone call back. So, anyway.

19 The Mayor of Bayville called you 22 times
20 before you called him back. I don't know.

21 LEGISLATOR MACKENZIE: I have no idea
22 what you're talking about, number one.

23 LEGISLATOR DeRIGGI-WHITTON: Ask him.
24 Ask him.

25 LEGISLATOR MACKENZIE: Number two. It's

2 absolutely untrue. I actually saw the gentleman
3 on Monday night and not a word was mentioned.
4 It's not true.

5 LEGISLATOR DeRIGGI-WHITTON: Right. But
6 you should talk to him about that.

7 LEGISLATOR MACKENZIE: Delia, I have no
8 idea what you're talking about, quite frankly -

9 CHAIRMAN NICOLELLO: Can we focus on
10 this item?

11 LEGISLATOR MACKENZIE: and I'm not going
12 to do a childish little debate with you. Can we
13 talk about the item?

14 LEGISLATOR DeRIGGI-WHITTON: I don't
15 know why you sent all the emails into my
16 district, but I thought that was childish,
17 honestly. I have copies of them if you want
18 them. Anyway.

19 Getting back to this item. I just wanted
20 to ask you about the - the report that was made
21 regarding these tanks, was there anything in
22 there indicating that there is actual leakage?
23 I'm just curious. That the tanks are actually
24 leaking.

25 MR. ARNOLD: The tanks are not leaking

2 at this moment. We're monitoring them
3 continuously.

4 LEGISLATOR DeRIGGI-WHITTON: Okay.
5 Thank you. I appreciate it. Thank you very
6 much.

7 MR. ARNOLD: But that doesn't solve the
8 point whether they're leaking or not. We have a
9 consent order with the EPA to put monitoring
10 controls on these tanks, and that's what this is
11 about. If these tanks were leaking, we'd be in
12 much worse condition with the EPA.

13 LEGISLATOR DeRIGGI-WHITTON: Thank you
14 very much.

15 CHAIRMAN NICOLELLO: Any other
16 questions?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Hearing none; all in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (Nay.)

25 LEGISLATOR CURRAN: I'm abstaining.

2 CHAIRMAN NICOLELLO: The item passes
3 four votes for, two votes no, and one abstention.
4 It moves on the Rules Committee.

5 Item 254-2016 is a bond ordinance
6 providing for a capital expenditure to finance
7 the capital projects identified herein within the
8 County of Nassau and authorizing \$6,088,000 of
9 bonds of the County to finance such expenditure.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by Legislator
13 Kopel, seconded by Legislator Walker.

14 This is the county match on the buses,
15 right?

16 MR. ARNOLD: That is correct. This has
17 presented previously to this body. This is the
18 ten percent match associated with the county bus
19 program.

20 CHAIRMAN NICOLELLO: Thank you. I have
21 a question for Mr. Setzer, who I see is in the
22 room.

23 MR. SETZER: Good afternoon, Mr.
24 Chairman.

25 CHAIRMAN NICOLELLO: Thank you for

joining us Mr. Setzer.

Just, could you tell us again, you went through, to me, a clear presentation of the problems that will result if we don't pass this. But could you give us that in a nutshell again?

MR. SETZER: Yes. I'd be happy to. There are quite a few different capital items in these projects, but the one that I focused on and the one that I think is the most urgent is the 28 bus order that's already been placed with the manufacturer. These are buses that will be delivered later this year and they are replacement buses. They are replacements for buses that are at least 12 years old and have at least half a million miles, some are more.

The issue that may not be apparent to everyone is that the buses that are being replaced have, in effect, an expiration date, a hard expiration date that we cannot go passed. Because they are compressed natural gas fueled, there are some federal rules that apply, they must be taken out of service, and so we must go ahead with this, I would say. We must go ahead with this procurement and we must fund it some

2 way. I suppose the alternative is to fund it out
3 of the operating budget, but that would have
4 other kinds of consequences that I think none of
5 us in the room here would like.

6 CHAIRMAN NICOLELLO: I saw a story in
7 the *Newsday* this week that apparently some bus
8 routes are being restored, as we speak.

9 MR. SETZER: That's correct. Two routes
10 were restored beginning this morning and two
11 routes that had been eliminated earlier in the
12 year were replaced with a different style of
13 route using a smaller bus. Yes, that's correct.

14 CHAIRMAN NICOLELLO: Obviously, we've
15 had meetings, in a bipartisan fashion we were all
16 in support restoration of those bus routes.

17 MR. SETZER: Correct.

18 CHAIRMAN NICOLELLO: But when I saw this
19 story I'm questioning myself. Why are we going
20 ahead with restoring bus routes when the - by
21 failing to pass the match we're in jeopardy of
22 running out of buses at the end of the year, so
23 to speak, because some of them are going to have
24 to be shelved and we're not going to have the new
25 buses in place. How does it make sense to go

2 ahead with restoration under those circumstances?

3 MR. SETZER: Mr. Chairman, my purpose
4 here today is to kind of just make sure that you
5 have all the facts involved here. I think that's
6 really a policy question that I'm in no position
7 to comment on.

8 CHAIRMAN NICOLELLO: All right.
9 Obviously we want to see the restorations, but at
10 the same time we don't want to be in a position
11 when these buses - when the older buses in our
12 fleet are being forced to go to the side and us
13 not having buses to replace them. That's a
14 nightmare scenario for most of us.

15 MR. SETZER: I would say that most any
16 course of action that I can imagine that doesn't
17 include maintaining the capital replacement
18 program as designed ultimately leads to service
19 reductions. Either we take money out of the
20 operating budget or we don't have enough buses or
21 some combination of those things.

22 CHAIRMAN NICOLELLO: Legislator Walker.

23 LEGISLATOR WALKER: I would just like to
24 make sure I understand this right. If we don't
25 move ahead with this - and we obviously have -

2 these buses have been ordered to your
3 specification. These buses are coming in.

4 MR. SETZER: That's correct, Legislator.

5 LEGISLATOR WALKER: Without this money
6 you will then really be forced to take it out of
7 your operating budget.

8 MR. SETZER: I think that would be the
9 alternative - that would be one alternative or
10 the county would have to find some other source
11 of local match for these buses.

12 LEGISLATOR WALKER: Now if you had to
13 take the money out of your operating budget,
14 would you still get the match from the federal
15 government?

16 MR. SETZER: No. These grants are ten
17 percent county, ten percent state, 80 percent
18 federal, and the county has to provide the local
19 match in order for the other dollars to flow.
20 So, no, we would not get any of it.

21 LEGISLATOR WALKER: So you - if you took
22 it out of your operating budget you would then be
23 lost without the other monies that you would have
24 received.

25 MR. SETZER: We would have to take 100

2 percent of the cost of the buses out of the
3 operating budget, which would be about 16 million
4 or else we'd have to take the local match out of
5 the operating budget, which would be 1.6 million,
6 either of which would have a huge effect.

7 LEGISLATOR WALKER: Huge effect.

8 MR. SETZER: Right.

9 LEGISLATOR WALKER: So, basically we
10 might then have a lot of new buses that might not
11 be going anywhere.

12 MR. SETZER: Yes. We'd have a newer
13 fleet but we wouldn't ultimately be able to
14 operate it.

15 LEGISLATOR WALKER: Operate the fleet,
16 right. Okay. Thank you.

17 CHAIRMAN NICOLELLO: Any other
18 questions? Legislator Bynoe.

19 LEGISLATOR BYNOE: Thank you, Chair.
20 Hi, Mr. Setzer.

21 MR. SETZER: Hello, Legislator Bynoe.

22 LEGISLATOR BYNOE: Quick question. When
23 are we required to pay or you, NICE Bus, required
24 to pay for those buses?

25 LEGISLATOR BYNOE: Each individual bus

2 is about 460,000 -

3 LEGISLATOR BYNOE: Yeah. When?

4 MR. SETZER: Oh. When?

5 LEGISLATOR BYNOE: When, yes.

6 MR. SETZER: I think the requirement is
7 30 days after the buses are delivered and accept
8 the cash has to be there to make that payment.

9 LEGISLATOR BYNOE: Okay. And when are
10 we expecting to take delivery?

11 MR. SETZER: September through December,
12 they will be delivered over that period of time.

13 LEGISLATOR BYNOE: September through
14 December.

15 MR. SETZER: Of this year, yes.

16 LEGISLATOR BYNOE: Okay. Thank you.

17 Can I have a copy of - can we,
18 collectively, the body, have a copy of contract?

19 MR. SETZER: The purchase contract for
20 the buses?

21 LEGISLATOR BYNOE: Yeah.

22 MR. SETZER: Certainly.

23 LEGISLATOR BYNOE: Thank you.

24 CHAIRMAN NICOLELLO: Legislator DeRiggi-
25 Whitton.

LEGISLATOR DeRIGGI-WHITTON: Thank you.

Do you happen to have the numbers that you had last time, last year for your company as far as the expenses and the profit? Do you have that information yet?

MR. SETZER: I don't have it with me but I can certainly provide that.

LEGISLATOR DeRIGGI-WHITTON: If you could send that to all of us. I'm just curious where the profit is this year as opposed to last year.

MR. SETZER: Certainly.

LEGISLATOR DeRIGGI-WHITTON: And the other thing that I have to just make a statement about, Rich is saying that these buses might not arrive and the earliest you expect them is sometime in November, might not arrive until December. So we're talking about January that we would have to really hand over these funds.

MR. SETZER: They will be delivered over the period of - they are each paid for individually. They are accepted by us and then paid for individually. The first one - the delivery schedule starts in September, so some

2 time in October we would owe payment for the
3 first one.

4 LEGISLATOR DeRIGGI-WHITTON: And how
5 long is that acceptance process? How long does
6 that normally take?

7 MR. SETZER: Legislator, it depends on
8 the condition of the bus that when it's
9 delivered, I would expect this to go very quickly
10 because these buses are identical to the last
11 delivery that we got earlier - or last year. The
12 manufacturer knows exactly what we'll approve and
13 what we'll accept, so I would expect them to be
14 accepted within a matter of days of delivery.

15 LEGISLATOR DeRIGGI-WHITTON: Do you know
16 long it took last year to get all of the buses
17 that we ordered, like how many months or how long
18 it took when you first started to accept them to
19 the last bus that you got?

20 MR. SETZER: I'm sorry. I don't
21 remember. It was a larger order. I think there
22 were 50-some buses in that order. But once they
23 began to be delivered, we got almost one a day.
24 I would expect that it would be a similar kind of
25 schedule this time.

2 LEGISLATOR DeRIGGI-WHITTON: The bottom
3 line is this is something we could be talking
4 about, like you said, at the end of the year into
5 January possibly for payment. I just wanted to
6 clarify that.

7 We're having a referendum in November
8 regarding the inspector general, so I'm hoping,
9 you know, by that time we will be much more
10 comfortable with the situation that we're in.

11 LEGISLATOR MACKENZIE: I'm sorry. Can
12 you just clarify something? I might have missed
13 this point. When does the matching have to
14 either be shown to be available or be available?
15 It's not as these buses are delivered. Am I
16 understanding correctly? It doesn't go on a bus-
17 by-bus basis, right?

18 MR. SETZER: Legislator, I think the
19 answer to that question is that when the county
20 filed the grant application with the federal
21 government it made a commitment that the local
22 match would be available. It's not so much a
23 question of when but from where will that local
24 match be provided.

25 CHAIRMAN NICOLELLO: Any other

2 discussion?

3 (No verbal response.)

4 Thank you, Mr. Setzer.

5 MR. SETZER: Thank you.

6 CHAIRMAN NICOLELLO: Any public comment?

7 MR. ARNOLD: Just one clarification.

8 CHAIRMAN NICOLELLO: Sure.

9 MR. ARNOLD: On the testimony during the
10 tanks, West Shore Road Phase 3 was approved by
11 this body. So all the principals and vendor
12 disclosure were provided.

13 CHAIRMAN NICOLELLO: Okay.

14 Ms. Mereday. Ms. D'Aleva.

15 MS. D'ALLEVA: I just also want to add
16 that once the buses get delivered and payment is
17 put forth, we're supposed to pay in 72 hours, so
18 we don't really have 30 days. So once they are
19 delivered, payment has to be within 72 hours in
20 order for us to receive the funds from the
21 federal government.

22 LEGISLATOR DeRIGGI-WHITTON: So Mr.
23 Setzer was incorrect?

24 MS. D'ALLEVA: I believe so. Those are
25 the qualifications for the grant.

2 LEGISLATOR DeRIGGI-WHITTON: Can you
3 just provide us that information?

4 MS. D'ALLEVA: Sure.

5 CHAIRMAN NICOLELLO: Thank you.

6 Any other questions for Ms. D'Alewa?

7 (No verbal response.)

8 Thank you.

9 Ms. Mereday.

10 MS. MEREDAY: Meta Mereday, Baldwin, New
11 York.

12 Again, I strongly suggest that the body
13 take into consideration the needs of the
14 residents, particularly those who require this
15 transportation. This is their only means of
16 transportation.

17 I get it. Trust me. As you can see,
18 look around. I'm one of the few that comes here.
19 Because I pretty much work the overnight shift.
20 And yes, I do have physical limitations,
21 particularly the rugs in this room, because I am
22 sick when I leave here but I still have to work
23 overnight, just so we have that clear.

24 But we have to take into consideration
25 that agreeing to this scenario as it relates to

2 the residents who need the buses, agreeing in
3 body and unanimously takes nothing away from the
4 fight to have the procurement process overview
5 that is sorely needed in this county.

6 Again, I know I'm probably just talking
7 to myself on a microphone, which is okay, I talk
8 to myself often. It's all right. Sometimes I
9 agree. And since it's me, myself, and I there is
10 usually a split decision. Again, as Norma said
11 earlier, sometimes you just need a little humor
12 once in a while. That's important.

13 One other point I wanted to make in terms
14 of the earlier aspect of this. As I said, just
15 today there was a press conference at the White
16 House in terms of tech hiring grants that were
17 distributed. Four million dollars, you may not
18 know, went to LaGuardia Airport for programs for
19 advanced training to assist re-entry candidates,
20 low income, veterans and those particularly who
21 live in high cost regions, to prepare them so
22 that they could get jobs so that they can live in
23 these high-cost regions. LaGuardia Community
24 College got \$4 million. Suffolk Community
25 College got \$2.9 million. Westchester Community

2 College got \$4 million. Where is Nassau? Where
3 is Nassau County?

4 Last year Rochester got \$100,000 for
5 their veterans' facility. Nassau County doesn't
6 even have a veterans' facility. Again, where is
7 Nassau?

8 Let us think about the things that we are
9 doing and the reason why we're doing it. You may
10 represent parties - republican, democrat, I get
11 it - but overall you represent the people. So
12 let's just put the issues aside in this instance
13 because the bus has nothing to do with this
14 situation. Give those residents the resources
15 that they need so that they can stay in Nassau
16 County and provide the work that needs to get
17 done.

18 Thank you.

19 CHAIRMAN NICOLELLO: Thank you.

20 Hearing no further public comment; all in
21 favor signify by saying aye.

22 (Aye.)

23 Those opposed?

24 (Nay.)

25 The item passes by a vote of five to two.

2 We now have three executive session items
3 - before we go to executive session, actually,
4 Item 239-16 I skipped before - it's an ordinance
5 providing for a capital expenditure to finance
6 the payment of certain judgments or compromised
7 or settled claims against the County of Nassau
8 and authorizing \$45 million of bonds of the
9 county to finance said expenditure.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by Legislator
13 Kopel, seconded by Legislator Walker.

14 The item is before the committee.

15 Without getting into the merits of this
16 underlying case, could you explain to us what the
17 \$45 million bond is for?

18 MS. LOCURTO: Absolutely, Legislator.

19 CHAIRMAN NICOLELLO: Again, you don't
20 have to get into the merits but I understand it
21 has to do with the appeals that are going to the
22 Second Circuit. Procedurally, I think you could
23 put that on the record without touching anything
24 having to do with the merits of the case.

25 MS. LOCURTO: I will do that. The

purpose of this bond ordinance is to take the place of a posting of a supersedeas bond in the civil litigation of the *Restivo/Halstead* matter. After a second civil trial and jury determination of \$36 million, the plaintiff sought enforcement of the judgment, plus attorney's fees. Appeals of the first civil jury trial and the second trial were made and they are currently being litigated.

In federal court, a stay of enforcement of a judgment is not automatic even though the case is on appeal. You have to seek a stay from the federal court, and for it to be granted you normally, civil litigants would post a supersedeas bond. The county cannot post a supersedeas bond because there are just too many impediments to doing that, one that it's just economically too expensive and also it's not feasible, as in order to post a bond you would have to put up a form of collateral and there is no asset that the county can put up as collateral because it obviously belongs to the public, the county. So in lieu of posting the bond the court has accepted a bond ordinance, which will

2 demonstrate the county's ability to pay, in lieu
3 of a supersedeas bond. This is similar, to
4 refresh your recollection, to what happened with
5 the strip search litigation. The county was
6 seeking a bond ordinance instead of posting the
7 bond.

8 The county is not obligated to pay
9 anything until a final judgment is reached and
10 there are no further appeals that are taken. So
11 the legislature's vote today, if it did vote in
12 the affirmative, is only for the approval
13 authority bond subject to certain conditions,
14 such as the litigation being final, no other
15 appeals are going to be taken, and also subject
16 to NIFA approval. This is simply to put in place
17 a mechanism.

18 I think that - that's required by
19 stipulation.

20 CHAIRMAN NICOLELLO: Required by
21 stipulation or by the court?

22 MS. LOCURTO: It was stipulated and so
23 ordered by the court.

24 CHAIRMAN NICOLELLO: Any questions?
25 Legislator Curran.

2 LEGISLATOR CURRAN: I hate to admit this
3 but I'm not a lawyer, and I did not completely
4 understand everything you said. So could you
5 please describe it as if I was in elementary
6 school, like an intelligent fourth grader?

7 MS. LOCURTO: Okay. When you litigate a
8 case, if you lose or if you lose the case and say
9 I want to appeal that case, normally in state
10 court a municipality is entitled to a stay while
11 the appeal process is playing out, because I
12 shouldn't have to pay until I know what the
13 appeal court is going to say. In the federal
14 court the rules are slightly different. You
15 don't get to stay the enforcement while the
16 appeal is pending. You have to make an
17 application and the federal judge has to grant
18 you permission to stay the enforcement. In one
19 of the things you can argue to say why a stay
20 should be in place is you have to demonstrate to
21 the court that the litigant, at the end of the
22 appeal, has the ability to pay. How you
23 demonstrate your ability to pay is you can post a
24 bond, what they call a supersedeas bond. The
25 civil litigant says - normally, for example, you

would say I put up collateral, I put up my house, because it's a million dollar judgment, I have a \$500,000 house or whatever and I'll put up my house as an asset to guarantee that I have the ability to pay. We're in a unique situation because we're not the typical civil litigant, we're a municipality. Our funding and our ability to pay is either because we can borrow, if it's an extraordinary judgment, we can raise taxes to pay our judgments, those are the means of paying. So we have advocated to the court saying we, one, we want a stay because it's on appeal and we don't know the outcome of the appeal. Maybe I ultimately don't have to pay the judgment because it's going to be overturned on appeal. And I don't want to post a supersedeas bond because I'm not the typical civil litigant. I'm a government. I can't, you know, normally you could put up collateral of your home or whatever. But I can't put up because the county assets are not such that they lend themselves. Plus, the financial burden of posting that bond and paying for it is just too extraordinary for the municipality.

2 To show the court, to demonstrate, look,
3 the municipality is going to pay if and when
4 there are no further appeals going to be taken,
5 there is no further impediment to pay, that the
6 judgment is final and we are obligated to pay, we
7 are asking the court to say - we're demonstrating
8 to the court our good faith that we're going to
9 have - in the event we have to pay, we're hoping
10 we don't have to pay. But in the event we do
11 have to pay, we're going to create a mechanism,
12 which is this bonding approval. We're going to
13 have a bond in place approved that if we have to
14 pay, and it's all conditioned. If you read the
15 backup in the bond, it's all conditioned of
16 certain things happening. But if, at the end of
17 the day, we have to pay, the bond is in place and
18 ready to be paid should the county be obligated
19 to pay.

20 LEGISLATOR CURRAN: Great. Thank you
21 very much.

22 MS. LOCURTO: You're welcome.

23 LEGISLATOR CURRAN: Well done.

24 CHAIRMAN NICOLELLO: Any additional
25 questions? Legislator DeRiggi-Whitton.

2 LEGISLATOR DeRIGGI-WHITTON: Is there a
3 deadline for the adoption of this ordinance?

4 MS. LOCURTO: I'm not quite sure what
5 you mean by a deadline -

6 LEGISLATOR DeRIGGI-WHITTON: Is there a
7 day or a date that you have from the courts? Is
8 there anything in writing stating that?

9 MS. LOCURTO: The court has asked us to
10 put it on the calendar to be presented to the
11 legislature and that's what we're doing right
12 now, we're presenting it to the legislature.

13 LEGISLATOR DeRIGGI-WHITTON: Did they
14 give you any indicating as to a date?

15 MS. LOCURTO: As soon as practical.

16 LEGISLATOR DeRIGGI-WHITTON: As soon as
17 possible? Is that in the order? Do you have the
18 copy of the order?

19 MS. LOCURTO: I provided it to your
20 counsel.

21 LEGISLATOR DeRIGGI-WHITTON: Is there a
22 date in that?

23 MS. LOCURTO: There is not a specified
24 date.

25 LEGISLATOR DeRIGGI-WHITTON: I have to

2 also just go back. If we're not going to use the
3 litigation fund from the ways that NIFA
4 suggested, I think this is the perfect example of
5 when we should use it. I think we should
6 definitely use the litigation fund for this. I
7 can't understand why we wouldn't.

8 How much does this type of bond cost?

9 DEPUTY COUNTY EXECUTIVE NAUGHTON: Hi.
10 Eric Naughton, Deputy County Executive for
11 Finance.

12 Legislator, this is the exact case where
13 you should not litigation fund. The litigation
14 fund, NIFA agreed we would not use it for
15 extraordinary types of litigation. A \$45 million
16 payment would qualify as extraordinary. That is
17 something that we should bond for.

18 LEGISLATOR DeRIGGI-WHITTON: But how
19 much - to get this type of bond, first of all, we
20 used it for Oyster Bay, but - if we're talking
21 about this type of bond -

22 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
23 was a different example. That example, we saved
24 money by being able to settle it quickly.

25 LEGISLATOR DeRIGGI-WHITTON: The bond

2 for the 45 million is how much?

3 DEPUTY COUNTY EXECUTIVE NAUGHTON:

4 Depending on the market, and right now we don't
5 have to go out for it but the interest rate may
6 be about three percent, mostly. Again, to pay
7 for something of that -

8 LEGISLATOR DeRIGGI-WHITTON: This is for
9 45 million, we're talking three percent of the 45
10 million.

11 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
12 is correct.

13 LEGISLATOR DeRIGGI-WHITTON: So we're
14 talking about getting the bond, right, we only
15 need three percent of what we're bonding for.

16 DEPUTY COUNTY EXECUTIVE NAUGHTON: No.
17 Right now all they're asking for right now is the
18 bond ordinance, that's all that's be asked for at
19 this moment.

20 LEGISLATOR MACKENZIE: Delia, can I just
21 interject to clarify something? I don't want to
22 interrupt you.

23 LEGISLATOR DeRIGGI-WHITTON: Go ahead.
24 If it's okay with the Chairman.

25 CHAIRMAN NICOLELLO: Legislator

2 MacKenzie.

3 LEGISLATOR MACKENZIE: The whole point
4 of this is the court is allowing us just to pass
5 the ordinance which allows us to take a bond
6 without actually taking the bond.

7 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
8 is correct.

9 LEGISLATOR MACKENZIE: So there would be
10 no need whatsoever to spend any money unless
11 ultimately we lost the appeals and the case. And
12 this mechanism is permitting us to just simply
13 pass an ordinance which allows us to borrow money
14 in the future if necessary and to satisfy the
15 court that that authority is given. Is that
16 correct?

17 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
18 is absolutely correct, Legislator MacKenzie.

19 LEGISLATOR MACKENZIE: So this will
20 cause the county in the immediate term to borrow
21 no money and cost nothing other than passing this
22 ordinance and the two cents the paper cost.

23 DEPUTY COUNTY EXECUTIVE NAUGHTON: No
24 bonds would be issued.

25 CHAIRMAN NICOLELLO: Legislator DeRiggi-

2 Whitton.

3 LEGISLATOR DeRIGGI-WHITTON: Okay. So
4 let's say for some reason we don't win and we
5 have to pay the 45 million. Do you have to come
6 back to us or you can just go ahead and do it?

7 DEPUTY COUNTY EXECUTIVE NAUGHTON: I'll
8 defer to counsel on that one.

9 MS. LOCURTO: No. We don't come back to
10 the legislature. However, it is still subject to
11 NIFA approval. The sale of any bond proceeds
12 would require NIFA to approve.

13 LEGISLATOR DeRIGGI-WHITTON: So us
14 giving the okay for this ordinance basically is
15 okaying the \$45 million in bonding should you
16 use.

17 MS. LOCURTO: If necessary. It's
18 conditioned, though.

19 LEGISLATOR DeRIGGI-WHITTON: I
20 understood what you said. I think we're really
21 actually giving the okay to bond for the 45
22 million should we not be successful.

23 CHAIRMAN NICOLELLO: Legislator
24 MacKenzie.

25 LEGISLATOR MACKENZIE: I'm sorry. I

2 misunderstood your position. I thought you said
3 that the cost of the bonding wouldn't be that
4 much and we should use the litigation fund to pay
5 for the cost of the bonding. So I was just trying
6 to clarify what was going on. I know exactly
7 what this does. And I know that in the
8 eventuality if they lose, that's giving authority
9 to bond for it.

10 LEGISLATOR DeRIGGI-WHITTON: I thought
11 that there was a small amount that we had to pay
12 upfront to get it. If that's not the case, then
13 that's great. But we're still going ahead and
14 giving you the 45 million should we lose without
15 you coming back to the legislature.

16 CHAIRMAN NICOLELLO: Legislator Kopel.

17 LEGISLATOR KOPEL: Legislator DeRiggi-
18 Whitton, the only thing that I would also point
19 out is that if you go ahead and spend the money
20 out of the bond fund - I'm sorry, the litigation
21 fund - besides for the fact that you're
22 decreasing the amount available in that fund for
23 use in litigation settlements which it's needed
24 for. In the event that this bond - in the event
25 that we lose all the appeals, this bond could be

2 called upon. Isn't that right?

3 DEPUTY COUNTY EXECUTIVE NAUGHTON: If we
4 lose, yes, then we could use the bond.

5 LEGISLATOR KOPEL: The bond would be
6 called upon. We'd have to fund that somehow. We
7 wouldn't have any choice. Not only that, they
8 could actually, I suppose if we didn't take care
9 of it immediately, pull money out of our
10 accounts. All kinds of nasty stuff can happen.
11 And we really don't have a great deal, as much as
12 I think I've shown over the years, I don't like
13 to borrow money. This is one of those cases that
14 I think that maybe we just don't have a choice.
15 But to go ahead and authorize it because a
16 judgment is a judgment and it's got to be paid
17 one way or the other if it happens. This is a
18 no-cost way of just hedging our best for the time
19 being.

20 CHAIRMAN NICOLELLO: Legislator
21 MacKenzie and then Legislator DeRiggi-Whitton.

22 LEGISLATOR MACKENZIE: I'm sorry. I
23 think that it would make even less sense to pay
24 this out of actual cash funds or bond premiums
25 now because it's still under appeal. Isn't the

2 whole point of this to stop us from paying now,
3 give us an opportunity to appeal, and in the
4 event that we're successful we won't pay
5 anything. So why would we pay now if the case
6 isn't concluded? I'm not sure why we would -
7 well, I think that's almost a question.

8 LEGISLATOR DeRIGGI-WHITTON: Let's say
9 this. If the bonding is approved for the 45
10 million - let's say, hopefully we can even come
11 in with a lesser verdict, maybe we should at
12 least consider using part of the legal fund to
13 pay for at least part of it rather than bonding
14 the full amount. If we're not going to use it
15 for anything else, we should use it for this.

16 MS. LOCURTO: Legislator, can I just
17 clarify. The judgment - there was a jury
18 determination and an award of \$36 million. There
19 is also attorney's fees on top of that was
20 awarded. We're up to \$42 million. If we lose
21 the appeal it's, at a minimum, \$42 million plus
22 there could be additional fees including the
23 attorneys' fees that were incurred for the
24 appeal. So why we're asking for 45, it's an
25 estimate of the total amount.

2 So it's not - if all appeals are
3 exhausted and the county ultimately has to pay,
4 the final number is going to be, at a minimum, 42
5 to 43 million, upwards, based on our estimates,
6 of up to \$45 million. So that's why you're being
7 asked for 45 million.

8 LEGISLATOR DeRIGGI-WHITTON: If they're
9 successful.

10 MS. LOCURTO: I just want to clarify
11 that there's no - the verdict is the verdict.
12 The number is fixed.

13 LEGISLATOR DeRIGGI-WHITTON: So when you
14 appeal the judge is not given the option of
15 mitigating the award?

16 MS. LOCURTO: Not under these
17 circumstances. We're either going to pay zero or
18 we're going to pay -

19 LEGISLATOR DeRIGGI-WHITTON: Why is
20 that? I've never heard of that. Wait. You're
21 either going to get zero or 45 million?

22 MS. LOCURTO: We're either going to win
23 the appeal and - because the original civil trial
24 number one, there was no liability found against
25 the county or the named defendants. So if -

2 CHAIRMAN NICOLELLO: Just as long as you
3 are comfortable with this that's fine.

4 MS. LOCURTO: Now we're going into
5 executive session.

6 CHAIRMAN NICOLELLO: Just as long as you
7 are comfortable with continuing.

8 MS. LOCURTO: Right.

9 CHAIRMAN NICOLELLO: But I wouldn't
10 stray too far into anything having to do with the
11 merits.

12 MS. LOCURTO: Sure. That is what is on
13 the record. Civil trial number one, jury
14 verdict, no liability against the county who are
15 defendants. That verdict, there were three
16 defendants, the verdict was set aside for two of
17 them and a second civil trial was ordered. That
18 second civil trial resulted in a jury award of
19 \$36 million. That trial number one and trial
20 number two are being appealed. We hope that the
21 verdict in trial one, which says no liability
22 against the county and no liability against the
23 defendants, stands. But we don't know the
24 outcome of that. The Appellate Court could say
25 second civil trial verdict stands, so you have to

2 pay money. Or there could be a third, which is
3 they could order a completely new trial and it
4 could be a completely new amount, depending on
5 whether or not - what the jury finds.

6 LEGISLATOR DeRIGGI-WHITTON: So did we
7 appeal the damage end of this verdict?

8 MS. LOCURTO: We appealed everything -
9 damages -

10 LEGISLATOR DeRIGGI-WHITTON: So what you
11 said before about it being zero or 45 is just on
12 the liability, but the damages is going to be
13 also heard at some point, correct? Is it
14 bifurcated, basically, like we have the liability
15 and then -

16 MS. LOCURTO: I'm not sure. It's
17 unlikely that they will reduce it. It was a jury
18 award, a jury finding of liability and they
19 determined the amount.

20 LEGISLATOR DeRIGGI-WHITTON: But we're
21 appealing it.

22 MS. LOCURTO: I don't know if we should
23 go further without going into executive session.

24 LEGISLATOR DeRIGGI-WHITTON: Okay. When
25 answering - are we appealing the damages, the

2 answer is?

3 MS. LOCURTO: Yes.

4 LEGISLATOR DeRIGGI-WHITTON: We are.

5 MS. LOCURTO: Yes.

6 LEGISLATOR DeRIGGI-WHITTON: If we're
7 appealing it, we're not doing it for no reason,
8 we're doing it to see if we can get reduced
9 damages.

10 MS. LOCURTO: It's unlikely that they're
11 going to reduce the damages.

12 LEGISLATOR DeRIGGI-WHITTON: Listen.
13 I'm not going to ask you to surmise what a jury
14 is going to do or a judge, rather. I'm sorry, a
15 judge. Why are we appealing if it's unlikely?

16 CHAIRMAN NICOLELLO: The bottom line is
17 the judge so ordered the stipulation saying that
18 \$45 million is what we were required to authorize
19 in bonding.

20 MS. LOCURTO: Correct. Because if
21 that's upheld, then that's what we're going to be
22 required to pay.

23 CHAIRMAN NICOLELLO: Just a question for
24 you. Personal injury cases when they go up, in
25 the state courts the damages can be reduced by

2 the courts. Is that likely in a civil rights
3 case that the Second Circuit is going to look at
4 the damages and say, no, it's another number?

5 MS. LOCURTO: You are correct in your
6 statement.

7 CHAIRMAN NICOLELLO: Legislator Bynoe,
8 did you have something to add?

9 LEGISLATOR BYNOE: I was just suggesting
10 that maybe we go into executive session because I
11 felt like we were going a little too far deep.

12 CHAIRMAN NICOLELLO: We have to go into
13 executive session with the other items anyway, so
14 why don't we just continue this in executive
15 session. But let me call the other items first.

16 Item 236-16, a resolution authorizing the
17 county attorney to compromise and settle the
18 claims of plaintiff, Kathleen McQuade, as set
19 forth in an action entitled *Kathleen McQuade v.*
20 *The County of Nassau*. That was 233. I'm sorry.

21 236 is a resolution authorizing the
22 county attorney to compromise and settle the
23 claims of plaintiff, Michael Bresnahan, as set
24 forth in an action entitled *Michael Bresnahan v.*
25 *The County of Nassau*.

2 Item 240-16 is a resolution authorizing
3 the county attorney to compromise and settle the
4 claims of David Page, as set forth in an action
5 entitled *David Page v. The County of Nassau*.

6 I would ask for a motion on these four
7 items to go into executive session. I'm going to
8 actually back up a second. I don't know that I
9 put those items before us.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRMAN NICOLELLO: Moved by Legislator
13 Walker, seconded by Legislator Kopel.

14 The items are on the table. We have a
15 total of four items on the table now.

16 I ask for a motion to go into executive
17 session.

18 LEGISLATOR MACKENZIE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRMAN NICOLELLO: Legislator
21 MacKenzie moves to go into executive session,
22 seconded by Legislator Walker.

23 All in favor of executive session signify
24 by saying aye.

25 (Aye.)

2 Those opposed?

3 (No verbal response.)

4 We are in executive session.

5 (Whereupon, the Finance Committee
6 recessed into executive session at 4:36 p.m.)

7 (Whereupon, the Finance Committee
8 reconvened at 5:26 p.m.)

9 CHAIRMAN NICOLELLO: I call the Finance
10 Committee back to order. We are out of executive
11 session. I am going to call three of the four
12 items first.

13 233, 236, and 240-2016. Any further
14 discussion?

15 (No verbal response.)

16 Public comment?

17 (No verbal response.)

18 All in favor of those three items signify
19 by saying aye.

20 (Aye.)

21 That carries unanimously.

22 Now I'm going to call Item 239-2016.

23 Any further discussion on that item?

24 That's the one involving the \$45 million in
25 bonds. Legislator DeRiggi-Whitton.

2 LEGISLATOR DeRIGGI-WHITTON: I just want
3 a clarification from Lisa Locurto. I understand
4 that the purpose of the bond is pretty much just
5 show good faith and hold off while we appeal. Is
6 that correct?

7 MS. LOCURTO: Yes.

8 LEGISLATOR DeRIGGI-WHITTON: Have we
9 started the appeal process with this?

10 MS. LOCURTO: Yes. The appeals have
11 been filed and oral argument was heard April
12 2016, I believe April 5, 2016.

13 LEGISLATOR DeRIGGI-WHITTON: So we
14 already appealed this, basically.

15 MS. LOCURTO: The appeal has been
16 briefed and there has been oral argument. The
17 decision, we are still awaiting decision on that
18 appeal.

19 LEGISLATOR DeRIGGI-WHITTON: So we're
20 waiting for the decision. I thought when you
21 first came up that you said we were doing this to
22 protect us while we were going to appeal.

23 MS. LOCURTO: Yes, that's true.

24 LEGISLATOR DeRIGGI-WHITTON: But we've
25 already done it.

2 MS. LOCURTO: We are still in the appeal
3 process. We are still appealing.

4 LEGISLATOR DeRIGGI-WHITTON: We're
5 waiting for the decision.

6 MS. LOCURTO: And now we're waiting for
7 the decision, yes.

8 LEGISLATOR DeRIGGI-WHITTON: I have to
9 be honest. I got a completely different
10 impression from your testimony earlier, just
11 saying that we were going to do this to reserve
12 our right to appeal. It was basically, it was my
13 impression that we hadn't started the process
14 yet. We were going to do this while we went
15 through the appeal process.

16 MS. LOCURTO: I'm clarifying now. I
17 hope you - I've answered your question, that you
18 understand the process.

19 LEGISLATOR DeRIGGI-WHITTON: The order
20 that we talked about, the stipulation, that was
21 signed about a year ago?

22 MS. LOCURTO: Yes.

23 LEGISLATOR DeRIGGI-WHITTON: And you're
24 going to provide us with a copy of that? Oh, you
25 have it. Okay.

2 MS. LOCURTO: I believe I already said
3 on the record that I already provided a copy to
4 your counsel. But I can provide it again.

5 LEGISLATOR DeRIGGI-WHITTON: I'm sorry.
6 I forgot that my attorney has it. But if we
7 could just get the copy of the communication that
8 was discussed, as far as requesting the bonding,
9 we discussed that inside.

10 MS. LOCURTO: Yes, Legislator. I have
11 your request from executive session and we will
12 provide it.

13 LEGISLATOR DeRIGGI-WHITTON: We're going
14 to need that before our next meeting.

15 MS. LOCURTO: Before the Full vote,
16 understood.

17 LEGISLATOR DeRIGGI-WHITTON: Which is in
18 two weeks.

19 We're going to hold off on this until we
20 get that information.

21 CHAIRMAN NICOLELLO: I'm going to call
22 for a vote on the item.

23 All in favor signify by saying aye.

24 (Aye.)

25 Those opposed?

2 (Nay.)

3 Passes by a vote of four to three.

4 There is one other item of business.

5 There was an item that was tabled in the last
6 Finance Committee.

7 Item 197-2016, a resolution to authorize
8 the transfer of appropriations heretofore made
9 within the budget of the year 2016.

10 LEGISLATOR MACKENZIE: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by Legislator
13 MacKenzie, seconded by Legislator Walker.

14 The item is before the committee. I'm
15 sorry. That was a motion to untable. So we have
16 a motion to untable.

17 All in favor of untabling this item
18 signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 It carries unanimously. It's now before
23 the committee again.

24 Ms. D'Alewa.

25 MS. D'ALLEVA: Hi. Item 197 is a board

1 Finance Committee - 6-27-16 110
2 transfer from fringe benefits and assessment to
3 other departments, various departments.
4 CHAIRMAN NICOLELLO: Any questions on
5 this item? Legislator DeRiggi-Whitton.
6 LEGISLATOR DeRIGGI-WHITTON: Roseanne,
7 how is there so much available funds in the
8 assessment administration salaries? Do you know
9 what caused that availability?
10 MS. D'ALLEVA: There are 11 vacancies
11 there.
12 LEGISLATOR DeRIGGI-WHITTON: Eleven
13 vacancies in the assessment.
14 MS. D'ALLEVA: Yeah.
15 LEGISLATOR DeRIGGI-WHITTON: Do you have
16 a list of the titles that are vacant?
17 MS. D'ALLEVA: I can get that for you.
18 LEGISLATOR DeRIGGI-WHITTON: How many
19 are total - how many in place do we have in the
20 assessment office?
21 MS. D'ALLEVA: A little over 100.
22 LEGISLATOR DeRIGGI-WHITTON: So we're
23 down about ten percent.
24 With the - where we're transferring to,
25 why is there a need to put additional funds in

2 there? Were there salary increases, or?

3 MS. D'ALLEVA: Well, predominantly in
4 assessment, actually it's just going from -
5 they're funding their own shortfall. There were
6 issues with their general expenses because of
7 mailings that were not contemplated in the
8 original budget.

9 LEGISLATOR DeRIGGI-WHITTON: The
10 mailings from the assessment office, is that what
11 you're talking about?

12 MS. D'ALLEVA: Yes. There were two new
13 programs, the DAF fund and also the income and
14 expense. There were a couple of mailings that
15 were not predicated in the budget. So,
16 therefore, there was a shortfall in the general
17 services line which they are funding within their
18 own department.

19 LEGISLATOR DeRIGGI-WHITTON: Okay. So
20 do you know offhand if any of these increases
21 that are needed are caused by raises?

22 MS. D'ALLEVA: I believe the public
23 administrator.

24 LEGISLATOR DeRIGGI-WHITTON: The public
25 administrator. The 35,000 would be due to a

2 raise?

3 MS. D'ALLEVA: I believe so, yes.

4 LEGISLATOR DeRIGGI-WHITTON: As far as -

5 MS. D'ALLEVA: And I believe there was a
6 promotion in purchasing as well.

7 LEGISLATOR DeRIGGI-WHITTON: For the
8 30,000?

9 MS. D'ALLEVA: Yeah. And there was also
10 -

11 LEGISLATOR DeRIGGI-WHITTON: These are
12 all raises.

13 MS. D'ALLEVA: No, they are not all
14 raises. Also, in purchasing there was a
15 termination so that's terminal leave funding that
16 was also not predicated in the budget and the
17 person left at the end of December.

18 The increase for the public administrator
19 is for the administrator himself.

20 LEGISLATOR DeRIGGI-WHITTON: Wait.
21 Let's go back. So the public administrator, that
22 35,000 is not a raise?

23 MS. D'ALLEVA: That was a raise.

24 LEGISLATOR DeRIGGI-WHITTON: Okay. So
25 that's a raise. You just said no.

2 MS. D'ALLEVA: I meant for purchasing.
3 Purchasing was a terminal leave.

4 LEGISLATOR DeRIGGI-WHITTON: So this one
5 is a raise for the \$35,000. The one for the
6 service purchasing is also a \$30,000 raise?

7 MS. D'ALLEVA: No. That was for
8 terminal leave. I misspoke before.

9 LEGISLATOR DeRIGGI-WHITTON: That's for
10 terminal leave. Okay. So that's for leaving
11 also.

12 MS. D'ALLEVA: No. It was terminal
13 leave. It was a terminal leave payment. When
14 someone leaves and they have time accrued on the
15 books, we pay them. No, not if they weren't
16 predicated to have left before the budget was put
17 together. So the person decided to leave in
18 December. The budget was already voted on and
19 adopted. Therefore, that payment, that one-third
20 payment goes out in January and we have to fund
21 that if they leave prior to the close of the
22 year.

23 LEGISLATOR DeRIGGI-WHITTON: So what
24 about the Office of the Constituent Affairs? Is
25 that a raise or is that a termination pay?

2 MS. D'ALLEVA: I'd have to check on
3 that.

4 LEGISLATOR DeRIGGI-WHITTON: Can we
5 table this until we get that information.

6 I make a motion.

7 LEGISLATOR CURRAN: Second it.

8 MS. D'ALLEVA: Constituent affairs was
9 actually part timers.

10 CHAIRMAN NICOLELLO: There is a motion
11 to table on the floor.

12 All in favor of the motion signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (Nay.)

17 Go ahead. You were saying, constituent
18 affairs.

19 MS. D'ALLEVA: Constituent affairs were
20 additional part timers.

21 LEGISLATOR DeRIGGI-WHITTON: Roseanne,
22 if you could give us a breakdown one more time
23 before our next meeting, Full Leg. I understand
24 that it's all salary, pretty much.

25 MS. D'ALLEVA: Right. Civil Service was

2 because a grant fell through.

3 LEGISLATOR DeRIGGI-WHITTON: If you
4 could just break it down for us, it would just -
5 I know it's itemized here, but just itemized as
6 to why, that would help.

7 MS. D'ALLEVA: Okay.

8 LEGISLATOR DeRIGGI-WHITTON: Thanks.

9 CHAIRMAN NICOLELLO: If you could
10 provide that to both caucuses we would appreciate
11 that.

12 MS. D'ALLEVA: Absolutely.

13 CHAIRMAN NICOLELLO: Any other
14 discussion on this item?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 All in favor signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (Nay.)

22 It passes by a vote of four to three.

23 Motion to adjourn?

24 LEGISLATOR WALKER: So moved.

25 LEGISLATOR KOPEL: Second.

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2 CHAIRMAN NICOLELLO: Motion by
3 Legislator Walker, seconded by Legislator Kopel.
4 All in favor signify by saying aye.
5 (Aye.)
6 The committee is adjourned.
7 (Whereupon, the Finance Committee
8 adjourned at 5:37 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 state:

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 5th day of July, 2016.

FRANK GRAY

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

HEALTH AND SOCIAL SERVICES COMMITTEE

ROSE WALKER
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

June 27, 2016
2:35 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

ROSE MARIE WALKER
Chairwoman

C. WILLIAM GAYLOR III
Vice-Chairman

LAURA SCHAEFER (Not Present)

HOWARD KOPEL (Sitting in for Laura Schaefer)

JAMES KENNEDY

DELIA DERIGGI-WHITTON
Ranking

JUDITH JACBOS

SIELA A. BYNOE

MICHAEL C. PULITZER
Clerk of the Legislature

LIST OF SPEAKERS

PAUL BRODERICK.	5
META MEREDAY.	10
MARY ELLEN LAURAIN.	14

1 Health & Social Services Committee - 6-27-16 4
2 CHAIRWOMAN WALKER: I'd like to call the
3 Health Committee to order. I ask the Clerk to
4 please take the roll.
5 CLERK PULITZER: Thank you. Health and
6 Social Services.
7 Legislator Siela Bynoe?
8 LEGISLATOR BYNOE: Here.
9 CLERK PULITZER: Legislator Judith
10 Jacobs?
11 LEGISLATOR JACOBS: Here.
12 CLERK PULITZER: Ranking Member Delia
13 DeRiggi-Whitton?
14 LEGISLATOR DeRIGGI-WHITTON: Here.
15 CLERK PULITZER: Legislator James
16 Kennedy?
17 LEGISLATOR KENNEDY: Here.
18 CLERK PULITZER: Legislator Howard
19 Kopel?
20 (No verbal response.)
21 Vice Chairman C. William Gaylor, III?
22 LEGISLATOR GAYLOR: Present.
23 CLERK PULITZER: Chairwoman Rose Marie
24 Walker?
25 CHAIRWOMAN WALKER: Here.

2 CLERK PULITZER: We have a quorum.

3 CHAIRWOMAN WALKER: We have one item on
4 the original agenda, which is Clerk Item 231-16,
5 an ordinance supplemental to the annual
6 appropriation ordinance in connection with the
7 Department of Social Services.

8 May I have a motion, please?

9 LEGISLATOR KOPEL: So moved.

10 LEGISLATOR KENNEDY: Second.

11 CHAIRWOMAN WALKER: Motion by Legislator
12 Kopel, seconded by Legislator Kennedy.

13 We have Mr. Paul Broderick here.

14 MR. BRODERICK: Legislators, good
15 afternoon. Paul Broderick, Deputy Commissioner,
16 Department of Social Services.

17 The item before you is a supplemental
18 appropriation for \$41,400 to finance a local re-
19 entry task force called STEERS Program. Do you
20 have any questions?

21 CHAIRWOMAN WALKER: Any questions by the
22 legislators? Legislator Bynoe.

23 LEGISLATOR BYNOE: Hi, Paul. How are
24 you?

25 MR. BRODERICK: Good afternoon.

LEGISLATOR BYNOE: Could you tell me a little bit more about what this re-entry task for strategic plan is actually supposed to achieve and who is going to be on the task force?

MR. BRODERICK: Absolutely. The STEERS re-entry is basically reintroducing individuals that are currently incarcerated back into the community. It is a program which is run by DOCS, correctional services. When people are incarcerated they are selected for the program and they work with individuals down here in the county to seek employment and reintroduce them back into the community, basically casework to help them integrate back and, I guess, mend their ways.

LEGISLATOR BYNOE: Okay. And who is going to be part of the task force?

MR. BRODERICK: Actually, right now there are funds in outside contract with FCA, and they work in collaboration with the Department of Social Services and New York State Parole.

LEGISLATOR BYNOE: Sorry. This amount has been reduced from previous?

MR. BRODERICK: Actually, it's extending

1 Health & Social Services Committee - 6-27-16 7
2 the contract. New York State Corrections, they
3 are the ones who oversee the funding of this.
4 They are re-RFPing this contract. It was ending
5 July 1. They are re-RFPing, New York State is.
6 And I believe this for a period of July, August,
7 and September, and they are looking to re-
8 solicit. Really, it's an extension of the
9 contract.

10 LEGISLATOR BYNOE: Have we been able to
11 isolate some data that could tell us whether we
12 are actually achieving our projections or?

13 MR. BRODERICK: We have data. I don't
14 have anything with me unfortunately. But we have
15 different targets that we have to achieve for New
16 York State which we can, by all means, share with
17 you.

18 LEGISLATOR BYNOE: And does this include
19 going into the community at all and meeting the
20 folks where they reside?

21 MR. BRODERICK: That might be more on
22 the parole side, as opposed to more, you know,
23 find suitable housing, suitable employment. It's
24 really primarily employment, to try to get people
25 working in a meaningful manner.

2 LEGISLATOR BYNOE: Part of my concern is
3 that individuals who have been out of the jail
4 system for some time, still finding themselves
5 flounder and they're not really able to connect
6 in and find employment. I wanted to know if this
7 would help those individuals at all.

8 MR. BRODERICK: It does. However, I
9 mentioned earlier that they select the
10 individuals. This is a subset of the population
11 who are being reintroduced to their
12 neighborhoods. Not everyone fits in this
13 program. There is only so much volume that they
14 can manage to do case management for.

15 LEGISLATOR BYNOE: I guess then I would
16 like to see what is the selection criteria, how
17 you're determining who goes into the program.

18 MR. BRODERICK: Let me just assure you
19 that we don't. We are told who is. But we can
20 share that with you. We can get that from the
21 funding source.

22 LEGISLATOR BYNOE: Thank you.

23 LEGISLATOR GAYLOR: Madam Chairwoman,
24 question.

25 CHAIRWOMAN WALKER: Sure.

2 LEGISLATOR GAYLOR: This grant applies
3 to drug offenders that are currently in state
4 prisons being returned to the county, is that
5 correct?

6 MR. BRODERICK: I don't know what their
7 crimes WIA. We can definitely find out.

8 LEGISLATOR GAYLOR: My understanding is
9 it's the chemically dependent offenders that are
10 in the state prisons returning back to the county
11 that would get this outreach kind of help, I
12 guess.

13 These are state dollars we're talking
14 about, correct?

15 MR. BRODERICK: That is correct.

16 LEGISLATOR GAYLOR: Okay.

17 MR. BRODERICK: I'm not really sure of
18 their criteria, but I'm sure it captures across
19 all type of infractions.

20 LEGISLATOR GAYLOR: I'm not so sure of
21 that. I think it's only the chemically dependent
22 that we are specifically addressing today.

23 CHAIRWOMAN WALKER: That was my
24 understanding also.

25 LEGISLATOR BYNOE: I'm sorry. I'm sure

2 it's not addressing every single person that's
3 going to be entered back into the community that
4 had a drug-related, chemically-dependent related
5 arrest. There are some other criteria they're
6 using to then identify which one of those will
7 then be assisted. So I would like to know how
8 they do that, how it's determined.

9 MR. BRODERICK: They could be chemically
10 dependent but that might not be the nature of
11 their crime. We can definitely share information
12 with you on that.

13 CHAIRWOMAN WALKER: If you could get
14 that information to us as soon as possible, and
15 we will make sure we share it with everyone.

16 MR. BRODERICK: Absolutely.

17 CHAIRWOMAN WALKER: Thank you, Mr.
18 Broderick.

19 Any other questions or comments?

20 (No verbal response.)

21 Any public comment? Ms. Mereday.

22 MS. MEREDAY: Meta Mereday, Baldwin.

23 Again, Legislator Bynoe continues to encourage me
24 because she does ask the questions as it pertains
25 to my tax dollars. As I sit back and I'm

2 frustrated with the fact that my elected
3 officials continue to just nod heads when it
4 comes down to our money and you have these
5 questions that sit there but you just continue to
6 pass it along as if somebody else is going to be
7 responsible for it.

8 I can't see how you can fund an
9 initiative where you don't have all the
10 information presented to you - how this money is
11 actually being utilized, what is the success
12 rate? What are the benchmarks in place? The
13 determination of the participants. What is the
14 level of recidivism within that group set itself?
15 How can you just sit there and justify, well,
16 we're just going to move it forward? What will
17 it take to actually get that emphasis in place
18 that we have to stop somewhere? The bleeding has
19 to stop somewhere. We have to look at what we
20 are doing with people's money and their lives.
21 You have to stop somewhere.

22 And to have presentations - and no
23 offense to the presenters. But to have
24 presentations that are ill prepared and you're
25 still just voting for it anyway. That just

2 smacks to me of an ongoing systemic problem
3 within this body that does not seem to get any
4 relief.

5 Hearings don't do it. Criminal
6 convictions don't do it. The district attorney
7 coming here doesn't do it. You're renewing
8 contracts, extending deals. You're acting like
9 you want to do what is right by the people but
10 you are still, you know, embodying the same
11 nonsense that is costing people. The fact that
12 you have to legislate about zombie houses. You
13 have to address the issue that we have to do
14 something about re-entry.

15 Re-entry is not just about, you know,
16 helping them to mend their ways when they get out
17 and then they still don't have a job or they
18 don't have a job that gives them enough money so
19 that they can stay here. We don't provide them
20 enough resources so that they can move themselves
21 from their chemical dependency. So they repeat
22 those same bad habits, go back to those same
23 scenarios, and they look like all of us.

24 What is it going to take for you to
25 realize that this bleeding has to stop? And I

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2 know my words are just bouncing in the air
3 because you got this side and you got that side.
4 But you're killing us. In the meantime, you're
5 killing us, killing us, because we're all one
6 body.
7 CLERK PULITZER: Ma'am your three
8 minutes are up.
9 CHAIRWOMAN WALKER: Any other comments?
10 (No verbal response.)
11 Any other public comments?
12 (No verbal response.)
13 All those in favor of Clerk Item 231-16
14 signify by saying aye.
15 (Aye.)
16 Any opposed?
17 (No verbal response.)
18 Any abstentions?
19 (No verbal response.)
20 Then this will move on to Finance.
21 There are six items on the addendum. I
22 first need a motion to suspend the rules.
23 LEGISLATOR GAYLOR: So moved.
24 LEGISLATOR KENNEDY: Second.
25 CHAIRWOMAN WALKER: Moved by Legislator

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2 Gaylor, seconded by Legislator Kennedy.
3 All in favor of suspending the rules?
4 (Aye.)
5 Again, there are six items on the agenda.
6 I'm going to put all the health together.
7 Clerk Item 243-16, it is an ordinance
8 supplemental to the annual appropriation
9 ordinance in connection with the Department of
10 Health.
11 Clerk Item 244-16, Clerk Item 245-16,
12 Clerk Item 249-16, and 250-16 are also all
13 ordinances supplemental to the annual
14 appropriation ordinance in connection with the
15 Department of Health.
16 May I have a motion, please?
17 LEGISLATOR GAYLOR: Motion.
18 LEGISLATOR KOPEL: Second.
19 CHAIRWOMAN WALKER: Motion by Legislator
20 Gaylor, seconded by Legislator Kopel.
21 MS. GOETZ: We have Mary Ellen Laurain.
22 MS. LAURAIN: Good afternoon. Mary
23 Ellen Laurain, Department of Health.
24 Item 243-16 is a supplemental
25 appropriation in the amount of \$54,172. This is

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2 for the child and family safety grant. It's 100
3 percent funded through New York State Office of
4 Children and Family Services. This team reviews
5 all deaths of children who reside in Nassau
6 County and whose death is unexplained or
7 unexpected. This program just won a national
8 award for its Safe Sleep Program.

9 CHAIRWOMAN WALKER: Any questions by the
10 legislators for Ms. Laurain?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Clerk Item 244-16.

15 MS. LAURAIN: Item 244-16 is a
16 supplemental appropriation in the amount of
17 \$43,145. This for our tuberculosis public health
18 campaign. This is an additional COLA award, and
19 it is funded through New York State Department of
20 Health. Total funding after this award is
21 \$566,745.

22 CHAIRWOMAN WALKER: Any comments or
23 questions from the legislators?

24 (No verbal response.)

25 Any public comment?

2 (No verbal response.)

3 Clerk Item 245-16.

4 MS. LAURAIN: Item 245-16 is a
5 supplemental appropriation in the amount of
6 \$24,720. This is for our immunization action
7 plan. It is funded through New York State
8 Department of Health. It is also an additional
9 COLA award. Total funding after the award is
10 \$324,720. This program protects the public from
11 vaccine preventable diseases.

12 CHAIRWOMAN WALKER: Any questions or
13 comments from the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 Clerk Item 249-16.

18 MS. LAURAIN: Item 249-16 is a
19 supplemental appropriation for the HIV
20 surveillance and partner notification in the
21 amount of \$283,552. This is New York State
22 Department of Health funded, and it is a mandated
23 program.

24 CHAIRWOMAN WALKER: Any questions or
25 comments from the legislators?

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Okay. Clerk Item 250-16.

6 MS. LAURAIN: Item 250-16 is a
7 supplemental appropriation in the amount of
8 \$214,775 for the childhood lead poison prevention
9 grant. This is funded through New York State
10 Department of Health and provides comprehensive
11 services to reduce the prevalence of blood lead
12 in children under age six.

13 CHAIRWOMAN WALKER: Any questions or
14 comments from the legislators?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 Clerk Items 243, 244, 245, 249, and 250-
19 16, all those in favor signify by saying aye.

20 (Aye.)

21 Any opposed?

22 Any abstentions?

23 These items will move on to the Finance
24 Committee.

25 MS. LAURAIN: Thank you.

2 CHAIRWOMAN WALKER: Thank you, Ms.
3 Laurain.

4 Also, we have Clerk Item 246-16, which is
5 an ordinance supplemental to the annual
6 appropriation ordinance in connection with the
7 Social Services.

8 May I have a motion, please?

9 LEGISLATOR KOPEL: So moved.

10 LEGISLATOR KENNEDY: Second.

11 CHAIRWOMAN WALKER: Motion by Legislator
12 Kopel, seconded by Legislator Kennedy.

13 And we have Mr. Paul Broderick here.

14 MR. BRODERICK: Good afternoon,
15 Legislators. Paul Broderick, Deputy
16 Commissioner, Department of Social Services.

17 The item before you is a supplemental
18 appropriation for \$94,400 from New York State.
19 It is for salaries, salary expense.

20 Any questions?

21 CHAIRWOMAN WALKER: Any questions for
22 Mr. Broderick?

23 LEGISLATOR DeRIGGI-WHITTON: Hi. How do
24 you publicize this program?

25 MR. BRODERICK: I'm sorry?

2 LEGISLATOR DeRIGGI-WHITTON: How do you
3 publicize the program?

4 MR. BRODERICK: Which?

5 LEGISLATOR DeRIGGI-WHITTON: For
6 instance, how would you -

7 MR. BRODERICK: The summer youth
8 employment program?

9 LEGISLATOR DeRIGGI-WHITTON: Yes.

10 MR. BRODERICK: We work with our
11 advisory council. We reach out to both the Town
12 of Hempstead, they have WERS in there. The Town
13 of Hempstead and the Town of Oyster Bay. Also,
14 with our foster youth, we deal with foster youth
15 and we deal with the parents and we try to engage
16 those parents to see if their children want to
17 participate.

18 LEGISLATOR DeRIGGI-WHITTON: Do you do
19 anything in Glen Cove or the Town of North
20 Hempstead?

21 MR. BRODERICK: I would say it's based
22 on the child, where they are. The foster kids
23 could be from any neighborhood.

24 LEGISLATOR DeRIGGI-WHITTON: Do you work
25 more with the Town of Hempstead than, like, the

2 Town of North Hempstead?

3 MR. BRODERICK: I don't believe the Town
4 of North Hempstead has a WIA that we have to work
5 with through the state.

6 LEGISLATOR DeRIGGI-WHITTON: And does
7 Glen Cove have that, the WIA?

8 MR. BRODERICK: I don't believe so.

9 LEGISLATOR DeRIGGI-WHITTON: What is a
10 WIA? I'm sorry.

11 MR. BRODERICK: It's basically an
12 employment. They work with the state to have
13 employment programs for the residents, programs,
14 funding, stuff like that.

15 LEGISLATOR DeRIGGI-WHITTON: Is there
16 like a criteria to be eligible for that?

17 MR. BRODERICK: New York State would
18 know that. I'm not familiar.

19 LEGISLATOR DeRIGGI-WHITTON: I'm just
20 surprised. I never heard of it. W-E-I-R, is
21 that how you spell it?

22 MR. BRODERICK: Weir.

23 LEGISLATOR DeRIGGI-WHITTON: Okay.
24 Thank you.

25 CHAIRWOMAN WALKER: I know -

2 LEGISLATOR BYNOE: Was that a yes on the
3 spelling?

4 CHAIRWOMAN WALKER: Is that how you
5 spell it, Mr. Broderick?

6 MR. BRODERICK: I'm sorry?

7 CHAIRWOMAN WALKER: Is that how you - is
8 it initials?

9 MR. BRODERICK: It's the initials of
10 the program.

11 CHAIRWOMAN WALKER: And what are those
12 initials again?

13 MR. BRODERICK: I would go with W-I-A,
14 WIA. I could send you information on that.
15 Would that make it easier?

16 CHAIRWOMAN WALKER: Is that under
17 Workforce Investment Act? Is that what that is?

18 MR. BRODERICK: That's part of it. I
19 think that's the overlying funding. We don't
20 really get involved with DSS with that. But I
21 think that's the funding source for them.

22 CHAIRWOMAN WALKER: I know in my
23 previous employment many years back, I actually
24 represented the Hicksville School District with
25 the Summer Youth Employment and Training Program.

2 It's very strict criteria. I think the children
3 either had to be - they could be in a special ed
4 program or they could be - had to do with their
5 economic status, family. We, you know, then
6 found jobs for probably at sometimes I had 30
7 children who WIA involved. It was very set
8 criteria.

9 MR. BRODERICK: The criteria is all
10 eligibility based. It's based on the family
11 income composition and all of that and that's set
12 by the federal government. That's really the
13 starting point and that's what it is intended to
14 do, is to try to assist those kids to - work
15 ethics and things like that, programs. It's not
16 only to give them summer employment, but it's
17 also life-skill training - how to manage a
18 checkbook, how to, you know, go on an interview,
19 role playing, things like that. It's kind of
20 interactive. It's not all just employment. It's
21 learning skills, but it's also life skills,
22 that's the whole purpose of the program.

23 CHAIRWOMAN WALKER: And they - I'm going
24 to use them for a better example. I'm going to
25 say they all had a job coach, when I say a job

2 coach - say they WIA in one of your offices but
3 you are very much a big part of their day and
4 teaching them a lot of things. It was a
5 wonderful program. I was - I really loved
6 working with our kids and certainly working with
7 all of those, wherever I placed them. It was a
8 lot for me because I was constantly going to
9 visit each of those sites and certainly checking
10 on those who WIA the adults as well as the
11 children.

12 MR. BRODERICK: We've been working with
13 DSS has been working with Nassau County IT to
14 help kids in foster care, disadvantaged youth,
15 and they're learning a skill in IT getting skills
16 and then hopefully when the program concludes
17 from working with - we can see if they can engage
18 the children for future employment outside of the
19 county. We started that this year and we are
20 hopefully optimistic that it's going to be very
21 successful to benefit the kids. That's where we
22 are going.

23 CHAIRWOMAN WALKER: Legislator Bynoe.

24 LEGISLATOR BYNOE: Thank you. It would
25 be extremely hopeful, I believe, if every

2 legislative office was aware of these
3 opportunities so that we could partner with your
4 office, if appropriate, to be able to help you
5 find or at least broadcast to our community that
6 these options are available.

7 Again, I know that there are specific
8 income eligibility requirements. I didn't even
9 know about this program at all. This is the
10 first that I'm hearing of it. Then you just
11 mentioned this other program that I believe is in
12 its first year with the technology piece; it
13 would be great if we knew about these things in
14 advance.

15 MR. BRODERICK: I know the commissioner
16 shares that in our annual report. Primarily,
17 there is only a limited number of spots. We are
18 trying to deal with the populations we work with,
19 primarily for foster care and PINS kids.

20 LEGISLATOR BYNOE: Your population is
21 our population.

22 MR. BRODERICK: I appreciate that.

23 LEGISLATOR BYNOE: Thank you.

24 MR. BRODERICK: I don't need to go
25 outside to start -

2 LEGISLATOR BYNOE: We should at least
3 know about it, right?

4 MR. BRODERICK: Absolutely.

5 LEGISLATOR BYNOE: If we have families
6 that we're serving that fall into this criteria,
7 their parents are coming to us asking us can you
8 help with summer employment, this is another
9 option. I'm not saying - this is something that
10 we can at least refer them to your office and say
11 they have this program available, reach out to
12 them and see if there is any opportunities for
13 your child this summer. But if I don't know
14 about it, I can't do that.

15 MR. BRODERICK: That's true.

16 LEGISLATOR BYNOE: Okay. Thank you.

17 CHAIRWOMAN WALKER: Thank you, Mr.
18 Broderick.

19 Any other questions or comments for Mr.
20 Broderick?

21 (No verbal response.)

22 Any public comments? Ms. Mereday.

23 MS. MEREDAY: First of all, just want it
24 know that I am a proud former resident and
25 graduate of the Roosevelt School District and

just wanted that to be known. As far as getting the types of skills, the program, notwithstanding, I think, as it was noted, the residents and the young people, irregardless of socio-economic status, can benefit from interviewing skills and things of that nature. So I think that we need to start looking at that, in terms of how we are positioning ourselves and our resources. It's great to have all of that, but a lot of times the residents and the individuals that you think need those "services" because they may be lacking them is incorrect. In most cases they have that training and that background, they just need to get the job.

Secondly. Literally, as we speak, there is a press conference that I'm missing because I wanted to be here. But the president is acknowledging today funding, \$150 million, for tech hire partners that will be announced nationwide. It continues to boggle my mind that we live here, in the Empire State and on Long Island, and we continue to have to pick the pockets of the taxpayers for funding and resources and for information that we contract

out to individuals and we pay federal money that goes to other locations that could benefit our young people who are leaving this county in droves because they can't afford to live here.

It behooves us to really start rethinking again how we are allocating our resources, one, and, two, how we are "identifying" communities in crisis. Even growing up in Roosevelt and having the news media, which is one of the reasons why I decided I wanted to go into journalism is because when you're seven years old and you have someone on the media telling you that you WIA raised in what's considered a poor pocket of suburbia and you don't feel that way, it can be very detrimental on that individual. Fortunately, I had a village, and I still have a village, of individuals who supported me, educated me, and those who are around me. So let's not always consider that there are these neighborhoods that need these resources to just do training when, in most cases, we really need the jobs.

As I said, we need to start thinking a little further outside the box, we need to broaden the scope, we need to stop picking the

2 pockets of taxpayers, and we need to really
3 evaluate how we are assessing our funding
4 because, again -

5 CLERK PULITZER: Ma'am, your three
6 minutes are up.

7 MS. MEREDAY: Always. You have these
8 track records and this information you're
9 presenting and there are no benchmarks. There
10 are no success stories. You just keep putting
11 the money out there and you really have very
12 little to show for it. And there is money out
13 there that we can get from the federal government
14 if we expanded, cut back on all these lawyers
15 that we have to keep supporting because we keep
16 getting sued for something else.

17 Thank you.

18 CHAIRWOMAN WALKER: Any other public
19 comment?

20 (No verbal response.)

21 That was on 246-16. All in favor signify
22 by saying aye.

23 (Aye.)

24 Any opposed?

25 Then that will move on to Finance also.

2 There are no other items before us. May
3 I have a motion to adjourn?

4 LEGISLATOR GAYLOR: So moved.

5 LEGISLATOR KENNEDY: Second.

6 CHAIRWOMAN WALKER: Motion by Legislator
7 Gaylor, seconded by Legislator Kennedy.

8 All in favor signify by saying aye.

9 (Aye.)

10 We are adjourned.

11 (Whereupon, the Health and Social
12 Services Committee adjourned at 3:01 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 state:

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 5th day of July, 2016.

FRANK GRAY

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

PLANNING, DEVELOPMENT AND
THE ENVIRONMENT COMMITTEE

LAURA SCHAEFER,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

June 26, 2016
3:05 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

LAURA SCHAEFER (Not Present)
Chair

ROSE MARIE WALKER (Sitting in for Laura Schaefer)
DENNIS DUNNE
Vice-Chair

DENISE FORD

STEVEN RHOADS

JUDY JACOBS
Ranking

CARRIE SOLAGES

LAURA CURRAN

WILLIAM C. PULITZER
Clerk of the Legislature

LIST OF SPEAKERS

MARTIN KATZ. 6

1 Planning, Development & Environment Committee - 6-27-16 4
2 CHAIRMAN DUNNE: The Planning,
3 Development and the Environment Committee will
4 now come to order. Would the Clerk please read
5 the roll?
6 CLERK PULITZER: Thank you.
7 Legislator Laura Curran?
8 LEGISLATOR CURRAN: Here.
9 CLERK PULITZER: Legislator Carrie
10 Solages?
11 LEGISLATOR SOLAGES: Here.
12 CLERK PULITZER: Ranking Member Judith
13 Jacobs?
14 LEGISLATOR JACOBS: Here.
15 CLERK PULITZER: Legislator Steven
16 Rhoads?
17 LEGISLATOR RHOADS: Present.
18 CLERK PULITZER: Legislator Denise Ford?
19 LEGISLATOR FORD: Here.
20 CLERK PULITZER: Substituting for Laura
21 Schaefer is Rose Marie Walker.
22 LEGISLATOR WALKER: Here.
23 CLERK PULITZER: And the Chairman today
24 is Dennis Dunne.
25 CHAIRMAN DUNNE: And we have a quorum.

1 Planning, Development & Environment Committee - 6-27-16 5
2 CLERK PULITZER: We have a quorum.
3 CHAIRMAN DUNNE: Excellent.
4 I'll ask for a motion to suspend the
5 rules.
6 LEGISLATOR WALKER: So moved.
7 LEGISLATOR RHOADS: Second.
8 CHAIRMAN DUNNE: Moved by Walker,
9 seconded by Rhoads.
10 All in favor indicate by saying aye.
11 (Aye.)
12 Any against?
13 (No verbal response.)
14 This is an addendum, which is why we had
15 to suspend the rules, just to clarify for the
16 people in the audience that are so interested in
17 this. All three are on the topic, so it is
18 recommended by the minority that we call them all
19 together.
20 Item 255-16, 256-16, and 257-16, they all
21 read similar, and they read, as follows: A
22 resolution to authorize the release of the surety
23 bond and escrow deposit covering improvements on
24 the "Section 4 Map of Meadowbrook Pointe",
25 situated in Westbury, Town of Hempstead, County

1 Planning, Development & Environment Committee - 6-27-16 6
2 of Nassau, New York. 256 and 257 are all read
3 similarly.

4 Motion on that is made by Legislator
5 Walker, seconded by Legislator Rhoads.

6 On these items, do we have somebody to
7 speak?

8 MR. KATZ: Yes. Martin Katz, Division
9 of Planning, Department of Public Works.

10 Section 4 is one of three remaining
11 sections of the Meadowbrook Pointe subdivision on
12 your agenda today that the Nassau County Planning
13 Commission previously recommended for release at
14 its hearing in May 2016. These three sections
15 represent the final sections to be released out
16 of a total of seven sections in Meadowbrook
17 Pointe. Just for the record, Meadowbrook Pointe
18 consists of 700-plus townhouse condominium units
19 located between Zeckendorf Boulevard to the
20 north, Meadowbrook Parkway to the south and east
21 of Merchants Concourse, in unincorporated
22 Westbury.

23 They all have been duly - all remaining
24 sections have been inspected by Nassau County DPW
25 Chief Inspector who issued a report stating that

1 Planning, Development & Environment Committee - 6-27-16 7
2 all public improvements pertaining to the surety
3 bond have been satisfied and comply with all
4 applicable county codes and standards. He
5 recommended that the bond and escrow be released
6 for each of the sections.

7 For Section 4, the applicant is
8 requesting release of the remaining surety bond
9 and cash escrow deposit. The remaining surety
10 bond to be released is \$216,960.12, and the
11 amount of cash escrow to be released is
12 \$29,875.20. This is for remaining work that was
13 done on grading, paving, sidewalks, storm drains,
14 fencing, street lighting, and seeding and
15 fertilizing. That's the one before you right
16 now.

17 CHAIRMAN DUNNE: So 255-16, which is
18 Section 4 of the map - I just want to correct my
19 motion before. 255-16 was for Section 4. 256-16
20 is Section 6 map. 257-16 is Section 5 map. They
21 were not identical. Those were the differences
22 between them.

23 My question on this are we satisfied with
24 the work that is done?

25 MR. KATZ: Yes. The chief inspector is

1 Planning, Development & Environment Committee - 6-27-16 8
2 satisfied. Also, these sections to be released
3 were duly noticed at the Planning Commission's
4 May hearing surrounding residents and the
5 residents living within the subdivision.
6 Surrounding property owners were notified and we
7 didn't have anybody come out in opposition to
8 this.

9 CHAIRMAN DUNNE: So not only did people
10 not object to it in the community or say anything
11 about it, but our inspector said it was - it met
12 the required -

13 MR. KATZ: That is correct. Yes.

14 CHAIRMAN DUNNE: Any questions from any
15 of the legislators?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 There being none; all in favor of 255-16,
20 256-16, and 257-16 indicate by saying aye.

21 (Aye.)

22 Any against?

23 (No verbal response.)

24 It passes on to Rules.

25 There being no other business to come

1 Planning, Development & Environment Committee - 6-27-16 9
2 before this committee, Rhoads makes a motion to
3 adjourn -
4 LEGISLATOR WALKER: Second.
5 CHAIRMAN DUNNE: Seconded by Walker.
6 All in favor indicate by saying aye.
7 (Aye.)
8 Any against?
9 (No verbal response.)
10 We're looking good. We are adjourned.
11 (Whereupon, the Planning, Development and
12 the Environment Committee is adjourned at 3:11
13 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 state:

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 5th day of July, 2016.

FRANK GRAY

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE,
CHAIRMAN

1550 Franklin Avenue
Mineola, New York

June 27, 2016
2:20 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

DENNIS DUNNE
Chairman

DONALD MACKENZIE
Vice Chairman

VINCENT MUSCARELLA (Not Present)

ROSE MARIE WALKER (Sitting in for Vincent Muscarella)

DENISE FORD

LAURA CURRAN
Ranking

KEVAN ABRAHAMS

SIELA A. BYNOE

MICHAEL C. PULITZER, Clerk

LIST OF SPEAKERS

GREG STEPHANOFF	5
META MEREDAY.	12
KAREN DOOLING	15

1 Public Safety Committee - 6-27-16 4
2 CHAIRMAN DUNNE: I will call the Public
3 Safety Committee to order. Would the clerk
4 please read the roll?
5 CLERK PULITZER: Legislator Siela Bynoe?
6 LEGISLATOR BYNOE: Here.
7 CLERK PULITZER: Minority Leader Kevan
8 Abrahams?
9 Ranking Member Laura Curran?
10 LEGISLATOR CURRAN: Here.
11 CLERK PULITZER: Legislator Rose Marie
12 Walker?
13 LEGISLATOR WALKER: Here.
14 CLERK PULITZER: Vice Chairman Donald
15 MacKenzie?
16 LEGISLATOR MACKENZIE: Here.
17 CLERK PULITZER: Chairman Dennis Dunne?
18 CHAIRMAN DUNNE: Here.
19 CLERK PULITZER: We have a quorum.
20 Legislator Denise Ford?
21 LEGISLATOR FORD: I'm here.
22 CLERK PULITZER: Thank you.
23 CHAIRMAN DUNNE: The first item to come
24 before this committee is Item 235-16, a
25 resolution authorizing the signing of the New

1 Public Safety Committee - 6-27-16 5
2 York State Department of Transportation
3 supplemental grant agreement for funds to support
4 enforcement of high occupancy vehicle (HOV)
5 traffic laws on the Long Island Expressway.
6 I have a motion by Denise Ford, seconded
7 by Rose Walker.
8 On this item, yes.
9 LIEUTENANT STEPHANOFF: Lieutenant Greg
10 Stephanoff from the police department.
11 Item 235 -
12 CHAIRMAN DUNNE: The motion was by
13 Denise Ford, seconded by Rose Walker. I'm sorry.
14 LIEUTENANT STEPHANOFF: Item 235-16 is a
15 grant from New York State for HOV lane
16 enforcement. It's for \$501,800. This is a - the
17 state supplemented just for the first six months
18 for this year. This is not a full year. This is
19 going to be a six-month grant.
20 This money is going to be used for extra
21 personnel to go out and patrol the HOV to enforce
22 the laws in relation to the HOV lanes. Also,
23 they will do auto accident, anything that comes
24 up in those HOV lanes will be enforced as well.
25 CHAIRMAN DUNNE: And this comes from the

2 state?

3 LIEUTENANT STEPHANOFF: Yes.

4 CHAIRMAN DUNNE: Fully funded. Okay.

5 Any questions by any of the legislators?

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 There being none; all in favor indicate
10 by saying aye.

11 (Aye.)

12 Any against?

13 (No verbal response.)

14 This passes on to Finance.

15 I'd like to have a motion to suspend the
16 rules.

17 LEGISLATOR FORD: So moved.

18 LEGISLATOR WALKER: Second.

19 CHAIRMAN DUNNE: Moved by Denise Ford,
20 seconded by Rose Walker.

21 All in favor indicate by saying aye.

22 (Aye.)

23 Any against?

24 (No verbal response.)

25 So we suspended the rules for the

1 Public Safety Committee - 6-27-16 7

2 addendum to the Public Safety Committee.

3 The first item on the addendum is 242-16,
4 an ordinance supplemental to the annual
5 appropriations ordinance in connection with the
6 Office of the County Executive.

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR MACKENZIE: Second.

9 CHAIRMAN DUNNE: Moved by Rose Walker,
10 seconded by our Vice Chairman Don MacKenzie.

11 Now, on the item itself.

12 LIEUTENANT STEPHANOFF: Good afternoon.

13 Lieutenant Greg Stephanoff again. This is a
14 grant from New York State Office of Crime Victim
15 Services. This grant is used by Patty Shay
16 (phonetic) who works under the Police Department.
17 This grant is used to assist victims in obtaining
18 needed services which cover unlimited medical
19 expenses, burial expenses, loss of earnings
20 and/or support and loss or damage to essential
21 personal property, moving expenses and storage
22 expenses.

23 This grant will fund people over 60 and
24 under 18 or who are disabled. This is a
25 reoccurring grant that she works off of to supply

2 services, much needed services to victims of
3 crimes.

4 CHAIRMAN DUNNE: Are there any questions
5 from any of the legislators? Yes. Legislator
6 Bynoe.

7 LEGISLATOR BYNOE: Good afternoon,
8 Officer.

9 LIEUTENANT STEPHANOFF: Good afternoon.

10 LEGISLATOR BYNOE: Is there a
11 requirement that the victim cooperate with police
12 in order to be able to obtain these funds?

13 LIEUTENANT STEPHANOFF: I don't believe
14 so. Patty usually goes through our reports and
15 she'll pick out - she does it kind of
16 independently from the officer at the scene. She
17 goes through our reports and she will look for
18 people that need assistance and call them and
19 offer assistance to them.

20 LEGISLATOR BYNOE: And so the only
21 eligibility requirement should be the age factors
22 and whether they were actually a victim of the
23 crime.

24 LIEUTENANT STEPHANOFF: That's correct.

25 LEGISLATOR BYNOE: No other criteria.

2 LIEUTENANT STEPHANOFF: Not that I know
3 of.

4 LEGISLATOR BYNOE: Could you verify that
5 for me?

6 LIEUTENANT STEPHANOFF: Sure. I'll call
7 her. I know how she operates. I've presented
8 this a couple of times and I've spoken to her.
9 She will actually, independent, like I said, of
10 the police on the street, she will actually call
11 the victim and make the appropriate services to
12 them if they qualify.

13 LEGISLATOR BYNOE: Okay.

14 LIEUTENANT STEPHANOFF: I haven't heard
15 anything about them being cooperative or not as
16 one of the requirements.

17 LEGISLATOR BYNOE: Okay. This is a
18 separate pool of money then. We've actually, in
19 the past, assisted some of the residents in being
20 able to connect into this type of funding. They
21 wouldn't have qualified because they weren't over
22 60, under 18, or disabled. So we went through
23 another pool of money and the requirement was
24 that they assisted the police in the
25 investigation. Sometimes people are afraid to do

2 that.

3 LIEUTENANT STEPHANOFF: Right.

4 LEGISLATOR BYNOE: Especially this
5 population of people, I think would probably be
6 even more nervous about being a part of the
7 police - sorry - court case.

8 LIEUTENANT STEPHANOFF: You sure that's
9 not - like, I know about assisting. Are you sure
10 that's not where they - sometimes they will limit
11 it if they are intentionally obstructing it,
12 where they are not cooperating, do you know what
13 I'm saying?

14 LEGISLATOR BYNOE: I don't know. I
15 would think that probably not cooperating would
16 be -

17 LIEUTENANT STEPHANOFF: Sometimes there
18 is intentional obstructing where they will not
19 cooperate period with us, unfortunately. They
20 won't even give us any basis to go on. Then
21 there are people that will assist us as far as
22 they can go.

23 LEGISLATOR BYNOE: So I don't know.

24 LIEUTENANT STEPHANOFF: I will find out.
25 I will call her.

1 Public Safety Committee - 6-27-16 11

2 LEGISLATOR BYNOE: The point is I want

3 to know whether that is ever taken into account

4 and if there is some kind of criteria for that,

5 if I could understand.

6 LIEUTENANT STEPHANOFF: Sure. I'll ask

7 her about that detail. Absolutely.

8 CHAIRMAN DUNNE: If you could get that

9 information to the chair and we will share it

10 with the whole committee.

11 LIEUTENANT STEPHANOFF: Sure.

12 CHAIRMAN DUNNE: Thank you so much.

13 Any other questions?

14 (No verbal response.)

15 Any public comment? There is public

16 comment. Ms. Mereday.

17 LEGISLATOR BYNOE: I have a question for

18 you.

19 CHAIRMAN DUNNE: Yes.

20 LEGISLATOR BYNOE: I'm sorry. Did you

21 say it has to go through the chair and then be

22 disseminated?

23 CHAIRMAN DUNNE: I'm asking to bring it

24 to the chair and then I'll give it to everybody

25 because -

2 LEGISLATOR BYNOE: You'll make sure that
3 we get it then?

4 CHAIRMAN DUNNE: Yeah. We're all
5 interested in the answer. It's a good question.

6 Ms. Mereday.

7 MS. MEREDAY: Thank you. Good
8 afternoon. Mete J. Mereday, Baldwin. Just a
9 couple of questions as it pertains to this. For
10 me, I'm always going to come up front and say
11 that I think it's definitely criminal the way we
12 are treating our veterans. I just find it
13 interesting that we have a service, kind of once
14 a crime happens, that we don't seem to provide to
15 our veterans who are being foreclosed on and put
16 out on a regular basis, but I digressed.

17 I just want to know, I guess as
18 Legislator Bynoe alluded to, first of all, how is
19 this type of information even transmitted to
20 victims? How do they know that they have these
21 types of services and what are the numbers in
22 terms of the geographic breakdown? I know
23 individuals who have been victims of crimes and
24 they have not received any of these types of
25 services. Is there just the one person? I think

2 it's admirable that we have this person doing
3 that. To think that we have millions of people,
4 1.2 million or whatever in Nassau County, and
5 there is one person making a phone call to reach
6 out to somebody who has been a victim of a crime,
7 which is already a trauma, I don't quite
8 understand how that actually functions.

9 The moving expenses, the storage
10 expenses, where exactly are we placing the
11 individuals, one, if they can't go back to their
12 homes, if we are already saying that we have a
13 housing shortage and a shelter shortage, that we
14 can't put people who are about to lose their
15 home. I don't understand how there seems to be
16 the resources available for one side of the table
17 but we don't have the resources for another side
18 of the table and we're using state funding for
19 that. I'm just curious.

20 CHAIRMAN DUNNE: Lieutenant, the crime
21 victims' services has always been a part of
22 Nassau County's government for the 43 years that
23 I've been in county government. How does the
24 victim, as Ms. Mereday said, how are they made
25 aware that the services are there for them?

2 LIEUTENANT STEPHANOFF: Ms. Shay
3 (phonetic) works under the police department and
4 has access to our reports. She goes through the
5 reports. From what I've seen, she does a good
6 job. Those reports have contact information and
7 she will reach out to the victims of the crimes.

8 CHAIRMAN DUNNE: Any other public
9 comment?

10 (No verbal response.)

11 There being none; all in favor indicate
12 by saying aye.

13 (Aye.)

14 Any against?

15 It moves on to Finance.

16 The next item is -

17 LIEUTENANT STEPHANOFF: Thank you.

18 CHAIRMAN DUNNE: Thank you, Lieutenant.

19 The next item is 247-16, an ordinance
20 supplemental to the annual appropriation
21 ordinance in connection with the Medical
22 Examiner, Division of Forensic Services.

23 48 is a similar, an annual ordinance
24 supplemental to - wait a minute, let's try it
25 again - an ordinance supplemental to the annual

1 Public Safety Committee - 6-27-16 15
2 appropriation ordinance in connection with the
3 Medical Examiner, Division of Forensic Services.
4 LEGISLATOR WALKER: So moved.
5 LEGISLATOR FORD: Second.
6 CHAIRMAN DUNNE: Moved by Legislator
7 Walker, seconded by Legislator Ford.
8 And we have with us?
9 MS. DOOLING: Hi. Karen Dooling,
10 Assistant Director, Division of Forensic
11 Services.
12 You have two grants before you. 247-16
13 is our annual Age Crime Laboratories Grant. It's
14 used for overtime, equipment, and supplies for
15 the laboratory. It's a New York State Grant, no
16 match.
17 The second item is 248-16. This is a new
18 grant we've received for arson laboratory
19 improvement. It's an award of \$5,000 because we
20 are now able to do arson testing in the
21 laboratory. We've gone online with that
22 services.
23 CHAIRMAN DUNNE: Where are we with the
24 labs? Are the labs already up and running or are
25 we still waiting for it to finalize? Where are

2 we with the lab?

3 MS. DOOLING: We're online with biology,
4 DNA services. We were also online with latent
5 prints comparisons. In April we received
6 additional extension of services accreditation
7 for latent print processing, also for conducting
8 chemistry controlled substances for doing fire,
9 debris, arson. And then we can't go online with
10 fire arms analysis until we're in the new
11 laboratory and have a bigger facility.

12 CHAIRMAN DUNNE: So this is going to go
13 for equipment in our lab, overtime, and that's
14 fully state funded, that's 247. Anybody else
15 have any questions on 247?

16 (No verbal response.)

17 No public comment on that.

18 248 is for the lab improvements. It's a
19 \$5,000 new grant that we're getting. Does
20 anybody have any questions on that?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 There being none; on Items 247-16 and
25 248-16, all in favor indicate by saying aye.

1 Public Safety Committee - 6-27-16 17
2 (Aye.)
3 Any against?
4 (No verbal response.)
5 They both move on to Finance.
6 That concludes the business we have
7 before the Public Safety Committee.
8 LEGISLATOR WALKER: Motion to adjourn.
9 CHAIRMAN DUNNE: Motion to adjourn by
10 Legislator Walker -
11 LEGISLATOR MACKENZIE: Second.
12 CHAIRMAN DUNNE: Seconded by Legislator
13 MacKenzie.
14 All in favor indicate by saying aye.
15 (Aye.)
16 Any against?
17 (No verbal response.)
18 Okay. This is concluded.
19 (Whereupon, the Public Safety Committee
20 adjourned at 2:32 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 state:

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 5th day of July, 2016.

FRANK GRAY

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

June 27, 2016
1:11 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

MICHAEL C. PULITZER, Clerk

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Page 171, Line 20 - Page 195, Line 21
Page 197, Line 16 - Page 204, Line 6
Page 205, Line 13 - Page 219, Line 9

2 CHAIRWOMAN GONSLAVES: Please join us in
3 the chamber for the Pledge of Allegiance.

4 (Whereupon, the Pledge of Allegiance was
5 recited.)

6 CHAIRWOMAN GONSLAVES: We have five
7 committees meeting; I believe it's Planning,
8 Public Safety, Public Works, Finance, and Rules.
9 As is customary, we begin with the Rules
10 Committee, and we hear the contracts first.
11 Then, of course once the contracts are heard, we
12 recess so the other committees that I just
13 mentioned will present their agendas.

14 Without any further ado, Mr. Pulitzer,
15 would you please call the roll for the Rules
16 Committee.

17 CLERK PULITZER: Thank you, Madam
18 Chairwoman.

19 Legislator Carrie Solages?

20 LEGISLATOR SOLAGES: Here.

21 CLERK PULITZER: Legislator Judith
22 Jacobs?

23 LEGISLATOR JACOBS: Here.

24 CLERK PULITZER: Ranking Member Kevan
25 Abrahams?

2 LEGISLATOR ABRAHAMS: Here.

3 CLERK PULITZER: Alternate Deputy
4 Presiding Officer Howard Kopel?

5 LEGISLATOR KOPEL: Here.

6 CLERK PULITZER: Legislator Dennis
7 Dunne?

8 LEGISLATOR DUNNE: Here.

9 CLERK PULITZER: Vice Chairman Richard
10 Nicoletello?

11 LEGISLATOR NICOLELLO: Here.

12 CLERK PULITZER: Chairwoman Norma
13 Gonsalves?

14 CHAIRWOMAN GONSALVES: Present.

15 CLERK PULITZER: We have a quorum.

16 CHAIRWOMAN GONSAVLES: Thank you very
17 much.

18 The first contract to be heard is A-25, a
19 contract between the County of Nassau, acting on
20 behalf of the Nassau County Office of Emergency
21 Management and Global Security Systems, LLC.

22 Motion, please?

23 LEGISLATOR DUNNE: So moved.

24 LEGISLATOR NICOLELLO: Second.

25 CHAIRWOMAN GONSAVLES: Moved by

2 Legislator Dunne, seconded by Legislator
3 Nicoletto.

4 Would you please introduce yourselves for
5 the record.

6 MR. KANE: Good morning, Legislators.
7 My name is Jimmy Kane. I'm the deputy
8 commissioner of the Office of Emergency
9 Management. This is Robert Finio, our
10 communications specialist.

11 I'm here to discuss with you this morning
12 the Alert FM project that the Office of Emergency
13 Management is taking on as another tool in our
14 toolbox for keeping our residents in the know of
15 any incidents, disasters, preparedness issues
16 that should arise throughout the County.

17 This endeavor we're looking into has been
18 approved by our partners in the federal
19 government, the state government, with FEMA, and
20 the New York State Homeland Security. This will
21 allow us to inform our residents through FM
22 radio, any disasters, any issues, any concerns
23 that may come up that we feel that we need to get
24 out to the residents in various areas which we
25 geographically can drill down on. Also, this

2 will work with cell phones that have an FM chip
3 installed in them, so this will also give us the
4 ability to drill down again on certain areas or
5 certain residential perspectives in the south
6 shore, north shore, and so on and so forth, that
7 we should have the ability to do this.

8 This program is also 100 percent grant
9 funded. Again, this would allow us to get out
10 receivers to communities and residents that would
11 need them in our - people with functional
12 assistance needs, disabilities, things like that.
13 We could work with our partners in PSE&G,
14 Department of Health, Department of Social
15 Services to reach out to these said people to
16 start this process.

17 At this time we feel it's crucial to our
18 moving forward in the various issues that we've
19 had throughout the years in dealing with Super
20 Storm Sandy and the problems we had and the
21 potential for infrastructure concerns that we
22 have, should we have more concerns on the south
23 shore, whereas there would be any damage to our
24 infrastructure, where cell phones would not work.
25 We all know that the radio systems through our FM

2 signals were able to work during that event, and
3 we would be able to transit information out to
4 our residents.

5 Anybody have any questions?

6 CHAIRWOMAN GONSAVLES: Any questions?
7 Legislator Solages.

8 LEGISLATOR SOLAGES: Nothing.

9 CHAIRWOMAN GONSAVLES: I saw your hand
10 up. No. Minority Leader.

11 LEGISLATOR ABRAHAMS: Thank you, Madam
12 Presiding Officer. How are you, gentlemen?

13 MR. KANE: Good. How are you, sir?

14 LEGISLATOR ABRAHAMS: No one could
15 disagree with the merits. Obviously, we want to
16 be able to notify the public as quickly and as
17 responsibly as possible. I do have some
18 questions in regards to the procurement.

19 From what I'm reading from our backup,
20 only one bid was received; am I correct in saying
21 that?

22 MR. KANE: I'm going to have Rob Finio
23 to answer some of your questions, Legislator.
24 He's been the specialist working on this.

25 LEGISLATOR ABRAHAMS: Thank you so

2 much.

3 MR. FINIO: Yes, that's correct. There
4 was only one bid received.

5 LEGISLATOR ABRAHAMS: And how many
6 proposals - how many proposals or how many people
7 was the proposal sent to?

8 MR. FINIO: It was sent out publicly.
9 There is only one other company that we are aware
10 of that does this type of alerting. In speaking
11 with them, they were not prepared to deal with a
12 county of our size, so they decided not to place
13 a bid.

14 LEGISLATOR ABRAHAMS: So it went to two
15 people.

16 MR. FINIO: Essentially, yes.

17 LEGISLATOR ABRAHAMS: Are we saying for
18 the record that only two people in this region
19 can handle this or only two people that we know
20 that can handle this.

21 MR. FINIO: Two people in the country
22 not the region.

23 LEGISLATOR ABRAHAMS: Two people in the
24 country that we know of.

25 MR. FINIO: Correct.

2 LEGISLATOR ABRAHAMS: Is it possible
3 there are more people?

4 MR. FINIO: It's not impossible. We did
5 a lot of research to try and find another
6 company, that's how we came upon the one other
7 one that we did find. This is a relatively new
8 form of technology in the emergency alerting
9 world so it's not very widespread yet.

10 LEGISLATOR ABRAHAMS: Let me ask you
11 this. Since we weren't too sure on whether or
12 not there was anyone else other than these two
13 that can do it, why would we just accept one RFP
14 going out and not rebid the process?

15 MR. FINIO: This company has extensive
16 experience. They have done projects for the
17 state, the entire State of Louisiana,
18 Mississippi, Alabama, I believe. They have
19 several counties in Florida, in Texas. They have
20 a lot of experience around the nation with this
21 system.

22 We have been in contact with some of the
23 other jurisdictions that have been using this
24 system and the feedback was all very positive.

25 LEGISLATOR ABRAHAMS: I see. I see.

2 In regards to the actual procurement, in
3 terms of the selection process, were you on the
4 RFP committee that actually selected this?

5 MR. FINIO: It went out as a sealed
6 formal bid.

7 LEGISLATOR ABRAHAMS: Oh, sealed formal
8 bid. So who actually - who actually reviewed the
9 bids as they came back in, or this bid as it came
10 back in?

11 MR. FINIO: Purchasing.

12 LEGISLATOR ABRAHAMS: Purchasing.

13 MR. FINIO: Yes.

14 LEGISLATOR ABRAHAMS: Is that made up
15 of a committee?

16 MR. FINIO: I'm not sure what their
17 process is, to be honest with you.

18 LEGISLATOR ABRAHAMS: Okay. Thank you.

19 MR. FINIO: You're welcome.

20 CHAIRWOMAN GONSAVLES: Any other
21 questions from the legislators?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 There being none; all those in favor of

1 Rules Committee - 6-27-16 13
2 A-25 signify by saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 LEGISLATOR ABRAHAMS: Abstentions,
7 Madam Presiding Officer.
8 (Abstain.)
9 CHAIRWOMAN GONSAVLES: So it's four ayes
10 and three abstentions. Okay. The item passes.
11 Thank you very much.
12 MR. KANE: Thank you. Have a nice day.
13 CHAIRWOMAN GONSAVLES: You too.
14 The next contract is E-153 -
15 MS. GOETZ: Hi. Good afternoon.
16 CHAIRWOMAN GONSAVLES: Hold on. I
17 didn't read it into the record, please.
18 MS. GOETZ: Sorry.
19 CHAIRWOMAN GONSAVLES: A resolution
20 authorizing the county executive to execute a
21 personal services agreement between the County of
22 Nassau, acting on behalf of the Nassau County
23 Attorney's Office and Wilson, Elser, Moskowitz,
24 Elderman & Dicker, LLP.
25 Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSAVLES: Moved by
5 Legislator Dunne, seconded by Legislator Kopel.
6 Samantha.

7 MS. GOETZ: Hi. I have Pablo Fernandez
8 here from the county attorney's office.

9 CHAIRWOMAN GONSAVLES: Okay. Let's go.

10 MR. FERNANDEZ: Good afternoon. This is
11 a contract amendment for the purposes of
12 retaining Wilson Elser to represent the county
13 attorney's office and various deputy county
14 attorneys with respect to the *Restivo* litigation.
15 It's a new lawsuit brought by plaintiffs against
16 the county attorney's office, the county and,
17 again, various deputy county attorneys.

18 This matter - I'm sorry. Is there a
19 question?

20 CHAIRWOMAN GONSAVLES: Hold on.
21 Legislator Nicoletto.

22 LEGISLATOR NICOLELLO: So since it's a
23 lawsuit against the county attorney's office,
24 obviously the county attorney's office cannot be
25 the attorneys on this.

2 MR. FERNANDEZ: That's correct. I was
3 going to get to that. Thank you.

4 LEGISLATOR NICOLELLO: Thank you.

5 CHAIRWOMAN GONSAVLES: Minority Leader.

6 LEGISLATOR ABRAHAMS: Am I okay to go,
7 Madam Presiding Officer?

8 CHAIRWOMAN GONSAVLES: Yes. I just
9 called on you.

10 LEGISLATOR ABRAHAMS: Dennis was
11 talking. I didn't want to cut in between.

12 I understand, obviously, as you
13 mentioned, in response to Legislator Nicoletto's
14 question that this is a lawsuit against the
15 county. I do have a question in regards to
16 compensation.

17 This body has seen contracts come before
18 us after they are agreed to and there are amounts
19 that are paid out to them before this legislature
20 has the opportunity to actually approve the
21 contract. So I guess my question is really tied
22 to - has Wilson Elser received any compensation
23 for representing the county on the *Restivo* case
24 today.

25 MR. FERNANDEZ: With respect to this

2 lawsuit? I'm not aware of. I'm not aware of
3 them receiving compensation. This suit was just
4 filed. There was an extension of time request
5 for the purposes of responding to the complaint,
6 and the litigation has not truly commenced yet,
7 so to speak.

8 LEGISLATOR ABRAHAMS: Okay. But they
9 haven't received any money on this particular
10 case but I guess there are other cases that they
11 have received money.

12 MR. FERNANDEZ: I don't know about the
13 other cases. I am only on this case. I am only
14 familiar with this *Restivo* matter.

15 LEGISLATOR ABRAHAMS: Counsel - the
16 reason - I'm sorry to be disrespectful or the
17 perception is that I'm being disrespectful.
18 Counsel was just saying to me that this is not
19 the first contract we've seen with this
20 particular law firm in regard to *Restivo*, that's
21 why we were asking the question.

22 MR. FERNANDEZ: With respect to *Restivo*,
23 there aren't - Wilson Elser has not made an
24 appearance on the *Restivo* matter.

25 LEGISLATOR ABRAHAMS: No, they haven't

2 made an appearance. But has any other contract
3 come down that has been associated with *Restivo*?

4 MR. FERNANDEZ: Not by Wilson Elser.
5 Perhaps by other firms, yes.

6 LEGISLATOR ABRAHAMS: Oh. What are
7 those other firms and how much have we spent?

8 MR. FERNANDEZ: That I don't know. This
9 is a separate lawsuit that was brought by these
10 plaintiffs against the county attorney's office
11 and various deputy county attorneys within the
12 office.

13 LEGISLATOR ABRAHAMS: I understand.

14 MR. FERNANDEZ: It's not part of the
15 *Restivo* lawsuit, so to speak.

16 LEGISLATOR ABRAHAMS: Just a quick
17 question that counsel is making me aware of.

18 In regards to the allegations in this one
19 versus in the past, how are they different? If
20 you can share that on the record, or do you think
21 we have to go into some type of executive
22 session?

23 MR. FERNANDEZ: I think I would prefer
24 that to be done in executive session.

25 LEGISLATOR ABRAHAMS: Okay.

2 MR. FERNANDEZ: If you would like to
3 discuss the actual lawsuit itself.

4 LEGISLATOR ABRAHAMS: I don't want to
5 take time away from the committee. I just asked
6 counsel if maybe you could speak to our counsel
7 directly.

8 MR. FERNANDEZ: Sure.

9 LEGISLATOR ABRAHAMS: To share that
10 information.

11 MR. FERNANDEZ: Not a problem.

12 LEGISLATOR ABRAHAMS: Thank you so
13 much.

14 MR. FERNANDEZ: Absolutely. Thank you.

15 CHAIRWOMAN GONSAVLES: Any other
16 comments from the legislators?

17 (No verbal response.)

18 Any questions?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 There being none; all those in favor of
23 E-153 signify by saying aye.

24 (Aye.)

25 Any opposed?

2 (Nay.)

3 The item passes four to three.

4 The next contract is E-154, a personal
5 services agreement between the County of Nassau
6 acting on behalf of the Nassau County Department
7 of Corrections and the Nassau Council of Black
8 Clergy Inc., t/a Unified Council of Churches.

9 Motion, please?

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSAVLES: Moved by
13 Legislator Dunne, seconded by Legislator Kopel.

14 MS. GOETZ: Hi. No one is available
15 today to speak. If you have any questions, I can
16 reach out to the department, or, if not, whatever
17 you need.

18 CHAIRWOMAN GONSALVES: Samantha, what
19 can you tell us? This is for the correctional
20 facility.

21 MS. GOETZ: Correct.

22 CHAIRWOMAN GONSALVES: Okay. Tell us
23 what you can share with us.

24 MS. GOETZ: I have to pull it up. Hold
25 on, please.

2 CHAIRWOMAN GONSALVES: This is to
3 provide religious services to those in the
4 institution. Go ahead.

5 MS. GOETZ: Yes. I know there are
6 several contracts, one is this Nassau County
7 Black Clergy.

8 CHAIRWOMAN GONSALVES: Right. And that
9 is what's before us.

10 MS. GOETZ: Yes, for chaplain services.

11 CHAIRWOMAN GONSALVES: Okay. And is
12 this a new contract?

13 MS. GOETZ: I believe so. But I believe
14 - can I just pull it up?

15 CHAIRWOMAN GONSALVES: Okay. Hold on.
16 Hold on. Let Samantha have a chance to answer my
17 question.

18 Minority Leader.

19 LEGISLATOR ABRAHAMS: Thank you, Madam
20 Presiding Officer. I don't have a question. I
21 understand she's trying to find the answer. I
22 want to again, just to re-emphasize, I know the
23 point has been made before, in the past, that
24 when we have contracts that are here before us, I
25 think it is imperative that we have the

2 department that is actually requesting the
3 contract to be approved to be a representative at
4 our legislative meeting.

5 CHAIRWOMAN GONSALVES: I will say to you
6 that we have asked for each department to be
7 available -

8 LEGISLATOR ABRAHAMS: I know you have.
9 I'm not saying you haven't.

10 CHAIRWOMAN GONSALVES: And since we
11 don't have that opportunity today, I'm going to
12 ask for a motion to table.

13 LEGISLATOR NICOLELLO: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Nicolello, seconded by Legislator
17 Kopel.

18 All those in favor tabling E-154 signify
19 by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 The item is tabled.

24 Now, if you have anything at the end of
25 the session, anyone here who can speak on it,

2 then we can move to untable it.

3 Thank you, Samantha.

4 The next item is E-156, a personal
5 services agreement between the County of Nassau,
6 acting on behalf of the Office of the County
7 Executive and Auctions International Inc.

8 Motion, please.

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR NICOLELLO: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Dunne, seconded by Legislator
13 Nicolello.

14 MS. GOETZ: Unfortunately there is no
15 one here to speak on this item either.

16 CHAIRWOMAN GONSALVES: Okay. Motion to
17 table, please.

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator Kopel.

22 All those in favor of tabling Item 156
23 signify by saying aye.

24 (Aye.)

25 Any opposed?

(No verbal response.)

Okay. Again, if someone is here before we adjourn then we can untable.

The next item is E-157, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Traffic Safety Board and the New York Coalition for Transportation Safety, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

And we do have someone to speak on this item; I can see the gentleman. Samantha.

MS. GOETZ: Yes. We have Chris Mistron.

MR. MISTRON: Christopher Mistron - M-I-S-T-R-O-N, Nassau County Traffic Safety - I know you know how to spell it.

This particular item, as many of the legislators are aware, because of this current spring season, Nassau County Traffic Safety is engaged in safety programs specifically for child

2 safety seats within the community. This
3 particular program utilizes grant monies that are
4 allocated for handicapped use, and actually the
5 money comes from handicapped fines. This
6 provides me with a technician that is able to go
7 out and take care of special needs programs, as
8 well as go into the community and do special
9 needs education for safety programs from being
10 able to walk as pedestrians as well as, again,
11 for the safety seat programs.

12 CHAIRWOMAN GONSALVES: Mr. Mistron,
13 would you tell us about the funding for this
14 project?

15 MR. MISTRON: The funding comes from the
16 handicapped fines, people that are parking
17 improperly in handicapped spaces. The money has
18 been allocated by the state to be used for
19 handicapped-specific type of programs and
20 educational programs. Again, the New York
21 Coalition for Transportation Safety provides me
22 with both somebody that is able to educate on
23 handicapped issues as well as a person that
24 specializes in handicapped needs programming.

25 CHAIRWOMAN GONSALVES: All funding is

2 reimbursable?

3 MR. MISTRON: 100 percent. In fact, the
4 money actually exists.

5 CHAIRWOMAN GONSALVES: Thank you very
6 much.

7 Any questions from the legislators?
8 Legislator Jacobs.

9 LEGISLATOR JACOBS: Chris, I just wanted
10 to tell you - first place, you know how
11 successful your program is, to the point where I
12 have a lot of people in my district angry at me.
13 But let me ask you. Would this be in addition to
14 the regular child's child seat? Is this another
15 program we're beginning for children with special
16 needs?

17 MR. MISTRON: This already exists. This
18 is actually a program - this has been in
19 existence for the past five years. This is a
20 program that enhances what we are able to offer.
21 Mark Hoffhacker (phonetic), actually, who has
22 attended many of the events within the
23 legislative district to assist me, is a
24 specialist in special needs children, and as a
25 result it's an enhancement at our fitting station

2 that he provides, as well as he does home visits
3 and referrals.

4 LEGISLATOR JACOBS: I'm just thinking
5 that it's a good thing for us as legislators, in
6 all 19 districts, to let it be known. Maybe you
7 can give us a memo. There should be a way we can
8 notify people of where that station would be that
9 they would go to, especially for children with
10 special needs. I am very familiar with that, so.

11 MR. MISTRON: They come right to our
12 regular fitting station in Hicksville. We do
13 utilize the Hicksville facility.

14 LEGISLATOR JACOBS: On Cantiague Rock
15 Road?

16 MR. MISTRON: On Cantiague Rock Road.

17 LEGISLATOR JACOBS: Okay. All right.
18 Very good. Thank you. Thanks for the work you
19 do on this. I appreciate it.

20 MR. MISTRON: Thank you.

21 CHAIRWOMAN GONSALVES: Any other
22 questions or comments?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

2 There being none; all those in favor of
3 E-157 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes unanimously.

8 The next item is E-159, a personal
9 services agreement between the County of Nassau,
10 acting on behalf of the Nassau County Department
11 of Social Services and Adelphi University
12 Institute for parenting.

13 Motion, please?

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator Kopel.

18 And we have?

19 MS. GOETZ: We have Paul Broderick here.

20 CHAIRWOMAN GONSALVES: Thank you very
21 much, Samantha.

22 MR. BRODERICK: Legislators, good
23 afternoon. Paul Broderick, Deputy Commissioner,
24 Department of Social Services. The item before
25 you is a 12-month contract with Adelphi

2 University Institute for parenting. They are to
3 provide basically risk assessment for mental
4 health assessments and infant mental health
5 treatment services for very young children
6 traumatized by exposure to violence and
7 maltreatment.

8 Do you have any questions?

9 CHAIRWOMAN GONSALVES: Funding for this
10 project is?

11 MR. BRODERICK: County, federal, and
12 state. 45 percent federal. 20 percent state.
13 35 percent county. Cost to the county is
14 \$24,000.

15 CHAIRWOMAN GONSALVES: Okay. I believe
16 someone had a question. Minority Leader.

17 LEGISLATOR ABRAHAMS: Thank you.

18 How are you, Mr. Broderick? I just have
19 one general question. I just wanted to confirm
20 for the record. The comptroller's approval form
21 as well as the DSS memo indicate that this is a
22 sole source contract.

23 MR. BRODERICK: That is correct.

24 LEGISLATOR ABRAHAMS: So in your
25 estimation there is only one entity that can

2 provide this service to the county?

3 MR. BRODERICK: That is correct.

4 LEGISLATOR ABRAHAMS: Thank you very
5 much.

6 CHAIRWOMAN GONSALVES: Any other
7 questions or comments?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those in favor of
12 E-159 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 Thank you, Mr. Broderick.

18 I'm going to call two contracts together
19 - U-6 and U-11.

20 U-6 is a personal services agreement
21 between the County of Nassau, acting on behalf of
22 the Traffic and Parking Violations Agency and
23 Robert Horowitz.

24 U-11 is a personal services agreement
25 between the County of Nassau, acting on behalf of

2 the Traffic and Parking Violations Agency and
3 Richard A. Lopera.

4 Motion, please?

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR NICOLELLO: Second.

7 CHAIRWOMAN GONSALVES: Motion by
8 Legislator Dunne, seconded by Legislator
9 Nicolello.

10 And I see the judge is before us.

11 JUDGE MARKS: John Marks, Executive
12 Director, Nassau County Traffic and Parking
13 Violations Agency.

14 This is an extension of existing
15 contracts. Both judges have been sitting at
16 Traffic and Parking Violations long before I got
17 there. I got there in 2010.

18 CHAIRWOMAN GONSALVES: Any questions of
19 the Judge?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 There being none; all those in favor of
24 U-6 and U-11 signify by saying aye.

25 (Aye.)

2 Any opposed?

3 (No verbal response.)

4 The items pass unanimously.

5 JUDGE MARKS: Thank you.

6 CHAIRWOMAN GONSALVES: Thank you, Judge.

7 The next several we are going to group
8 together, personal services agreement relating to
9 the Department of Parks and Recreation, beginning
10 with U-43, U-44, U-45, U-46, U-50, U-51, U-53, U-
11 54, U-55, U-56, U-58, U-59.

12 Motion, please?

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator Kopel.

17 Okay.

18 MS. GOETZ: We have Eileen Krieb here.

19 CHAIRWOMAN GONSALVES: Thank you very
20 much.

21 MS. KRIEB: Eileen Krieb, Department of
22 Parks.

23 CHAIRWOMAN GONSALVES: Eileen, could you
24 go quickly through each of these?

25 MS. KRIEB: Sure. These are all related

2 to or most of them, I should say, are all
3 entertainment for the summer for our concert
4 series mostly at Lakeside, if not there's a
5 couple of Grant. I'll just go through them
6 quickly.

7 U-43, Gathering Time, is a \$1200 contract
8 for a Crosby Stills & Nash tribute band for July
9 12 at Grant Park.

10 U-44 is Paul Gergenti. It's an oldies
11 concert at Lakeside, The Clusters. It's \$2450.

12 All of these are funded by hotel/motel.

13 The third one is U-45, Chris Yerlig.
14 He's a mime that we hire for special events at
15 OBVR. His amount shall not exceed \$7,000. It is
16 for ten days, and he gets paid hourly, between
17 now and the end of the year.

18 U-46 is Mlicata. It's Lakeside. Disco
19 Unlimited. The concert is on July 8, and it's
20 \$4,000.

21 U-50 is Barefoot Productions. This is a
22 contract that was done through an RFP. It's for
23 supplementing our own equipment for special
24 requirements of different performers. It's
25 musical instruments and audio that we don't have

2 ourselves in-house, and sometimes we have to
3 reach out to them for supplementing the request
4 of the performer.

5 U-51 is East Meadow Soccer. It was done
6 through an RFP. They provide soccer clinics to
7 our children who attend our camps at the various
8 parks during the summer. It's for \$24,900.

9 U-53 is Obvious Media. It was procured
10 through an RFP. Between now and next April is
11 the term of the contract. It's for \$10,000.
12 It's for video production services for different
13 events that the parks department holds.

14 U-54 is Mlicata, again procured through
15 an RFP. It's Michael Live Project at Lakeside on
16 July 17 for \$6,000.

17 U-55 is Plaza Productions, which brings a
18 production to Lakeside Theater. The name of it
19 is All Shook Up. It's an Elvis Presley Tribute.
20 It's a showcase of the music of Elvis. July 11.
21 It was \$5,000.

22 U-56 is CBS Radio. We partner with them
23 twice during the summer for Fresh FM in the Park.
24 We were just told that the performer is going to
25 be Lucas Graham on July 23. He is one of the top

2 ten contemporary performers.

3 U-58 was Greg Raffa. He's a promoter or
4 booking agent that was procured through an RFP
5 for \$15,000. He's procuring an oldies show for
6 August 15 from 8:00 to 10:00 at Lakeside Theater.

7 U-59 is Anthony Guadango. He is Tony
8 Dango, Manhattan Skyline, performing July 15 at
9 Lakeside. Again, it's an oldies concert for
10 \$2,050.

11 I think that's all.

12 CHAIRWOMAN GONSALVES: Eileen, funding
13 for these programs?

14 MS. KRIEB: All the funding source for
15 all of them is hotel/motel.

16 CHAIRWOMAN GONSALVES: Thank you very
17 much.

18 Any questions or comments? Legislator
19 Jacobs.

20 LEGISLATOR JACOBS: I have a couple of
21 questions. Number one, all of these say that
22 they are sole source.

23 MS. KRIEB: Not all of them. Some of
24 them have been procured through RFP.

25 LEGISLATOR JACOBS: I'm sorry.

2 MS. KRIEB: But the ones that are sole
3 source are the ones that the people themselves
4 are the show, so that's why they are sole source.

5 LEGISLATOR JACOBS: Let me ask you a
6 question. Let's go to U-51 for a minute. We
7 were just talking about this up here. It says a
8 hotel/motel grant between parks and East Meadow
9 Soccer Club. Now, is that restricted to East
10 Meadow period or is East Meadow incorporating all
11 of Eisenhower Park in this? I don't know what
12 this means.

13 MS. KRIEB: East Meadow Soccer is the
14 name of the entity, and they provide soccer
15 clinics to all of the parks that hold summer camp
16 this summer. It's not just at Eisenhower. It's
17 at Nickerson, at Wantagh. They have clinics each
18 day of the week.

19 LEGISLATOR JACOBS: It could even be
20 Cantiague or.

21 MS. KRIEB: Yes. Every location that we
22 have the summer camp at, that Nassau County
23 sponsors, they have various days that they go to
24 different locations within the parks and they
25 provide - during the day one of the programs the

2 children are provided with is a soccer clinic.

3 LEGISLATOR JACOBS: Okay. Thank you.

4 CHAIRWOMAN GONSALVES: Minority Leader.

5 LEGISLATOR ABRAHAMS: How are you, Ms.
6 Krieb?

7 MS. KRIEB: I'm good.

8 LEGISLATOR ABRAHAMS: Good. Just to
9 piggyback on Legislator Jacob's question. I
10 understand that some of these are sole source.
11 There was a letter signed by Mr. Nugent
12 identifying them as being sole source. But let
13 me just take a look.

14 U-43 is a contract for the tribute to
15 Crosby, Stills & Nash. I just wanted to make
16 sure I understand. How do you determine that
17 this is a sole source contract? Why couldn't
18 anybody provide that tribute, or any band, or any
19 musical composition provide that? And that's
20 kind of a generic question, in terms of all the
21 sole sources that were signed by Mr. Nugent. How
22 does he determine any of this stuff as sole
23 source?

24 MS. KRIEB: In the case that the
25 performer is the entity itself, that's when we

2 have considered them as sole source.

3 LEGISLATOR ABRAHAMS: What I'm asking is
4 there more than one performer that can provide
5 that kind of music? How do you come to that
6 conclusion that he is sole source?

7 MS. KRIEB: It's sole source because
8 it's the individual that we are hiring. You're
9 asking me if it is a competitive process, if
10 there are other people out there that can do
11 Crosby, Stills -

12 LEGISLATOR ABRAHAMS: How come you
13 didn't pick anybody else, yeah.

14 MS. KRIEB: These are people that we
15 have selected through advice of the promoters,
16 and they are the entity themselves that perform
17 so that's why they are sole source. We have
18 searched through other lists of talents, and
19 that's why they were selected, based on their
20 reputation and their performances and
21 recommendations from others. I have a few of
22 them here today that are the performer is the
23 sole source.

24 LEGISLATOR ABRAHAMS: It's sole source
25 because the promoter tells us this is the best

2 perform.

3 MS. KRIEB: Same with Mlicata. She is
4 Disco Unlimited. She did another event, on one
5 other contract I have today she is not the
6 entertainment. She hired the service. She
7 participated in the RFP process. So we
8 differentiated between those individuals who are
9 the sole source and they are the entity that's
10 performing versus those who are booking agents.

11 LEGISLATOR ABRAHAMS: Okay. I don't want
12 to belabor it. But to me, having the promoter
13 tell us that this is a sole source, I don't know
14 if that is the best approach. The county should
15 be making sure that there is no other entity in
16 the county that could provide disco services, not
17 taking the word of a promoter to ensure that they
18 are the only one or the best one. How do we know
19 that?

20 We're talking about trivial amounts of
21 money - \$1200, \$2450 - but every dollar matters
22 in regards to the taxpayer.

23 I just want to make sure I have a clearer
24 understanding of Mr. Nugent's letter. If you can
25 take that back to him, I would appreciate it.

2 CHAIRWOMAN GONSALVES: I just want to ask
3 a question. Tony Orlando, would he be considered
4 a sole source?

5 MS. KRIEB: Yes.

6 CHAIRWOMAN GONSALVES: Is there another
7 Tony Orlando?

8 MS. KRIEB: Tony Orlando is a sole
9 source because he works with one booking agent
10 and he tells us who his agent is that we need to
11 work with. So he created that scenario. Yes,
12 there is only one Tony Orlando. Are there other
13 people that can book him? No. Probably. He
14 only works with one agent, so that's why we have
15 that.

16 CHAIRWOMAN GONSALVES: And is he a
17 popular, popular draw when he's on the schedule?

18 MS. KRIEB: Yes. The park is crowded.
19 He still draws a big crowd.

20 CHAIRWOMAN GONSALVES: He still draws a
21 crowd, I know he does. Okay.

22 Legislator Nicoletto. I just had to
23 inject a little humor.

24 LEGISLATOR NICOLELLO: About two weeks
25 ago there was a Billy Joel tribute band that

2 played in Mineola to opening their new band
3 shell. Last week there was a different Billy
4 Joel tribute band that played in New Hyde Park
5 for one of their summer concerts. The Town of
6 North Hempstead has a Billy Joel tribute band,
7 which his different than the other two, and is
8 going to be playing in the next couple of weeks.
9 Then you have Bob Delguidice, I think, whatever
10 his name, playing at the Paramount on Saturday.
11 So you literally could have dozens of Billy Joel
12 tribute bands. I don't think it makes sense to
13 anybody that we start doing RFPs for Billy Joel
14 tribute bands or contacting each and every one of
15 them. At some point we have to have some
16 discretion on our parks officials to make these
17 types of determinations. There is management and
18 there's micromanagement, and I think we've gone
19 beyond micromanagement at this point.

20 CHAIRWOMAN GONSALVES: You may respond
21 if you wish, Minority Leader.

22 LEGISLATOR ABRAHAMS: Thank you. I
23 think I agree with everything that Mr. Nicoletto
24 said. I just think, like I said before, when you
25 do have multiple people, like he just said in his

2 remarks, that could provide a Billy Joel band
3 tribute type of entertainment, it seems like we
4 just keep going back to the same people and the
5 question becomes why are we going back to the
6 same people? This all ties into transparency and
7 making sure we are providing honest, brokered
8 services to the people of Nassau County.

9 Again, I just want to have a better
10 clarification, as we read Mr. Nugent's letter.
11 Again, I just want to have a better of
12 understanding of when he identifies in his letter
13 that these are sole source contracts, if, based
14 off the recollection that Legislator Nicoletto
15 just specified, to me those weren't. I just want
16 to make sure I understand the disconnect.

17 Thank you, Ms. Krieb.

18 CHAIRWOMAN GONSALVES: Legislator
19 Solages.

20 LEGISLATOR SOLAGES: Thank you. I don't
21 have a question on this specific question. I
22 just have a question on U-50. It says that this
23 contract is to provide on-stage musical
24 instruments and audio equipment per individual
25 performance requirements - drum kits, rises,

2 guitars. I'm not involved of that aspect of show
3 business, I guess. But is it our responsibility
4 to provide, I guess, musical instruments?
5 Shouldn't these performers come prepared? Why
6 should we be on the hook for \$15,000? I could
7 understand for audio-visual equipment. But,
8 literally, are we providing certain instruments
9 for them?

10 MS. KRIEB: It's rare. But as part of
11 the booking agent and promoter's agreement with
12 us, sometimes we are required to provide the
13 piano or some type of amplifying system that they
14 prefer. It's all part of our negotiating.

15 LEGISLATOR SOLAGES: I could understand
16 the piano; that's hard to carry around.

17 MS. KRIEB: Sometimes they require
18 certain amplification that we don't have. We
19 have a basic setup, and if we need to supplement
20 it we then go to Barefoot. This year we RFPd
21 them and they were part of a bidding process. We
22 have a list of, I don't know how many pages, of
23 different items that possibly could be on the
24 punch list. If necessary, we have them ready to
25 go.

2 LEGISLATOR SOLAGES: Okay. Thank you.

3 CHAIRWOMAN GONSALVES: Any public
4 comment? Ms. Mereday.

5 MS. MEREDAY: Mete Mereday, Baldwin, New
6 York. Okay.

7 Legislator Solages took care of one of
8 the questions that I had; still didn't really get
9 a great answer for it. But it did behoove one to
10 ask, why are we paying for somebody's equipment
11 is these are professional performers.

12 The sole sourcing issue I have a problem
13 with. Again, I'm just looking at the paperwork
14 from veteran and senior affairs where there are,
15 once again, no items being presented for
16 discussion for budgeting but we are determining
17 close to \$100,000 for park and recreation. I
18 don't know what survey anyone's been in receipt
19 of that kind of determines. I have nothing
20 against Tony Orlando in any form, the original,
21 the copies, whatever. I could really care less
22 how many Bill Joel impersonators there are. But
23 my concern continues to be that we are spending
24 money - granted, we all need entertainment - but
25 we still have veterans still out here suffering,

2 and we're putting funding into these types of
3 things. We are paying for video production
4 services. And my question is, as it pertains to
5 that, who are we videotaping this for? If they
6 are performing for live performances, why are we
7 paying for video production services? Are we
8 then selling those for maybe additional revenue
9 for the county? I don't understand.

10 We are paying for a booking agent.
11 Wouldn't the parks department consider to be the
12 booking agent for the county? So why are we
13 paying for another booking agent to do the
14 booking that we are paying the parks department
15 to do the booking for the parks and recreation
16 activities. Again, I just don't understand these
17 charges and these related fees.

18 Again, any type of contract, whether it's
19 for entertainment or construction, if you are
20 still using the same individual, it still bars
21 the introduction of other individuals. Kind of
22 that word that doesn't seem to ring regular here,
23 diversity, inclusion, outreach. What are we
24 doing to incorporate others who can participate?
25 Not to mention, everybody can't get to Eisenhower

2 Park. Everybody can't get to New Hyde Park. So
3 how are we addressing those individuals who pay
4 their taxes? Because you're taking away buses
5 from them, so they can't even get to work, let
6 alone get to these recreational services. Again,
7 if no one is looking at the fact that we continue
8 to pay all this money to these individuals who
9 clearly have connections within the county
10 somewhere - it will come out in *Newsday*. Most of
11 you can continue to be oblivious until it comes
12 out in *Newsday* and then you can't like you didn't
13 know.

14 CLERK PULITZER: Ma'am, your three
15 minutes are up.

16 MS. MEREDAY: Always. But there comes a
17 time when somebody has to become responsible.

18 You have let other people go beyond the
19 three minutes. I will be finished in a second.
20 So before you go another 20 seconds to tell me my
21 time is up, let me finish.

22 CHAIRWOMAN GONSALVES: I'm asking you to
23 wrap it up.

24 MS. MEREDAY: I will wrap it up. But
25 when it's somebody you want to hear from you have

2 no problem telling them to continue, and I've
3 been here long enough to know, to see it happen.

4 I'm just saying, you all are responsible
5 for the funding. I'm asking you again, ask the
6 questions. Ask the questions. Do the due
7 diligence. You're hiring attorneys right and
8 left. We need to stop worrying about the
9 litigation fund and start worrying about where
10 our taxpayer dollars are actually going.

11 CHAIRWOMAN GONSALVES: Thank you very
12 much, Ms. Mereday.

13 MS. MEREDAY: You're very welcome.

14 CHAIRWOMAN GONSALVES: Right now, I'd
15 like to take a vote on -

16 LEGISLATOR ABRAHAMS: I'm sorry. Madam
17 Presiding Officer?

18 CHAIRWOMAN GONSALVES: Minority Leader.

19 LEGISLATOR ABRAHAMS: Thank you, Madam
20 Presiding Officer. I just have a point of
21 clarification.

22 In fairness to Ms. Mereday, there were
23 several items called so she shouldn't be called
24 to just the three minute criteria. She was
25 speaking on many different items. In my

2 estimation, she should have three minutes for
3 each item she wanted to speak on.

4 My second question is, that feeds to our
5 questions which is really tied to Ms. Krieb. No
6 one here would say that they govern through
7 *Newsday*. However, we did see a very disturbing
8 story in *Newsday* in regard to the blue chip
9 marketing contract that was delivered, a story
10 that indicated that individuals within the parks
11 department did not believe that the work was
12 substantial or satisfactory, to their estimation,
13 and that contract still found its way to navigate
14 through the county. That is why we are asking
15 the questions today in regards to these
16 contracts. For anyone to say that we are against
17 Mr. Tony Orlando or Stuart Marcus or any of these
18 other gentlemen, we are not.

19 I think it's important that we continue
20 to ask the questions because it's also important
21 that contracts like Blue Chip Marketing find
22 their way to navigate through the county system
23 again and again.

24 So I am glad to see that these contracts
25 are coming before us. Yes, it may be perceived

2 as some type of micromanaging, but I think we
3 have to do that when we see contracts like Blue
4 Chip Marketing which were not supported by the
5 accounts that were made in *Newsday*, not being
6 supported by the staff in the parks department.

7 Thank you.

8 CHAIRWOMAN GONSALVES: All right. There
9 are several items now. I believe that the items
10 that were called were all related, and that's U-
11 43, U-44, U-45, U-46, U-50, U-51, U-53, U-54, U-
12 55, U-56, U-58, U-59. All those in favor of
13 those items that were just called signify by
14 saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The items pass four to three.

19 The next item is U-48, a resolution
20 authorizing the county executive to execute a
21 personal services agreement between the County of
22 Nassau, acting on behalf of the Nassau County
23 Office of Housing and Homeless Services and
24 Leslie Francis, Esquire.

25 Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR KOPEL: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator Kopel.

6 Okay. Who do we have?

7 MS. GOETZ: Hi. We do have Director
8 John Sarcone.

9 CHAIRWOMAN GONSALVES: He was just here
10 just a few minutes ago.

11 MS. GOETZ: Someone is getting him.

12 MR. SARCONE: How are you doing? John
13 Sarcone, Director of Housing for Nassau County.

14 CHAIRWOMAN GONSALVES: Welcome, John.

15 MR. SARCONE: Hi. The item before you
16 is our annual action plan for the Nassau County
17 Urban Consortium. It consists of three grants:
18 the Emergency Solutions Grant - I'm sorry.
19 That's the wrong item. I apologize.

20 The item in front of you is for our fair
21 hearing officer to provide assistance in
22 determining Section 8 grievances, as well as
23 legal services for the Office of Housing and
24 Community Development.

25 CHAIRWOMAN GONSALVES: Any questions or

2 comments for Mr. Sarcone? Legislator Jacobs.

3 LEGISLATOR JACOBS: Talking about
4 procurement, according to the staff summary that
5 we received, it seems the ad was placed on three
6 law-related websites.

7 MR. SARCONE: That is correct.

8 LEGISLATOR JACOBS: And only two
9 individuals responded.

10 MR. SARCONE: That is correct.

11 LEGISLATOR JACOBS: Both applicants were
12 interviewed and the contractor was selected based
13 on their knowledge. Can someone tell me from
14 housing or homeless services, or perhaps you
15 could, could you tell us the names of the
16 websites where these ads appeared?

17 MR. SARCONE: I don't have the
18 particular names of the websites, but our in-
19 house attorney was the one that was handling the
20 procurement process for that.

21 LEGISLATOR JACOBS: To say there are
22 only two, I mean, you'd hope that it had a broad
23 reach when you're going into something like fair
24 housing. I don't know. It's just the way I read
25 the backup. I don't know if this could literally

2 bring it to the point that after receiving two
3 proposals that it's enough justification to use
4 the words sole source.

5 MR. SARCONE: I understand your concern.
6 But you bring up fair housing. This was not in
7 reference to anything dealing with fair housing.
8 It was dealing with Section 8 fair hearings.

9 LEGISLATOR JACOBS: Let me ask you
10 something. I'm a little bit aware of Section 8,
11 not very, a little bit. Do we have a resume of
12 this contractor that we're agreeing to?

13 MR. SARCONE: Absolutely.

14 LEGISLATOR JACOBS: This is what I want
15 to know. Does the contractor have experience in
16 the area of landlord-tenant law, number one;
17 tenant advocacy, number two; legal aid, number
18 three; or the handling of DSS/Section 8 matters?
19 I know these are all very specific and very
20 important.

21 MR. SARCONE: I believe that is the case.
22 I would have to double check. The attorneys -

23 LEGISLATOR JACOBS: I'm wondering if we
24 could ask you for the resume. We did not see the
25 resume in our backup.

2 MR. SARCONE: That's fine.

3 LEGISLATOR JACOBS: If this person is
4 qualified that's one thing. But I know through a
5 few years of my life when I was in real estate
6 management, so many mistakes can be made here by
7 people who are not necessarily geared for this
8 particular item. I just want to make sure we're
9 dealing with someone here who really is.

10 MR. SARCONE: I will be more than happy
11 to provide you that backup information.

12 Just to quantify my answer. It doesn't
13 necessarily mean that we would have to provide an
14 attorney. The only requirements for the Section
15 8 Program is that a fair hearing officer is
16 procured. We went the extra step to ensure that
17 an attorney was litigating these hearings.

18 LEGISLATOR JACOBS: But that hearing
19 could make or break someone who is really in dire
20 straits.

21 MR. SARCONE: I can totally understand
22 your point of view. That being said, whatever
23 outcome the fair hearing officer determines,
24 based on the Section 8 Laws, I don't have to
25 abide by it. It's ultimately my decision.

2 LEGISLATOR JACOBS: Okay. All right.
3 Thank you.

4 MR. SARCONE: More times than not, I
5 would say 99 percent of the time we go with the
6 recommendation of the fair hearing officer, but
7 it's not a requirement.

8 LEGISLATOR JACOBS: All right. Thank you
9 for your answers.

10 LEGISLATOR NICOLELLO: Motion to table.

11 CHAIRWOMAN GONSALVES: Motion to table
12 by Legislator Nicolello.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Seconded by
15 Legislator Kopel.

16 All those in favor signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Mr. Sarcone, I think there was a request
21 for some additional information, if you can get
22 that to us before we adjourn for the day, perhaps
23 we can untable the item.

24 MR. SARCONE: Just to be clear on the
25 request. The resume is the only thing that would

2 be required?

3 CHAIRWOMAN GONSALVES: Go ahead, Judy.

4 LEGISLATOR JACOBS: I would say the
5 resume - I would like to know the resume, the
6 names of the websites, and also the experience
7 that she - it is a she, right - I'm sorry. The
8 experience that this person has in this field.

9 MR. SARCONE: Okay.

10 LEGISLATOR JACOBS: Okay.

11 MR. SARCONE: No problem.

12 LEGISLATOR JACOBS: Thank you.

13 MR. SARCONE: Yeah, sure.

14 CHAIRWOMAN GONSALVES: Thank you very
15 much, Mr. Sarcone.

16 The next item is U-49, a personal
17 services agreement between the County of Nassau,
18 acting on behalf of the Nassau County attorney's
19 office and Sobel Law Group, LLC.

20 Motion, please?

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR NICOLELLO: Second.

23 CHAIRWOMAN GONSALVES: Motion by
24 Legislator Dunne, seconded by Legislator
25 Nicolello.

2 And?

3 MS. GOETZ: Hi. We have Chief Deputy
4 County Attorney Lisa Locurto.

5 MS. LOCURTO: Good afternoon,
6 Legislators. This contract is a renewal for one
7 year. This renewal will also increase the
8 maximum amount of the contract by \$24,900. The
9 county attorney's office - I'm sorry. I lost my
10 train of thought.

11 Are there any questions on this contract/

12 CHAIRWOMAN GONSALVES: Any questions
13 from the legislators on this contract? We are
14 talking about U-49.

15 (No verbal response.)

16 No questions or comments?

17 (No verbal response.)

18 Any public comment?

19 Ms. Mereday. Fine. Let's go.

20 MS. MEREDAY: Just in terms of the -
21 okay, for renewing this for one year and
22 increasing the maximum amount, because I believe
23 that 24,000 was below the \$25,000 cap in terms of
24 these contracts. I'm just curious as to what are
25 the services that are being provided or what was

2 being provided and why is there a need for the
3 increase? Just trying to see if there is, you
4 know, if we are getting value for the money. I'm
5 just asking.

6 LEGISLATOR SOLAGES: I have a question.

7 CHAIRWOMAN GONSALVES: Legislator
8 Solages.

9 LEGISLATOR SOLAGES: Thank you,
10 Presiding Officer. Isn't the total for this
11 contract so far \$49,800? Shouldn't this be an E
12 contract? It should be an E contract because it
13 exceeds \$25,000. Can anyone answer that
14 question? I'm trying to understand the U versus
15 the E. Shouldn't this be an E contract? Can you
16 explain the scope?

17 CHAIRWOMAN GONSALVES: I don't mean to
18 interrupt you.

19 MS. LOCURTO: I can answer that
20 question.

21 CHAIRWOMAN GONSALVES: Who assigns these
22 contracts?

23 MS. LOCURTO: Who does the designation?

24 CHAIRWOMAN GONSALVES: Yes.

25 MS. LOCURTO: I know the county

2 attorney's office does not. I believe it's the
3 administration.

4 CHAIRWOMAN GONSALVES: Samantha are you
5 here? I hate to do this to do this to you, but
6 I'm going to ask you. Is that the case? Since
7 the question was raised, I would like to make
8 sure that - you know what? Supposedly - we will
9 find the answer to that question.

10 LEGISLATOR SOLAGES: Thank you very
11 much, Presiding Officer.

12 MS. LOCURTO: I think there were
13 questions on the scope. The services that are
14 being provided are for legal services, and the
15 county attorney's office has assigned a specific
16 case to the counsel, that is the reason for the
17 increase of the services, the increase in the
18 amount of funding, I'm sorry.

19 CHAIRWOMAN GONSALVES: Okay. There
20 being no other questions, no other comments; all
21 those -

22 LEGISLATOR SOLAGES: Is this a
23 continuation of the same person?

24 CHAIRWOMAN GONSALVES: I believe that's
25 where we are at.

2 MS. LOCURTO: I'm sorry?

3 LEGISLATOR SOLAGES: Is this a
4 continuation of the same person?

5 MS. LOCURTO: It's an amendment. Yes.

6 LEGISLATOR SOLAGES: In terms of an
7 update on the case, if you could please provide
8 that.

9 MS. LOCURTO: An update on -

10 LEGISLATOR SOLAGES: This case, yes.

11 MS. LOCURTO: This is a new case that's
12 being assigned to them.

13 LEGISLATOR SOLAGES: Then why is it an
14 extension?

15 MS. LOCURTO: It's an amendment to an
16 existing contract. The work that was done under
17 the first contract is concluded and now a new
18 case is being assigned. So we are renewing the
19 contract for an additional year. Because a new
20 case is being assigned, additional funding is
21 being added to the contract to cover -

22 LEGISLATOR SOLAGES: This is where I'm
23 confused. Why can't we have a new contract? If
24 there is a new scope to the case then -

25 MS. LOCURTO: Because the contract - the

2 original contract was for - they were a qualified
3 firm to provide certain legal services. The
4 contract, they were given a prior assignment.
5 The assignment was concluded. Now we're giving
6 them a new assignment to do the work on this new
7 assignment.

8 LEGISLATOR SOLAGES: Once the person who
9 receives the contract, or the company, or the
10 firm receives a contract, I guess their foot is
11 in the door, so to speak, and we could just keep
12 on piling their legal fee.

13 MS. LOCURTO: The firm is on our
14 qualified panel. If we have a need for the legal
15 services, then because we may need to send in
16 counsel immediately, we like to have the firm
17 available. In the first instance, the firm was
18 available to provide legal services. We have
19 need for new legal services to be provided to
20 represent the county, so that's why the contract
21 is being extended, renewed for another year, and
22 we are adding additional funding to cover the
23 legal services that are going to be provided
24 during that year term.

25 LEGISLATOR SOLAGES: I just want to make

2 sure that we're not provided a carte blanche to
3 these firms, to just say there's a new scope, you
4 know, the work is expanding, we need now an
5 extension or an amendment. I just want to make
6 sure -

7 MS. LOCURTO: I don't believe that's the
8 case here. Every contract that exceeds \$1,000
9 must come back to the legislature. The county
10 attorney's office cannot assign cases or add
11 additional funding to contracts unless we come
12 back to the Nassau County Legislature for your
13 approval. So I don't believe that your concern
14 is necessary in this instance.

15 LEGISLATOR SOLAGES: When do you start
16 the practice of amending these proposals so that
17 the scope could go beyond what we initially
18 anticipated?

19 MS. LOCURTO: Any time the scope of
20 services in legal services contract is changed
21 from what the original approval is it must come
22 back to the Nassau County Legislature for
23 approval. The legislature, if the contract is
24 more than one year or the scope of the services
25 changed, Nassau County Legislature approves that

change.

LEGISLATOR SOLAGES: But wouldn't it be fair to say that goes beyond the original RFQ?

MS. LOCURTO: No. The RFQ is a request for qualifications for legal services. Each firm submits their qualifications to be on a panel so that in the event the county attorney's office is either conflicted out of representing a county employee or the county itself who, for whatever reason, the firm is available, they are qualified in a specific area of law to provide that service. If there is a complexity to the litigation that requires a certain expertise that deputy county attorneys do not have within the scope of their normal civil litigation knowledge, then we have a qualified panel of counsel that the county can refer to to engage and assist us. If the complexity is beyond because of the scope, there are multiple defendants, it's a multi-party litigation, and so forth, that's the purpose of having qualified counsel.

All terms - just the qualification of the counsel still is subject to a contract, to the compensation, the services, and the scope of

2 services that they're going to provide.

3 LEGISLATOR SOLAGES: Thank you.

4 CHAIRWOMAN GONSALVES: All those in
5 favor of U-49 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (Nay.)

9 The item passes four to three.

10 Moving on to Item U-52, a personal
11 services agreement between the County of Nassau,
12 acting on behalf of the Nassau County Department
13 of Traffic Safety Board and the New York
14 Coalition for Transportation Safety, Inc.

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR NICOLELLO: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Dunne, seconded by Legislator
19 Nicolello.

20 And?

21 MS. GOETZ: We have Christopher Mistron.

22 MR. MISTRON: Good afternoon, again. As
23 part of our annual safety plan submitted to the
24 Department of Motor Vehicles, we end up, part of
25 it, putting aside money for assistance. Again,

2 non-county monies, grant monies are provided to
3 get assistance with education within the schools
4 for everything from the bicycle safety programs,
5 as well as some assistance with the bookings and
6 the other educational programs that traffic
7 safety does. As a matter of fact, many of the
8 legislators have utilized the services bike
9 rodeos, as well as some of our pedestrian safety
10 programs. So that is the use for the money with
11 the New York Transportation.

12 CHAIRWOMAN GONSALVES: Any questions of
13 Mr. Mistrion?

14 (No verbal response.)

15 There being none; any public comment?

16 (No verbal response.)

17 There being none; all those in favor of
18 U-52 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item passes unanimously.

23 I'm going to have to ask at this point -
24 I believe the contracts on the regular agenda
25 have been addressed.

U-57, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Medical Examiner and Richard Serchuk, D.D.S.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

MS. GOETZ: We have Kim Tempesta, Deputy Medical Examiner for Administration.

CHAIRWOMAN GONSALVES: Welcome.

MS. TEMPESTA: Good afternoon, Legislators. The item you have before you is for a personal services contract for a forensic otologist. From time to time the medical examiner's office does require the needs of a forensic otologist to make proper body ID and to assure that there is timely release of the decedent. And this is for a one-year personal service contract, up to three year renewals.

CHAIRWOMAN GONSALVES: Legislator Nicolello.

2 LEGISLATOR NICOLELLO: My only question
3 is is this enough money to cover for a full year,
4 \$1600?

5 MS. TEMPESTA: Yes. We have rare need
6 of them. But when we do it's at a moment's
7 notice. We had three - one retired, one is
8 considering retiring. He is willing and able to
9 come. He's in our catchment area.

10 LEGISLATOR NICOLELLO: Thank you.

11 MS. TEMPESTA: Our latent prints does a
12 very good job, actually, in identifying for us.

13 CHAIRWOMAN GONSALVES: Any public
14 comment?

15 (No verbal response.)

16 There being none; all those in favor of
17 U-57 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 The item passes unanimously.

22 MS. TEMPESTA: Thank you.

23 CHAIRWOMAN GONSALVES: Thank you.

24 I need a motion to suspend the rules
25 because I have a contract on the addendum.

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR NICOLELLO: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator
6 Nicolello.

7 All those in favor of suspending the
8 rules signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The rules are suspended.

13 Now for the last item on the contracts.
14 E-102, a personal services agreement between the
15 County of Nassau, acting on behalf of the Nassau
16 County Department of Health, and Renee K. Barsa.

17 LEGISLATOR DUNNE: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Dunne, seconded by Legislator Kopel.

21 MS. GOETZ: We have Mary Ellen Laurain.

22 MS. LAURAIN: Good afternoon. Mary
23 Ellen Laurain, Department of Health.

24 Item E-102-16 is a renewal to a contract
25 with Renee Barsa. The maximum amount is \$10,000,

2 but we're currently encumbering \$975. This
3 contract provides public health emergency
4 preparedness training to our medical reserve
5 corps. It is 100 percent funded, federally
6 funded. We are required to have a medical
7 reserve corps. They volunteer for us in
8 emergencies and we must provide them training.

9 CHAIRWOMAN GONSALVES: Any questions or
10 comments for Ms. Laurain?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 There being none; all those in favor of
15 E-102 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (Nay.)

19 Okay. The item passes four to three.

20 At this point in time I'm going to recess
21 the Rules Committee so that the next committee
22 can meet, which I believe is Public Safety.

23 The items that were tabled, if the
24 information can get to us before we adjourn for
25 the day, it would be nice so that we can untable

2 them.

3 (Whereupon, the Rules Committee recessed
4 at 2:18 p.m.)

5 (Whereupon, the Rules Committee
6 reconvened at 5:39 p.m.)

7 CHAIRWOMAN GONSALVES: Rules is now back
8 in session.

9 As is customary, we do the consent items,
10 and I ask that the testimony from the previous
11 committees be incorporated into the testimony of
12 the Rules Committee. I'm going to begin with the
13 consent items.

14 231, 233, 234, 235, 236, 237, 241, 240,
15 242, 243, 244, 245, 246, 247, 248, 249, 250, 251,
16 252, 255, 256, 257.

17 Motion, please?

18 LEGISLATOR KOPEL: So moved.

19 LEGISLATOR DUNNE: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Kopel, seconded by Legislator Dunne.

22 Again, I repeat that the testimony from
23 the previous committees be incorporated into the
24 Rules Committee.

25 (Whereupon, the following is the minutes

1 Rules Committee - 6-27-16 69
2 of the June 27, 2016, Health Committee meeting
3 pertaining to Clerk Items 231, 243, 244, 245,
4 246, 249, and 250-16.)
5 CHAIRWOMAN WALKER: We have one item on the
6 original agenda, which is Clerk Item 231-16, an
7 ordinance supplemental to the annual
8 appropriation ordinance in connection with the
9 Department of Social Services.
10 May I have a motion, please?
11 LEGISLATOR KOPEL: So moved.
12 LEGISLATOR KENNEDY: Second.
13 CHAIRWOMAN WALKER: Motion by Legislator
14 Kopel, seconded by Legislator Kennedy.
15 We have Mr. Paul Broderick here.
16 MR. BRODERICK: Legislators, good
17 afternoon. Paul Broderick, Deputy Commissioner,
18 Department of Social Services.
19 The item before you is a supplemental
20 appropriation for \$41,400 to finance a local re-
21 entry task force called STEERS Program. Do you
22 have any questions?
23 CHAIRWOMAN WALKER: Any questions by the
24 legislators? Legislator Bynoe.
25 LEGISLATOR BYNOE: Hi, Paul. How are

2 you?

3 MR. BRODERICK: Good afternoon.

4 LEGISLATOR BYNOE: Could you tell me a
5 little bit more about what this re-entry task for
6 strategic plan is actually supposed to achieve
7 and who is going to be on the task force?

8 MR. BRODERICK: Absolutely. The STEERS
9 re-entry is basically reintroducing individuals
10 that are currently incarcerated back into the
11 community. It is a program which is run by DOCS,
12 correctional services. When people are
13 incarcerated they are selected for the program
14 and they work with individuals down here in the
15 county to seek employment and reintroduce them
16 back into the community, basically casework to
17 help them integrate back and, I guess, mend their
18 ways.

19 LEGISLATOR BYNOE: Okay. And who is
20 going to be part of the task force?

21 MR. BRODERICK: Actually, right now
22 there are funds in outside contract with FCA, and
23 they work in collaboration with the Department of
24 Social Services and New York State Parole.

25 LEGISLATOR BYNOE: Sorry. This amount

2 has been reduced from previous?

3 MR. BRODERICK: Actually, it's extending
4 the contract. New York State Corrections, they
5 are the ones who oversee the funding of this.
6 They are re-RFPing this contract. It was ending
7 July 1. They are re-RFPing, New York State is.
8 And I believe this for a period of July, August,
9 and September, and they are looking to re-
10 solicit. Really, it's an extension of the
11 contract.

12 LEGISLATOR BYNOE: Have we been able to
13 isolate some data that could tell us whether we
14 are actually achieving our projections or?

15 MR. BRODERICK: We have data. I don't
16 have anything with me unfortunately. But we have
17 different targets that we have to achieve for New
18 York State which we can, by all means, share with
19 you.

20 LEGISLATOR BYNOE: And does this include
21 going into the community at all and meeting the
22 folks where they reside?

23 MR. BRODERICK: That might be more on
24 the parole side, as opposed to more, you know,
25 find suitable housing, suitable employment. It's

2 really primarily employment, to try to get people
3 working in a meaningful manner.

4 LEGISLATOR BYNOE: Part of my concern is
5 that individuals who have been out of the jail
6 system for some time, still finding themselves
7 flounder and they're not really able to connect
8 in and find employment. I wanted to know if this
9 would help those individuals at all.

10 MR. BRODERICK: It does. However, I
11 mentioned earlier that they select the
12 individuals. This is a subset of the population
13 who are being reintroduced to their
14 neighborhoods. Not everyone fits in this
15 program. There is only so much volume that they
16 can manage to do case management for.

17 LEGISLATOR BYNOE: I guess then I would
18 like to see what is the selection criteria, how
19 you're determining who goes into the program.

20 MR. BRODERICK: Let me just assure you
21 that we don't. We are told who is. But we can
22 share that with you. We can get that from the
23 funding source.

24 LEGISLATOR BYNOE: Thank you.

25 LEGISLATOR GAYLOR: Madam Chairwoman,

2 question.

3 CHAIRWOMAN WALKER: Sure.

4 LEGISLATOR GAYLOR: This grant applies
5 to drug offenders that are currently in state
6 prisons being returned to the county, is that
7 correct?

8 MR. BRODERICK: I don't know what their
9 crimes WIA. We can definitely find out.

10 LEGISLATOR GAYLOR: My understanding is
11 it's the chemically dependent offenders that are
12 in the state prisons returning back to the county
13 that would get this outreach kind of help, I
14 guess.

15 These are state dollars we're talking
16 about, correct?

17 MR. BRODERICK: That is correct.

18 LEGISLATOR GAYLOR: Okay.

19 MR. BRODERICK: I'm not really sure of
20 their criteria, but I'm sure it captures across
21 all type of infractions.

22 LEGISLATOR GAYLOR: I'm not so sure of
23 that. I think it's only the chemically dependent
24 that we are specifically addressing today.

25 CHAIRWOMAN WALKER: That was my

2 understanding also.

3 LEGISLATOR BYNOE: I'm sorry. I'm sure
4 it's not addressing every single person that's
5 going to be entered back into the community that
6 had a drug-related, chemically-dependent related
7 arrest. There are some other criteria they're
8 using to then identify which one of those will
9 then be assisted. So I would like to know how
10 they do that, how it's determined.

11 MR. BRODERICK: They could be chemically
12 dependent but that might not be the nature of
13 their crime. We can definitely share information
14 with you on that.

15 CHAIRWOMAN WALKER: If you could get
16 that information to us as soon as possible, and
17 we will make sure we share it with everyone.

18 MR. BRODERICK: Absolutely.

19 CHAIRWOMAN WALKER: Thank you, Mr.
20 Broderick.

21 Any other questions or comments?

22 (No verbal response.)

23 Any public comment? Ms. Mereday.

24 MS. MEREDAY: Meta Mereday, Baldwin.

25 Again, Legislator Bynoe continues to encourage me

2 because she does ask the questions as it pertains
3 to my tax dollars. As I sit back and I'm
4 frustrated with the fact that my elected
5 officials continue to just nod heads when it
6 comes down to our money and you have these
7 questions that sit there but you just continue to
8 pass it along as if somebody else is going to be
9 responsible for it.

10 I can't see how you can fund an
11 initiative where you don't have all the
12 information presented to you - how this money is
13 actually being utilized, what is the success
14 rate? What are the benchmarks in place? The
15 determination of the participants. What is the
16 level of recidivism within that group set itself?
17 How can you just sit there and justify, well,
18 we're just going to move it forward? What will
19 it take to actually get that emphasis in place
20 that we have to stop somewhere? The bleeding has
21 to stop somewhere. We have to look at what we
22 are doing with people's money and their lives.
23 You have to stop somewhere.

24 And to have presentations - and no
25 offense to the presenters. But to have

2 presentations that are ill prepared and you're
3 still just voting for it anyway. That just
4 smacks to me of an ongoing systemic problem
5 within this body that does not seem to get any
6 relief.

7 Hearings don't do it. Criminal
8 convictions don't do it. The district attorney
9 coming here doesn't do it. You're renewing
10 contracts, extending deals. You're acting like
11 you want to do what is right by the people but
12 you are still, you know, embodying the same
13 nonsense that is costing people. The fact that
14 you have to legislate about zombie houses. You
15 have to address the issue that we have to do
16 something about re-entry.

17 Re-entry is not just about, you know,
18 helping them to mend their ways when they get out
19 and then they still don't have a job or they
20 don't have a job that gives them enough money so
21 that they can stay here. We don't provide them
22 enough resources so that they can move themselves
23 from their chemical dependency. So they repeat
24 those same bad habits, go back to those same
25 scenarios, and they look like all of us.

2 What is it going to take for you to
3 realize that this bleeding has to stop? And I
4 know my words are just bouncing in the air
5 because you got this side and you got that side.
6 But you're killing us. In the meantime, you're
7 killing us, killing us, because we're all one
8 body.

9 CLERK PULITZER: Ma'am your three
10 minutes are up.

11 CHAIRWOMAN WALKER: Any other comments?

12 (No verbal response.)

13 Any other public comments?

14 (No verbal response.)

15 All those in favor of Clerk Item 231-16
16 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Any abstentions?

21 (No verbal response.)

22 Then this will move on to Finance.

23 There are six items on the addendum. I
24 first need a motion to suspend the rules.

25 LEGISLATOR GAYLOR: So moved.

2 LEGISLATOR KENNEDY: Second.

3 CHAIRWOMAN WALKER: Moved by Legislator
4 Gaylor, seconded by Legislator Kennedy.

5 All in favor of suspending the rules?

6 (Aye.)

7 Again, there are six items on the agenda.
8 I'm going to put all the health together.

9 Clerk Item 243-16, it is an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the Department of
12 Health.

13 Clerk Item 244-16, Clerk Item 245-16,
14 Clerk Item 249-16, and 250-16 are also all
15 ordinances supplemental to the annual
16 appropriation ordinance in connection with the
17 Department of Health.

18 May I have a motion, please?

19 LEGISLATOR GAYLOR: Motion.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN WALKER: Motion by Legislator
22 Gaylor, seconded by Legislator Kopel.

23 MS. GOETZ: We have Mary Ellen Laurain.

24 MS. LAURAIN: Good afternoon. Mary
25 Ellen Laurain, Department of Health.

2 Item 243-16 is a supplemental
3 appropriation in the amount of \$54,172. This is
4 for the child and family safety grant. It's 100
5 percent funded through New York State Office of
6 Children and Family Services. This team reviews
7 all deaths of children who reside in Nassau
8 County and whose death is unexplained or
9 unexpected. This program just won a national
10 award for its Safe Sleep Program.

11 CHAIRWOMAN WALKER: Any questions by the
12 legislators for Ms. Laurain?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 Clerk Item 244-16.

17 MS. LAURAIN: Item 244-16 is a
18 supplemental appropriation in the amount of
19 \$43,145. This for our tuberculosis public health
20 campaign. This is an additional COLA award, and
21 it is funded through New York State Department of
22 Health. Total funding after this award is
23 \$566,745.

24 CHAIRWOMAN WALKER: Any comments or
25 questions from the legislators?

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Clerk Item 245-16.

6 MS. LAURAIN: Item 245-16 is a
7 supplemental appropriation in the amount of
8 \$24,720. This is for our immunization action
9 plan. It is funded through New York State
10 Department of Health. It is also an additional
11 COLA award. Total funding after the award is
12 \$324,720. This program protects the public from
13 vaccine preventable diseases.

14 CHAIRWOMAN WALKER: Any questions or
15 comments from the legislators?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 Clerk Item 249-16.

20 MS. LAURAIN: Item 249-16 is a
21 supplemental appropriation for the HIV
22 surveillance and partner notification in the
23 amount of \$283,552. This is New York State
24 Department of Health funded, and it is a mandated
25 program.

2 CHAIRWOMAN WALKER: Any questions or
3 comments from the legislators?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Okay. Clerk Item 250-16.

8 MS. LAURAIN: Item 250-16 is a
9 supplemental appropriation in the amount of
10 \$214,775 for the childhood lead poison prevention
11 grant. This is funded through New York State
12 Department of Health and provides comprehensive
13 services to reduce the prevalence of blood lead
14 in children under age six.

15 CHAIRWOMAN WALKER: Any questions or
16 comments from the legislators?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Clerk Items 243, 244, 245, 249, and 250-
21 16, all those in favor signify by saying aye.

22 (Aye.)

23 Any opposed?

24 Any abstentions?

25 These items will move on to the Finance

2 Committee.

3 (Whereupon, the following is the minutes
4 of the June 26, 2016, Public Safety Committee
5 pertaining to Clerk Items 235, 242, 247 and 248-
6 16.)

7 CHAIRMAN DUNNE: The first item to come
8 before this committee is Item 235-16, a
9 resolution authorizing the signing of the New
10 York State Department of Transportation
11 supplemental grant agreement for funds to support
12 enforcement of high occupancy vehicle (HOV)
13 traffic laws on the Long Island Expressway.

14 I have a motion by Denise Ford, seconded
15 by Rose Walker.

16 On this item, yes.

17 LIEUTENANT STEPHANOFF: Lieutenant Greg
18 Stephanoff from the police department.

19 Item 235 -

20 CHAIRMAN DUNNE: The motion was by
21 Denise Ford, seconded by Rose Walker. I'm sorry.

22 LIEUTENANT STEPHANOFF: Item 235-16 is a
23 grant from New York State for HOV lane
24 enforcement. It's for \$501,800. This is a - the
25 state supplemented just for the first six months

2 for this year. This is not a full year. This is
3 going to be a six-month grant.

4 This money is going to be used for extra
5 personnel to go out and patrol the HOV to enforce
6 the laws in relation to the HOV lanes. Also,
7 they will do auto accident, anything that comes
8 up in those HOV lanes will be enforced as well.

9 CHAIRMAN DUNNE: And this comes from the
10 state?

11 LIEUTENANT STEPHANOFF: Yes.

12 CHAIRMAN DUNNE: Fully funded. Okay.
13 Any questions by any of the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 There being none; all in favor indicate
18 by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 This passes on to Finance.

23 I'd like to have a motion to suspend the
24 rules.

25 LEGISLATOR FORD: So moved.

2 LEGISLATOR WALKER: Second.

3 CHAIRMAN DUNNE: Moved by Denise Ford,
4 seconded by Rose Walker.

5 All in favor indicate by saying aye.

6 (Aye.)

7 Any against?

8 (No verbal response.)

9 So we suspended the rules for the
10 addendum to the Public Safety Committee.

11 The first item on the addendum is 242-16,
12 an ordinance supplemental to the annual
13 appropriations ordinance in connection with the
14 Office of the County Executive.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR MACKENZIE: Second.

17 CHAIRMAN DUNNE: Moved by Rose Walker,
18 seconded by our Vice Chairman Don MacKenzie.

19 Now, on the item itself.

20 LIEUTENANT STEPHANOFF: Good afternoon.

21 Lieutenant Greg Stephanoff again. This is a
22 grant from New York State Office of Crime Victim
23 Services. This grant is used by Patty Shay
24 (phonetic) who works under the Police Department.
25 This grant is used to assist victims in obtaining

2 needed services which cover unlimited medical
3 expenses, burial expenses, loss of earnings
4 and/or support and loss or damage to essential
5 personal property, moving expenses and storage
6 expenses.

7 This grant will fund people over 60 and
8 under 18 or who are disabled. This is a
9 reoccurring grant that she works off of to supply
10 services, much needed services to victims of
11 crimes.

12 CHAIRMAN DUNNE: Are there any questions
13 from any of the legislators? Yes. Legislator
14 Bynoe.

15 LEGISLATOR BYNOE: Good afternoon,
16 Officer.

17 LIEUTENANT STEPHANOFF: Good afternoon.

18 LEGISLATOR BYNOE: Is there a
19 requirement that the victim cooperate with police
20 in order to be able to obtain these funds?

21 LIEUTENANT STEPHANOFF: I don't believe
22 so. Patty usually goes through our reports and
23 she'll pick out - she does it kind of
24 independently from the officer at the scene. She
25 goes through our reports and she will look for

2 people that need assistance and call them and
3 offer assistance to them.

4 LEGISLATOR BYNOE: And so the only
5 eligibility requirement should be the age factors
6 and whether they were actually a victim of the
7 crime.

8 LIEUTENANT STEPHANOFF: That's correct.

9 LEGISLATOR BYNOE: No other criteria.

10 LIEUTENANT STEPHANOFF: Not that I know
11 of.

12 LEGISLATOR BYNOE: Could you verify that
13 for me?

14 LIEUTENANT STEPHANOFF: Sure. I'll call
15 her. I know how she operates. I've presented
16 this a couple of times and I've spoken to her.
17 She will actually, independent, like I said, of
18 the police on the street, she will actually call
19 the victim and make the appropriate services to
20 them if they qualify.

21 LEGISLATOR BYNOE: Okay.

22 LIEUTENANT STEPHANOFF: I haven't heard
23 anything about them being cooperative or not as
24 one of the requirements.

25 LEGISLATOR BYNOE: Okay. This is a

2 separate pool of money then. We've actually, in
3 the past, assisted some of the residents in being
4 able to connect into this type of funding. They
5 wouldn't have qualified because they weren't over
6 60, under 18, or disabled. So we went through
7 another pool of money and the requirement was
8 that they assisted the police in the
9 investigation. Sometimes people are afraid to do
10 that.

11 LIEUTENANT STEPHANOFF: Right.

12 LEGISLATOR BYNOE: Especially this
13 population of people, I think would probably be
14 even more nervous about being a part of the
15 police - sorry - court case.

16 LIEUTENANT STEPHANOFF: You sure that's
17 not - like, I know about assisting. Are you sure
18 that's not where they - sometimes they will limit
19 it if they are intentionally obstructing it,
20 where they are not cooperating, do you know what
21 I'm saying?

22 LEGISLATOR BYNOE: I don't know. I
23 would think that probably not cooperating would
24 be -

25 LIEUTENANT STEPHANOFF: Sometimes there

2 is intentional obstructing where they will not
3 cooperate period with us, unfortunately. They
4 won't even give us any basis to go on. Then
5 there are people that will assist us as far as
6 they can go.

7 LEGISLATOR BYNOE: So I don't know.

8 LIEUTENANT STEPHANOFF: I will find out.
9 I will call her.

10 LEGISLATOR BYNOE: The point is I want
11 to know whether that is ever taken into account
12 and if there is some kind of criteria for that,
13 if I could understand.

14 LIEUTENANT STEPHANOFF: Sure. I'll ask
15 her about that detail. Absolutely.

16 CHAIRMAN DUNNE: If you could get that
17 information to the chair and we will share it
18 with the whole committee.

19 LIEUTENANT STEPHANOFF: Sure.

20 CHAIRMAN DUNNE: Thank you so much.

21 Any other questions?

22 (No verbal response.)

23 Any public comment? There is public
24 comment. Ms. Mereday.

25 LEGISLATOR BYNOE: I have a question for

2 you.

3 CHAIRMAN DUNNE: Yes.

4 LEGISLATOR BYNOE: I'm sorry. Did you
5 say it has to go through the chair and then be
6 disseminated?

7 CHAIRMAN DUNNE: I'm asking to bring it
8 to the chair and then I'll give it to everybody
9 because -

10 LEGISLATOR BYNOE: You'll make sure that
11 we get it then?

12 CHAIRMAN DUNNE: Yeah. We're all
13 interested in the answer. It's a good question.

14 Ms. Mereday.

15 MS. MEREDAY: Thank you. Good
16 afternoon. Mete J. Mereday, Baldwin. Just a
17 couple of questions as it pertains to this. For
18 me, I'm always going to come up front and say
19 that I think it's definitely criminal the way we
20 are treating our veterans. I just find it
21 interesting that we have a service, kind of once
22 a crime happens, that we don't seem to provide to
23 our veterans who are being foreclosed on and put
24 out on a regular basis, but I digressed.

25 I just want to know, I guess as

2 Legislator Bynoe alluded to, first of all, how is
3 this type of information even transmitted to
4 victims? How do they know that they have these
5 types of services and what are the numbers in
6 terms of the geographic breakdown? I know
7 individuals who have been victims of crimes and
8 they have not received any of these types of
9 services. Is there just the one person? I think
10 it's admirable that we have this person doing
11 that. To think that we have millions of people,
12 1.2 million or whatever in Nassau County, and
13 there is one person making a phone call to reach
14 out to somebody who has been a victim of a crime,
15 which is already a trauma, I don't quite
16 understand how that actually functions.

17 The moving expenses, the storage
18 expenses, where exactly are we placing the
19 individuals, one, if they can't go back to their
20 homes, if we are already saying that we have a
21 housing shortage and a shelter shortage, that we
22 can't put people who are about to lose their
23 home. I don't understand how there seems to be
24 the resources available for one side of the table
25 but we don't have the resources for another side

2 of the table and we're using state funding for
3 that. I'm just curious.

4 CHAIRMAN DUNNE: Lieutenant, the crime
5 victims' services has always been a part of
6 Nassau County's government for the 43 years that
7 I've been in county government. How does the
8 victim, as Ms. Mereday said, how are they made
9 aware that the services are there for them?

10 LIEUTENANT STEPHANOFF: Ms. Shay
11 (phonetic) works under the police department and
12 has access to our reports. She goes through the
13 reports. From what I've seen, she does a good
14 job. Those reports have contact information and
15 she will reach out to the victims of the crimes.

16 CHAIRMAN DUNNE: Any other public
17 comment?

18 (No verbal response.)

19 There being none; all in favor indicate
20 by saying aye.

21 (Aye.)

22 Any against?

23 It moves on to Finance.

24 The next item is -

25 LIEUTENANT STEPHANOFF: Thank you.

2 CHAIRMAN DUNNE: Thank you, Lieutenant.

3 The next item is 247-16, an ordinance
4 supplemental to the annual appropriation
5 ordinance in connection with the Medical
6 Examiner, Division of Forensic Services.

7 48 is a similar, an annual ordinance
8 supplemental to - wait a minute, let's try it
9 again - an ordinance supplemental to the annual
10 appropriation ordinance in connection with the
11 Medical Examiner, Division of Forensic Services.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR FORD: Second.

14 CHAIRMAN DUNNE: Moved by Legislator
15 Walker, seconded by Legislator Ford.

16 And we have with us?

17 MS. DOOLING: Hi. Karen Dooling,
18 Assistant Director, Division of Forensic
19 Services.

20 You have two grants before you. 247-16
21 is our annual Age Crime Laboratories Grant. It's
22 used for overtime, equipment, and supplies for
23 the laboratory. It's a New York State Grant, no
24 match.

25 The second item is 248-16. This is a new

2 grant we've received for arson laboratory
3 improvement. It's an award of \$5,000 because we
4 are now able to do arson testing in the
5 laboratory. We've gone online with that
6 services.

7 CHAIRMAN DUNNE: Where are we with the
8 labs? Are the labs already up and running or are
9 we still waiting for it to finalize? Where are
10 we with the lab?

11 MS. DOOLING: We're online with biology,
12 DNA services. We were also online with latent
13 prints comparisons. In April we received
14 additional extension of services accreditation
15 for latent print processing, also for conducting
16 chemistry controlled substances for doing fire,
17 debris, arson. And then we can't go online with
18 fire arms analysis until we're in the new
19 laboratory and have a bigger facility.

20 CHAIRMAN DUNNE: So this is going to go
21 for equipment in our lab, overtime, and that's
22 fully state funded, that's 247. Anybody else
23 have any questions on 247?

24 (No verbal response.)

25 No public comment on that.

2 248 is for the lab improvements. It's a
3 \$5,000 new grant that we're getting. Does
4 anybody have any questions on that?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 There being none; on Items 247-16 and
9 248-16, all in favor indicate by saying aye.

10 (Aye.)

11 Any against?

12 (No verbal response.)

13 They both move on to Finance.

14 (Whereupon, the following is the minutes
15 of the June 27, 2016, Planning, Development and
16 Environment Committee pertaining to Clerk Items
17 255, 256, and 257-16.)

18 Item 255-16, 256-16, and 257-16, they all
19 read similar, and they read, as follows: A
20 resolution to authorize the release of the surety
21 bond and escrow deposit covering improvements on
22 the "Section 4 Map of Meadowbrook Pointe",
23 situated in Westbury, Town of Hempstead, County
24 of Nassau, New York. 256 and 257 are all read
25 similarly.

Motion on that is made by Legislator Walker, seconded by Legislator Rhoads.

On these items, do we have somebody to speak?

MR. KATZ: Yes. Martin Katz, Division of Planning, Department of Public Works.

Section 4 is one of three remaining sections of the Meadowbrook Pointe subdivision on your agenda today that the Nassau County Planning Commission previously recommended for release at its hearing in May 2016. These three sections represent the final sections to be released out of a total of seven sections in Meadowbrook Pointe. Just for the record, Meadowbrook Pointe consists of 700-plus townhouse condominium units located between Zeckendorf Boulevard to the north, Meadowbrook Parkway to the south and east of Merchants Concourse, in unincorporated Westbury.

They all have been duly - all remaining sections have been inspected by Nassau County DPW Chief Inspector who issued a report stating that all public improvements pertaining to the surety bond have been satisfied and comply with all

2 applicable county codes and standards. He
3 recommended that the bond and escrow be released
4 for each of the sections.

5 For Section 4, the applicant is
6 requesting release of the remaining surety bond
7 and cash escrow deposit. The remaining surety
8 bond to be released is \$216,960.12, and the
9 amount of cash escrow to be released is
10 \$29,875.20. This is for remaining work that was
11 done on grading, paving, sidewalks, storm drains,
12 fencing, street lighting, and seeding and
13 fertilizing. That's the one before you right
14 now.

15 CHAIRMAN DUNNE: So 255-16, which is
16 Section 4 of the map - I just want to correct my
17 motion before. 255-16 was for Section 4. 256-16
18 is Section 6 map. 257-16 is Section 5 map. They
19 were not identical. Those were the differences
20 between them.

21 My question on this are we satisfied with
22 the work that is done?

23 MR. KATZ: Yes. The chief inspector is
24 satisfied. Also, these sections to be released
25 were duly noticed at the Planning Commission's

2 May hearing surrounding residents and the
3 residents living within the subdivision.
4 Surrounding property owners were notified and we
5 didn't have anybody come out in opposition to
6 this.

7 CHAIRMAN DUNNE: So not only did people
8 not object to it in the community or say anything
9 about it, but our inspector said it was - it met
10 the required -

11 MR. KATZ: That is correct. Yes.

12 CHAIRMAN DUNNE: Any questions from any
13 of the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 There being none; all in favor of 255-16,
18 256-16, and 257-16 indicate by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 It passes on to Rules.

23 (Whereupon, the following is the minutes
24 of the June 27, 2016, Finance Committee meeting
25 pertaining to Clerk Items 231, 233, 234, 235,

2 236, 237, 241, 240, 242, 243, 244, 245, 246, 247,
3 248, 249, 250, 251, 252, and 253-16.)

4 Item 231-2016 is an ordinance
5 supplemental to the annual appropriation
6 ordinance in connection with the Department of
7 Social Services.

8 LEGISLATOR WALKER: So moved.

9 LEGISLATOR MACKENZIE: Second.

10 CHAIRMAN NICOLELLO: Moved by Legislator
11 Walker, seconded by Legislator MacKenzie.

12 The item is before the committee. Any
13 discussion among the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The item carries unanimously.

22 (Whereupon, the following is the minutes
23 of the Health and June 27, 2016, Public Safety
24 Committee pertaining to Clerk Item 231-16.)

25 CHAIRWOMAN WALKER: We have one item on

2 the original agenda, which is Clerk Item 231-16,
3 an ordinance supplemental to the annual
4 appropriation ordinance in connection with the
5 Department of Social Services.

6 May I have a motion, please?

7 LEGISLATOR KOPEL: So moved.

8 LEGISLATOR KENNEDY: Second.

9 CHAIRWOMAN WALKER: Motion by Legislator
10 Kopel, seconded by Legislator Kennedy.

11 We have Mr. Paul Broderick here.

12 MR. BRODERICK: Legislators, good
13 afternoon. Paul Broderick, Deputy Commissioner,
14 Department of Social Services.

15 The item before you is a supplemental
16 appropriation for \$41,400 to finance a local re-
17 entry task force called STEERS Program. Do you
18 have any questions?

19 CHAIRWOMAN WALKER: Any questions by the
20 legislators? Legislator Bynoe.

21 LEGISLATOR BYNOE: Hi, Paul. How are
22 you?

23 MR. BRODERICK: Good afternoon.

24 LEGISLATOR BYNOE: Could you tell me a
25 little bit more about what this re-entry task for

2 strategic plan is actually supposed to achieve
3 and who is going to be on the task force?

4 MR. BRODERICK: Absolutely. The STEERS
5 re-entry is basically reintroducing individuals
6 that are currently incarcerated back into the
7 community. It is a program which is run by DOCS,
8 correctional services. When people are
9 incarcerated they are selected for the program
10 and they work with individuals down here in the
11 county to seek employment and reintroduce them
12 back into the community, basically casework to
13 help them integrate back and, I guess, mend their
14 ways.

15 LEGISLATOR BYNOE: Okay. And who is
16 going to be part of the task force?

17 MR. BRODERICK: Actually, right now
18 there are funds in outside contract with FCA, and
19 they work in collaboration with the Department of
20 Social Services and New York State Parole.

21 LEGISLATOR BYNOE: Sorry. This amount
22 has been reduced from previous?

23 MR. BRODERICK: Actually, it's extending
24 the contract. New York State Corrections, they
25 are the ones who oversee the funding of this.

2 They are re-RFPing this contract. It was ending
3 July 1. They are re-RFPing, New York State is.
4 And I believe this for a period of July, August,
5 and September, and they are looking to re-
6 solicit. Really, it's an extension of the
7 contract.

8 LEGISLATOR BYNOE: Have we been able to
9 isolate some data that could tell us whether we
10 are actually achieving our projections or?

11 MR. BRODERICK: We have data. I don't
12 have anything with me unfortunately. But we have
13 different targets that we have to achieve for New
14 York State which we can, by all means, share with
15 you.

16 LEGISLATOR BYNOE: And does this include
17 going into the community at all and meeting the
18 folks where they reside?

19 MR. BRODERICK: That might be more on
20 the parole side, as opposed to more, you know,
21 find suitable housing, suitable employment. It's
22 really primarily employment, to try to get people
23 working in a meaningful manner.

24 LEGISLATOR BYNOE: Part of my concern is
25 that individuals who have been out of the jail

2 system for some time, still finding themselves
3 flounder and they're not really able to connect
4 in and find employment. I wanted to know if this
5 would help those individuals at all.

6 MR. BRODERICK: It does. However, I
7 mentioned earlier that they select the
8 individuals. This is a subset of the population
9 who are being reintroduced to their
10 neighborhoods. Not everyone fits in this
11 program. There is only so much volume that they
12 can manage to do case management for.

13 LEGISLATOR BYNOE: I guess then I would
14 like to see what is the selection criteria, how
15 you're determining who goes into the program.

16 MR. BRODERICK: Let me just assure you
17 that we don't. We are told who is. But we can
18 share that with you. We can get that from the
19 funding source.

20 LEGISLATOR BYNOE: Thank you.

21 LEGISLATOR GAYLOR: Madam Chairwoman,
22 question.

23 CHAIRWOMAN WALKER: Sure.

24 LEGISLATOR GAYLOR: This grant applies
25 to drug offenders that are currently in state

2 prisons being returned to the county, is that
3 correct?

4 MR. BRODERICK: I don't know what their
5 crimes WIA. We can definitely find out.

6 LEGISLATOR GAYLOR: My understanding is
7 it's the chemically dependent offenders that are
8 in the state prisons returning back to the county
9 that would get this outreach kind of help, I
10 guess.

11 These are state dollars we're talking
12 about, correct?

13 MR. BRODERICK: That is correct.

14 LEGISLATOR GAYLOR: Okay.

15 MR. BRODERICK: I'm not really sure of
16 their criteria, but I'm sure it captures across
17 all type of infractions.

18 LEGISLATOR GAYLOR: I'm not so sure of
19 that. I think it's only the chemically dependent
20 that we are specifically addressing today.

21 CHAIRWOMAN WALKER: That was my
22 understanding also.

23 LEGISLATOR BYNOE: I'm sorry. I'm sure
24 it's not addressing every single person that's
25 going to be entered back into the community that

2 had a drug-related, chemically-dependent related
3 arrest. There are some other criteria they're
4 using to then identify which one of those will
5 then be assisted. So I would like to know how
6 they do that, how it's determined.

7 MR. BRODERICK: They could be chemically
8 dependent but that might not be the nature of
9 their crime. We can definitely share information
10 with you on that.

11 CHAIRWOMAN WALKER: If you could get
12 that information to us as soon as possible, and
13 we will make sure we share it with everyone.

14 MR. BRODERICK: Absolutely.

15 CHAIRWOMAN WALKER: Thank you, Mr.
16 Broderick.

17 Any other questions or comments?

18 (No verbal response.)

19 Any public comment? Ms. Mereday.

20 MS. MEREDAY: Meta Mereday, Baldwin.

21 Again, Legislator Bynoe continues to encourage me
22 because she does ask the questions as it pertains
23 to my tax dollars. As I sit back and I'm
24 frustrated with the fact that my elected
25 officials continue to just nod heads when it

2 comes down to our money and you have these
3 questions that sit there but you just continue to
4 pass it along as if somebody else is going to be
5 responsible for it.

6 I can't see how you can fund an
7 initiative where you don't have all the
8 information presented to you - how this money is
9 actually being utilized, what is the success
10 rate? What are the benchmarks in place? The
11 determination of the participants. What is the
12 level of recidivism within that group set itself?
13 How can you just sit there and justify, well,
14 we're just going to move it forward? What will
15 it take to actually get that emphasis in place
16 that we have to stop somewhere? The bleeding has
17 to stop somewhere. We have to look at what we
18 are doing with people's money and their lives.
19 You have to stop somewhere.

20 And to have presentations - and no
21 offense to the presenters. But to have
22 presentations that are ill prepared and you're
23 still just voting for it anyway. That just
24 smacks to me of an ongoing systemic problem
25 within this body that does not seem to get any

2 relief.

3 Hearings don't do it. Criminal
4 convictions don't do it. The district attorney
5 coming here doesn't do it. You're renewing
6 contracts, extending deals. You're acting like
7 you want to do what is right by the people but
8 you are still, you know, embodying the same
9 nonsense that is costing people. The fact that
10 you have to legislate about zombie houses. You
11 have to address the issue that we have to do
12 something about re-entry.

13 Re-entry is not just about, you know,
14 helping them to mend their ways when they get out
15 and then they still don't have a job or they
16 don't have a job that gives them enough money so
17 that they can stay here. We don't provide them
18 enough resources so that they can move themselves
19 from their chemical dependency. So they repeat
20 those same bad habits, go back to those same
21 scenarios, and they look like all of us.

22 What is it going to take for you to
23 realize that this bleeding has to stop? And I
24 know my words are just bouncing in the air
25 because you got this side and you got that side.

2 But you're killing us. In the meantime, you're
3 killing us, killing us, because we're all one
4 body.

5 CLERK PULITZER: Ma'am your three
6 minutes are up.

7 CHAIRWOMAN WALKER: Any other comments?
8 (No verbal response.)

9 Any other public comments?
10 (No verbal response.)

11 All those in favor of Clerk Item 231-16
12 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 Any abstentions?

17 (No verbal response.)

18 Then this will move on to Finance.

19 (Whereupon, the following is the
20 continuation of the minutes of the June 27, 2016,
21 Finance Committee meeting.)

22 CHAIRMAN NICOLELLO: The next item is
23 going to be an executive session so we will hold
24 that. We are going to hold 236-16 is also
25 executive session.

2 245-16 is a resolution authorizing the
3 County of Nassau to file an application for
4 federal assistance with the U.S. Department of
5 Housing and Urban Development.

6 LEGISLATOR WALKER: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRMAN NICOLELLO: Moved by Legislator
9 Walker, seconded by Legislator Kopel.

10 Any discussion?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 All in favor signify by saying aye.

15 (Aye.)

16 Those opposed?

17 (No verbal response.)

18 That item carries unanimously.

19 Item 235-16 is a resolution authorizing
20 the signing of a New York State Department of
21 Transportation Supplemental Grant Agreement for
22 funds to support enforcement of high occupancy
23 vehicle, H.O.V., traffic laws on the Long Island
24 Expressway.

25 LEGISLATOR MACKENZIE: So moved.

2 LEGISLATOR WALKER: Second.

3 CHAIRMAN NICOLELLO: Moved by Legislator
4 MacKenzie, seconded by Legislator Walker.

5 That item is before this committee.

6 I didn't say this before, but we ask that
7 the testimony of the previous committees be
8 incorporated by reference.

9 (Whereupon, the following is the minutes
10 of the June 27, 2016, Public Safety Committee
11 pertaining to Clerk Item 235-16.)

12 CHAIRMAN DUNNE: The first item to come
13 before this committee is Item 235-16, a
14 resolution authorizing the signing of the New
15 York State Department of Transportation
16 supplemental grant agreement for funds to support
17 enforcement of high occupancy vehicle (HOV)
18 traffic laws on the Long Island Expressway.

19 I have a motion by Denise Ford, seconded
20 by Rose Walker.

21 On this item, yes.

22 LIEUTENANT STEPHANOFF: Lieutenant Greg
23 Stephanoff from the police department.

24 Item 235 -

25 CHAIRMAN DUNNE: The motion was by

2 Denise Ford, seconded by Rose Walker. I'm sorry.

3 LIEUTENANT STEPHANOFF: Item 235-16 is a
4 grant from New York State for HOV lane
5 enforcement. It's for \$501,800. This is a - the
6 state supplemented just for the first six months
7 for this year. This is not a full year. This is
8 going to be a six-month grant.

9 This money is going to be used for extra
10 personnel to go out and patrol the HOV to enforce
11 the laws in relation to the HOV lanes. Also,
12 they will do auto accident, anything that comes
13 up in those HOV lanes will be enforced as well.

14 CHAIRMAN DUNNE: And this comes from the
15 state?

16 LIEUTENANT STEPHANOFF: Yes.

17 CHAIRMAN DUNNE: Fully funded. Okay.
18 Any questions by any of the legislators?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 There being none; all in favor indicate
23 by saying aye.

24 (Aye.)

25 Any against?

2 (No verbal response.)

3 This passes on to Finance.

4 (Whereupon, the following is the
5 continuation of the minutes of the June 27, 2016,
6 Finance Committee meeting.)

7 CHAIRMAN NICOLELLO: Any discussion on
8 this item?

9 (No verbal response.)

10 Public comment?

11 (No verbal response.)

12 All in favor signify by saying aye.

13 (Aye.)

14 It carries unanimously.

15 Item 236-16 is also an executive session
16 item so we will come back to that.

17 Item 237-16 is a resolution authorizing
18 the county executive to execute a grant agreement
19 between the County of Nassau, acting on behalf of
20 the Department of Parks, Recreation, and Museums,
21 and the African American Genealogical Society.

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRMAN NICOLELLO: Moved by Legislator
25 Walker, seconded by Legislator Kopel.

2 Any discussion?

3 (No verbal response.)

4 Public comment?

5 (No verbal response.)

6 All in favor signify by saying aye.

7 (Aye.)

8 Those opposed?

9 (No verbal response.)

10 It carries unanimously.

11 Item 241-2016 is a resolution to
12 authorize the transfer of appropriations
13 heretofore made within the budget for the year
14 2016.

15 LEGISLATOR MACKENZIE: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRMAN NICOLELLO: Moved by Legislator
18 MacKenzie, seconded by Legislator Kopel.

19 That item is before the committee.

20 Any discussion?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 All in favor signify by saying aye.

25 (Aye.)

2 Those opposed?

3 (No verbal response.)

4 That item carries unanimously.

5 Legislator Walker, do you want to make a
6 motion to suspend the rules?

7 LEGISLATOR WALKER: Yes. I'd like to
8 make a motion to suspend the rules.

9 LEGISLATOR KOPEL: Second.

10 CHAIRMAN NICOLELLO: Seconded by
11 Legislator Kopel.

12 All in favor of suspending the rules
13 signify by saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The rules are suspended.

18 We have an addendum. We have another
19 item that is going to go into executive session,
20 that's 240-16. We will call them all for
21 executive session at once.

22 Next several items - 242, 243, 244, 245,
23 246, 247, 248, 249, 250 - are all ordinances
24 supplemental to the annual appropriation
25 ordinance in connection with the Office of the

1 Rules Committee - 6-27-16 114
2 County Executive, Department of Health,
3 Department of Social Services, and the Medical
4 Examiner, Division of Forensic Services.
5 LEGISLATOR WALKER: So moved.
6 LEGISLATOR KOPEL: Second.
7 CHAIRMAN NICOLELLO: Moved by Legislator
8 Walker, seconded by Legislator Kopel.
9 Those items are before the committee.
10 Any discussion?
11 (No verbal response.)
12 Any public comment?
13 (No verbal response.)
14 All in favor signify by saying aye.
15 (Aye.)
16 Those opposed?
17 (No verbal response.)
18 Carries unanimously.
19 (The following is the minutes of the June
20 27, 2016, Health Committee pertaining to Clerk
21 Items 242, 243, 244, 245, 246, 247, 248, 249,
22 250-16.)
23 There are six items on the addendum. I first
24 need a motion to suspend the rules.
25 LEGISLATOR GAYLOR: So moved.

2 LEGISLATOR KENNEDY: Second.

3 CHAIRWOMAN WALKER: Moved by Legislator
4 Gaylor, seconded by Legislator Kennedy.

5 All in favor of suspending the rules?

6 (Aye.)

7 Again, there are six items on the agenda.
8 I'm going to put all the health together.

9 Clerk Item 243-16, it is an ordinance
10 supplemental to the annual appropriation
11 ordinance in connection with the Department of
12 Health.

13 Clerk Item 244-16, Clerk Item 245-16,
14 Clerk Item 249-16, and 250-16 are also all
15 ordinances supplemental to the annual
16 appropriation ordinance in connection with the
17 Department of Health.

18 May I have a motion, please?

19 LEGISLATOR GAYLOR: Motion.

20 LEGISLATOR KOPEL: Second.

21 CHAIRWOMAN WALKER: Motion by Legislator
22 Gaylor, seconded by Legislator Kopel.

23 MS. GOETZ: We have Mary Ellen Laurain.

24 MS. LAURAIN: Good afternoon. Mary
25 Ellen Laurain, Department of Health.

2 Item 243-16 is a supplemental
3 appropriation in the amount of \$54,172. This is
4 for the child and family safety grant. It's 100
5 percent funded through New York State Office of
6 Children and Family Services. This team reviews
7 all deaths of children who reside in Nassau
8 County and whose death is unexplained or
9 unexpected. This program just won a national
10 award for its Safe Sleep Program.

11 CHAIRWOMAN WALKER: Any questions by the
12 legislators for Ms. Laurain?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 Clerk Item 244-16.

17 MS. LAURAIN: Item 244-16 is a
18 supplemental appropriation in the amount of
19 \$43,145. This for our tuberculosis public health
20 campaign. This is an additional COLA award, and
21 it is funded through New York State Department of
22 Health. Total funding after this award is
23 \$566,745.

24 CHAIRWOMAN WALKER: Any comments or
25 questions from the legislators?

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 Clerk Item 245-16.

6 MS. LAURAIN: Item 245-16 is a
7 supplemental appropriation in the amount of
8 \$24,720. This is for our immunization action
9 plan. It is funded through New York State
10 Department of Health. It is also an additional
11 COLA award. Total funding after the award is
12 \$324,720. This program protects the public from
13 vaccine preventable diseases.

14 CHAIRWOMAN WALKER: Any questions or
15 comments from the legislators?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 Clerk Item 249-16.

20 MS. LAURAIN: Item 249-16 is a
21 supplemental appropriation for the HIV
22 surveillance and partner notification in the
23 amount of \$283,552. This is New York State
24 Department of Health funded, and it is a mandated
25 program.

2 CHAIRWOMAN WALKER: Any questions or
3 comments from the legislators?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 Okay. Clerk Item 250-16.

8 MS. LAURAIN: Item 250-16 is a
9 supplemental appropriation in the amount of
10 \$214,775 for the childhood lead poison prevention
11 grant. This is funded through New York State
12 Department of Health and provides comprehensive
13 services to reduce the prevalence of blood lead
14 in children under age six.

15 CHAIRWOMAN WALKER: Any questions or
16 comments from the legislators?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Clerk Items 243, 244, 245, 249, and 250-
21 16, all those in favor signify by saying aye.

22 (Aye.)

23 Any opposed?

24 Any abstentions?

25 These items will move on to the Finance

2 Committee.

3 (Whereupon, the following is the
4 continuation of the June 27, 2016, minutes of the
5 Finance Committee meeting.)

6 CHAIRMAN NICOLELLO: Items 251 and 252
7 are resolutions to authorize the transfer of
8 appropriations heretofore made within the budget
9 for the year 2016.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR MACKENZIE: Second.

12 CHAIRMAN NICOLELLO: Moved by Legislator
13 Kopel, seconded by Legislator MacKenzie.

14 Any discussion?

15 (No verbal response.)

16 Any public comment?

17 (No verbal response.)

18 All in favor signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 Those items carry unanimously.

23 Item 253-2016 is a bond ordinance

24 providing for a capital expenditure to finance

25 the capital projects identified herein within the

2 County of Nassau and authorizing \$11,600,000 of
3 bonds of the County of Nassau to finance such
4 expenditure.

5 LEGISLATOR KOPEL: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRMAN NICOLELLO: Moved by Legislator
8 Kopel, seconded by Legislator Walker.

9 This is an item that obviously had much
10 debate about at the Full Legislature. It is the
11 attention of the Majority to move this along so
12 that it's in a position for the Full Legislature
13 at some point to be moved - to be passed, in
14 other words, so to expedite the process.

15 Did you have anything to add, Mr. Arnold?

16 MR. ARNOLD: In addition to my testimony
17 from the last Full Leg? No. Just that this is
18 an important project. It's associated with the
19 county's consent order. Under our fuel storage
20 tanks, it's holding up our moving forward with
21 work that is required to be done.

22 CHAIRMAN NICOLELLO: Okay. Thanks.

23 Any questions? Legislator DeRiggi-
24 Whitton.

25 LEGISLATOR DeRIGGI-WHITTON: In our

2 prior conversation, when Legislator MacKenzie
3 brought up a project, honestly, that contract,
4 after it was awarded, was one of the ones that I
5 had an issue with. I'm afraid that some of the
6 people that were involved with the company were
7 not disclosed prior to the vote. It was later
8 determined that there were possible relations,
9 even in the comptroller's office. It's just
10 another example of -

11 LEGISLATOR MACKENZIE: I'm sorry. I
12 didn't bring up any - name any person or any
13 contracts. What contract are you talking about?

14 LEGISLATOR DeRIGGI-WHITTON: You
15 mentioned the contracts when you mentioned with
16 your capital project.

17 LEGISLATOR MACKENZIE: G&M Land Moving
18 is the person who -

19 LEGISLATOR DeRIGGI-WHITTON: No. The
20 prior two contracts were awarded to someone who
21 was a possible relative to someone who worked in
22 the comptroller's office. So it's another
23 example of why we need further investigation into
24 these contracts.

25 LEGISLATOR MACKENZIE: It's not an

2 example of anything.

3 LEGISLATOR DeRIGGI-WHITTON: It
4 definitely is.

5 LEGISLATOR MACKENZIE: You shouldn't
6 make any allegations that there was any
7 impropriety there because there has never been an
8 allegation of any impropriety on those prior two
9 contracts, number one.

10 LEGISLATOR DeRIGGI-WHITTON: I don't
11 know.

12 LEGISLATOR MACKENZIE: And number two -

13 LEGISLATOR DeRIGGI-WHITTON: I know that
14 he's no longer in the comptroller's office.

15 LEGISLATOR MACKENZIE: the contract
16 that's currently was voted upon is with a
17 completely different company. So to try to
18 associate the two is reckless.

19 If you want to make allegations about
20 people and accuse them of wrongdoing on the
21 record that's your own -

22 LEGISLATOR DeRIGGI-WHITTON: I don't
23 take your word for that, MacKenzie, I'm sorry.

24 LEGISLATOR MACKENZIE: business. But
25 I'm not going to allow you to make allegations

2 about people when there were no allegations of -

3 LEGISLATOR DeRIGGI-WHITTON: There were
4 allegations of -

5 LEGISLATOR MACKENZIE: wrongdoing.

6 LEGISLATOR DeRIGGI-WHITTON: a
7 relationship between someone who worked in the
8 comptroller's office and someone who was a
9 principal in the contract, okay.

10 Do you know who the principals are at
11 this new company? Have you seen that list?
12 Because I haven't seen it yet. Do you know the
13 principals of that company that you just
14 mentioned? I haven't gotten a copy of it. So
15 we're hoping to get that.

16 LEGISLATOR MACKENZIE: You'd have to
17 speak to your staff; that's not my department.

18 LEGISLATOR DeRIGGI-WHITTON: I know.
19 It's a question of who the principals are of
20 that.

21 Just continuing on. I just also want to
22 mention that I don't go out of my way by sending
23 emails to elected officials in your district,
24 okay. I really don't. But speaking to a lot of
25 them was very interesting, including 22 phone

2 calls without a phone call back. So, anyway.

3 The Mayor of Bayville called you 22 times
4 before you called him back. I don't know.

5 LEGISLATOR MACKENZIE: I have no idea
6 what you're talking about, number one.

7 LEGISLATOR DeRIGGI-WHITTON: Ask him.
8 Ask him.

9 LEGISLATOR MACKENZIE: Number two. It's
10 absolutely untrue. I actually saw the gentleman
11 on Monday night and not a word was mentioned.
12 It's not true.

13 LEGISLATOR DeRIGGI-WHITTON: Right. But
14 you should talk to him about that.

15 LEGISLATOR MACKENZIE: Delia, I have no
16 idea what you're talking about, quite frankly -

17 CHAIRMAN NICOLELLO: Can we focus on
18 this item?

19 LEGISLATOR MACKENZIE: and I'm not going
20 to do a childish little debate with you. Can we
21 talk about the item?

22 LEGISLATOR DeRIGGI-WHITTON: I don't
23 know why you sent all the emails into my
24 district, but I thought that was childish,
25 honestly. I have copies of them if you want

2 them. Anyway.

3 Getting back to this item. I just wanted
4 to ask you about the - the report that was made
5 regarding these tanks, was there anything in
6 there indicating that there is actual leakage?
7 I'm just curious. That the tanks are actually
8 leaking.

9 MR. ARNOLD: The tanks are not leaking
10 at this moment. We're monitoring them
11 continuously.

12 LEGISLATOR DeRIGGI-WHITTON: Okay.
13 Thank you. I appreciate it. Thank you very
14 much.

15 MR. ARNOLD: But that doesn't solve the
16 point whether they're leaking or not. We have a
17 consent order with the EPA to put monitoring
18 controls on these tanks, and that's what this is
19 about. If these tanks were leaking, we'd be in
20 much worse condition with the EPA.

21 LEGISLATOR DeRIGGI-WHITTON: Thank you
22 very much.

23 CHAIRMAN NICOLELLO: Any other
24 questions?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 Hearing none; all in favor signify by
5 saying aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 LEGISLATOR CURRAN: I'm abstaining.

10 CHAIRMAN NICOLELLO: The item passes
11 four votes for, two votes no, and one abstention.
12 It moves on the Rules Committee.

13 (Whereupon, the following is the
14 continuation of the minutes of the June 27, 2016,
15 Rules Committee meeting.)

16 CHAIRWOMAN GONSALVES: If there are no
17 further comments, all those in favor of the items
18 I just called signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The items pass unanimously.

23 Now, trying to move things along. I'm
24 going to go to the two items that were tabled
25 earlier.

2 The first item that was tabled was Item
3 E-154. I need a motion to untable E-154.

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR NICOLELLO: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator
8 Nicolello.

9 All those in favor of untabling Item 154,
10 which is the personal services agreement on
11 behalf of Nassau County Department of Correction
12 and the Nassau Council of Black Clergy Unified
13 Council of Churches.

14 All those in favor of untabling E-154
15 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 E-154 is now untabled.

20 I believe, Mr. May, you can address this
21 item that we did not address earlier.

22 MR. MAY: Yes. I apologize for that,
23 Madam Presiding Officer.

24 CHAIRWOMAN GONSALVES: That's quite
25 alright.

2 MR. MAY: This is the contract for the
3 Council of Black Churches. It is chaplaincy
4 service. I believe the denomination is
5 Evangelical Restoration Community Service. It's
6 in the - I think it's - on one of the disclosure
7 forms is the exact denomination.

8 This is a contract that we've been doing
9 routinely here at the county. I think the last
10 time we approved it was in 2013, prior to that
11 was 2011. In both instances the vote went seven-
12 nothing. This contract has been \$40,000 for as
13 far back as I could find it. This is just a
14 standard chaplaincy services contract for the
15 jail.

16 CHAIRWOMAN GONSALVES: Any questions of
17 Mr. May on this item?

18 LEGISLATOR SOLAGES: Quick question.

19 CHAIRWOMAN GONSALVES: Legislator
20 Solages.

21 LEGISLATOR SOLAGES: Thank you.
22 Commissioner May, good afternoon.

23 MR. MAY: Good afternoon. How are you?

24 LEGISLATOR SOLAGES: Well, thank you.

25 I know that we have approved contracts

2 for this same type of service, as it relates to
3 the Rockville Centre Diocese -

4 MR. MAY: Correct.

5 LEGISLATOR SOLAGES: and also as it
6 relates for those at the facility who observe the
7 Jewish faith.

8 MR. MAY: Yep.

9 LEGISLATOR SOLAGES: But I was wondering
10 if there are any contracts that have been
11 approved for those who observe the Islamic faith.
12 I'm sure there may be a -

13 MR. MAY: I believe there is. I'd have
14 to go back and take a look at the contracts. I
15 could certainly find out. I believe I've seen it
16 before, just the name of the vendor is not
17 springing to mind. But I could certainly find
18 out and get back to you.

19 LEGISLATOR SOLAGES: Thank you.

20 MR. MAY: You're welcome.

21 CHAIRWOMAN GONSALVES: No other
22 questions?

23 (No verbal response.)

24 No other comments?

25 (No verbal response.)

2 No public comment?

3 (No verbal response.)

4 All those in favor of E-154 signify by
5 saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item passes unanimously.

10 MR. MAY: Thank you.

11 CHAIRWOMAN GONSALVES: Don't go away.

12 You've got one more, unless you're not going to
13 speak on this one.

14 E-156 was also tabled. A motion to -
15 sorry. My apologies. We're not doing that one.

16 The other item that was tabled was Item
17 U-48, a personal services agreement between the
18 County of Nassau, acting on behalf of the Nassau
19 County Office of Housing and Homeless Services
20 and Leslie Francis, Esquire.

21 Motion to untable?

22 LEGISLATOR DUNNE: So moved.

23 LEGISLATOR NICOLELLO: Second.

24 CHAIRWOMAN GONSALVES: Moved by

25 Legislator Dunne, seconded by Legislator

2 Nicoletto.

3 All those in favor of untabling U-48
4 signify by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 The item is untabled.

9 I believe, Mr. Sarcone, that the earlier
10 -

11 MR. SARCONE: The resume was provided.

12 CHAIRWOMAN GONSALVES: we had asked for
13 a copy of the resume -

14 MR. SARCONE: Yes, it's been provided.

15 CHAIRWOMAN GONSALVES: for Leslie
16 Francis.

17 MR. SARCONE: It's been provided.

18 CHAIRWOMAN GONSALVES: Yes. I have mine
19 in front of me. Everyone receive a copy of the
20 resume of Leslie Francis.

21 Any questions of Mr. Sarcone regarding
22 this personal services agreement?

23 (No verbal response.)

24 No questions?

25 (No verbal response.)

2 You're all satisfied? Okay. I'm not
3 going to ask for public comment because there is
4 no one here to ask it of.

5 Therefore, all those in favor of U-48
6 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Four and three abstentions. It passes
11 the Rules Committee.

12 MR. SARCONI: Thank you. Good evening.

13 CHAIRWOMAN GONSALVES: We're not
14 untabling E-156. We are moving along to the
15 items that, of course, will be discussed
16 separately.

17 I'm going to start with the first one,
18 which is 217. It went through Finance. However,
19 it is a bond ordinance providing for a capital
20 expenditure to finance the capital projects
21 identified herein within the County of Nassau and
22 authorizing \$722,572 of bonds of the County of
23 Nassau to finance such expenditure pursuant to
24 the Local Finance Law of New York and the County
25 Government Law of Nassau County.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Dunne.

Any questions or comments regarding this?

(No verbal response.)

I believe there was testimony in the
Finance Committee as well, so it should be
incorporated.

(Whereupon, the following is the minutes
of the June 27, 2016, Finance Committee meeting
pertaining to Clerk Item 217-16.)

Item 217-16 is a bond ordinance providing
for a capital expenditure to finance the capital
projects identified herein within the County of
Nassau and authorizing \$722,572 of bonds of the
County to finance such expenditure.

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator
Kopel, seconded by Legislator Walker.

The item is now before us. Do we have
someone here to speak on this?

2 MS. GOETZ: Yes. We have Ken Arnold.

3 CHAIRMAN NICOLELLO: Okay.

4 MR. ARNOLD: Good afternoon. Ken
5 Arnold, Public Works. Item 217-16 is a bond
6 ordinance associated with asbestos abatement at
7 county facilities. It's a health and safety
8 issue. We use this capital project to fund
9 asbestos-related remediations and monitoring at
10 buildings, whether they're under renovation or
11 there are hazards that are uncovered during our
12 maintenance activities.

13 CHAIRMAN NICOLELLO: Is this something
14 we've done in the past?

15 MR. ARNOLD: That is correct.

16 CHAIRMAN NICOLELLO: Any other questions
17 among the legislators? Legislator DeRiggi-
18 Whitton.

19 LEGISLATOR DeRIGGI-WHITTON: I know that
20 NIFA passed a resolution on May 17 stating that
21 up to 20 million may be used for legal
22 settlements or other uses permitted by NIFA other
23 than for termination pay. It's really my opinion
24 that this type of project, we should be able to
25 find, you know, room in the 20 million to fit

2 something like this in. I guess it's more of a
3 statement then a question. I really do think
4 that we could, if we're careful, this is less
5 than, you know, less than five percent than what
6 is allotted there for this item. I hope that
7 that's what we use that funding for.

8 CHAIRMAN NICOLELLO: Just to note for
9 the record, the bond premium may be used for
10 settlements, which NIFA has indicated they will
11 not allow bonded monies to be used for
12 settlements. So to the extent that we use
13 capital projects, we use the bond premiums to pay
14 for capital projects, that money is no longer
15 available for settlement. I would note also that
16 today we have several settlements that we will be
17 considering, and each one of those settlements
18 will erode that amount of bond premium. In my
19 opinion, to spend the bond premium for that
20 purpose, for bonding purposes, which is
21 traditionally done by governments is not prudent
22 or reckless, depending on which way you want to
23 look at it.

24 Any other comments?

25 LEGISLATOR DeRIGGI-WHITTON: Just the

2 fact that NIFA approved it for that reason, I
3 think it's something that we should look into.
4 Rather than borrowing more money again, it's - it
5 was recommended by NIFA, otherwise I wouldn't be
6 saying it. I agree with NIFA.

7 LEGISLATOR MACKENZIE: So you no longer
8 have a problem with a contracting process? Is
9 your problem then with the way that these
10 contracts are being paid for? There seems to be
11 a change in position.

12 LEGISLATOR DeRIGGI-WHITTON: Not at all.
13 I just think as a thinking legislator we should
14 look at all aspects of what's going on in our
15 county. I also think we should be careful with
16 how we spend county money in letters and things
17 like that to other people's districts. I just
18 think it's totally improper.

19 CHAIRMAN NICOLELLO: Last week we were
20 considering a number of different items, bonded
21 items, some of which passed. Two of them are
22 back on the agenda this week, monies with respect
23 to the match for NICE Bus and \$11.6 million for
24 tank replacement, which is about 17 million or
25 so. It was suggested last week that we use the

2 bond premium for that. Apparently, this is an
3 unending pool of money that the democrats think
4 we can tap into.

5 As I said before, the bond premium -
6 since NIFA will not allow us to borrow for
7 settlements, to exhaust the bond premium, erode
8 the bond premium when we know we have settlements
9 coming to us would be a foolish thing to do.

10 LEGISLATOR DeRIGGI-WHITTON: You guys
11 haven't agreed to use any of it, so I don't think
12 we're exhausting anything at this point.

13 CHAIRMAN NICOLELLO: Didn't we approve a
14 \$20 million settlement with, what was it, the
15 Town of Oyster Bay?

16 LEGISLATOR DeRIGGI-WHITTON: Which was
17 already from the prior amount. Remember that?
18 This is a new amount.

19 CHAIRMAN NICOLELLO: But we have used it
20 this year. Again, this is another 20 million,
21 but today we are exhausting a part of it with
22 settlements -

23 LEGISLATOR DeRIGGI-WHITTON: Right.

24 CHAIRMAN NICOLELLO: and this only half
25 way through the year. So if we exhaust all the

2 money, it's gone and you can't use it again. If
3 we have settlements, something of an emergency
4 nature at that point, we can't use it.

5 LEGISLATOR DeRIGGI-WHITTON: Listen. I
6 think it's good if we're careful we could really
7 lower the bonding and lower the borrowing that
8 we're doing. I also think that before we give
9 any further funds we really have to consider an
10 independent IG. If you read the article that
11 Kevan Abrahams referenced before, there have been
12 attempts by employees sitting in this room to
13 stop certain contracts from going out and those
14 attempts were completely ignore.

15 I sat here while we saw Singh, we've seen
16 - just in the few years that I've been here we've
17 seen so many contracts be given. I'm tired of
18 seeing the waste. I don't trust the process.

19 Listen. We've said it before. I don't
20 understand why you're not considering giving
21 independent clarification to an inspector
22 general. The whole purpose being, it would avoid
23 a situation like we saw with Blue Chips. If
24 someone doesn't agree with the independent, you
25 know, inspector general, that person cannot be

2 fired. And what we saw in that article just
3 exploited the fact that the employees did not
4 agree, they protested the contracts and yet it
5 still got passed. The reason why no one said
6 anything publicly or nothing else happened is
7 because they could have been afraid for their
8 jobs, possibly.

9 Until we address the elephant in the room
10 - again, I have been here through a number of
11 things, like I mentioned, with Singh and,
12 honestly, Looks Great Service - I know you
13 mentioned that that settled, I haven't been told
14 that, I haven't seen a release. So I don't feel
15 comfortable with this process and I'm not going
16 to give any more bonding until I do.

17 CHAIRMAN NICOLELLO: The elephant in the
18 room, from my perspective, is legislators who are
19 elected to do a job, who are here not doing that
20 job, who are slowing down and grinding to a halt
21 this county government for a political agenda.
22 So if we want to talk about elephants, let's look
23 -

24 LEGISLATOR DeRIGGI-WHITTON: In my
25 opinion, I think if you -

2 CHAIRMAN NICOLELLO: Wait. Are you
3 going to let me finish speaking, because I
4 usually let you finish speaking.

5 LEGISLATOR DeRIGGI-WHITTON: Go ahead.

6 CHAIRMAN NICOLELLO: Go ahead. Go
7 ahead. Thank you. I appreciate that.

8 Again, the elephant in the room is a
9 group of legislators who are abstaining on a vast
10 majority of contracts, who are voting no for
11 bonding, who are not doing their jobs, and who
12 are bringing this government to a grinding halt
13 for --

14 LEGISLATOR DeRIGGI-WHITTON: In my
15 opinion - are you done?

16 CHAIRMAN NICOLELLO: a political agenda.

17 LEGISLATOR DeRIGGI-WHITTON: In my
18 opinion -

19 CHAIRMAN NICOLELLO: Legislator DeRiggi-
20 Whitton.

21 LEGISLATOR DeRIGGI-WHITTON: Thank you,
22 Chairman.

23 Listen. I received a number of calls and
24 I spoke to a number of mayors about bonding for
25 different projects and they all, by the end of

2 the conversation, agreed with me that we need
3 some kind of reform, as well as 80 percent of the
4 population, according to certain surveys agree.

5 We're going to have a referendum in
6 November. I can't even tell you the number of
7 republicans, democrats, independents that are all
8 happy to sign the petitions for it. There is a
9 need here. Unfortunately, things were abused.

10 I'm glad that we no longer have the
11 25,000 and under contracts. I'm glad that there
12 is some type of disclosure. But the real thing
13 that we need, which is an independent inspector
14 general, I mean, you're really the obstructionist
15 because you absolutely refuse to even consider
16 it. You refuse to give any protection to the
17 person in this position. Without that, I don't
18 think that the person could function in this
19 position. So I honestly think you're the
20 obstructionist in this situation.

21 CHAIRMAN NICOLELLO: We have implemented
22 a number of reforms to the process and we have
23 implemented a number of reforms to the process
24 including the appointment of an individual who is
25 in the position of commissioner of investigation,

2 the procurement officer, lowering the threshold,
3 vendor disclosures, etcetera, etcetera, etcetera.
4 So the minority now is stopping government
5 because they want the commissioner of
6 investigations to have a contract. Now, if that
7 is a reason to stop government from working then
8 - let me say this - it's not a reason to stop
9 government from working.

10 I'm going to say this again. You can
11 have that position. You're free to do that.
12 This is simply a political attempt to keep this
13 issue alive as long as possible. And if you want
14 to stop the government from working, you're not
15 doing what the public elected you to come here
16 and do.

17 Legislator Bynoe.

18 LEGISLATOR DeRIGGI-WHITTON: I just
19 wanted to finish this. Is that okay?

20 CHAIRMAN NICOLELLO: I recognized
21 Legislator Bynoe, she has been waiting. Are you
22 ceding your time to Legislator DeRiggi-Whitton?

23 LEGISLATOR BYNOE: I don't think that
24 there is a time limit on us.

25 CHAIRMAN NICOLELLO: There isn't.

2 LEGISLATOR BYNOE: I'm allowing her to
3 go ahead, to finish her thought.

4 CHAIRMAN NICOLELLO: Right.

5 LEGISLATOR DeRIGGI-WHITTON: Those steps
6 that we've put in, which you have mentioned, I do
7 agree. Most of them came from this side as
8 recommendations. I do agree with what we've won
9 so far, but nothing we've done would have stopped
10 the Abtec or other contracts that I have a real
11 problem with.

12 The fact that the procurement officer
13 cannot subpoena is a real issue. This is all
14 things that we need to protect our taxpayers'
15 money. Honestly, I hear - and I don't know what
16 you hear from your constituents. But I'm
17 actually stopped at the bus stop with people
18 asking me what we're doing to make sure that this
19 stops and applauding the fact that we're not
20 bonding, we're not putting more money into this
21 system that we know is flawed.

22 I don't think government is stopped. But
23 I do think that we hopefully are stopping things
24 like Blue Chip from proceeding in the future.

25 CHAIRMAN NICOLELLO: By voting against

2 the bonding for the capital plan in March you
3 don't think government's been stopped. It's been
4 three months. These projects take years to
5 start. When you slow them down, when you stop
6 them over that three month period things come to
7 a grinding halt. You may not see it today but,
8 for example, what Mr. Setzer spoke about last
9 time, if you don't approve the NICE Bus match,
10 you have buses that are two years down the road
11 that are not going to arrive and possible issues
12 at that date. So to sit here and to willfully to
13 believe nothing's happened is just silly.

14 The movement of government has come to a
15 stop in many, many different ways. I could tell
16 you some issues I have had in my district is
17 getting emergency repaving done because we're
18 getting to the point where the funds that were
19 supposed to be approved for that haven't been
20 approved yet. To think that's nothing's happened
21 just shows that you don't have an understanding
22 of how government works.

23 Legislator Bynoe.

24 LEGISLATOR DeRIGGI-WHITTON: I just have
25 one last question. Rich, why is it that you have

2 - why will you not vote for someone being given
3 the guarantee of an independence so they feel
4 free to convey what information and what opinion
5 they have? I'm honestly, like, wait, I'm not
6 done.

7 I have a lot of respect for you. I think
8 you are smart, and I think that you don't like
9 what's going on either. And this is a way that
10 we can stop anything but highest criteria, which
11 our residents deserve.

12 CHAIRMAN NICOLELLO: Look. I have a lot
13 respect for you and all the members of your
14 caucus, and I think the same thing of all of you;
15 I think you are all bright individuals. I think
16 to argue over semantics, because you want an
17 inspector general and we have a commissioner of
18 investigations and you want this person to have a
19 contract so, therefore, you have to shut down the
20 government; in my opinion, that is either
21 completely irrational or it's political. One of
22 the two. So why won't you -

23 LEGISLATOR DeRIGGI-WHITTON: Can you
24 answer my question?

25 CHAIRMAN NICOLELLO: Because I don't

2 think it's necessary. It's not necessary.

3 LEGISLATOR DeRIGGI-WHITTON: Why not
4 give the person -

5 CHAIRMAN NICOLELLO: It's not necessary.

6 LEGISLATOR DeRIGGI-WHITTON: It is.

7 CHAIRMAN NICOLELLO: I'm answering your
8 question.

9 LEGISLATOR DeRIGGI-WHITTON: Look -

10 CHAIRMAN NICOLELLO: I answered your
11 question.

12 LEGISLATOR DeRIGGI-WHITTON: We say in
13 the Blue Chips article -

14 CHAIRMAN NICOLELLO: You asked me a
15 question, I answered it.

16 LEGISLATOR DeRIGGI-WHITTON: You didn't
17 answer it.

18 CHAIRMAN NICOLELLO: Why? Because I
19 didn't say yes?

20 LEGISLATOR DeRIGGI-WHITTON: Why don't
21 you feel comfortable giving someone the security
22 of a contract? Let's just go back to what
23 happened with Blue Chips. Other employees did
24 come up. Other, you know, people that are in
25 charge of different - I don't want to name anyone

2 - but different groups did come up and say that
3 they were not comfortable with this situation.
4 If we had someone that was secure in their job
5 and had a contract and did not have to worry
6 about the ramification of this situation that
7 could have been avoided. And that's \$50,000. It
8 doesn't sound like much, but that's just part of
9 it.

10 Just tell me why you don't feel
11 comfortable -

12 CHAIRMAN NICOLELLO: I told you why. I
13 don't believe after all - well, after all of the
14 reforms that we put into place, number one.
15 Number two. After surveying most of the counties
16 in the state, we have the most transparent
17 process in New York State.

18 That's real nice. We have a lot of
19 respect. We let you come up here all the time
20 and talk and nobody interrupts you. Right. But
21 we have the respect for you. We have the respect
22 for you, Ms. Mereday. We have the respect for
23 you to let you do what your rights say you are
24 able to do. But we sit here quietly. We sit
25 here quietly and listen to you. So when we're

2 having a discussion up here, you have to make let
3 out this fake cough. Obviously, it's not a two-
4 way street with you. It's obvious to us.

5 LEGISLATOR DeRIGGI-WHITTON: Let's sum
6 this up, Rich, just so I understand, Mr.
7 Nicolello.

8 CHAIRMAN NICOLELLO: I wasn't finished
9 talking, before Ms. Mereday decided she was going
10 to give that phony cough of hers, the loudest in
11 the room. I'm not insulting you. I'm just
12 asking you to have the same amount of respect for
13 us as human beings as we have for you.

14 You have the right to speak. You have
15 the right to speak. We understand that. But we
16 sit and listen to you respectfully. All right.
17 We're talking up here and you don't have the
18 respect to sit and listen to us. Yeah, you are
19 now.

20 LEGISLATOR DeRIGGI-WHITTON: Rich, just
21 to wrap this up.

22 CHAIRMAN NICOLELLO: Wait a second.
23 Let's wrap this up because I wasn't finished
24 speaking.

25 Very simply, it's completely unnecessary.

2 We have the most transparent contracting process
3 in the State of New York. We put in, in fact,
4 all these reforms. We have a commissioner of
5 investigations that's going to be doing exactly
6 what you want them to do. So to say, okay,
7 you've done all those things, we have the most
8 transparent system in the State of New York but
9 we want you to do more and we're going to shut
10 down government. That makes no sense to me.
11 It's irrational. So just for the sake of
12 principle I'm not going to agree to you.

13 You are using your power as a minority to
14 grind things to a halt, and as a sense of
15 principle I'm not going to sit here and agree
16 with you to do that, under no circumstances.

17 LEGISLATOR DeRIGGI-WHITTON: So just to
18 be clear, you object to having an independent
19 inspector general with the protection -

20 CHAIRMAN NICOLELLO: This is going
21 around in a circle.

22 LEGISLATOR DeRIGGI-WHITTON: to
23 investigate - no.

24 CHAIRMAN NICOLELLO: Legislator Bynoe.

25 LEGISLATOR DeRIGGI-WHITTON: No.

2 CHAIRMAN NICOLELLO: This is going
3 around in a circle.

4 LEGISLATOR DeRIGGI-WHITTON: Just
5 explain to me one last time -

6 CHAIRMAN NICOLELLO: Legislator Bynoe,
7 you're up.

8 LEGISLATOR DeRIGGI-WHITTON: Mr.
9 Nicolello -

10 CHAIRMAN NICOLELLO: It's going around
11 in a circle.

12 LEGISLATOR DeRIGGI-WHITTON: I haven't
13 finished. So you are objecting to the idea of an
14 independent inspector general with a contract to
15 investigate public corruption?

16 CHAIRMAN NICOLELLO: I'm objecting to
17 you politically shutting down this government for
18 a political agenda.

19 LEGISLATOR DeRIGGI-WHITTON: Forget it.
20 You know what?

21 CHAIRMAN NICOLELLO: That's my
22 statement.

23 LEGISLATOR DeRIGGI-WHITTON: I've never
24 seen anything like it. But are you objecting to
25 -

2 CHAIRMAN NICOLELLO: I'm objecting to
3 you voting down contractual items for buses,
4 things we've done forever, for political basis.

5 LEGISLATOR DeRIGGI-WHITTON: On the
6 record you're going to object to having an
7 independent inspector with a contract to protect
8 their position -

9 CHAIRMAN NICOLELLO: We have an
10 independent inspector.

11 LEGISLATOR DeRIGGI-WHITTON: I'm not
12 finished, wait - to investigate public
13 corruption. Yes or no?

14 CHAIRMAN NICOLELLO: Yes or no?

15 LEGISLATOR DeRIGGI-WHITTON: Yes or no?

16 CHAIRMAN NICOLELLO: The answer to the
17 question is this - we have a commissioner of
18 investigations -

19 LEGISLATOR DeRIGGI-WHITTON: No. No.

20 CHAIRMAN NICOLELLO: who -

21 LEGISLATOR DeRIGGI-WHITTON: Yes or no?
22 Yes or no?

23 CHAIRMAN NICOLELLO: Wait. Wait. This
24 is not a cross examination. Are you out of your
25 mind?

2 LEGISLATOR DeRIGGI-WHITTON: No.

3 CHAIRMAN NICOLELLO: That's enough of
4 this. Legislator Bynoe, go ahead.

5 LEGISLATOR DeRIGGI-WHITTON: What is
6 that? Will we leave it blank? Is it a yes or a
7 no?

8 CHAIRMAN NICOLELLO: Do you want me to
9 tell you again? I think it's completely
10 irrational and a derogation of your public duties
11 to sit there and vote no for these public safety
12 health items for political reasons. So why do
13 you do that? Yes or no?

14 LEGISLATOR DeRIGGI-WHITTON: Because I
15 think that you're doing -

16 CHAIRMAN NICOLELLO: Why would you to do
17 something like that?

18 LEGISLATOR DeRIGGI-WHITTON: You are
19 being the obstructionist.

20 CHAIRMAN NICOLELLO: Why would you be an
21 obstructionist?

22 LEGISLATOR DeRIGGI-WHITTON: There is a
23 clear need and there is a political -

24 CHAIRMAN NICOLELLO: I'm an
25 obstructionist?

2 LEGISLATOR DeRIGGI-WHITTON: There is --
3 all of our constituents -

4 CHAIRMAN NICOLELLO: All right.

5 LEGISLATOR DeRIGGI-WHITTON: 80 percent
6 of our constituents agree that we need this.
7 This is something that our residents want. You
8 are obstructing it because we're basically at the
9 point where we're saying, look, this is what we
10 need. It's not a huge thing. It's basically
11 just securing their occupation and their job and
12 allowing them to investigate possible public
13 corruption. How you can object to it as a
14 finance ranking member, I think you would want
15 that. I would think you would want to be
16 protected.

17 We've been embarrassed enough. So I
18 guess your answer is no.

19 CHAIRMAN NICOLELLO: I'm glad you're
20 bringing up obstructionist, because I'm assuming
21 when we get to the part of the calendar in which
22 we vote for the county match to make sure that we
23 still have buses running in this county for the
24 people who most need it - the students, the poor
25 people, that you're going to vote yes. If you

2 vote no, you are a 100 percent obstructionist.

3 LEGISLATOR DeRIGGI-WHITTON: That's
4 really not true. I believe, number one, number
5 one, I'm not ready to give more money without
6 this reassurance. All you have to do is say, you
7 know what? You're right. We've lived through
8 it. We've lived through -

9 CHAIRMAN NICOLELLO: Isn't that the
10 essence of extortion?

11 LEGISLATOR DeRIGGI-WHITTON: We've lived
12 through everything else.

13 CHAIRMAN NICOLELLO: Isn't that the
14 essence of extortion? We're not going to let you
15 run this government. We're not going to let the
16 buses roll -

17 LEGISLATOR DeRIGGI-WHITTON: Until we
18 know you're being careful.

19 CHAIRMAN NICOLELLO: We're going to make
20 sure that people who most desperately need buses
21 don't get them unless you do what we want.
22 That's extortion. It's not going to work here.

23 LEGISLATOR DeRIGGI-WHITTON: I think the
24 people want this referendum, and I think that the
25 people want to see their money being accounted

2 for.

3 I don't understand how you don't agree
4 with that.

5 CHAIRMAN NICOLELLO: The people have a
6 say every two years.

7 LEGISLATOR DeRIGGI-WHITTON: I really
8 don't see how you don't agree with the fact that
9 we need this protection.

10 CHAIRMAN NICOLELLO: It boggles my mind
11 that you can't understand this very simple
12 position that we have. I don't think the issue
13 is with us. I honestly think the issue is with
14 you not understanding a very simple concept of
15 how government operates, but that's -

16 LEGISLATOR DeRIGGI-WHITTON: I don't
17 think government should operate this way, not
18 after seeing the Abtec, sitting here through the
19 Singh contract, and the VIP Splash. We've seen
20 one example after another. This is not the way
21 government should work. I think we have to fix
22 it.

23 CHAIRMAN NICOLELLO: Actually, the
24 process that this legislature has followed has -
25 you mentioned a number of different contracts.

2 But this legislature has been above reproach and
3 I would say both sides since we've been in the
4 majority. I think we've asked the appropriate
5 questions. Do we always get all of the
6 information that we need? Is it possible that
7 somebody could always work the system? Yeah,
8 it's always the case. But I think governmentally
9 this legislature, as a body, has functioned the
10 way it should for the last few years. And I
11 think with the additional reforms in place, some
12 of which are going to help, let's be honest, some
13 of which are simply going to slow the process up
14 further. But, with the reforms in place and the
15 way this legislature works, I think the
16 legislature, itself, has been above reproach, and
17 I think we've actually done the job - until now,
18 we've done the job we're supposed to do.

19 LEGISLATOR DeRIGGI-WHITTON: First of
20 all, I don't see how you can think that with all
21 this going on.

22 Number two. I don't think any of the
23 things we put in place to this date would have
24 stopped an Abtec from being passed. Honestly,
25 like you said, we are dependent on getting the

2 correct information, but we've already seen that
3 that's not enough for us to depend on. We need
4 someone who can subpoena, and we need someone who
5 is secure enough to say what is going on before
6 the taxpayers' money is wasted.

7 CHAIRMAN NICOLELLO: All right. You get
8 the last word.

9 Legislator Bynoe.

10 LEGISLATOR BYNOE: All right. I wanted
11 to talk about this specific issue, and I see that
12 we've kind of gone beyond that. I think you're
13 probably going to assert some of your same
14 arguments, but I'm going to go have it out and
15 speak to this anyway.

16 In our OMB report, the monthly report, as
17 of May 31, 2016, it stated that we're expected to
18 have a \$3.7 million surplus, and I'm suggesting
19 that we use that to pay this three-quarters of a
20 million dollars in expenses for the abatement.
21 So while I believe that we are going to be voting
22 no on issues, I do think that the administration
23 has the ability to administer government because
24 we have identified several pools of money to
25 which the administration has the ability to

2 utilize to make sure that essential services are
3 being provided.

4 So, I don't think this government needs
5 to grind to a halt. I think what this government
6 needs to, as the administration needs to, look at
7 the money that is available for use, disencumber
8 some of the contracts that aren't essential, and
9 I also think and agree wholeheartedly that the IG
10 or the corrections - I'm sorry - commissioner of
11 contracts needs to be independent. I think that
12 every single individual that is here - I don't
13 think anyone is listening. Are you listening?
14 Every individual that is here, if they had put
15 themselves in the shoes of the new hire and was
16 required to now investigate the actual people who
17 hired them and did not have any particular
18 protections, that they, themselves, would have to
19 feel that in some way or another they could have
20 a potential compromise if this, in some way, is
21 not a totally objective position.

22 I am in favor of us moving forward with
23 an IG. I think while we vote no, we have
24 identified several pools of money that is
25 available to this administration, and I think the

2 administration should do just that, administer
3 government.

4 Thank you.

5 CHAIRMAN NICOLELLO: Just two quick
6 points. I respectfully disagree with your
7 position.

8 Number one is that, you know, even if you
9 look at this \$3 million and we have a \$278
10 million capital plan which requires capital
11 borrowing, so that three million is a small
12 fraction.

13 Number two - we may even have a projected
14 \$3 million surplus at this point, but you only
15 look on television to see what's going on in the
16 financial markets, because of what happened with
17 Britain apparently, and you see also job reports
18 that are extremely discouraging. This county is
19 extremely reliant on sales taxes. So to blindly
20 go into the next six months and think that the
21 sales taxes are going to continue to perform is a
22 very risky proposition. We could very well see
23 the beginnings of a recession. We could see
24 impacts because of the loss of what's happening
25 in the stock market and people lose their

2 disposable income. You could see sales taxes
3 drop. So to go out and spend a projected surplus
4 in June when you have six months to go is not
5 something that is wise, in my opinion.

6 LEGISLATOR BYNOE: Okay. But again,
7 there are capital funds that could be
8 disencumbered to deal with some of these issues
9 and I think we need to look at that. We didn't
10 just identify one pool of money that would allow
11 the administration to move forward and govern
12 appropriately; we identified a few, at least
13 three or four different pools of money. Each
14 time we speak to those pools of money there is
15 some argument or some contention as to why we
16 won't do it. Not why we can't do it, why we
17 won't do it. So I think we need to look passed
18 why we won't do it and start doing the work of
19 the people with that money. The money is there.
20 Prioritize. You've clearly identified those
21 issues that you think are essential or the
22 administration, or whoever else. Now we are
23 seeing things in piecemeal that are considered to
24 be essential, and we've identified pools of money
25 that can address those things.

2 LEGISLATOR MACKENZIE: Okay. So is it
3 clear then you would no longer have any problem
4 with the process and how they got to this body
5 and how those contracts were evaluated as long as
6 the money came from a different place? The
7 position seems to be inconsistent to me.

8 On the one hand you all keep saying that
9 you don't want to pass any contracts because
10 there is no - I'm sorry, what do you call it -
11 investigator general, and then once we get passed
12 that stage and we bring up an item that you know
13 is essential and you know you should be voting
14 for, then you say there are other monies
15 somewhere else that should be paying for it.

16 I'll tell you what I hear in my district.
17 When I go around my district, we have capital
18 projects there that severely impact the health
19 and safety of some of the communities there. And
20 many legislators on this body formerly
21 represented those areas and campaigned very
22 strongly for those projects to go forward. Now
23 that they no longer represent that area their
24 positions have changed. There are no allegations
25 of any, any impropriety in the awarding of the

2 contracts that are at issue there or the bonding.
3 So, when I go around my district people say to me
4 how come all of a sudden they want an
5 investigator general; when they were in charge it
6 wasn't such a high moment of principle. When
7 they had members of their body being indicted
8 nobody asked for an investigator general. Now
9 you have one contract in this body that's
10 actually being investigated and resulted in a
11 criminal charge and all of a sudden an
12 investigator general is needed.

13 Every day you put articles in the paper
14 about bus routes, when one or two of them get
15 cut. But then you vote against, last week, \$6
16 million in funding that would have got this
17 county \$60 million in match and not a word is
18 said from anyone.

19 I think the hypocrisy of this is clear,
20 and I think the fact that your history on this
21 issue is so inconsistent really reveals it to be
22 what it is is - it's a political agenda. It's
23 been well reported that it's being dictated to
24 you by other people, by political bosses, and we
25 all see through that. So I think for you to get

2 on a high horse and talk to us about these things
3 day after day gets a little bit tiresome for
4 everyone.

5 If we could just deal with the items in
6 front of us it would save us a lot of time and a
7 lot of theater.

8 LEGISLATOR BYNOE: Well, I just want to
9 - I'm sorry, Mr. MacKenzie, Legislator MacKenzie
10 -

11 CHAIRMAN NICOLELLO: Legislator Bynoe.

12 LEGISLATOR BYNOE: To that point - thank
13 you, Chair.

14 I think the message has been pretty
15 consistent. The message is that we are not
16 comfortable giving you yet another pool of
17 capital funds to move forward unless we have an
18 independent inspector general. Until that time,
19 we are not just going to approve the capital
20 plan. We will look at emergency items, items
21 related to emergency responders. However, we are
22 not going to support even some of the contracts
23 that come forward because we don't know that they
24 are vetted properly. Okay. So I think our
25 message has been very consistent and very clear

2 that we're not going to give you any additional
3 money. However, there is money that is available
4 to you for the use of addressing these emergency
5 items, to which you guys have pulled out of I
6 guess the capital plan, and you should move
7 forward in using that money.

8 LEGISLATOR MACKENZIE: So then -

9 LEGISLATOR BYNOE: I think that's pretty
10 clear.

11 LEGISLATOR MACKENZIE: So then there's
12 no problem with the contracting process that gets
13 those items here, it's the problem with where the
14 money comes from. It's completely inconsistent to
15 say that certain items you're going to consider
16 and if there is other money available you will
17 vote for them -

18 LEGISLATOR BYNOE: There's a problem
19 with the -

20 LEGISLATOR MACKENZIE: when you're
21 saying it's the contracting process that you have
22 a problem with. Because those items that you
23 want to find other money for to pay for go
24 through the same contracting process. It's a
25 completely inconsistent position.

2 LEGISLATOR BYNOE: It's the procurement
3 process. Further, let me just be clear, we did
4 speak, last week, with the police department at
5 length about the body armor and it was very clear
6 to us that the body armor is suggested by the end
7 users. It's suggested by the police department.
8 There is a process, a methodology that I was
9 comfortable with when I heard from the police
10 department directly, last week, as to how the
11 vest was selected.

12 I think we can go back and forth, and I'm
13 comfortable doing this all day. But, as you
14 mentioned, there are some items before us. Until
15 I think both sides decide to get serious about
16 what our constituents are asking for, that 84
17 percent of the people that were polled about
18 reform want to see something that's serious. And
19 while I agree that we have made tremendous
20 lengths to this point - and to be mentioned that
21 it was really with the pressure of this caucus
22 and at the suggestions of this caucus that a lot
23 of those changes were made - I don't think we
24 should fall short of really doing a complete job.
25 Just to say that you've done something doesn't

2 mean that you don't do all that you can, and I
3 think that we're falling short of that. Let's do
4 something meaningful. Let's not waste our time.

5 CHAIRMAN NICOLELLO: Thank you. Mr.
6 Arnold, I guess you've given your presentation.

7 MR. ARNOLD: Just on the procurement of
8 asbestos. That would be a publicly bid contract.
9 We go with the lowest responsible bidder. It
10 would not be an RFP process. It would be a
11 publicly bid contract through our procurement
12 process.

13 CHAIRMAN NICOLELLO: Thank you.
14 Any public comment? Ms. Mereday.

15 MS. MEREDAY: Meta Mereday, Baldwin,
16 taxpayer and one who has a right, as do many
17 other residents, to speak before this body, not
18 because someone let me.

19 Some people seem to forget, on this body,
20 that they are elected by the people and some
21 people seem to be in need of being informed that
22 those of us who sit out here are not doing this
23 for your entertainment or for my pleasure; it's
24 to protect my investment.

25 Just from a historical background, Deputy

2 Nicolello, you don't know me nor do I know you.
3 I'll try to be respectful of you, but I require
4 the same. So your comments to me were highly
5 uncalled for.

6 Now with regard to this issue, the bond
7 issue. Just from a point of personal reference.
8 If you might recall, and the record should
9 dictate, that I was in full support of the total
10 body pushing for the buses because, again, there
11 are individuals out here who are being
12 detrimentally harmed by this back and forth. I
13 understand what this side of the room is dealing
14 with but I also disagree in regard to those
15 issues that pertain to the residents who cannot
16 speak for themselves. I am here to be a voice
17 for the voiceless. On top of that is veterans.
18 Because I am again appalled at the fact that we
19 are once again detailing information about major
20 contracts and the veterans services initiative
21 for this county is again blank. Where is an
22 initiative that is focusing on involving veteran
23 businesses in this process? Just to say it's
24 going to go to an open bid process, to who?

25 We again have a bill on the books that I

2 was personally involved with putting together
3 with Legislator Curran that addressed veteran-
4 owned businesses in this county. But just to
5 have it on the books, probably 9,000 pages under
6 all this other nonsense, without having anything
7 active or mandated to really push it through so
8 that we could create business opportunities for
9 veteran-owned businesses and jobs for our
10 returning veterans and to keep those veterans,
11 who are among the 8,000-plus who are sitting on
12 the court records for foreclosure, who would not
13 qualify for the victims fund when they get put
14 out of their home, which to me is criminal, and
15 you're going to sit there and try to judge me and
16 admonish me. How dare you. How dare you.

17 This whole situation right here is a
18 farce. It's ridiculous, it's sad, but most
19 importantly it is costly to the residents. This
20 room can't be filled because most of the people
21 who are impacted by this are working two and
22 three jobs just to try to stay in this county.

23 CLERK PULITZER: Ma'am, your three
24 minutes are up.

25 MS. MEREDAY: So somebody has got to

2 stop it, whether it is this side - trust me, at
3 this point they are not going to agree to an
4 inspector general. If they're not even going to
5 give you the courtesy of a discussion, you need
6 to move forward.

7 This side. Start thinking for yourselves
8 and start representing your constituency.
9 Because people are tired. Tired. It's about
10 time. It is about time that you start speaking
11 your own mind and representing your constituency.

12 CHAIRMAN NICOLELLO: Ms. Mereday, could
13 you wrap up, please.

14 MS. MEREDAY: I will wrap up when I'm
15 ready to wrap up.

16 9-11 responders. \$500,000 was invested
17 in this and you got to find more money to fix
18 this. And you want to authorize more money to
19 try to do something, to do it wrong.

20 And as I said to you before when I was
21 sitting there, I will give you your respect and
22 apologize to you because I was not allowed to -
23 it was not public comment at that point. I will
24 give you that respect and apologize to you for
25 that.

2 CHAIRMAN NICOLELLO: You do not have to
3 apologize.

4 All in favor of 217-16 signify by saying
5 aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 LEGISLATOR CURRAN: I abstain.

10 CHAIRMAN NICOLELLO: Four-two-one. Four
11 votes in the affirmative, two negative, and one
12 abstention.

13 (Whereupon, the following is the
14 continuation of the minutes of the June 27, 2016,
15 Rules Committee meeting.)

16 CHAIRWOMAN GONSALVES: If there are no
17 other questions or comments regarding 217; all
18 those in favor signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 Four-three. It passes four to three.

23 Moving quickly along.

24 Item 239, an ordinance providing for a
25 capital expenditure to finance the payment of

2 certain judgments or compromised or settled
3 claims against the County of Nassau and
4 authorizing \$45 million of bonds of the County of
5 Nassau to finance said expenditure, and making
6 certain determinations pursuant to the State
7 Environmental Quality Review Act, pursuant to the
8 Local Finance Law of New York and the County
9 Government Law of Nassau County.

10 Motion, please?

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR KOPEL: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator Kopel.

15 Again, the testimony of the Finance
16 Committee should be incorporated.

17 (Whereupon, the following is the minutes
18 of the June 27, 2016, Finance Committee meeting
19 pertaining to Clerk Item 239-16.)

20 We now have three executive session items -
21 before we go to executive session, actually, Item
22 239-16 I skipped before - it's an ordinance
23 providing for a capital expenditure to finance
24 the payment of certain judgments or compromised
25 or settled claims against the County of Nassau

2 and authorizing \$45 million of bonds of the
3 county to finance said expenditure.

4 LEGISLATOR KOPEL: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRMAN NICOLELLO: Moved by Legislator
7 Kopel, seconded by Legislator Walker.

8 The item is before the committee.

9 Without getting into the merits of this
10 underlying case, could you explain to us what the
11 \$45 million bond is for?

12 MS. LOCURTO: Absolutely, Legislator.

13 CHAIRMAN NICOLELLO: Again, you don't
14 have to get into the merits but I understand it
15 has to do with the appeals that are going to the
16 Second Circuit. Procedurally, I think you could
17 put that on the record without touching anything
18 having to do with the merits of the case.

19 MS. LOCURTO: I will do that. The
20 purpose of this bond ordinance is to take the
21 place of a posting of a supersedeas bond in the
22 civil litigation of the *Restivo/Halstead* matter.
23 After a second civil trial and jury determination
24 of \$36 million, the plaintiff sought enforcement
25 of the judgment, plus attorney's fees. Appeals

of the first civil jury trial and the second trial were made and they are currently being litigated.

In federal court, a stay of enforcement of a judgment is not automatic even though the case is on appeal. You have to seek a stay from the federal court, and for it to be granted you normally, civil litigants would post a supersedeas bond. The county cannot post a supersedeas bond because there are just too many impediments to doing that, one that it's just economically too expensive and also it's not feasible, as in order to post a bond you would have to put up a form of collateral and there is no asset that the county can put up as collateral because it obviously belongs to the public, the county. So in lieu of posting the bond the court has accepted a bond ordinance, which will demonstrate the county's ability to pay, in lieu of a supersedeas bond. This is similar, to refresh your recollection, to what happened with the strip search litigation. The county was seeking a bond ordinance instead of posting the bond.

2 The county is not obligated to pay
3 anything until a final judgment is reached and
4 there are no further appeals that are taken. So
5 the legislature's vote today, if it did vote in
6 the affirmative, is only for the approval
7 authority bond subject to certain conditions,
8 such as the litigation being final, no other
9 appeals are going to be taken, and also subject
10 to NIFA approval. This is simply to put in place
11 a mechanism.

12 I think that - that's required by
13 stipulation.

14 CHAIRMAN NICOLELLO: Required by
15 stipulation or by the court?

16 MS. LOCURTO: It was stipulated and so
17 ordered by the court.

18 CHAIRMAN NICOLELLO: Any questions?
19 Legislator Curran.

20 LEGISLATOR CURRAN: I hate to admit this
21 but I'm not a lawyer, and I did not completely
22 understand everything you said. So could you
23 please describe it as if I was in elementary
24 school, like an intelligent fourth grader?

25 MS. LOCURTO: Okay. When you litigate a

2 case, if you lose or if you lose the case and say
3 I want to appeal that case, normally in state
4 court a municipality is entitled to a stay while
5 the appeal process is playing out, because I
6 shouldn't have to pay until I know what the
7 appeal court is going to say. In the federal
8 court the rules are slightly different. You
9 don't get to stay the enforcement while the
10 appeal is pending. You have to make an
11 application and the federal judge has to grant
12 you permission to stay the enforcement. In one
13 of the things you can argue to say why a stay
14 should be in place is you have to demonstrate to
15 the court that the litigant, at the end of the
16 appeal, has the ability to pay. How you
17 demonstrate your ability to pay is you can post a
18 bond, what they call a supersedeas bond. The
19 civil litigant says - normally, for example, you
20 would say I put up collateral, I put up my house,
21 because it's a million dollar judgment, I have a
22 \$500,000 house or whatever and I'll put up my
23 house as an asset to guarantee that I have the
24 ability to pay. We're in a unique situation
25 because we're not the typical civil litigant,

2 we're a municipality. Our funding and our
3 ability to pay is either because we can borrow,
4 if it's an extraordinary judgment, we can raise
5 taxes to pay our judgments, those are the means
6 of paying. So we have advocated to the court
7 saying we, one, we want a stay because it's on
8 appeal and we don't know the outcome of the
9 appeal. Maybe I ultimately don't have to pay the
10 judgment because it's going to be overturned on
11 appeal. And I don't want to post a supersedeas
12 bond because I'm not the typical civil litigant.
13 I'm a government. I can't, you know, normally
14 you could put up collateral of your home or
15 whatever. But I can't put up because the county
16 assets are not such that they lend themselves.
17 Plus, the financial burden of posting that bond
18 and paying for it is just too extraordinary for
19 the municipality.

20 To show the court, to demonstrate, look,
21 the municipality is going to pay if and when
22 there are no further appeals going to be taken,
23 there is no further impediment to pay, that the
24 judgment is final and we are obligated to pay, we
25 are asking the court to say - we're demonstrating

2 to the court our good faith that we're going to
3 have - in the event we have to pay, we're hoping
4 we don't have to pay. But in the event we do
5 have to pay, we're going to create a mechanism,
6 which is this bonding approval. We're going to
7 have a bond in place approved that if we have to
8 pay, and it's all conditioned. If you read the
9 backup in the bond, it's all conditioned of
10 certain things happening. But if, at the end of
11 the day, we have to pay, the bond is in place and
12 ready to be paid should the county be obligated
13 to pay.

14 LEGISLATOR CURRAN: Great. Thank you
15 very much.

16 MS. LOCURTO: You're welcome.

17 LEGISLATOR CURRAN: Well done.

18 CHAIRMAN NICOLELLO: Any additional
19 questions? Legislator DeRiggi-Whitton.

20 LEGISLATOR DeRIGGI-WHITTON: Is there a
21 deadline for the adoption of this ordinance?

22 MS. LOCURTO: I'm not quite sure what
23 you mean by a deadline -

24 LEGISLATOR DeRIGGI-WHITTON: Is there a
25 day or a date that you have from the courts? Is

2 there anything in writing stating that?

3 MS. LOCURTO: The court has asked us to
4 put it on the calendar to be presented to the
5 legislature and that's what we're doing right
6 now, we're presenting it to the legislature.

7 LEGISLATOR DeRIGGI-WHITTON: Did they
8 give you any indicating as to a date?

9 MS. LOCURTO: As soon as practical.

10 LEGISLATOR DeRIGGI-WHITTON: As soon as
11 possible? Is that in the order? Do you have the
12 copy of the order?

13 MS. LOCURTO: I provided it to your
14 counsel.

15 LEGISLATOR DeRIGGI-WHITTON: Is there a
16 date in that?

17 MS. LOCURTO: There is not a specified
18 date.

19 LEGISLATOR DeRIGGI-WHITTON: I have to
20 also just go back. If we're not going to use the
21 litigation fund from the ways that NIFA
22 suggested, I think this is the perfect example of
23 when we should use it. I think we should
24 definitely use the litigation fund for this. I
25 can't understand why we wouldn't.

2 How much does this type of bond cost?

3 DEPUTY COUNTY EXECUTIVE NAUGHTON: Hi.

4 Eric Naughton, Deputy County Executive for
5 Finance.

6 Legislator, this is the exact case where
7 you should not litigation fund. The litigation
8 fund, NIFA agreed we would not use it for
9 extraordinary types of litigation. A \$45 million
10 payment would qualify as extraordinary. That is
11 something that we should bond for.

12 LEGISLATOR DeRIGGI-WHITTON: But how
13 much - to get this type of bond, first of all, we
14 used it for Oyster Bay, but - if we're talking
15 about this type of bond -

16 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
17 was a different example. That example, we saved
18 money by being able to settle it quickly.

19 LEGISLATOR DeRIGGI-WHITTON: The bond
20 for the 45 million is how much?

21 DEPUTY COUNTY EXECUTIVE NAUGHTON:
22 Depending on the market, and right now we don't
23 have to go out for it but the interest rate may
24 be about three percent, mostly. Again, to pay
25 for something of that -

2 LEGISLATOR DeRIGGI-WHITTON: This is for
3 45 million, we're talking three percent of the 45
4 million.

5 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
6 is correct.

7 LEGISLATOR DeRIGGI-WHITTON: So we're
8 talking about getting the bond, right, we only
9 need three percent of what we're bonding for.

10 DEPUTY COUNTY EXECUTIVE NAUGHTON: No.
11 Right now all they're asking for right now is the
12 bond ordinance, that's all that's be asked for at
13 this moment.

14 LEGISLATOR MACKENZIE: Delia, can I just
15 interject to clarify something? I don't want to
16 interrupt you.

17 LEGISLATOR DeRIGGI-WHITTON: Go ahead.
18 If it's okay with the Chairman.

19 CHAIRMAN NICOLELLO: Legislator
20 MacKenzie.

21 LEGISLATOR MACKENZIE: The whole point
22 of this is the court is allowing us just to pass
23 the ordinance which allows us to take a bond
24 without actually taking the bond.

25 DEPUTY COUNTY EXECUTIVE NAUGHTON: That

2 is correct.

3 LEGISLATOR MACKENZIE: So there would be
4 no need whatsoever to spend any money unless
5 ultimately we lost the appeals and the case. And
6 this mechanism is permitting us to just simply
7 pass an ordinance which allows us to borrow money
8 in the future if necessary and to satisfy the
9 court that that authority is given. Is that
10 correct?

11 DEPUTY COUNTY EXECUTIVE NAUGHTON: That
12 is absolutely correct, Legislator MacKenzie.

13 LEGISLATOR MACKENZIE: So this will
14 cause the county in the immediate term to borrow
15 no money and cost nothing other than passing this
16 ordinance and the two cents the paper cost.

17 DEPUTY COUNTY EXECUTIVE NAUGHTON: No
18 bonds would be issued.

19 CHAIRMAN NICOLELLO: Legislator DeRiggi-
20 Whitton.

21 LEGISLATOR DeRIGGI-WHITTON: Okay. So
22 let's say for some reason we don't win and we
23 have to pay the 45 million. Do you have to come
24 back to us or you can just go ahead and do it?

25 DEPUTY COUNTY EXECUTIVE NAUGHTON: I'll

2 defer to counsel on that one.

3 MS. LOCURTO: No. We don't come back to
4 the legislature. However, it is still subject to
5 NIFA approval. The sale of any bond proceeds
6 would require NIFA to approve.

7 LEGISLATOR DeRIGGI-WHITTON: So us
8 giving the okay for this ordinance basically is
9 okaying the \$45 million in bonding should you
10 use.

11 MS. LOCURTO: If necessary. It's
12 conditioned, though.

13 LEGISLATOR DeRIGGI-WHITTON: I
14 understood what you said. I think we're really
15 actually giving the okay to bond for the 45
16 million should we not be successful.

17 CHAIRMAN NICOLELLO: Legislator
18 MacKenzie.

19 LEGISLATOR MACKENZIE: I'm sorry. I
20 misunderstood your position. I thought you said
21 that the cost of the bonding wouldn't be that
22 much and we should use the litigation fund to pay
23 for the cost of the bonding. So I was just trying
24 to clarify what was going on. I know exactly
25 what this does. And I know that in the

2 eventuality if they lose, that's giving authority
3 to bond for it.

4 LEGISLATOR DeRIGGI-WHITTON: I thought
5 that there was a small amount that we had to pay
6 upfront to get it. If that's not the case, then
7 that's great. But we're still going ahead and
8 giving you the 45 million should we lose without
9 you coming back to the legislature.

10 CHAIRMAN NICOLELLO: Legislator Kopel.

11 LEGISLATOR KOPEL: Legislator DeRiggi-
12 Whitton, the only thing that I would also point
13 out is that if you go ahead and spend the money
14 out of the bond fund - I'm sorry, the litigation
15 fund - besides for the fact that you're
16 decreasing the amount available in that fund for
17 use in litigation settlements which it's needed
18 for. In the event that this bond - in the event
19 that we lose all the appeals, this bond could be
20 called upon. Isn't that right?

21 DEPUTY COUNTY EXECUTIVE NAUGHTON: If we
22 lose, yes, then we could use the bond.

23 LEGISLATOR KOPEL: The bond would be
24 called upon. We'd have to fund that somehow. We
25 wouldn't have any choice. Not only that, they

2 could actually, I suppose if we didn't take care
3 of it immediately, pull money out of our
4 accounts. All kinds of nasty stuff can happen.
5 And we really don't have a great deal, as much as
6 I think I've shown over the years, I don't like
7 to borrow money. This is one of those cases that
8 I think that maybe we just don't have a choice.
9 But to go ahead and authorize it because a
10 judgment is a judgment and it's got to be paid
11 one way or the other if it happens. This is a
12 no-cost way of just hedging our best for the time
13 being.

14 CHAIRMAN NICOLELLO: Legislator
15 MacKenzie and then Legislator DeRiggi-Whitton.

16 LEGISLATOR MACKENZIE: I'm sorry. I
17 think that it would make even less sense to pay
18 this out of actual cash funds or bond premiums
19 now because it's still under appeal. Isn't the
20 whole point of this to stop us from paying now,
21 give us an opportunity to appeal, and in the
22 event that we're successful we won't pay
23 anything. So why would we pay now if the case
24 isn't concluded? I'm not sure why we would -
25 well, I think that's almost a question.

2 LEGISLATOR DeRIGGI-WHITTON: Let's say
3 this. If the bonding is approved for the 45
4 million - let's say, hopefully we can even come
5 in with a lesser verdict, maybe we should at
6 least consider using part of the legal fund to
7 pay for at least part of it rather than bonding
8 the full amount. If we're not going to use it
9 for anything else, we should use it for this.

10 MS. LOCURTO: Legislator, can I just
11 clarify. The judgment - there was a jury
12 determination and an award of \$36 million. There
13 is also attorney's fees on top of that was
14 awarded. We're up to \$42 million. If we lose
15 the appeal it's, at a minimum, \$42 million plus
16 there could be additional fees including the
17 attorneys' fees that were incurred for the
18 appeal. So why we're asking for 45, it's an
19 estimate of the total amount.

20 So it's not - if all appeals are
21 exhausted and the county ultimately has to pay,
22 the final number is going to be, at a minimum, 42
23 to 43 million, upwards, based on our estimates,
24 of up to \$45 million. So that's why you're being
25 asked for 45 million.

2 LEGISLATOR DeRIGGI-WHITTON: If they're
3 successful.

4 MS. LOCURTO: I just want to clarify
5 that there's no - the verdict is the verdict.
6 The number is fixed.

7 LEGISLATOR DeRIGGI-WHITTON: So when you
8 appeal the judge is not given the option of
9 mitigating the award?

10 MS. LOCURTO: Not under these
11 circumstances. We're either going to pay zero or
12 we're going to pay -

13 LEGISLATOR DeRIGGI-WHITTON: Why is
14 that? I've never heard of that. Wait. You're
15 either going to get zero or 45 million?

16 MS. LOCURTO: We're either going to win
17 the appeal and - because the original civil trial
18 number one, there was no liability found against
19 the county or the named defendants. So if -

20 CHAIRMAN NICOLELLO: Just as long as you
21 are comfortable with this that's fine.

22 MS. LOCURTO: Now we're going into
23 executive session.

24 CHAIRMAN NICOLELLO: Just as long as you
25 are comfortable with continuing.

MS. LOCURTO: Right.

CHAIRMAN NICOLELLO: But I wouldn't stray too far into anything having to do with the merits.

MS. LOCURTO: Sure. That is what is on the record. Civil trial number one, jury verdict, no liability against the county who are defendants. That verdict, there were three defendants, the verdict was set aside for two of them and a second civil trial was ordered. That second civil trial resulted in a jury award of \$36 million. That trial number one and trial number two are being appealed. We hope that the verdict in trial one, which says no liability against the county and no liability against the defendants, stands. But we don't know the outcome of that. The Appellate Court could say second civil trial verdict stands, so you have to pay money. Or there could be a third, which is they could order a completely new trial and it could be a completely new amount, depending on whether or not - what the jury finds.

LEGISLATOR DeRIGGI-WHITTON: So did we appeal the damage end of this verdict?

2 MS. LOCURTO: We appealed everything -
3 damages -

4 LEGISLATOR DeRIGGI-WHITTON: So what you
5 said before about it being zero or 45 is just on
6 the liability, but the damages is going to be
7 also heard at some point, correct? Is it
8 bifurcated, basically, like we have the liability
9 and then -

10 MS. LOCURTO: I'm not sure. It's
11 unlikely that they will reduce it. It was a jury
12 award, a jury finding of liability and they
13 determined the amount.

14 LEGISLATOR DeRIGGI-WHITTON: But we're
15 appealing it.

16 MS. LOCURTO: I don't know if we should
17 go further without going into executive session.

18 LEGISLATOR DeRIGGI-WHITTON: Okay. When
19 answering - are we appealing the damages, the
20 answer is?

21 MS. LOCURTO: Yes.

22 LEGISLATOR DeRIGGI-WHITTON: We are.

23 MS. LOCURTO: Yes.

24 LEGISLATOR DeRIGGI-WHITTON: If we're
25 appealing it, we're not doing it for no reason,

2 we're doing it to see if we can get reduced
3 damages.

4 MS. LOCURTO: It's unlikely that they're
5 going to reduce the damages.

6 LEGISLATOR DeRIGGI-WHITTON: Listen.
7 I'm not going to ask you to surmise what a jury
8 is going to do or a judge, rather. I'm sorry, a
9 judge. Why are we appealing if it's unlikely?

10 CHAIRMAN NICOLELLO: The bottom line is
11 the judge so ordered the stipulation saying that
12 \$45 million is what we were required to authorize
13 in bonding.

14 MS. LOCURTO: Correct. Because if
15 that's upheld, then that's what we're going to be
16 required to pay.

17 CHAIRMAN NICOLELLO: Just a question for
18 you. Personal injury cases when they go up, in
19 the state courts the damages can be reduced by
20 the courts. Is that likely in a civil rights
21 case that the Second Circuit is going to look at
22 the damages and say, no, it's another number?

23 MS. LOCURTO: You are correct in your
24 statement.

25 CHAIRMAN NICOLELLO: Legislator Bynoe,

did you have something to add?

LEGISLATOR BYNOE: I was just suggesting that maybe we go into executive session because I felt like we were going a little too far deep.

CHAIRMAN NICOLELLO: We have to go into executive session with the other items anyway, so why don't we just continue this in executive session. But let me call the other items first.

Item 236-16, a resolution authorizing the county attorney to compromise and settle the claims of plaintiff, Kathleen McQuade, as set forth in an action entitled *Kathleen McQuade v. The County of Nassau*. That was 233. I'm sorry.

236 is a resolution authorizing the county attorney to compromise and settle the claims of plaintiff, Michael Bresnahan, as set forth in an action entitled *Michael Bresnahan v. The County of Nassau*.

Item 240-16 is a resolution authorizing the county attorney to compromise and settle the claims of David Page, as set forth in an action entitled *David Page v. The County of Nassau*.

I would ask for a motion on these four items to go into executive session. I'm going to

2 actually back up a second. I don't know that I
3 put those items before us.

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR KOPEL: Second.

6 CHAIRMAN NICOLELLO: Moved by Legislator
7 Walker, seconded by Legislator Kopel.

8 The items are on the table. We have a
9 total of four items on the table now.

10 I ask for a motion to go into executive
11 session.

12 LEGISLATOR MACKENZIE: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Legislator
15 MacKenzie moves to go into executive session,
16 seconded by Legislator Walker.

17 All in favor of executive session signify
18 by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 We are in executive session.

23 (Whereupon, the Finance Committee
24 recessed into executive session at 4:36 p.m.)

25 (Whereupon, the Finance Committee

2 reconvened at 5:26 p.m.)

3 CHAIRMAN NICOLELLO: I call the Finance
4 Committee back to order. We are out of executive
5 session. I am going to call three of the four
6 items first.

7 233, 236, and 240-2016. Any further
8 discussion?

9 (No verbal response.)

10 Public comment?

11 (No verbal response.)

12 All in favor of those three items signify
13 by saying aye.

14 (Aye.)

15 That carries unanimously.

16 Now I'm going to call Item 239-2016.

17 Any further discussion on that item?

18 That's the one involving the \$45 million in
19 bonds. Legislator DeRiggi-Whitton.

20 LEGISLATOR DERIGGI-WHITTON: I just want
21 a clarification from Lisa Locurto. I understand
22 that the purpose of the bond is pretty much just
23 show good faith and hold off while we appeal. Is
24 that correct?

25 MS. LOCURTO: Yes.

2 LEGISLATOR DeRIGGI-WHITTON: Have we
3 started the appeal process with this?

4 MS. LOCURTO: Yes. The appeals have
5 been filed and oral argument was heard April
6 2016, I believe April 5, 2016.

7 LEGISLATOR DeRIGGI-WHITTON: So we
8 already appealed this, basically.

9 MS. LOCURTO: The appeal has been
10 briefed and there has been oral argument. The
11 decision, we are still awaiting decision on that
12 appeal.

13 LEGISLATOR DeRIGGI-WHITTON: So we're
14 waiting for the decision. I thought when you
15 first came up that you said we were doing this to
16 protect us while we were going to appeal.

17 MS. LOCURTO: Yes, that's true.

18 LEGISLATOR DeRIGGI-WHITTON: But we've
19 already done it.

20 MS. LOCURTO: We are still in the appeal
21 process. We are still appealing.

22 LEGISLATOR DeRIGGI-WHITTON: We're
23 waiting for the decision.

24 MS. LOCURTO: And now we're waiting for
25 the decision, yes.

2 LEGISLATOR DeRIGGI-WHITTON: I have to
3 be honest. I got a completely different
4 impression from your testimony earlier, just
5 saying that we were going to do this to reserve
6 our right to appeal. It was basically, it was my
7 impression that we hadn't started the process
8 yet. We were going to do this while we went
9 through the appeal process.

10 MS. LOCURTO: I'm clarifying now. I
11 hope you - I've answered your question, that you
12 understand the process.

13 LEGISLATOR DeRIGGI-WHITTON: The order
14 that we talked about, the stipulation, that was
15 signed about a year ago?

16 MS. LOCURTO: Yes.

17 LEGISLATOR DeRIGGI-WHITTON: And you're
18 going to provide us with a copy of that? Oh, you
19 have it. Okay.

20 MS. LOCURTO: I believe I already said
21 on the record that I already provided a copy to
22 your counsel. But I can provide it again.

23 LEGISLATOR DeRIGGI-WHITTON: I'm sorry.
24 I forgot that my attorney has it. But if we
25 could just get the copy of the communication that

2 was discussed, as far as requesting the bonding,
3 we discussed that inside.

4 MS. LOCURTO: Yes, Legislator. I have
5 your request from executive session and we will
6 provide it.

7 LEGISLATOR DeRIGGI-WHITTON: We're going
8 to need that before our next meeting.

9 MS. LOCURTO: Before the Full vote,
10 understood.

11 LEGISLATOR DeRIGGI-WHITTON: Which is in
12 two weeks.

13 We're going to hold off on this until we
14 get that information.

15 CHAIRMAN NICOLELLO: I'm going to call
16 for a vote on the item.

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Passes by a vote of four to three.

22 (Whereupon, the following is the
23 continuation of the minutes of the June 27, 2016,
24 Rules Committee meeting.)

25 CHAIRWOMAN GONSALVES: Any further

2 comments regarding this item?

3 LEGISLATOR ABRAHAMS: I just wanted to
4 re-emphasize what I believe Legislator DeRiggi-
5 Whitton had made on the record, that we are
6 waiting for the information that I think Ms.
7 Locurto is going to provide that was from outside
8 counsel, that we had talked about in executive
9 session.

10 Today we will reaffirm the finance vote
11 among the minority in voting no, pending we
12 seeing that information which could change our
13 direction.

14 Thank you.

15 CHAIRWOMAN GONSALVES: Okay.

16 All those in favor of 239 signify by
17 saying aye.

18 (Aye.)

19 Those opposed?

20 (Nay.)

21 Okay. So the item passes four to three.

22 We're going to the addendum agenda.

23 Beginning with Item 253, a bond ordinance
24 providing for a capital expenditure to finance
25 the capital projects identified herein within the

2 County of Nassau and authorizing \$11,600,000 of
3 bonds of the County of Nassau to finance such
4 expenditure pursuant to the Local Finance Law of
5 New York and the County Government Law of Nassau
6 County.

7 Motion, please?

8 LEGISLATOR KOPEL: So moved.

9 LEGISLATOR DUNNE: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Kopel, seconded by Legislator Dunne.

12 Again, the testimony of the Finance
13 Committee should be incorporated.

14 (Whereupon, the following is the minutes
15 of the June 27, 2016, Finance Committee meeting
16 pertaining to Clerk Item 253-16.)

17 Item 253-2016 is a bond ordinance
18 providing for a capital expenditure to finance
19 the capital projects identified herein within the
20 County of Nassau and authorizing \$11,600,000 of
21 bonds of the County of Nassau to finance such
22 expenditure.

23 LEGISLATOR KOPEL: So moved.

24 LEGISLATOR WALKER: Second.

25 CHAIRMAN NICOLELLO: Moved by Legislator

2 Kopel, seconded by Legislator Walker.

3 This is an item that obviously had much
4 debate about at the Full Legislature. It is the
5 attention of the Majority to move this along so
6 that it's in a position for the Full Legislature
7 at some point to be moved - to be passed, in
8 other words, so to expedite the process.

9 Did you have anything to add, Mr. Arnold?

10 MR. ARNOLD: In addition to my testimony
11 from the last Full Leg? No. Just that this is
12 an important project. It's associated with the
13 county's consent order. Under our fuel storage
14 tanks, it's holding up our moving forward with
15 work that is required to be done.

16 CHAIRMAN NICOLELLO: Okay. Thanks.

17 Any questions? Legislator DeRiggi-
18 Whitton.

19 LEGISLATOR DeRIGGI-WHITTON: In our
20 prior conversation, when Legislator MacKenzie
21 brought up a project, honestly, that contract,
22 after it was awarded, was one of the ones that I
23 had an issue with. I'm afraid that some of the
24 people that were involved with the company were
25 not disclosed prior to the vote. It was later

2 determined that there were possible relations,
3 even in the comptroller's office. It's just
4 another example of -

5 LEGISLATOR MACKENZIE: I'm sorry. I
6 didn't bring up any - name any person or any
7 contracts. What contract are you talking about?

8 LEGISLATOR DeRIGGI-WHITTON: You
9 mentioned the contracts when you mentioned with
10 your capital project.

11 LEGISLATOR MACKENZIE: G&M Land Moving
12 is the person who -

13 LEGISLATOR DeRIGGI-WHITTON: No. The
14 prior two contracts were awarded to someone who
15 was a possible relative to someone who worked in
16 the comptroller's office. So it's another
17 example of why we need further investigation into
18 these contracts.

19 LEGISLATOR MACKENZIE: It's not an
20 example of anything.

21 LEGISLATOR DeRIGGI-WHITTON: It
22 definitely is.

23 LEGISLATOR MACKENZIE: You shouldn't
24 make any allegations that there was any
25 impropriety there because there has never been an

2 allegation of any impropriety on those prior two
3 contracts, number one.

4 LEGISLATOR DeRIGGI-WHITTON: I don't
5 know.

6 LEGISLATOR MACKENZIE: And number two -

7 LEGISLATOR DeRIGGI-WHITTON: I know that
8 he's no longer in the comptroller's office.

9 LEGISLATOR MACKENZIE: the contract
10 that's currently was voted upon is with a
11 completely different company. So to try to
12 associate the two is reckless.

13 If you want to make allegations about
14 people and accuse them of wrongdoing on the
15 record that's your own -

16 LEGISLATOR DeRIGGI-WHITTON: I don't
17 take your word for that, MacKenzie, I'm sorry.

18 LEGISLATOR MACKENZIE: business. But
19 I'm not going to allow you to make allegations
20 about people when there were no allegations of -

21 LEGISLATOR DeRIGGI-WHITTON: There were
22 allegations of -

23 LEGISLATOR MACKENZIE: wrongdoing.

24 LEGISLATOR DeRIGGI-WHITTON: a
25 relationship between someone who worked in the

2 comptroller's office and someone who was a
3 principal in the contract, okay.

4 Do you know who the principals are at
5 this new company? Have you seen that list?
6 Because I haven't seen it yet. Do you know the
7 principals of that company that you just
8 mentioned? I haven't gotten a copy of it. So
9 we're hoping to get that.

10 LEGISLATOR MACKENZIE: You'd have to
11 speak to your staff; that's not my department.

12 LEGISLATOR DeRIGGI-WHITTON: I know.
13 It's a question of who the principals are of
14 that.

15 Just continuing on. I just also want to
16 mention that I don't go out of my way by sending
17 emails to elected officials in your district,
18 okay. I really don't. But speaking to a lot of
19 them was very interesting, including 22 phone
20 calls without a phone call back. So, anyway.

21 The Mayor of Bayville called you 22 times
22 before you called him back. I don't know.

23 LEGISLATOR MACKENZIE: I have no idea
24 what you're talking about, number one.

25 LEGISLATOR DeRIGGI-WHITTON: Ask him.

2 Ask him.

3 LEGISLATOR MACKENZIE: Number two. It's
4 absolutely untrue. I actually saw the gentleman
5 on Monday night and not a word was mentioned.
6 It's not true.

7 LEGISLATOR DeRIGGI-WHITTON: Right. But
8 you should talk to him about that.

9 LEGISLATOR MACKENZIE: Delia, I have no
10 idea what you're talking about, quite frankly -

11 CHAIRMAN NICOLELLO: Can we focus on
12 this item?

13 LEGISLATOR MACKENZIE: and I'm not going
14 to do a childish little debate with you. Can we
15 talk about the item?

16 LEGISLATOR DeRIGGI-WHITTON: I don't
17 know why you sent all the emails into my
18 district, but I thought that was childish,
19 honestly. I have copies of them if you want
20 them. Anyway.

21 Getting back to this item. I just wanted
22 to ask you about the - the report that was made
23 regarding these tanks, was there anything in
24 there indicating that there is actual leakage?
25 I'm just curious. That the tanks are actually

2 leaking.

3 MR. ARNOLD: The tanks are not leaking
4 at this moment. We're monitoring them
5 continuously.

6 LEGISLATOR DeRIGGI-WHITTON: Okay.
7 Thank you. I appreciate it. Thank you very
8 much.

9 MR. ARNOLD: But that doesn't solve the
10 point whether they're leaking or not. We have a
11 consent order with the EPA to put monitoring
12 controls on these tanks, and that's what this is
13 about. If these tanks were leaking, we'd be in
14 much worse condition with the EPA.

15 LEGISLATOR DeRIGGI-WHITTON: Thank you
16 very much.

17 CHAIRMAN NICOLELLO: Any other
18 questions?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 Hearing none; all in favor signify by
23 saying aye.

24 (Aye.)

25 Those opposed?

2 (Nay.)

3 LEGISLATOR CURRAN: I'm abstaining.

4 CHAIRMAN NICOLELLO: The item passes
5 four votes for, two votes no, and one abstention.
6 It moves on the Rules Committee.

7 (Whereupon, the following is the
8 continuation of the minutes of the June 27, 2016,
9 Rules Committee meeting.)

10 CHAIRWOMAN GONSALVES: Any further
11 comment regarding this item?

12 (No verbal response.)

13 There being none; all those in favor of
14 253 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 The next item is 254, a bond ordinance
20 providing for a capital expenditure to finance
21 the capital projects identified herein within the
22 County of Nassau and authorizing \$6,088,000 of
23 bonds of the County to finance such expenditure
24 pursuant to the Local Finance Law of New York and
25 the County Government Law of Nassau County.

Again, the testimony of the Finance Committee should be incorporated.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

(Whereupon, the following is the minutes of the June 27, 2016, Finance Committee pertaining to Clerk Item 254-16.)

Item 254-2016 is a bond ordinance providing for a capital expenditure to finance the capital projects identified herein within the County of Nassau and authorizing \$6,088,000 of bonds of the County to finance such expenditure.

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

CHAIRMAN NICOLELLO: Moved by Legislator Kopel, seconded by Legislator Walker.

This is the county match on the buses, right?

MR. ARNOLD: That is correct. This has presented previously to this body. This is the

2 ten percent match associated with the county bus
3 program.

4 CHAIRMAN NICOLELLO: Thank you. I have
5 a question for Mr. Setzer, who I see is in the
6 room.

7 MR. SETZER: Good afternoon, Mr.
8 Chairman.

9 CHAIRMAN NICOLELLO: Thank you for
10 joining us Mr. Setzer.

11 Just, could you tell us again, you went
12 through, to me, a clear presentation of the
13 problems that will result if we don't pass this.
14 But could you give us that in a nutshell again?

15 MR. SETZER: Yes. I'd be happy to.
16 There are quite a few different capital items in
17 these projects, but the one that I focused on and
18 the one that I think is the most urgent is the 28
19 bus order that's already been placed with the
20 manufacturer. These are buses that will be
21 delivered later this year and they are
22 replacement buses. They are replacements for
23 buses that are at least 12 years old and have at
24 least half a million miles, some are more.

25 The issue that may not be apparent to

2 everyone is that the buses that are being
3 replaced have, in effect, an expiration date, a
4 hard expiration date that we cannot go passed.
5 Because they are compressed natural gas fueled,
6 there are some federal rules that apply, they
7 must be taken out of service, and so we must go
8 ahead with this, I would say. We must go ahead
9 with this procurement and we must fund it some
10 way. I suppose the alternative is to fund it out
11 of the operating budget, but that would have
12 other kinds of consequences that I think none of
13 us in the room here would like.

14 CHAIRMAN NICOLELLO: I saw a story in
15 the *Newsday* this week that apparently some bus
16 routes are being restored, as we speak.

17 MR. SETZER: That's correct. Two routes
18 were restored beginning this morning and two
19 routes that had been eliminated earlier in the
20 year were replaced with a different style of
21 route using a smaller bus. Yes, that's correct.

22 CHAIRMAN NICOLELLO: Obviously, we've
23 had meetings, in a bipartisan fashion we were all
24 in support restoration of those bus routes.

25 MR. SETZER: Correct.

2 CHAIRMAN NICOLELLO: But when I saw this
3 story I'm questioning myself. Why are we going
4 ahead with restoring bus routes when the - by
5 failing to pass the match we're in jeopardy of
6 running out of buses at the end of the year, so
7 to speak, because some of them are going to have
8 to be shelved and we're not going to have the new
9 buses in place. How does it make sense to go
10 ahead with restoration under those circumstances?

11 MR. SETZER: Mr. Chairman, my purpose
12 here today is to kind of just make sure that you
13 have all the facts involved here. I think that's
14 really a policy question that I'm in no position
15 to comment on.

16 CHAIRMAN NICOLELLO: All right.
17 Obviously we want to see the restorations, but at
18 the same time we don't want to be in a position
19 when these buses - when the older buses in our
20 fleet are being forced to go to the side and us
21 not having buses to replace them. That's a
22 nightmare scenario for most of us.

23 MR. SETZER: I would say that most any
24 course of action that I can imagine that doesn't
25 include maintaining the capital replacement

2 program as designed ultimately leads to service
3 reductions. Either we take money out of the
4 operating budget or we don't have enough buses or
5 some combination of those things.

6 CHAIRMAN NICOLELLO: Legislator Walker.

7 LEGISLATOR WALKER: I would just like to
8 make sure I understand this right. If we don't
9 move ahead with this - and we obviously have -
10 these buses have been ordered to your
11 specification. These buses are coming in.

12 MR. SETZER: That's correct, Legislator.

13 LEGISLATOR WALKER: Without this money
14 you will then really be forced to take it out of
15 your operating budget.

16 MR. SETZER: I think that would be the
17 alternative - that would be one alternative or
18 the county would have to find some other source
19 of local match for these buses.

20 LEGISLATOR WALKER: Now if you had to
21 take the money out of your operating budget,
22 would you still get the match from the federal
23 government?

24 MR. SETZER: No. These grants are ten
25 percent county, ten percent state, 80 percent

2 federal, and the county has to provide the local
3 match in order for the other dollars to flow.

4 So, no, we would not get any of it.

5 LEGISLATOR WALKER: So you - if you took
6 it out of your operating budget you would then be
7 lost without the other monies that you would have
8 received.

9 MR. SETZER: We would have to take 100
10 percent of the cost of the buses out of the
11 operating budget, which would be about 16 million
12 or else we'd have to take the local match out of
13 the operating budget, which would be 1.6 million,
14 either of which would have a huge effect.

15 LEGISLATOR WALKER: Huge effect.

16 MR. SETZER: Right.

17 LEGISLATOR WALKER: So, basically we
18 might then have a lot of new buses that might not
19 be going anywhere.

20 MR. SETZER: Yes. We'd have a newer
21 fleet but we wouldn't ultimately be able to
22 operate it.

23 LEGISLATOR WALKER: Operate the fleet,
24 right. Okay. Thank you.

25 CHAIRMAN NICOLELLO: Any other

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2 questions? Legislator Bynoe.
3 LEGISLATOR BYNOE: Thank you, Chair.
4 Hi, Mr. Setzer.
5 MR. SETZER: Hello, Legislator Bynoe.
6 LEGISLATOR BYNOE: Quick question. When
7 are we required to pay or you, NICE Bus, required
8 to pay for those buses?
9 LEGISLATOR BYNOE: Each individual bus
10 is about 460,000 -
11 LEGISLATOR BYNOE: Yeah. When?
12 MR. SETZER: Oh. When?
13 LEGISLATOR BYNOE: When, yes.
14 MR. SETZER: I think the requirement is
15 30 days after the buses are delivered and accept
16 the cash has to be there to make that payment.
17 LEGISLATOR BYNOE: Okay. And when are
18 we expecting to take delivery?
19 MR. SETZER: September through December,
20 they will be delivered over that period of time.
21 LEGISLATOR BYNOE: September through
22 December.
23 MR. SETZER: Of this year, yes.
24 LEGISLATOR BYNOE: Okay. Thank you.
25 Can I have a copy of - can we,

2 collectively, the body, have a copy of contract?

3 MR. SETZER: The purchase contract for
4 the buses?

5 LEGISLATOR BYNOE: Yeah.

6 MR. SETZER: Certainly.

7 LEGISLATOR BYNOE: Thank you.

8 CHAIRMAN NICOLELLO: Legislator DeRiggi-
9 Whitton.

10 LEGISLATOR DeRIGGI-WHITTON: Thank you.

11 Do you happen to have the numbers that
12 you had last time, last year for your company as
13 far as the expenses and the profit? Do you have
14 that information yet?

15 MR. SETZER: I don't have it with me but
16 I can certainly provide that.

17 LEGISLATOR DeRIGGI-WHITTON: If you
18 could send that to all of us. I'm just curious
19 where the profit is this year as opposed to last
20 year.

21 MR. SETZER: Certainly.

22 LEGISLATOR DeRIGGI-WHITTON: And the
23 other thing that I have to just make a statement
24 about, Rich is saying that these buses might not
25 arrive and the earliest you expect them is

2 sometime in November, might not arrive until
3 December. So we're talking about January that we
4 would have to really hand over these funds.

5 MR. SETZER: They will be delivered over
6 the period of - they are each paid for
7 individually. They are accepted by us and then
8 paid for individually. The first one - the
9 delivery schedule starts in September, so some
10 time in October we would owe payment for the
11 first one.

12 LEGISLATOR DeRIGGI-WHITTON: And how
13 long is that acceptance process? How long does
14 that normally take?

15 MR. SETZER: Legislator, it depends on
16 the condition of the bus that when it's
17 delivered, I would expect this to go very quickly
18 because these buses are identical to the last
19 delivery that we got earlier - or last year. The
20 manufacturer knows exactly what we'll approve and
21 what we'll accept, so I would expect them to be
22 accepted within a matter of days of delivery.

23 LEGISLATOR DeRIGGI-WHITTON: Do you know
24 long it took last year to get all of the buses
25 that we ordered, like how many months or how long

2 it took when you first started to accept them to
3 the last bus that you got?

4 MR. SETZER: I'm sorry. I don't
5 remember. It was a larger order. I think there
6 were 50-some buses in that order. But once they
7 began to be delivered, we got almost one a day.
8 I would expect that it would be a similar kind of
9 schedule this time.

10 LEGISLATOR DeRIGGI-WHITTON: The bottom
11 line is this is something we could be talking
12 about, like you said, at the end of the year into
13 January possibly for payment. I just wanted to
14 clarify that.

15 We're having a referendum in November
16 regarding the inspector general, so I'm hoping,
17 you know, by that time we will be much more
18 comfortable with the situation that we're in.

19 LEGISLATOR MACKENZIE: I'm sorry. Can
20 you just clarify something? I might have missed
21 this point. When does the matching have to
22 either be shown to be available or be available?
23 It's not as these buses are delivered. Am I
24 understanding correctly? It doesn't go on a bus-
25 by-bus basis, right?

2 MR. SETZER: Legislator, I think the
3 answer to that question is that when the county
4 filed the grant application with the federal
5 government it made a commitment that the local
6 match would be available. It's not so much a
7 question of when but from where will that local
8 match be provided.

9 CHAIRMAN NICOLELLO: Any other
10 discussion?

11 (No verbal response.)

12 Thank you, Mr. Setzer.

13 MR. SETZER: Thank you.

14 CHAIRMAN NICOLELLO: Any public comment?

15 MR. ARNOLD: Just one clarification.

16 CHAIRMAN NICOLELLO: Sure.

17 MR. ARNOLD: On the testimony during the
18 tanks, West Shore Road Phase 3 was approved by
19 this body. So all the principals and vendor
20 disclosure were provided.

21 CHAIRMAN NICOLELLO: Okay.

22 Ms. Mereday. Ms. D'Aleva.

23 MS. D'ALLEVA: I just also want to add
24 that once the buses get delivered and payment is
25 put forth, we're supposed to pay in 72 hours, so

2 we don't really have 30 days. So once they are
3 delivered, payment has to be within 72 hours in
4 order for us to receive the funds from the
5 federal government.

6 LEGISLATOR DeRIGGI-WHITTON: So Mr.
7 Setzer was incorrect?

8 MS. D'ALLEVA: I believe so. Those are
9 the qualifications for the grant.

10 LEGISLATOR DeRIGGI-WHITTON: Can you
11 just provide us that information?

12 MS. D'ALLEVA: Sure.

13 CHAIRMAN NICOLELLO: Thank you.

14 Any other questions for Ms. D'Alewa?

15 (No verbal response.)

16 Thank you.

17 Ms. Mereday.

18 MS. MEREDAY: Meta Mereday, Baldwin, New
19 York.

20 Again, I strongly suggest that the body
21 take into consideration the needs of the
22 residents, particularly those who require this
23 transportation. This is their only means of
24 transportation.

25 I get it. Trust me. As you can see,

2 look around. I'm one of the few that comes here.
3 Because I pretty much work the overnight shift.
4 And yes, I do have physical limitations,
5 particularly the rugs in this room, because I am
6 sick when I leave here but I still have to work
7 overnight, just so we have that clear.

8 But we have to take into consideration
9 that agreeing to this scenario as it relates to
10 the residents who need the buses, agreeing in
11 body and unanimously takes nothing away from the
12 fight to have the procurement process overview
13 that is sorely needed in this county.

14 Again, I know I'm probably just talking
15 to myself on a microphone, which is okay, I talk
16 to myself often. It's all right. Sometimes I
17 agree. And since it's me, myself, and I there is
18 usually a split decision. Again, as Norma said
19 earlier, sometimes you just need a little humor
20 once in a while. That's important.

21 One other point I wanted to make in terms
22 of the earlier aspect of this. As I said, just
23 today there was a press conference at the White
24 House in terms of tech hiring grants that were
25 distributed. Four million dollars, you may not

2 know, went to LaGuardia Airport for programs for
3 advanced training to assist re-entry candidates,
4 low income, veterans and those particularly who
5 live in high cost regions, to prepare them so
6 that they could get jobs so that they can live in
7 these high-cost regions. LaGuardia Community
8 College got \$4 million. Suffolk Community
9 College got \$2.9 million. Westchester Community
10 College got \$4 million. Where is Nassau? Where
11 is Nassau County?

12 Last year Rochester got \$100,000 for
13 their veterans' facility. Nassau County doesn't
14 even have a veterans' facility. Again, where is
15 Nassau?

16 Let us think about the things that we are
17 doing and the reason why we're doing it. You may
18 represent parties - republican, democrat, I get
19 it - but overall you represent the people. So
20 let's just put the issues aside in this instance
21 because the bus has nothing to do with this
22 situation. Give those residents the resources
23 that they need so that they can stay in Nassau
24 County and provide the work that needs to get
25 done.

2 Thank you.

3 CHAIRMAN NICOLELLO: Thank you.

4 Hearing no further public comment; all in
5 favor signify by saying aye.

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 The item passes by a vote of five to two.

10 (Whereupon, the following is the
11 continuation of the minutes of the June 27, 2016,
12 Rules Committee meeting.)

13 CHAIRWOMAN GONSALVES: Any further
14 comments regarding 254? Minority Leader
15 Abrahams.

16 LEGISLATOR ABRAHAMS: Thank you, Madam
17 Presiding Officer.

18 I just wanted to again re-emphasize the
19 points that were made by Ranking Member DeRiggi-
20 Whitton. I don't think anyone can effectively
21 say that the merits that have been stated before
22 us, whether we could refute them or not,
23 obviously we want to be supporting new buses in
24 the county; however, there is a much greater
25 issue that is confronting Nassau County taxpayers

2 and that is the need for contract reform in this
3 county. I think that's been self identified. I
4 truly believe that, short of that, we would be
5 doing a disservice to the county to continue to
6 bond for money and not having the proper
7 oversight in place with independence in this
8 county.

9 I will strongly urge my colleagues in the
10 minority to vote negative.

11 Thank you.

12 CHAIRWOMAN GONSALVES: There being no
13 further comment; all those in favor of 254
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (Nay.)

18 The item passes four to three.

19 There being no further business for the
20 Rules Committee, I believe - did I miss one?

21 Motion to adjourn, please?

22 LEGISLATOR KOPEL: So moved.

23 LEGISLATOR DUNNE: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Kopel, seconded by Legislator Dunne.

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2 All those in favor signify by saying aye.
3 (Aye.)
4 Any opposed?
5 (No verbal response.)
6 The Rules Committee is now adjourned.
7 (Whereupon, the Rules Committee
8 adjourned.)
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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 state:

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 5th day of July, 2016.

FRANK GRAY