

1.

Committee Agendas

Documents:

12-4-17 and 12-18-17.pdf

12-4-17E.pdf

12-4-17F.pdf

12-4-17G.pdf

12-4-17H.pdf

12-4-17MA.pdf

12-4-17PL.pdf

12-4-17PS.pdf

12-4-17PW.pdf

12-4-17R.pdf

12-4-17T.pdf

12-4-17V.pdf

2.

Meeting Addendums

Documents:

F-12-4-17 ADDENDUM.pdf

H-12-4-17 ADDENDUM.pdf

PW-12-4-17 ADDENDUM.pdf

R-12-4-17 ADDENDUM.pdf

3.

Rules Addendum II

Documents:

482-17.pdf

R 12-4-17 ADDENDUM II.pdf

4.

Meeting Minutes

Documents:

FINANCE COMMITTEE, 12-04-17.pdf

HEALTH AND SOCIAL SERVICES COMMITTEE, 12-04-17.pdf

PUBLIC SAFETY COMMITTEE, 12-04-17.pdf

PUBLIC WORKS AND PARKS COMMITTEE, 12-04-17.pdf

RULES COMMITTEE, 12-04-17.pdf

PUBLIC NOTICE

PLEASE TAKE NOTICE THAT THE NASSAU COUNTY LEGISLATURE WILL HOLD COMMITTEE MEETINGS OF THE LEGISLATURE ON MONDAY, DECEMBER 4, 2017 STARTING AT 1:00 PM AND WILL HOLD A FULL SESSION OF THE LEGISLATURE ON MONDAY, DECEMBER 18, 2017 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: November 27, 2017
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

DECEMBER 4, 2017 1:00 PM

Denise Ford – Chairwoman

Howard Kopel– Vice Chairman

James Kennedy

Steven Rhoads

– 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

DECEMBER 4, 2017 1:00 PM

Richard Nicoletto – Chairman

Vincent Muscarella – Vice Chairman

Rose Marie Walker

Donald MacKenzie

Siela A. Bynoe, Ranking

Laura Curran

Ellen Birnbaum

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
448-17	DA	PS, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE, AND THE WOMEN'S OPPORTUNITY REHABILITATION CENTER, INC. 448-17(DA).
449-17	PK	F, R	<u>RESOLUTION NO. -2017</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 OYSTER BAY HISTORICAL SOCIETY. 449-17(PK)
450-17	LE	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION PROVIDING FOR THE ISSUANCE OF A WARRANT DIRECTING THE TREASURER OF THE COUNTY OF NASSAU TO PAY TO THE SUPERVISORS OF THE SEVERAL TOWNS AND TO THE TREASURERS OF THE SEVERAL VILLAGES AND CITIES WITHIN THE COUNTY OF NASSAU, THE SUMS AS APPORTIONED BY THE NASSAU COUNTY LEGISLATURE BASED ON A REPORT FILED BY THE COUNTY TREASURER AND THE COUNTY CLERK , SHOWING DEPOSITS FROM MORTGAGE TAXES FOR THE PERIOD OF ONE YEAR COMMENCING OCTOBER 1, 2106 THROUGH SEPTEMBER 30, 2017; PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 450-17 (LE)
458-17	OMB	PS, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT. 458-17(OMB)
459-17	PD	PS, F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A COOPERATIVE AGREEMENT AND LICENSE WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION IN RELATION TO A NEW ENVIRONMENTAL EDUCATION AND RESILIENCY CENTER. 459-17(PD)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
460-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO REMOVE AD VALOREM TAX FROM CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 460-17 (AS)</p>
461-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO REMOVE AD VALOREM TAX FROM CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 461-17 (AS)</p>
462-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF NORTH HEMPSTEAD TO PARTIALLY EXEMPT ASSESSMENTS AND TAXED IN ACCORDANCE WITH PETITIONS OF THE BOARD OF ASSESSORS ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 462-17 (AS)</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
463-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u></p> <p>A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE</p> <p>TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 463-17 (AS)</p>
464-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u></p> <p>A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE</p> <p>TOWN OF OYSTER BAY TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 464-17 (AS)</p>
465-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u></p> <p>A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE</p> <p>TOWN OF HEMPSTEAD TO REMOVE AD VALOREM TAX FROM CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 465-17 (AS)</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
466-17	AS	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF NORTH HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 466-17 (AS)
467-17	AS	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 467-17 (AS)
468-17	AS	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 468-17 (AS)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
469,17	AS	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT ASSESSMENTS AND TAXED IN ACCORDANCE WITH PETITIONS OF THE BOARD OF ASSESSORS ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 469-17 (AS)
			THE FOLLOWING ITEMS MAY BE UNTABLED
148-17	PW	F, R	<u>ORDINANCE NO. -2017</u> A BOND ORDINANCE PROVIDING FOR A CAPITAL EXPENDITURE TO FINANCE THE CAPITAL PROJECT(S) IDENTIFIED HEREIN WITHIN THE COUNTY OF NASSAU AND AUTHORIZING \$6,000,000 OF BONDS OF THE COUNTY OF NASSAU TO FINANCE SUCH EXPENDITURE PURSUANT TO THE LOCAL FINANCE LAW OF NEW YORK AND THE COUNTY GOVERNMENTAL LAW OF NASSAU COUNTY. 148-17(PW)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

GOVERNMENT SERVICES & OPERATIONS COMMITTEE DECEMBER 4, 2017 1:00 PM

James Kennedy – Chairman

Denise Ford – Vice Chairwoman

Richard Nicoello

Laura Schaefer

Ellen Birnbaum– Ranking

Siela A. Bynoe

Arnold Drucker

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

DECEMBER 4, 2017 1:00 PM

Rose Marie Walker – Chairwoman

C. William Gaylor III – Vice Chairman

Laura Schaefer

James Kennedy

Delia DeRiggi-Whitton – Ranking

Siela A. Bynoe

Arnold Drucker

Michael C. Pulitzer, Clerk of the Legislature

THERE ARE NO ITEMS ON THIS COMMITTEE AT THIS TIME

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

MINORITY AFFAIRS COMMITTEE

DECEMBER 4, 2017 1:00 PM

Steve Rhoads – Chairman

James Kennedy– Vice Chairman

Denise Ford

Rose Marie Walker

Siela A. Bynoe – Ranking

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

DECEMBER 4, 2017 1:00 PM

Laura Schaefer - Chairwoman

Steve Rhoads - Vice Chairman

Denise Ford

James Kennedy

Arnold Drucker – Ranking

Laura Curran

Delia DeRiggi-Whitton

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

DECEMBER 4, 2017 1:00 PM

Donald MacKenzie - Chairman

Steve Rhoads - 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>
448-17	DA	PS, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE, AND THE WOMEN'S OPPORTUNITY REHABILITATION CENTER, INC. 448-17(DA).
458-17	OMB	PS, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT. 458-17(OMB)
459-17	PD	PS, F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A COOPERATIVE AGREEMENT AND LICENSE WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION IN RELATION TO A NEW ENVIRONMENTAL EDUCATION AND RESILIENCY CENTER. 459-17(PD)

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

**PUBLIC WORKS AND PARKS
COMMITTEE**

DECEMBER 4, 2017 1:00 PM

Vincent Muscarella – Chairman

Steve Rhoads– Vice Chairman

Donald MacKenzie

C. William Gaylor III

Ellen Birnbaum– Ranking

Laura Curran

Arnold Drucker

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

DECEMBER 4, 2017 1:00 PM

Norma Gonsalves – Chairwoman

Richard Nicoletto– Vice Chairman

Vincent Muscarella

Howard Kopel

Kevan Abrahams – Ranking

Delia DeRiggi-Whitton

Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
63-16	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF D. SHELLEY BRAZLEY AS EXECUTIVE DIRECTOR OF THE OFFICE OF MINORITY AFFAIRS PURSUANT TO SECTION 2112(1) OF THE NASSAU COUNTY CHARTER. 63-16(CE)
65-16	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF RODNEY H. MCRAE AS EXECUTIVE DIRECTOR TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 65-16(CE)
121-16	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF RICHARD SHAPER TO THE PLANNING COMMISSION PURSUANT TO SECTION 1601 OF THE NASSAU COUNTY CHARTER. 121-16(CE)
277-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S REAPPOINTMENT OF ROBIN LAVEMAN AS CHAIR OF THE ASSESSMENT REVIEW COMMISSION. 277-17(CE)
303-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S REAPPOINTMENT OF LEON CAMPO TO THE CORRECTIONAL CENTER BOARD OF VISITORS PURSUANT TO SECTION 2004 OF THE NASSAU COUNTY CHARTER. 303-17(CE)
304-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S REAPPOINTMENT OF ALPHONZO ALBRIGHT TO THE CORRECTIONAL CENTER BOARD OF VISITORS PURSUANT TO SECTION 2004 OF THE NASSAU COUNTY CHARTER. 304-17(CE)
375-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S REAPPOINTMENT OF DR. ANTHONY BATTISTA TO THE NASSAU COUNTY BOARD OF HEALTH PURSUANT TO SECTIONS 203 AND 902 OF THE NASSAU COUNTY CHARTER. 375-17(CE)
376-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S REAPPOINTMENT OF DR. ELLEN BRAUNSTEIN TO THE NASSAU COUNTY BOARD OF HEALTH PURSUANT TO SECTIONS 203 AND 902 OF THE NASSAU COUNTY CHARTER. 376-17(CE)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
397-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF BAYVILLE IN RELATION TO A PROJECT TO PURCHASE A DIGITAL COMMUNICATION SIGN FOR THE VILLAGE. 397-17(CE)
448-17	DA	PS, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE, AND THE WOMEN'S OPPORTUNITY REHABILITATION CENTER, INC. 448-17(DA).
449-17	PK	F, R	<u>RESOLUTION NO. -2017</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 OYSTER BAY HISTORICAL SOCIETY. 449-17(PK)
450-17	LE	F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION PROVIDING FOR THE ISSUANCE OF A WARRANT DIRECTING THE TREASURER OF THE COUNTY OF NASSAU TO PAY TO THE SUPERVISORS OF THE SEVERAL TOWNS AND TO THE TREASURERS OF THE SEVERAL VILLAGES AND CITIES WITHIN THE COUNTY OF NASSAU, THE SUMS AS APPORTIONED BY THE NASSAU COUNTY LEGISLATURE BASED ON A REPORT FILED BY THE COUNTY TREASURER AND THE COUNTY CLERK , SHOWING DEPOSITS FROM MORTGAGE TAXES FOR THE PERIOD OF ONE YEAR COMMENCING OCTOBER 1, 2106 THROUGH SEPTEMBER 30, 2017; PURSUANT TO THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 450-17 (LE)
451-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S RE-APPOINTMENT OF KERIA L. BLUE TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 451-17(CE)
452-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S RE-APPOINTMENT OF ARIE WEISSMAN TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 452-17(CE)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
453-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S RE-APPOINTMENT OF WILLIAM MAHLAN TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 453-17(CE)
454-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF VIVIAN PEREIRA TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 454-17(CE)
455-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S RE-APPOINTMENT OF IMMACULA OLIGARIO TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 455-17(CE)
456-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S RE-APPOINTMENT OF ANGELA DAVIS TO THE NASSAU COUNTY COMMISSION ON HUMAN RIGHTS. 456-17(CE)
457-17	CE	R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF SHIRLEY SHING TO THE NASSAU COUNTY COMMISSION TO HUMAN RIGHTS. 457-17(CE)
458-17	OMB	PS, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE POLICE DEPARTMENT. 458-17(OMB)
459-17	PD	PS, F, R	<u>RESOLUTION NO. – 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A COOPERATIVE AGREEMENT AND LICENSE WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION IN RELATION TO A NEW ENVIRONMENTAL EDUCATION AND RESILIENCY CENTER. 459-17(PD)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
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461-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO REMOVE AD VALOREM TAX FROM CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 461-17 (AS)</p>
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Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
463-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 463-17 (AS)</p>
464-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 464-17 (AS)</p>
465-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO REMOVE AD VALOREM TAX FROM CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 465-17 (AS)</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
466-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF NORTH HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 466-17 (AS)</p>
467-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 467-17 (AS)</p>
468-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF OYSTER BAY TO PARTIALLY EXEMPT CERTAIN REAL PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 468-17 (AS)</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
469-17	AS	F, R	<p><u>RESOLUTION NO. – 2017</u> A RESOLUTION TO AUTHORIZE THE COUNTY ASSESSOR AND/OR THE COUNTY TREASURER AND/OR THE RECEIVER OF TAXES OF THE TOWN OF HEMPSTEAD TO PARTIALLY EXEMPT ASSESSMENTS AND TAXED IN ACCORDANCE WITH PETITIONS OF THE BOARD OF ASSESSORS ON SPECIFIC PROPERTIES SITUATED IN VARIOUS SCHOOL DISTRICTS, ASSESSED TO DESIGNATED OWNERS APPEARING ON THE ASSESSMENT ROLLS FOR THE SPECIFIED SCHOOL AND/OR COUNTY YEARS PURSUANT TO THIS RESOLUTION; PURSUANT TO THE REAL PROPERTY TAX LAW, THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY AND THE NASSAU COUNTY ADMINISTRATIVE CODE. 469-17(AS)</p>
A-51-17	PR	R	<p><u>RESOLUTION NO. -2017</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 VARIOUS NASSAU COUNTY AGENCIES AND UNITEC ELEVATOR. A-51-17</p>
A-53-17	PR	R	<p><u>RESOLUTION NO. -2017</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 DEPARTMENT OF PUBLIC WORKS AND L.I. PROLINER INC. A-53-17</p>
A-55-17	PR	R	<p><u>RESOLUTION NO. -2017</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 FIRE MARSHAL AND L.I. PROLINER, INC. A-55-17</p>
E-232-17	PW	R	<p><u>RESOLUTION NO.- 2017</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 PUBLIC WORKS AND SAVIN ENGINEERS, P.C. E-232-17.</p>

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-233-17	PW	R	<u>RESOLUTION NO.- 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS AND MARBELITE CO., INC. E-233-17
E-234-17	AT	R	<u>RESOLUTION NO.- 2017</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 HOPKINS & KOPLIOW. E-234-17
E-235-17	IT	R	<u>RESOLUTION NO.- 2017</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 INFORMATION TECHNOLOGY, AND SIERRA-CEDAR, INC. E-235-17
E-236-17	TV	R	<u>RESOLUTION NO.- 2017</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 & PARKING VIOLATIONS AGENCY, AND ZELDA JONAS. E-236-17
E-237-17	PD	R	<u>RESOLUTION NO.- 2017</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 POLICE DEPARTMENT, AND LONG ISLAND EQUINE MEDICAL CENTER, P.C. E-237-17
E-238-17	PW	R	<u>RESOLUTION NO.- 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY POLICE DEPARTMENT, AND EURO LLOYD TRAVEL, LLC. E-238-17

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-239-17	PW	R	<u>RESOLUTION NO.- 2017</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 PUBLIC WORKS AND LIRO PROGRAM AND CONSTRUCTION MANAGEMENT, P.C. E-239-17
E-240-17	HE	R	<u>RESOLUTION NO.- 2017</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 HEALTH, AND CHARLES J. CASOLARO, ESQ. E-240-17
E-241-17	HE	R	<u>RESOLUTION NO.- 2017</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 HEALTH, AND ERIC S. ZAIDINS, ESQ. E-241-17
E-242-17	HE	R	<u>RESOLUTION NO.- 2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH AND JOHN J. O'GRADY. E-242-17
			THE FOLLOWING ITEMS MAY BE UNTABLED
A-4-16	PR	R	<u>RESOLUTION NO. -2017</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. -2017</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

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-132-17	OMB	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE OFFICE OF MANAGEMENT AND BUDGET, TO PROCEED WITH KPMG LLP ON TASKS II, III, AND IV AS SET FORTH IN COUNTY CONTRACT NUMBER CQBU16000005. E-132-17
E-160-17	IT	R	<u>RESOLUTION NO. -2017</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 INFORMATION TECHNOLOGY AND LOCALITY MEDIA, INC. E-160-17
E-200-17	PR	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO A PERSONAL SERVICE AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PURCHASING AND UNIVERSAL MANAGEMENT TECHNOLOGY SOLUTIONS, INC. E-200-17
E-201-17	TV	R	<u>RESOLUTION NO. -2017</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 & PARKING VIOLATIONS AGENCY, AND ROBERT HOROWITZ. E-201-17
E-202-17	TV	R	<u>RESOLUTION NO. -2017</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 & PARKING VIOLATIONS AGENCY, AND SALVATORE J. NICOSIA. E-202-17
E-203-17	TV	R	<u>RESOLUTION NO. -2017</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 EDWARD A. MARON. E-203-17

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-204-17	TV	R	<u>RESOLUTION NO. -2017</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 & PARKING VIOLATIONS AGENCY, AND DANIEL R. PALMIERI. E-204-17
E-205-17	TV	R	<u>RESOLUTION NO. -2017</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 FRANK A. GULOTTA, JR. E-205-17
E-206-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND JOSEPH C. CALABRESE. E-206-17
E-208-17	TV	R	<u>RESOLUTION NO. -2017</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 KENNETH S. DIAMOND. E-208-17
E-209-17	TV	R	<u>RESOLUTION NO. -2017</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 MITCHELL J. STUDLEY. E-209-17
E-210-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND ANTHONY D. PERRI. E-210-17

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-211-17	TV	R	<u>RESOLUTION NO. -2017</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 LAWRENCE M. SCHAFER. E-211-17
E-212-17	TV	R	<u>RESOLUTION NO. -2017</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 CLAIRE I. WEINBERG. E-212-17
E-214-17	TV	R	<u>RESOLUTION NO. -2017</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 & PARKING VIOLATIONS AGENCY, AND ELIZABETH PESSALA. E-214-17
E-215-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND ALLEN S. MATHERS. E-215-17
E-219-17	PW	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, AND L. K. MCLEAN ASSOCIATES, P.C. E-219-17
E-223-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND DANIEL J. COTTER. E-223-17

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-227-17	CO	R	<u>RESOLUTION NO. -2017</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 COMPTROLLER, AND RSM US, LLP. E-227-17
E-229-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND JOHN P. O'SHEA. E-229-17
E-230-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND JAMES J. TINI. E-230-17

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

TOWNS, VILLAGES & CITIES COMMITTEE

DECEMBER 4, 2017 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**

DECEMBER 4, 2017 1:00 PM

**C. William Gaylor III –Chairman
Rose Marie Walker – Vice Chairwoman
Laura Schaefer
Vincent Muscarella
- 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

FINANCE COMMITTEE

ADDENDUM

DECEMBER 4, 2017 1:00 PM

Richard Nicoletto – Chairman

Vincent Muscarella – Vice Chairman

Rose Marie Walker

Donald MacKenzie

Siela A. Bynoe – Ranking

Laura Curran

Ellen Birnbaum

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
216-17	OMB	F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE AMENDING AN ORDINANCE ALLOWING TERMINATION PAY TO BE PAID IN A SINGLE INSTALLMENT FOR CERTAIN OFFICERS AND EMPLOYEES. 216-17 (OMB)
470-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 470-17 (OMB)
471-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 471-17 (OMB)
472-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 472-17 (OMB)
473-17	OMB	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2017. 473-17 (OMB)
475-17	PK	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE NASSAU COUNTY FIREFIGHTERS MUSEUM & EDUCATION CENTER. 475-17 (PK)
476-17	PK	F, R	<u>RESOLUTION NO. -2017</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 DELANCEY FLOYD-JONES FREE LIBRARY. 476-17 (PK)
479-17	PW	PW, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN ADMINISTRATIVE CONSENT AGREEMENT AND COOPERATIVE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN RELATION TO THE BAY PARK DIVERSION PROJECT AND ADDITIONAL WORK. 479-17 (PW)

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

HEALTH AND SOCIAL SERVICES COMMITTEE ADDENDUM

DECEMBER 4, 2017 1:00 PM

Rose Marie Walker – Chairwoman

C. William Gaylor III – Vice Chairman

Laura Schaefer

James Kennedy

Delia DeRiggi-Whitton – Ranking

Siela A. Bynoe

Arnold Drucker

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
470-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 470-17 (OMB)
471-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 471-17 (OMB)
472-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 472-17 (OMB)

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

**PUBLIC WORKS AND PARKS
COMMITTEE ADDENDUM**

DECEMBER 4, 2017 1:00 PM

Vincent Muscarella – Chairman

Steven Rhoads– Vice Chairman

Donald MacKenzie

C. William Gaylor III

Ellen Birnbaum– Ranking

Laura Curran

Arnold Drucker

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
479-17	PW	PW, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN ADMINISTRATIVE CONSENT AGREEMENT AND COOPERATIVE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN RELATION TO THE BAY PARK DIVERSION PROJECT AND ADDITIONAL WORK. 479-17 (PW)

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

ADDENDUM

DECEMBER 4, 2017 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Vincent Muscarella
Howard Kopel
Kevan Abrahams – Ranking
Delia DeRiggi-Whitton
Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	Summary
216-17	OMB	F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE AMENDING AN ORDINANCE ALLOWING TERMINATION PAY TO BE PAID IN A SINGLE INSTALLMENT FOR CERTAIN OFFICERS AND EMPLOYEES. 216-17 (OMB)
470-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 470-17 (OMB)
471-17	OMB	H, F, R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 471-17 (OMB)
472-17	OMB	H, F,R	<u>ORDINANCE NO. -2017</u> AN ORDINANCE SUPPLEMENTAL TO THE ANNUAL APPROPRIATION ORDINANCE IN CONNECTION WITH THE DEPARTMENT OF HEALTH. 472-17 (OMB)
473-17	OMB	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO AUTHORIZE THE TRANSFER OF APPROPRIATIONS HERETOFORE MADE WITHIN THE BUDGET FOR THE YEAR 2017. 473-17 (OMB)
474-17	HE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF HEALTH, AND THE COUNTY OF SUFFOLK, ACTING ON BEHALF OF THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, IN RELATION TO RYAN WHITE PROGRAM IMPLEMENTATION. 474-17 (HE)
475-17	PK	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE NASSAU COUNTY DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE NASSAU COUNTY FIREFIGHTERS MUSEUM & EDUCATION CENTER. 475-17 (PK)

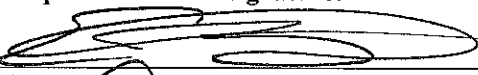
Clerk Item No.	Proposed By	Assigned To	Summary
476-17	PK	F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A GRANT AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND MUSEUMS, AND THE DELANCEY FLOYD-JONES FREE LIBRARY. 476-17 (PK)
477-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE COUNTY EXECUTIVE'S APPOINTMENT OF FRANK GATTO TO THE ASSESSMENT REVIEW COMMISSION. 477-17 (CE)
478-17	CE	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION TO CONFIRM THE APPOINTMENT OF CARNELL T. FOSKEY BY THE COUNTY EXECUTIVE TO THE NASSAU COUNTY CIVIL SERVICE COMMISSION. 478-17 (CE)
479-17	PW	PW, F, R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN ADMINISTRATIVE CONSENT AGREEMENT AND COOPERATIVE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN RELATION TO THE BAY PARK DIVERSION PROJECT AND ADDITIONAL WORK. 479-17 (PW)
480-17	LE	R	<u>LOCAL LAW NO.-2017</u> A LOCAL LAW TO AMEND THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY TO ESTABLISH AN INDEPENDENT OFFICE OF INSPECTOR GENERAL FOR NASSAU COUNTY. 480-17 (LE)
481-17	LE	R	<u>LOCAL LAW NO. -2017</u> A LOCAL LAW TO AMEND ARTICLE II AND ARTICLE VI OF THE COUNTY GOVERNMENT LAW OF NASSAU COUNTY REGARDING LEGISLATIVE APPROVAL OF ACTING DEPARTMENT HEADS. 481-17 (LE)
			THE FOLLOWING ITEMS MAY BE UNTABLED

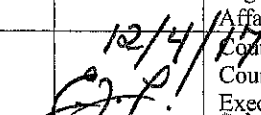
Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
E-207-17	TV	R	<u>RESOLUTION NO. -2017</u> A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PERSONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NASSAU, ACTING ON BEHALF OF THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND PHILIP M. GRELLA. E-207-17 (TV)



Staff Summary

482-17

Subject: Resolution to Authorize First Amendment to Amended and Restated Coliseum Lease
Department: County Executive
Department Head Name: Edward P. Mangano
Department Head Signature: 
Date: December 4, 2017

Internal Approvals			
Date & Init.	Approval	Date & Init.	Approval
	County Executive or Deputy		Director of Legislative Affairs
	Budget	12/4/17 	Counsel to County Executive

Narrative:

In October 2013, the County entered into a ground lease with Nassau Events Center, LLC ("Tenant") for the renovation, operation and maintenance of the now rebranded NYCB Live: Home of the Nassau Veterans Memorial Coliseum. This lease was amended several times.

Under the proposed amendment: (i) the deadline for the Tenant to enter into an agreement with an American Hockey League ("AHL") team would be extended until December 31, 2018 and; (ii) the County and the Tenant would commit to advancing the development of a multi-level garage to allow for additional transformative development at the Coliseum site utilizing an eighty-five million dollar (\$85,000,000) grant from the New York State Empire State Development Corporation.

Purpose:

This is an Ordinance to authorize Nassau County Executive Edward P. Mangano to execute a First Amendment to the Amended and Restated Coliseum Lease for a Portion of the Nassau County Veterans Memorial Coliseum Site ("Restated Coliseum Lease") for the purpose of extending until December 31, 2018 the Tenant's deadline to execute an agreement with an AHL Team to play its home games at the Coliseum. The amendment will also facilitate on-going good faith negotiations between Tenant and the Islanders regarding the playing of Islanders home games at the Coliseum, as well as advance the planning for a structured garage on the Coliseum site to allow for additional future development that will be funded by the New York State Urban Development Corporation.

Discussion/Procedure:

The County entered into a ground lease with NEC, the Lease for the Nassau County Veterans Memorial Coliseum Site ("Initial Lease"), effective October 30, 2013, following all required County approvals.

A First Amendment to the Initial Lease, dated April 27, 2015: (i) increased Tenant's estimated cost in the Coliseum renovation by thirty-one million five hundred dollars (\$31,500,000), thereby increasing the estimated cost for the Coliseum Renovation to one hundred thirty million dollars (\$130,000,000); and (ii) permitted the Tenant to utilize financing from institutional investors and the U.S. EB-5 Immigrant Investor Program.

A Second Amendment to the Initial Lease, dated October 16, 2015, authorized the release of a five-acre parcel from the Initial Lease for sale to an affiliate of Memorial Sloan-Kettering Cancer Center for the construction of a regional, state of the art, ambulatory care facility of approximately 105,000 square feet with 450 parking spaces.

Tenant exercised a provision in the Initial Lease for an affiliate (NEC Plaza, LLC) to enter into an Amended and Restated Plaza Lease with the County for the Coliseum Plaza. Simultaneously, the County and Tenant entered into the Restated Coliseum Lease for the Coliseum premises and the surface parking areas. This enabled Tenant to develop and finance separately the Coliseum Plaza and the Coliseum. Future development of excess parking areas will occur under the Restated Coliseum Lease, not the Plaza Lease. Both leases were executed on July 30, 2015 with an effective date of October 30, 2013.

On October 30, 2015, pursuant to a Letter Agreement, the requirement pursuant to Section 4.1(e) of the Restated Coliseum Lease that prior to construction commencement the Tenant enter into an agreement with an AHL team to play its home games at the Coliseum was deferred.

The Tenant has requested that the County authorize and adopt the proposed amendment to extend the period of time the Tenant has to enter into a lease with an AHL team until December 31, 2018 (the "AHL Team Lease"). The AHL Team Lease must commence in the 2019-2020 season and be for a 15-year term. The failure to enter the AHL Team Lease would be deemed an Event of Default governed by Section 20 of the Restated Coliseum Lease. In addition, language in a clause regarding the requirement that the AHL team play at the Coliseum subject to temporary relocations due to repairs and damages would now be tied to such relocations being the result of an Event of Force Majeure. Lastly, section 1.4 of the Restated Coliseum Lease is amended to reflect that the AHL Team Lease would be defined in new subsection section 4.7(i). All provisions regarding the AHL Team Lease, which were previously contained in sections 4.1 and 4.5 of the Restated Coliseum Lease are now consolidated into new sub-section 4.7(i). All related provisions regarding other Coliseum programming are situated in section 4.7 of the Restated Coliseum Lease.

The amendment also adds a new section 65 to the Restated Coliseum Lease that is a commitment between the County and Tenant to advance the development of a multi-level parking garage funded by an \$85 million grant from the New York State Urban Development Corporation (d/b/a Empire State Development). This commitment would be subject to the Section 54 of the Restated Coliseum Lease that concerns how the parties govern future development on excess parking areas.

Impact on funding:

N/A

Recommendation:

Approve as submitted.



County of Nassau Inter-Departmental Memo

To: Clerk of the County Legislature

From: County Attorney

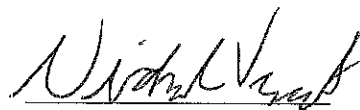
Date: December 4, 2017

Subject: ORDINANCE - ORIG. DEPT. – Management and Budget

AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE, BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND NASSAU EVENTS CENTER, LLC, AS TENANT, OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 415 AND 351 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon its calendar.

CARNELL FOSKEY
County Attorney


By: Nicholas Vevante
Deputy County Attorney
Appeals Bureau

Attachments

ORDINANCE NO. - 2017

AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE, BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND NASSAU EVENTS CENTER, LLC, AS TENANT, OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 415 AND 351 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE.

APPROVED AS TO FORM

Deputy County Attorney

2017 DEC -11 P 2:49

RECEIVED
NASSAU COUNTY
CLERK OF THE SUPERIOR COURT

WHEREAS, pursuant to Ordinance No. 134-2013 the County of Nassau (the "County") leased to Nassau Events Center, LLC ("Tenant") the 77-acre Coliseum site in Uniondale pursuant to a Lease Agreement originally made between County of Nassau, as landlord, and Nassau Events Center, LLC, as tenant, executed by the County as of October 30, 2013, as amended pursuant to Ordinance No. 32-2015 by that certain First Amendment to Lease dated as of April 27, 2015, and as further amended pursuant to Ordinance No. 125-A-2015 by that certain Second Amendment to Lease dated as of October 16, 2015 (collectively, the "Lease");

WHEREAS, pursuant to the terms of the Lease, the County severed the Lease into two (2) separate leases for portions of the 77-acre Coliseum site: (i) an Amended and Restated Coliseum Lease dated as of July 30, 2015 by and between the County and Nassau Events Center, LLC; and (ii) and an Amended and Restated Plaza Lease dated as of July 30, 2015 by and between the County and NEC Plaza, LLC;

WHEREAS, the County and Tenant desire to amend the Amended and Restated Coliseum Lease to (i) address the AHL Team requirement in the Amended and Restated Coliseum Lease and (ii) address a parking garage to be built on that portion of the Coliseum site leased to Nassau Events Center, LLC under the Amended and Restated Coliseum Lease and referenced in the heading above; all as is set forth in that certain First Amendment to Amended and Restated Coliseum Lease (the "Amendment") by and between the County and Tenant, a copy of which is on file in the office of the Clerk of the Nassau County Legislature; and

WHEREAS, as a result of the Amendment, there is no change to the Legislature's SEQRA review and Determination of Non-Significance made in Ordinance No. 134-2013.

BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive is hereby authorized to execute, on behalf of the County of Nassau, the Amendment, and to execute any and all other instruments and to take such other action as is necessary to effectuate the terms of the Amended and Restated Coliseum Lease and to carry out the purposes of the Amendment.
2. This ordinance shall take effect immediately.

FIRST AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE

THIS FIRST AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE (this "Amendment") is made and entered into as of _____, 2017 by and between THE COUNTY OF NASSAU, acting solely in its proprietary, not governmental capacity, as landlord, together with its successors and assigns (the "Landlord"), having an address at 1550 Franklin Avenue, Mineola, New York 11501, and NASSAU EVENTS CENTER, LLC, a Delaware limited liability company, as tenant, together with its successors and permitted assigns (the "Tenant"), having an office address at 15 Metrotech Center, 11th Floor, Brooklyn, New York 11201.

WITNESSETH:

WHEREAS, Landlord, as landlord, and Tenant, as tenant, entered into a Lease, effective as of October 30, 2013 (as amended by that certain First Amendment to Lease dated as of April 27, 2015 and that certain Second Amendment to Lease dated as of October 16, 2015, the "Original Ground Lease"), whereby Landlord leased to Tenant certain premises in Uniondale, Town of Hempstead, County of Nassau, State of New York more particularly described in the Original Ground Lease;

WHEREAS, Landlord and Tenant entered into an Amended and Restated Coliseum Lease with a Lease Effective Date of October 30, 2013, but made and entered into as of July 30, 2015 (the "Restated Coliseum Lease"), for a portion of the premises leased under the Original Ground Lease, as more particularly described in the Restated Coliseum Lease, which Restated Coliseum Lease replaced the Original Ground Lease with respect to the premises described in the Restated Coliseum Lease and includes the building known as the Nassau Veterans Memorial Coliseum (the "Coliseum");

WHEREAS, all initially capitalized terms used, but not defined, in this Amendment shall have the meanings set forth for such terms in the Restated Coliseum Lease;-

WHEREAS, Tenant continues to negotiate in good faith with the Islanders regarding the playing of Islanders home games at the Coliseum.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Landlord and Tenant agree that the Restated Coliseum Lease shall be modified and amended as follows:

1. Amendments

CERTAIN DEFINITIONS.

- a) The "AHL Team" definition in Section 1.3, Article I is hereby MODIFIED as follows (additions shown as bold/underlined and deletions with bold/strikethrough):

AHL Team shall mean a professional ice hockey franchise of the American Hockey League to be specified by Tenant to Landlord, promptly after the Lease Effective Date.

- b) The "AHL Team Lease" definition in Section 1.4, Article I is hereby MODIFIED as follows (additions shown as bold/underlined and deletions with bold/strikethrough):

AHL Team Lease shall have the meaning as defined in Section ~~4.1(e)~~ **4.7(i)**.

CONSTRUCTION COMMENCEMENT DATE CONDITIONS

- c) Subpart (e) of Section 4.1 of Article 4 is DELETED as follows (deletions with bold/strikethrough)

~~The lease with the AHL Team shall have been entered into in accordance with Section 4.5(a) below (the "AHL Team Lease") which shall include a non-relocation agreement pursuant to which such team shall agree to play substantially all of their regular and post-season home games at the Coliseum for a period of at least fifteen (15) years, subject to applicable AHL League requirements and to Events of Force Majeure, league-wide strikes, lock-outs, slow-downs, walk-outs or other work stoppages, and temporary relocations due to damages, repairs and/or restoration at the Coliseum, which obligation shall be supported by specific performance and certain other remedies to be determined, and otherwise shall be in form reasonably satisfactory to Landlord. It is understood that if the AHL Team shall cease playing its home games at the Coliseum in breach of the AHL Team Lease, then Tenant shall have a reasonable time period during which it may replace such team with another professional sports franchise that is reasonably acceptable to Landlord without being in default under this Lease.~~

- d) Subpart (a) of Section 4.5, Article 4, Construction Commencement Date Conditions, is DELETED as follows (deletions with bold/strikethrough):

~~Tenant shall cause the AHL Team Lease to be executed for a term expiring not earlier than June 30, 2028 pursuant to an agreement in form reasonably acceptable to Landlord. Such agreement shall provide, among other things, that, without the consent of the County (irrespective of whether the County~~

~~shall be the Landlord hereunder at the time of such proposed amendment), such lease may not be further amended in any manner which would (i) shorten the term thereof, (ii) diminish or reduce the obligation of the AHL Team to play all of their regular and post-season home games at the Coliseum, or (iii) limit the right of the County to enforce the provisions of such lease which the County has the right to enforce, provided, however, the County's consent may be granted or withheld in its sole and absolute discretion.~~

- e) Subpart (b) subsections (1) – (5) of Section 4.5, Article 4, Construction Commencement Date Conditions, is DELETED as follows (deletions with bold/strikethrough):

~~Landlord shall recognize the AHL Team as the direct tenant of Landlord upon the termination of this Lease for any reason, provided at the time of the termination of this Lease (x) no default exists under the AHL Team Lease on the part of the AHL Team beyond the expiration of any applicable cure period and which at such time would permit the landlord thereunder to terminate the AHL Team Lease, and (y) the AHL Team delivers to Landlord an instrument confirming the agreement of the AHL Team to attorn to Landlord and to recognize Landlord as AHL Team's landlord under the AHL Team Lease, which instrument shall provide that neither Landlord, nor anyone claiming by, through or under Landlord, shall:~~

- ~~(1) be liable for any previous act or omission of Tenant under such AHL Team Lease or breach of any representation or warranty of Tenant under such AHL Team Lease;~~
- ~~(2) be subject to any offset or defense which theretofore accrued to such AHL Team against Tenant;~~
- ~~(3) be bound by any prepayment of more than one (1) month's rent or additional charges or for any security or other lease deposits unless actually received by Landlord;~~
- ~~(4) assume or be bound by any of Tenant's liabilities under indemnification or hold harmless agreements in the AHL Team Lease; or~~
- ~~(5) be liable to the AHL Team beyond Landlord's interest in the Premises.~~

- f) Subpart (i) of Section 4.7, Article 4, Construction Commencement Date Conditions, is ADDED as follows (additions shown as bold/underlined):

i) Tenant shall enter into a lease with the AHL Team ("AHL Team Lease") for a 15-year term pursuant to an agreement in form reasonably acceptable

to Landlord to be executed no later than December 31, 2018. For the avoidance of doubt, the failure to deliver the AHL Team Lease as set forth in this Section may, at Landlord's option, be deemed to be an Event of Default governed by Article 20 herein.

(1)The AHL Team Lease shall include a non-relocation agreement pursuant to which such team shall agree to play substantially all of their regular and post season home games at the Coliseum for 15 consecutive years commencing with the 2019-2020 season subject to applicable AHL League requirements and to Events of Force Majeure including (i) league-wide strikes, (ii) lock-outs, (iii) slow-downs, (iv) walk-outs or other work stoppages, and (v) temporary relocations due to damages, repairs and/or restoration at the Coliseum occurring solely as a result of a Force Majeure, which obligation shall be supported by specific performance and certain other remedies to be determined, and otherwise shall be in form reasonably satisfactory to Landlord. It is understood that if the AHL Team shall cease playing its home games at the Coliseum in breach of the Team Lease, then Tenant shall have a reasonable time period during which it may replace such team with another professional sports franchise that is reasonably acceptable to Landlord without being in default under this Lease.

(2) Such agreement shall provide, among other things, that, without the consent of the County (irrespective of whether the County shall be the Landlord hereunder at the time of such proposed amendment), such lease may not be further amended in any manner which would (i) shorten the term thereof, (ii) diminish or reduce the obligation of the AHL Team to play substantially all their regular and post-season home games at the Coliseum, or (iii) limit the right of the County to enforce the provisions of such lease which the County has the right to enforce, provided, however, the County's consent may be granted or withheld in its sole and absolute discretion.

(3) Landlord shall recognize the AHL Team as the direct tenant of Landlord upon the termination of this Lease for any reason, provided at the time of the termination of this Lease (x) no default exists under the AHL Team Lease on the part of the AHL Team beyond the expiration of any applicable cure period and which at such time would permit the landlord thereunder to terminate the AHL Team Lease, and (y) the AHL Team delivers to Landlord an instrument confirming the agreement of the AHL Team to attorn to Landlord and to recognize Landlord as AHL Team's landlord under the AHL Team Lease, which instrument shall provide that neither Landlord, nor anyone claiming by, through or under Landlord, shall:

- (i) be liable for any previous act or omission of Tenant under such AHL Team Lease or breach of any representation or warranty of Tenant under such AHL Team Lease;

- (ii) be subject to any offset or defense which theretofore accrued to such AHL Team against Tenant;
- (iii) be bound by any prepayment of more than one (1) month's rent or additional charges or for any security or other lease deposits unless actually received by Landlord;
- (iv) assume or be bound by any of Tenant's liabilities under indemnification or hold harmless agreements in the AHL Team Lease; or
- (v) be liable to the AHL Team beyond Landlord's interest in the Premises.

f) New Article 65, Parking Garage, is hereby ADDED as set forth below:

65. PARKING GARAGE

Landlord and Tenant agree to cooperate with one another in order to advance the development of a multi-level parking garage for the Coliseum (and possibly others on a shared use basis) on a mutually satisfactory, to-be-determined portion of the Land. The development of such garage will result in a substitution of a portion of the Coliseum's current surface parking spaces with more efficient structured parking, thereby reducing the amount of land required for the Coliseum's operations and enabling additional transformative development on a portion of the Land. In connection with the foregoing, it is anticipated that (a) such additional transformative development will take place on a portion of the Land, in a mutually satisfactory, to-be-determined location, having an aggregate square foot area that approximates the square foot area of additional structured parking spaces created by such parking garage (i.e., the net number of new structured parking spaces created by such garage) and (b) funding for the development of such garage will be obtained via a grant from the State of New York (via the New York State Urban Development Corporation d/b/a Empire State Development) of \$85,000,000 in transformative investment capital. The parties understand that further details relating to the development of the aforementioned garage remain to be agreed upon, but each party agrees to negotiate and consider the same in good faith. **This Section 65 is subject to the provisions of Section 54 which shall govern in the event of a conflict.**

2. Conflict. In the event of a conflict between any provisions contained in this Amendment and the Restated Coliseum Lease, the provisions contained in this Amendment shall govern and prevail.

3. No Further Modifications; Ratification; No Waiver. The Restated Coliseum Lease is and shall remain in full force and effect and the parties hereto hereby ratify and confirm all provisions of the Restated Coliseum Lease, which, except as amended hereby, remain unchanged. All references to the "Lease" in the Restated Coliseum Lease shall mean the Restated Coliseum Lease as modified by this Amendment.
4. Governing Law. This Amendment shall be governed by, and construed and enforced in accordance with, the laws of the State of New York, without regard to the conflict of laws provisions thereof other than Sections 5-1401 and 5-1402 of the New York General Obligations Law.
5. Severability. Any provision of this Amendment which is prohibited, unenforceable or not authorized in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition, unenforceability or non-authorization without invalidating the remaining provisions hereof or affecting the validity, enforceability or legality of such provisions in any other jurisdiction.
6. Counterpart Execution. This Amendment may be executed in counterparts, each of which shall be deemed an original copy and all of which together shall constitute one agreement binding on the parties hereto, notwithstanding that both the parties shall not have signed the same counterpart. Facsimile signatures are deemed to be equivalent to original signatures for the purposes of this Amendment.

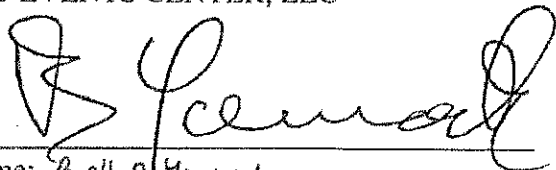
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IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Amendment as of the date first set forth above.

THE COUNTY OF NASSAU

By: _____
Name: Edward P. Mangano
Title: County Executive

NASSAU EVENTS CENTER, LLC

By:  _____
Name: Brett D. Yormark
Title: CEO

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

On the ____ day of _____, in the year 2017, before me, the undersigned,
a Notary Public in and for said state, personally appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

NOTARY PUBLIC

STATE OF NEW YORK)
)
) ss.:
COUNTY OF KINGS)

On the 4th day of December, in the year 2017, before me, the undersigned,
a Notary Public in and for said state, personally appeared

Brett Yormark personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

ILANA KANZAS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KA6304658
Qualified in New York County
My Commission Expires June 02, 2018

Glenn Kantas
NOTARY PUBLIC

NASSAU COUNTY LEGISLATURE

11th TERM MEETING AGENDA

RULES COMMITTEE

ADDENDUM II

DECEMBER 4, 2017 1:00 PM

Norma Gonsalves – Chairwoman
Richard Nicoletto– Vice Chairman
Vincent Muscarella
Howard Kopel
Kevan Abrahams – Ranking
Delia DeRiggi-Whitton
Siela A. Bynoe

Michael C. Pulitzer, Clerk of the Legislature

Clerk Item No.	Proposed By	Assigned To	<u>Summary</u>
482-17	CE	R	<p><u>ORDINANCE NO. -2017</u></p> <p>AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE ON BEHALF OF THE COUNTY OF NASSAU TO EXECUTE AN AMENDMENT TO AMENDED AND RESTATED COLISEUM LEASE, BETWEEN THE COUNTY OF NASSAU, AS LANDLORD, AND NASSAU EVENTS CENTER, LLC, AS TENANT, OF CERTAIN PREMISES LOCATED IN UNIONDALE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 44, BLOCK F, LOTS 415 AND 351 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMMATE THE LEASE. 482-17 (CE)</p>

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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

FINANCE COMMITTEE

RICHARD NICOLELLO, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
3:41 P.M

1

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

3

4 RICHARD NICOLELLO,
Chairman5 VINCENT MUSCARELLA,
Vice Chairman

6

ROSE MARIE WALKER

7

8 DONALD MACKENZIE (Substituted by
Howard Kopel)9 SIELA A. BYNOE,
Ranking

10

LAURA CURRAN

11

ELLEN BIRNBAUM

12

13 MICHAEL PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

EILEEN KRIEB.....	8
ANDY PERSICH.....	13
MAURICE CHALMERS.....	16
MARYELLEN LAURAIN.....	38
HEIDI SANFT.....	40

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INSERTS

Incorporated by reference
Public Safety Committee Minutes
Dated 12-4-17;
Clerk Items 448, 458, 459.....6

Incorporated by reference
Public Works & Parks Committee Minutes
Dated 12-4-17;
Clerk Items 479-17.....6, 46

Incorporated by reference
Health Committee Minutes
Dated 12-4-17;
Clerk Items 470-17, 471-17, 472-17.....7

1 Finance Committee/12-4-17

2 CHAIRMAN NICOLELLO: Calling the
3 Finance Committee to order. Mr. Pulitzer,
4 please call the roll.

5 CLERK PULITZER: Thank you, Mr.
6 Chairman. Finance Committee roll call.

7 Legislator Ellen Birnbaum?

8 LEGISLATOR BIRNBAUM: Here.

9 CLERK PULITZER: Legislator Laura
10 Curran?

11 LEGISLATOR CURRAN: Here.

12 CLERK PULITZER: Ranking Member
13 Siela Bynoe?

14 LEGISLATOR BYNOE: Here.

15 CLERK PULITZER: Legislator
16 Howard Kopel?

17 LEGISLATOR KOPEL: Here.

18 CLERK PULITZER: Legislator Rose
19 Marie Walker?

20 LEGISLATOR WALKER: Here.

21 CLERK PULITZER: Vice Chairman
22 Vincent Muscarella?

23 LEGISLATOR MUSCARELLA: Here.

24 CLERK PULITZER: And Chairman
25 Richard Nicoletto?

1 Finance Committee/12-4-17

2 CHAIRMAN NICOLELLO: Here.

3 CLERK PULITZER: We have a
4 quorum, sir.

5 CHAIRMAN NICOLELLO: Thank you.

6 Items 448 of 2017 is a resolution
7 authorizing the County Executive to execute
8 an amendment to a grant agreement between
9 the County of Nassau acting on behalf of the
10 District Attorney's Office and Women's
11 Opportunity Rehabilitation Center, Inc.

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRMAN NICOLELLO: Moved by
15 Legislator Walker, seconded by Legislator
16 Kopel. Any questions on this item? Note
17 for the record it went through committees
18 before and I ask that all committee minutes
19 be incorporated by reference.

20 (Whereupon, please refer to the
21 minutes of the Public Safety Committee dated
22 12-4-17 pertaining to Clerk Items 448, 458,
23 459.)

24 (Whereupon, please refer to the
25 minutes of the Public Works and Parks

1 Finance Committee/12-4-17
2 Committee dated 12-4-17 pertaining to Clerk
3 Item 479-17.)

4 (Whereupon, please refer to the
5 minutes of the Health Committee dated
6 12-4-17 pertaining to Clerk Items 470-17,
7 471-17, 472-17.)

8 CHAIRMAN NICOLELLO: Hearing no
9 questions, any public comment?

10 (No verbal response.)

11 All in favor signify by saying
12 aye.

13 (Aye.)

14 Those opposed?

15 (No verbal response.)

16 Carries unanimously.

17 Next item 449 is a resolution
18 authorizing the County Executive to execute
19 a grant agreement between the County of
20 Nassau acting on behalf of the Department of
21 Parks Recreation, and Museums and the Oyster
22 Bay Historical Society.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MUSCARELLA: Second.

25 CHAIRMAN NICOLELLO: Moved by

1 Finance Committee/12-4-17

2 Legislator Walker, seconded by Legislator
3 Muscarella.

4 MS. KRIEB: Eileen Krieb,
5 Department of Parks. This is a grant with
6 the Oyster Bay Historical Society in the
7 amount of \$9,200 to be funded through the
8 Hotel Motel tax for their educational
9 programing.

10 CHAIRMAN NICOLELLO: Any
11 questions?

12 (No verbal response.)

13 Thank you. Any public comment?

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 Those opposed?

18 (No verbal response.)

19 The item passes unanimously.

20 Item 450, a resolution providing
21 for the issuance of a warrant directing the
22 treasurer of the County of Nassau to pay to
23 the supervisors of the several towns, and
24 the treasurers of the several villages and
25 cities within the county the sum as

1 Finance Committee/12-4-17
2 apportioned by the Nassau County Legislature
3 based on a report filed by the county
4 treasurer and county clerk showing deposits
5 for mortgage taxes for the period of one
6 year commencing October 1st, 2016 through
7 September 30, 2017.

8 LEGISLATOR MUSCARELLA: So moved.

9 LEGISLATOR WALKER: Second.

10 CHAIRMAN NICOLELLO: Moved by
11 Legislator Muscarella, seconded by
12 Legislator Walker. Do we have any questions
13 on this item?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 All those in favor signify by
18 saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 That item carries unanimously.

23 The next two items are 458 and
24 459. 458 is an ordinance supplemental to
25 the annual appropriation ordinance in

1 Finance Committee/12-4-17
2 connection with the police department;
3 459 is a resolution authorizing
4 the County Executive to execute a
5 cooperative agreement and license with the
6 New York State Office of Parks, Recreation
7 and Historic Preservation in relation to a
8 new environmental education and resiliency
9 center.

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRMAN NICOLELLO: Moved by
13 Legislator Kopel, seconded by Legislator
14 Walker. Do we have any questions?

15 (No verbal response.)

16 This went through Public Safety a
17 few minutes ago. Is there any public
18 comment?

19 (No verbal response.)

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 Carries unanimously.

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2 Calling the next several 460, 61,
3 62, 63, 64, 65, 66, 67, 68 and 69 of 2017,
4 these are resolutions to authorize the
5 county assessor and/or the county treasurer
6 and/or the receiver of taxes of the towns of
7 Hempstead and Oyster Bay to remove ad valor
8 um tax from certain real properties;

9 Also, a resolution to authorize
10 the county assessor and/or the county
11 treasurer and/or the receivers of taxes of
12 the towns of North Hempstead, Hempstead, and
13 Oyster Bay to partially exempt assessment.

14 LEGISLATOR WALKER: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRMAN NICOLELLO: Moved by
17 Legislator Walker, seconded by Legislator
18 Kopel. The items are before the committee.
19 Do we have any questions or discussion?

20 (No verbal response.)

21 Is there any public comment?

22 (No verbal response.)

23 All those in favor signify by
24 saying aye.

25 (Aye.)

1 Finance Committee/12-4-17
2 Those opposed?
3 (No verbal response.)
4 Those items carry unanimously.
5 Motion to suspend the rules.
6 LEGISLATOR KOPEL: So moved.
7 LEGISLATOR MUSCARELLA: Second.
8 CHAIRMAN NICOLELLO: Moved by
9 Legislator Kopel, seconded by Legislator
10 Muscarella. All those in favor of
11 suspending the rules signify by saying aye.
12 (Aye.)
13 Those opposed?
14 (No verbal response.)
15 Rules are suspended.
16 The first item on the addendum is
17 Item 216 of 2017, an ordinance amending an
18 ordinance allowing termination pay to be
19 paid in a single installment for certain
20 officers and employees.
21 LEGISLATOR WALKER: So moved.
22 LEGISLATOR MUSCARELLA: Second.
23 CHAIRMAN NICOLELLO: Moved by
24 Legislator Walker, seconded by Legislator
25 Muscarella. We would like to have a

1 Finance Committee/12-4-17

2 presentation on this.

3 MR. PERSICH: Andy Persich,
4 Office of Management and Budget. The item
5 before you is giving the employees the
6 option of taking a single payment or a three
7 pay, but it gives them an option to take a
8 lump sum payment on their termination pay.

9 CHAIRMAN NICOLELLO: What is it
10 currently without this item?

11 MR. PERSICH: It's a three pay,
12 anything over \$10,000 has to be paid out in
13 three equal payments, what the balance of
14 what their outstanding termination pay.

15 CHAIRMAN NICOLELLO: And the
16 three equal payments would be over what time
17 period?

18 MR. PERSICH: Over three years.
19 When they separate service with the county.

20 CHAIRMAN NICOLELLO: So this
21 would allow the option of them taking it in
22 a single installment or what, in 2018 --

23 MR. PERSICH: Well, we're going
24 to try to accrue for it in 2017, that's the
25 plan, and we going to use funds, any

1 Finance Committee/12-4-17
2 additional surpluses in 2017 to fund
3 whatever we owe -- whatever employee
4 separates we are going to pay with 2017
5 money.

6 CHAIRMAN NICOLELLO: Any other
7 questions on this item? Legislator Bynoe.

8 LEGISLATOR BYNOE: Thank you,
9 Chair. So you said it would be over three
10 installments. Normally it's over three
11 installments but now --

12 MR. PERSICH: Currently that's
13 what it is. It's a three pay is what it is.
14 Anything over \$10,000 -- if an employee is
15 owed more than \$10,000 it would be paid out
16 over three payments.

17 So if you owe \$10,000, you would
18 get \$3,333 over three years.

19 LEGISLATOR BYNOE: So this is a
20 shift in how this is normally paid out. So
21 can you explain why we would be shifting?

22 MR. PERSICH: Well, it was done
23 previously when there was a transfer in
24 administration is what I know, so this is a
25 practice that happened in 2009.

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2 LEGISLATOR BYNOE: So I have
3 asked that question as well because I
4 wouldn't have been here earlier on when
5 something like that would have occurred, but
6 I did learn though, when this was utilize by
7 the prior administration that there was a
8 sunset on the item.

9 Therefore, people had only a
10 certain period of time to go. And this
11 leaves it wide open.

12 MR. PERSICH: I think any changes
13 would happen prior to the end of the year.
14 Depending on when these people separated
15 service. It would probably be within the
16 next month I imagine.

17 LEGISLATOR BYNOE: Maybe not. So
18 I'm a little concerned that this item does
19 not include a sunset period. That's one of
20 my observations.

21 Then I would like to know, if you
22 don't know then I'm going to ask
23 Mr. Chalmers, what is the financial impact
24 of this?

25 MR. PERSICH: It's going to

1 Finance Committee/12-4-17
2 depend how many people separate service. I
3 mean the total liability on the books now
4 for all ordinance employees which, this
5 covers approximately \$8 million, that would
6 mean everybody in the 300 people that the
7 ordinance would separate, we would owe \$8
8 million if this happened. I don't see that
9 being realistic.

10 So I think a portion of that, of
11 the 300 people, some will be staying on. So
12 what that number will be, I can't tell you
13 until we find out who's here or not here.

14 LEGISLATOR BYNOE: And since we
15 both have agreed we were not here in the
16 past, I believe Mr. Chalmers may have some
17 history on this so I'm going to ask that Mr.
18 Chalmers come to the microphone.

19 MR. CHALMERS: Maurice Chalmers,
20 Budget Review.

21 LEGISLATOR BYNOE: Thank you,
22 Mr. Chalmers. Mr. Chalmers, there has been
23 a mention of approximately \$8 million
24 financial impact in the event we approve
25 this item in this calendar year.

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2 Have you been able to do any
3 projections on that?

4 MR. CHALMERS: No. What we did
5 is, we took a look at all the termination
6 liability for all ordinance employees.

7 Now, if you take all ordinance
8 employees minus the District Attorney and
9 one or two more departments, you end up with
10 approximately 7.5 to 7.8 million.

11 So the \$8 million that was quoted
12 or talked about before seemed to be
13 accurate.

14 LEGISLATOR BYNOE: So, based on
15 where we are, less than a month out from
16 this year, where do you see us ending the
17 year in terms of finances?

18 MR. CHALMERS: Well, termination
19 pay this year is going to be a bit
20 challenging because we just had the VSIP,
21 and the VSIP according to NIFA is supposed
22 to be paid out of the operating fund so it
23 may be a little bit challenging.

24 LEGISLATOR BYNOE: And the VSIP,
25 what did we end with in total financial

1 Finance Committee/12-4-17

2 encumbrances based on the VSIP?

3 MR. CHALMERS: I believe the
4 number was in the low, \$20 million, but I
5 would have to double check to make sure.

6 LEGISLATOR BYNOE: I'm not sure,
7 I'm not aware whether NIFA would be in
8 support of any of this being financed
9 through borrowing and I'm not sure that
10 we're going to have enough money to close
11 out this year to be able to handle a
12 potentially 7.8, 8 million and expect --

13 MR. CHALMERS: And that's if all
14 those people, 200 plus people that I'm not
15 sure how many people are going to be
16 terminated and we will have to pay this, but
17 the potential liability could be up to \$8
18 million and I can't speak for NIFA in terms
19 how much they would allow us to borrow on
20 that. I don't have that answer.

21 LEGISLATOR BYNOE: I would
22 suspect since they wouldn't allow for the
23 VSIP to be paid by way of borrowing, that
24 they would be of like mind to say that they
25 wouldn't allow for this particular item to

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2 be paid also.

3 MR. CHALMERS: Probably not.

4 LEGISLATOR BYNOE: So I'm
5 thinking that this is -- is there somebody
6 here from OMB or administration that can
7 speak to exactly where you believe we are
8 fiscally and that we do have money for this
9 type of pay out?

10 MR. PERSICH: Well, because we're
11 coming down to the end of the year which is
12 usually when we reconcile all our year end
13 adjustments and everything else, we end up
14 finding some surpluses in certain areas. At
15 this point, I don't know where we are going
16 to be in December. We are projecting a
17 slight surplus in the monthly reports.

18 But, as of this point, unless we
19 know what the number is, I can't give you
20 the funding sources for it. But I don't
21 think NIFA will allow us to borrow it.

22 LEGISLATOR BYNOE: I don't even
23 know why then this item made it on to an
24 addendum because we don't know how we're
25 going to pay for it, and it actually not

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2 only exposes us to this type of financial
3 liability in this year based on the fact
4 that there is no sunset in the event there
5 are some separations in the early part of
6 2018 where we already know that NIFA is
7 going to impose cuts of up to \$18 million,
8 why would we agree to this? I think it's
9 financially reckless, quite frankly, for us
10 to even be considering this.

11 I really don't think this is
12 financially prudent at this time and I'm
13 really seriously concerned about this
14 approach. We don't know how we can pay for
15 it and we most certainly don't know how we
16 can pay for it in 2018 because it already
17 backs up against the wall for 2018.

18 So I actually would like to move
19 for tabling this item until there's some
20 kind of ability to illustrate how this can
21 be paid for and potentially an amendment to
22 the item to include a sunset so we do not
23 expose ourselves in 2018 when we already
24 know that financially we are in tough spot.

25 CHAIRMAN NICOLELLO: Motion to

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2 table. Is there a second?

3 LEGISLATOR CURRAN: Second.

4 CHAIRMAN NICOLELLO: All those in
5 favor?

6 (Aye.)

7 Those opposed?

8 (Nay.)

9 The item is not tabled.

10 Mr. Chalmers.

11 LEGISLATOR BYNOE: I'm not quite
12 sure I was done, but --

13 CHAIRMAN NICOLELLO: I thought
14 you were because you made a motion to table.

15 Everyone gets a chance. I wanted
16 to make sure I understood something that you
17 said. The number of people eligible
18 includes people in the DA's Office; is that
19 what you said?

20 MR. CHALMERS: In total is about
21 550 ordinance employees which includes 216
22 employees in the DA's office, 15 in the
23 Board of Elections and for the purposes of
24 administration they took out about 63
25 employees out of the mix also for the

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2 Legislature and that would leave us with
3 about 255 employees.

4 CHAIRMAN NICOLELLO: What is the
5 exposure?

6 MR. CHALMERS: The total exposure
7 for everybody, including the DA --

8 CHAIRMAN NICOLELLO: No, no, no.
9 I mean --

10 MR. CHALMERS: \$8 million. It's
11 approximately 7.8 million to \$8 million.

12 CHAIRMAN NICOLELLO: I don't
13 think that you're going to see a mass exodus
14 out of the DA's Office or Board of
15 Elections, or Legislature for that matter.

16 MR. CHALMERS: Those employees \$8
17 million excludes it. It does not include
18 the DA.

19 CHAIRMAN NICOLELLO: It doesn't.
20 Okay, thank you. Currently this exposure
21 would be spread over three years; is that
22 correct?

23 MR. CHALMERS: Yes.

24 CHAIRMAN NICOLELLO: So pay out
25 in the current year or in 2018, '19 and '20?

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2 MR. CHALMERS: Correct.

3 CHAIRMAN NICOLELLO: Thank you.

4 Question for Legislator Bynoe, you keep
5 talking about a sunset, what do you have in
6 mind?

7 LEGISLATOR BYNOE: It's my
8 understanding that the prior administration
9 allowed for this same type of initiative,
10 however, everyone had to leave by December
11 31st, 2017, so that there was no exposure
12 into the next year.

13 But my problem with this item is
14 twofold. Number one, we are exposing
15 ourselves in 2018;

16 Number two, and which I actually
17 think is probably more important, is that
18 the administration can't illustrate how they
19 would pay for anything in 2017. They've
20 said it on the record that they're at a
21 point of trying to reconcile and find where
22 they may be able to locate some surplus to
23 pay for it.

24 They have not identified a
25 surplus to pay for it. So there's two

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2 issues that really to me are troubling with
3 this item and if they can illustrate how
4 they can pay for it and add a sunset, I
5 probably could wrap my mind around it.

6 But with the lack of both of
7 those two things being in place, it would be
8 irresponsible for the Finance Committee to
9 approve something like that.

10 CHAIRMAN NICOLELLO: This goes to
11 the Full Legislature after this in two
12 weeks. We have an opportunity at that point
13 if we decide that the administration has not
14 fully justified how it's going to pay for
15 it, to stop it at that point.

16 I'd rather give them two weeks to
17 tell us where the money is coming from
18 and/or make any changes.

19 Mr. Persich, do you have a point?

20 MR. PERSICH: Yes, I have a
21 couple of points. Number one, we are
22 projecting a \$1.5 million surplus, current
23 reports, part of the funding could come from
24 that.

25 But as we get closer to year end

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2 there are lots of stuff that occurs that we
3 do find funding sources.

4 The second thing, I want to
5 correct myself, it's \$5,000 not \$10,000 that
6 the payout comes out on. Anything greater
7 than the \$5,000 is what the three pay comes
8 into.

9 The third thing I wanted to make
10 the point is, no matter what, if we
11 terminate all these people in 2018, we will
12 still have a two and a half million dollar
13 liability in '18 if people decided to
14 separate service because that's
15 contractually what we are bound to do.

16 Of the 200 people that Mr.
17 Chalmers was referring to, if they left in
18 2018, we would still have to pay that no
19 matter what. That's part of the contract.
20 Just to make sure we all understand, that's
21 really what would happen.

22 LEGISLATOR BYNOE: That point is
23 not lost on me.

24 MR. PERSICH: My point is we
25 still have to fund it some time in 2018.

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2 LEGISLATOR BYNOE: That point is
3 absolutely not lost on me. What's lost on
4 me is why we would allow for someone to
5 separate in 2018 and then get the total lump
6 sum of a pay out in 2018.

7 We potentially exposing ourselves
8 to greater risk in 2018 in the event that,
9 of the 255 employees, that maybe 150 don't
10 go until 2018. There's an exposure. That's
11 the point that I'm making.

12 I definitely understand that this
13 was going to have some exposure over the
14 three-year period, but we are not protecting
15 ourselves, we're not in any way minimizing
16 the exposure in 2018 by allowing for this
17 not to have a sunset for December 31st.

18 MR. PERSICH: I understand
19 completely what you're saying and we strive
20 all the time to find savings and everything
21 else to fund things, so that's what we
22 continue to work on when we look at the
23 budget.

24 LEGISLATOR BYNOE: Yes, but I
25 don't -- in the middle of looking at a \$18

1 Finance Committee/12-4-17
2 million looming cut out of next year's
3 budget and where we are today and today's
4 budget, you're telling me we have a 1.5
5 million surplus, a \$1.5 million surplus is a
6 long way away from \$8 million.

7 CHAIRMAN NICOLELLO: Legislator
8 Curran, Legislator Birnbaum and then
9 Legislator Kopel.

10 LEGISLATOR CURRAN: I would echo
11 what Legislator Bynoe says. I mean, NIFA is
12 asking the current administration to cut \$19
13 million. We don't know what that's going to
14 be yet, but I think we all have an idea of
15 what's going to be cut. This is just making
16 next year much more difficult for all of us.

17 I wasn't here in 2009. I know
18 when an administration comes in, we do it
19 and they do it, and back and forth.

20 I just think this is fiscally
21 irresponsible. I also would be very curious
22 to know what NIFA has to say about this.

23 I have to tell you -- this is
24 very, very concerning to me and I will not
25 vote for it.

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2 CHAIRMAN NICOLELLO: Legislator
3 Birnbaum.

4 LEGISLATOR BIRNBAUM: I agree. I
5 find as a member of the Finance Committee
6 that we should be looking for ways to save
7 money and to all of a sudden pay out this
8 amount when we're looking to save in so many
9 areas and I'm fearful that next we're going
10 to be asked to make cuts to services such as
11 the bus, NICE Bus, we're going to be asked
12 to reduce our payments to youth services, to
13 any discretionary program, when we can leave
14 this in place the way it's been in three
15 payments rather than all of a sudden, do one
16 lump sum payment.

17 I think it's similar to what we
18 heard the discussion about before with the
19 judicial hearing officers. Why do a
20 contract for three years when we can do one?
21 This is just the opposite; why do one lump
22 sum payment when we can spread it out? I
23 think that would be financially wise,
24 prudent.

25 CHAIRMAN NICOLELLO: Legislator

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2 Kopel.

3 LEGISLATOR KOPEL: Just a few
4 questions, please. If this separations
5 happen in '18, what would be the total
6 potential liability?

7 MR. PERSICH: It would be \$7.8
8 million.

9 LEGISLATOR KOPEL: \$7.8 million.
10 Now the question would be --

11 MR. PERSICH: Well, we would have
12 to divide that by three.

13 LEGISLATOR KOPEL: Under GAAP,
14 would that be an accrued liability in '18 in
15 any case?

16 MR. PERSICH: Yes.

17 LEGISLATOR KOPEL: So, therefore,
18 the full 7.8 would hit the budget in '18
19 regardless of when the actual cash was paid
20 out?

21 MR. PERSICH: No. The cash would
22 be paid out, it would be a budgetary item
23 over three pay. The liability would be both
24 in total.

25 LEGISLATOR KOPEL: What I'm

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2 asking then, and, again, the NIFA rules, the
3 NIFA application of GAAP, the full 7.8 would
4 not hit the budget if we did it under the
5 current rules?

6 MR. PERSICH: The current rules
7 is the term pays get paid out over three
8 pay, so we budget.

9 LEGISLATOR KOPEL: So it's
10 actually on a cash basis?

11 MR. PERSICH: It's on a cash
12 basis in the budget. That's the way the
13 budget is done. We do it -- we have
14 terminations now though.

15 LEGISLATOR KOPEL: I was asking
16 about the budget rules.

17 MR. PERSICH: That's what I'm
18 saying. The budget rules, we do termination
19 leave based on a three-pay, so we budget
20 based on three payments out. If somebody
21 separates in 2017, we will budget in '18 and
22 for their termination pay.

23 LEGISLATOR KOPEL: This is not
24 paid with interest?

25 MR. PERSICH: No, there is no

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2 interest on that.

3 LEGISLATOR KOPEL: It's kind of
4 free borrowing right now?

5 MR. PERSICH: It's not free
6 borrowing. We are paying with budgetary
7 dollars.

8 LEGISLATOR KOPEL: What I mean
9 is, it's on a cash basis. It's free
10 borrowing essentially for two years, a large
11 sum amount.

12 MR. PERSICH: We have to
13 accommodate it in future year budgets.

14 LEGISLATOR KOPEL: I understand,
15 but if you pay it later you are deferring
16 the obligation without paying interest.

17 MR. PERSICH: Yes.

18 LEGISLATOR KOPEL: Is there any
19 benefit to the county?

20 MR. PERSICH: Cash flow reasons.

21 LEGISLATOR KOPEL: I'm asking,
22 the change you propose, does that have any
23 benefit to the county? I understand the
24 benefit to the employee. Any benefit to the
25 county?

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2 MR. PERSICH: Not per se. We
3 still have to pay them out in future years
4 but the liability will still be there.

5 LEGISLATOR KOPEL: This is
6 basically doing a nice thing for separating
7 these employees, that's what this is.

8 MR. PERSICH: I can't --

9 LEGISLATOR KOPEL: Is there any
10 other motive for doing this?

11 MR. PERSICH: I don't have the
12 answer to that. All I know is no matter
13 what we do here as far as -- the liability
14 is still going to be there.

15 LEGISLATOR KOPEL: All right.
16 Thank you.

17 CHAIRMAN NICOLELLO: I just want
18 to ask this question, if we put a sunset in
19 December 31st, so that you basically would
20 limit whatever financial impact would be
21 2017 budget, correct?

22 MR. PERSICH: Correct, we would
23 accrue for it in 2017 and have to pay for
24 with 2017 funds.

25 CHAIRMAN NICOLELLO: Isn't that,

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2 rather than having a negative effect in the
3 2018 budget, wouldn't it have a positive
4 impact on the '18 budget?

5 MR. PERSICH: Then you wouldn't
6 have the termination, you would have turn
7 over savings from people.

8 CHAIRMAN NICOLELLO: So in the
9 2018 budget, if you did that, sunseted in
10 2017, you wouldn't have the potential two to
11 \$3 million in installment payments in '18?

12 MR. PERSICH: Correct.

13 CHAIRMAN NICOLELLO: The general
14 point I wanted to make is in reference to a
15 cut that NIFA is making of \$19 million.
16 That Newsday story was inaccurate to the
17 extent that \$15 million of that cut was OTPS
18 or 15 of the 17 plus was in OTPS it was
19 something that we proposed.

20 It wasn't NIFA jumping in saying
21 we are going to cut this amount. Basically
22 they are acting like a political
23 organization.

24 The Democrats and Republicans of
25 this Legislature proposed cutting \$15

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2 million OTPS and above and beyond that NIFA
3 ordered additional cuts but basically to say
4 they cut 19 million, that's what we proposed
5 they do. Anyway, anyone else? Legislator
6 Birnbaum.

7 LEGISLATOR BIRNBAUM: Where did
8 this ordinance come from? Who proposed it?

9 MR. PERSICH: County Executive's
10 office.

11 LEGISLATOR BIRNBAUM: Do you know
12 when?

13 MR. PERSICH: I think it was
14 proposed in May.

15 LEGISLATOR BIRNBAUM: Thank you.

16 CHAIRMAN NICOLELLO: Legislator
17 Muscarella.

18 LEGISLATOR MUSCARELLA: If I can
19 ask Maurice the same question, is there any
20 budgetary benefit to doing this ordinance?

21 MR. CHALMERS: In terms of 2017,
22 it will provide the employees that could
23 possibly be out of a job, a lump sum
24 payment.

25 So instead of waiting for 2018

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2 when you get paid '18-'19 and '20, you get
3 it one shot.

4 LEGISLATOR MUSCARELLA: I
5 understand for them, but what about for the
6 county?

7 MR. CHALMERS: I don't think
8 there is a financial benefit to the county.

9 LEGISLATOR MUSCARELLA: Okay.
10 Thank you.

11 CHAIRMAN NICOLELLO: Let me
12 follow that up. Same question I have for
13 you.

14 If we sunset this in 2017 and the
15 money had to be paid out, accrued in 2017
16 had to be paid out of the budget, you are
17 thereby avoiding a potential \$2 million, \$3
18 million hit in the 2018 budget. So there's
19 that benefit, correct?

20 MR. CHALMERS: I would have to
21 agree with that. If you pay everything in
22 2017, then whatever you had budgeted for
23 2018 in terms of separation pay, you could
24 be better off.

25 CHAIRMAN NICOLELLO: Any other

1 Finance Committee/12-4-17

2 questions? It's our intention to move this
3 along and then we have obviously some
4 questions that have to be answered for the
5 administration as to how it would be funded.
6 Additional questions or comments?

7 Legislator Bynoe.

8 LEGISLATOR BYNOE: Again, the
9 funding of it is part of the way, the other
10 piece is making sure that the liabilities
11 remain only in 2017 so that we can reach the
12 benefit, right?

13 CHAIRMAN NICOLELLO: Right.

14 LEGISLATOR BYNOE: Of taking care
15 of the debt now and not having to deal with
16 it down the road. It can't just be that one
17 that --

18 CHAIRMAN NICOLELLO: Right. It's
19 a two parts. Legislator Curran.

20 LEGISLATOR CURRAN: Thank you.
21 It's my understanding that whatever happens
22 in committees today, this conversation is
23 not over?

24 CHAIRMAN NICOLELLO: Absolutely
25 not. Any other questions?

1 Finance Committee/12-4-17
2 (No verbal response.)
3 Is there any public comment?
4 (No verbal response.)
5 All those in favor signify by
6 saying aye.
7 (Aye.)
8 Those opposed?
9 (Nay.)
10 Passes by a vote of four to
11 three.
12 Items 470, 471, 472 are
13 ordinances supplemental to annual
14 appropriation ordinance in connection with
15 the Department of Health.
16 LEGISLATOR WALKER: So moved.
17 LEGISLATOR MUSCARELLA: Second.
18 CHAIRMAN NICOLELLO: Moved by
19 Legislator Walker, seconded by Legislator
20 Muscarella. Items are before the committee.
21 Do we have any discussion?
22 (No verbal response.)
23 Is there any public comment?
24 (No verbal response.)
25 All those in favor signify by

1 Finance Committee/12-4-17

2 saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 Those items carry unanimously.

7 Item 473 of 2017, a resolution to
8 authorize the transfer of appropriations
9 heretofore made within the budget for the
10 year 2017.

11 Items 470, 471, 472 are
12 ordinances supplemental to annual
13 appropriation ordinance in connection with
14 the Department of Health.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRMAN NICOLELLO: Moved by
18 Legislator Walker, seconded by Legislator
19 Kopel. Can we find out what this is about?

20 MS. LAURAIN: Good afternoon.

21 MaryEllen Laurain, Department of Health.

22 This is a board transfer in the
23 amount of \$62,318. They are all New York
24 State Department of Health grant funded
25 programs. It's just to maximize grant

1 Finance Committee/12-4-17

2 reimbursement.

3 CHAIRMAN NICOLELLO: Thank you.

4 Do we have any questions on this item?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 All those in favor signify by
9 saying aye.

10 (Aye.)

11 Those opposed?

12 (No verbal response.)

13 Item carries unanimously.

14 Item 475 and 476 are both
15 resolutions to authorize the County
16 Executive to execute grant agreements
17 between the county acting on behalf of the
18 Department of Parks and the Nassau County
19 Fire Fighters Museum and Education Center as
20 well as the Delancy Floyd Jones Free
21 Library.

22 LEGISLATOR MUSCARELLA: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRMAN NICOLELLO: Moved by
25 Legislator Muscarella, seconded by

1 Finance Committee/12-4-17

2 Legislator Kopel. Those two items are
3 before the committee. Do we have any
4 questions on these two?

5 (No verbal response.)

6 Is there any public comment?

7 MS. SANFT: Good afternoon, Heidi
8 Sanft, Vice President, Nostrand Gardens
9 Civic Association in Uniondale.

10 I have questions about the grant
11 for the Nassau County Firefighters Museum
12 and Education Center. How much is the
13 grant, first of all, do you know?

14 CHAIRMAN NICOLELLO: It is a
15 \$100,000 grant.

16 MS. SANFT: What is it to be used
17 for?

18 CHAIRMAN NICOLELLO: Do we have
19 someone from parks who can answer that
20 question?

21 MS. KRIEB: Eileen Krieb,
22 Department of Parks.

23 This is used for a special needs
24 programming at the Firefighters Museum.
25 They did not get a grant in '16 but there's

1 Finance Committee/12-4-17
2 the '17 grant to be used in 2018. They use
3 it to supplement their programming for
4 special need students.

5 MS. SANFT: I think that what was
6 just stated is admirable, but what I do not
7 find admirable is that the Nassau County
8 Firefighters Museum states that they are in
9 Garden City but they are in fact located in
10 Uniondale.

11 If you go into their website you
12 also see that they state that they are
13 supported by the Uniondale Fire Department
14 but they refuse to acknowledge the fact that
15 they are located in Uniondale which I find
16 really offensive.

17 Many of you may know that there
18 was a big fight about the naming or attempt
19 to name a part of Uniondale East Garden City
20 and there are certain organizations,
21 including the Fire Museum that refused to
22 acknowledge the fact that they are in
23 Uniondale. That's wrong.

24 I really don't think grants
25 should be provided unless not for profits

1 Finance Committee/12-4-17

2 state where they're located accurately.
3 Especially being that this is for their
4 education center.

5 I find that to be really
6 questionable and I'm very hopeful in the new
7 year that before you give out grants of
8 \$100,000 or a million dollars or \$1,000,
9 that you make sure the organization
10 identifies its address correctly.

11 Like I said, if you look on their
12 website it states that they're supported by
13 the Uniondale Fire Department and if you
14 want to get that you have to put in there
15 Uniondale, but no they're not in Uniondale
16 there are in Garden City.

17 Maybe you wonder why I find it so
18 annoying because it's just not right.

19 The other thing that I would like
20 to mention is that I noticed in going
21 through all of these that our Uniondale
22 Avenue street scaping project is still not
23 on the list. What I'm wondering is if it's
24 possible to add it to the record.

25 CHAIRMAN NICOLELLO: No, not at

1 Finance Committee/12-4-17

2 this time.

3 MS. SANFT: Why is that?

4 CHAIRMAN NICOLELLO: The agenda
5 has been set. There is no item before us.

6 MS. SANFT: So you don't feel
7 that it's important enough to include -- we
8 have been waiting more than two years and so
9 the contractors to get the work started, is
10 that what you're saying?

11 CHAIRMAN NICOLELLO: There are
12 many important things going on in the county
13 but everything is not necessarily on this
14 agenda.

15 MS. SANFT: I just hope I can
16 finish up. I have ten seconds.

17 I want to read something by
18 Doctor John Rizzo, the Long Island
19 Association Chief Economist from the
20 business fact book.

21 He says "it's important to target
22 investment at lower income neighborhoods to
23 reduce these disparities." Thank you.

24 CHAIRMAN NICOLELLO: Any other
25 public comment? Legislator Bynoe.

1 Finance Committee/12-4-17

2 LEGISLATOR BYNOE: I have to say
3 that I agree insomuch that there is no East
4 Garden City, it's Uniondale.

5 If there was an attempt to rename
6 that area, I happen to represent the area
7 that wants to be East Garden City but in
8 fact is Uniondale.

9 Congresswoman Rice worked with
10 the census bureau to make sure that it was
11 repealed and that in fact it is then going
12 to be included back into Uniondale.

13 I do think that county supported
14 agencies and county government should be
15 reflecting their locations as Uniondale.

16 I think that's something we
17 should hold those entities accountable to do
18 so. Thank you.

19 CHAIRMAN NICOLELLO: Thank you.
20 Any other comment or discussion?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 All those in favor signify by
25 saying aye.

1 Finance Committee/12-4-17

2 (Aye.)

3 Those opposed?

4 (No verbal response.)

5 The items carry unanimously.

6 Item 479 of 2017 is a resolution
7 authorizing the County Executive to execute
8 an administrative consent agreement and
9 cooperative agreement with the State of New
10 York Department of Environmental
11 Conservation in relation to the Bay Park
12 Diversion Project and additional work.

13 LEGISLATOR MUSCARELLA: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRMAN NICOLELLO: Moved by
16 Legislator Muscarella, seconded by
17 Legislator Walker. This just had extensive
18 discussion in the Public Works Committee
19 but, legislators, you are free to ask any
20 questions. I understand there's many
21 questions that will be also vetted at the
22 Full Legislature on the 18th. Any
23 legislators have any questions?

24 LEGISLATOR BYNOE: We are going
25 to include the earlier testimony.

1 Finance Committee/12-4-17

2 CHAIRMAN NICOLELLO: Yes, we will
3 incorporate that testimony by reference.

4 (Whereupon, please refer to the
5 minutes of Public Works Committee dated
6 12-4-17 pertaining to Clerk Item 479.)

7 CHAIRMAN NICOLELLO: Any public
8 comment on this item at this time?

9 (No verbal response.)

10 Is there any public comment?

11 (No verbal response.)

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 Those opposed?

16 (No verbal response.)

17 The item carries unanimously.

18 Motion to adjourn.

19 LEGISLATOR WALKER: So moved.

20 LEGISLATOR KOPEL: Second.

21 CHAIRMAN NICOLELLO: Moved by
22 Legislator Walker, seconded by Legislator
23 Kopel. All those in favor of adjourning
24 signify by saying aye.

25 (Aye.)

1 Finance Committee/12-4-17

2 Those opposed?

3 (No verbal response.)

4 We are in adjournment. Rules

5 again.

6 (Whereupon, the Finance Committee

7 adjourned at 4:17 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 21st day of December, 2017.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

HEALTH AND SOCIAL SERVICES COMMITTEE

ROSE MARIE WALKER,
Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
3:36 P.M

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

ROSE MARIE WALKER,
Chairwoman
C. WILLIAM GAYLOR III,
Vice Chairman
LAURA SCHAEFER
JAMES KENNEDY
DELIA DeRIGGI-WHITTON,
Ranking
SIELA A. BYNOE
ARNOLD DRUCKER
MICHAEL PULITZER,
Clerk of the Legislature

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LIST OF SPEAKERS

MARYELLEN LAURAIN 6

1 Health Committee/12-4-17

2 CHAIRWOMAN WALKER: At this time
3 I'll call the Health and Social Services
4 Committee together. I would ask the clerk
5 when he's ready to please take the roll.

6 CLERK PULITZER: Thank you,
7 ma'am. Health and Social Services
8 Committee. Legislator Arnold Drucker?

9 LEGISLATOR DRUCKER: Here.

10 CLERK PULITZER: Legislator Siela
11 Bynoe?

12 LEGISLATOR BYNOE: Here.

13 CLERK PULITZER: Ranking Member
14 Delia DeRiggi-Whitton?

15 LEGISLATOR DERIGGI-WHITTON:
16 Here.

17 CLERK PULITZER: Legislator James
18 Kennedy?

19 LEGISLATOR KENNEDY: Here.

20 CLERK PULITZER: Legislator Laura
21 Schaefer?

22 LEGISLATOR SCHAEFER: Here.

23 CLERK PULITZER: Vice Chairman C.
24 William Gaylor III?

25 LEGISLATOR GAYLOR: Present.

1 Health Committee/12-4-17

2 CLERK PULITZER: Chairwoman Rose
3 Marie Walker?

4 CHAIRWOMAN WALKER: Here.

5 CLERK PULITZER: We have a
6 quorum, ma'am.

7 CHAIRWOMAN WALKER: Thank you.
8 There are three items on the addendum. So I
9 need a motion to suspend the rules.

10 LEGISLATOR GAYLOR: So moved.

11 LEGISLATOR KENNEDY: Second.

12 CHAIRWOMAN WALKER: Motion by
13 Legislator Gaylor, seconded by Legislator
14 Kennedy. All those in favor of suspending
15 the rules signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 There are three items on the
20 agenda. They are all related to the Health
21 Department so I'm going to call them
22 altogether, if that's agreeable to everyone.
23 Item 470-17 is an ordinance supplemental to
24 the annual appropriation in connection with
25 the Department of Health.

1 Health Committee/12-4-17

2 Clerk item 471-17, an ordinance
3 supplemental to the annual appropriation
4 ordinance in connection with the Department
5 of Health;

6 And 472-17 an ordinance
7 supplemental to the annual appropriation
8 ordinance in connection with the Department
9 of Health.

10 Can I have a motion?

11 LEGISLATOR KENNEDY: So moved.

12 LEGISLATOR SCHAEFER: Second.

13 CHAIRWOMAN WALKER: Moved by
14 Legislator Kennedy, seconded by Legislator
15 Schaefer. We have MaryEllen Laurain.

16 MS. LAURAIN: Good afternoon.

17 MaryEllen Laurain, Department of Health.

18 Item 470-17 is a supplemental appropriation
19 for the bathing beach water quality
20 monitoring notification program in the
21 amount of \$55,355. This is funded through
22 New York State Department of Health. It's a
23 mandated program. This program provides
24 beach water quality monitoring at 56
25 beaches.

1 Health Committee/12-4-17

2 CHAIRWOMAN WALKER: Any questions
3 or comments from the legislators?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 I know this is something over the
8 summer that we see a tremendous amount of
9 the work you do because constantly we are
10 being notified as to which beaches are
11 closed and how quickly they reopen and so on
12 and so forth.

13 Any public comment?

14 (No verbal response.)

15 MS. LAURAIN: 471-17 is a
16 supplemental appropriation in the amount of
17 \$490,000. This is for the sexually
18 transmitted disease intervention service
19 grant and it is funded through New York
20 State Department of Health.

21 CHAIRWOMAN WALKER: Any questions
22 or comments from the legislators?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

1 Health Committee/12-4-17

2 MS. LAURAIN: Item 472-17 is a
3 supplemental appropriation in the amount of
4 \$8,652. This is for the sexually
5 transmitted disease intervention grant
6 funded through the New York State Department
7 of Health and it is an additional COLA
8 award.

9 CHAIRWOMAN WALKER: Any questions
10 or comments from the legislators?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Hearing none, all those in favor
15 of Clerk Items 470, 471 and 472-17 signify
16 by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Any abstentions?

21 (No verbal response.)

22 They will move on to Finance.

23 Thank you very much, Ms. Laurain.

24 Seeing no other business before
25 us, a motion to adjourn.

1 Health Committee/12-4-17

2 LEGISLATOR GAYLOR: So moved.

3 LEGISLATOR KENNEDY: Second.

4 CHAIRWOMAN WALKER: Moved by

5 Legislator Gaylor, seconded by Legislator

6 Kennedy. All in favor of adjourning signify

7 by saying aye.

8 (Aye.)

9 We are adjourned. Finance is

10 next.

11 (Whereupon, the Health and Social

12 Services Committee adjourned at 3:40 p.m.)

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C E R T I F I C A T E

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FRANK GRAY

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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

PUBLIC SAFETY COMMITTEE

DONALD MACKENZIE, Chairman
(Substituted by Steve Rhoads)

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
2:57 P.M

1

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

3

4 DONALD MACKENZIE, (Substituted by
Chairman Laura Schaefer)

5

6 STEVE RHOADS,
Vice Chairman (Substituting for
Donald MacKenzie)

7

VINCENT MUSCARELLA

8

DENISE FORD

9

LAURA CURRAN,
Ranking

10

KEVAN ABRAHAMS

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SIELA BYNOE

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MICHAEL PULITZER

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Clerk of the Legislature

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LIST OF SPEAKERS

BOB MCMANUS 5

LIEUTENANT GREG STEPHANOFF 9

COMMISSIONER RYDER 10

META MEREDAY 16

1 Public Safety Committee/12-4-17

2 CHAIRMAN RHOADS: Calling the
3 members of the Public Safety Committee to
4 order. Will the clerk please call the roll.

5 CLERK PULITZER: Thank you, Mr.
6 Chairman. Public Safety Committee.
7 Legislator Siela Bynoe?

8 LEGISLATOR BYNOE: Here.

9 CLERK PULITZER: Minority Leader
10 Kevan Abrahams?

11 LEGISLATOR ABRAHAMS: Here.

12 CLERK PULITZER: Ranking Member
13 Laura Curran?

14 LEGISLATOR CURRAN: Here.

15 CLERK PULITZER: Legislator
16 Denise Ford?

17 LEGISLATOR FORD: Here.

18 CLERK PULITZER: Legislator
19 Vincent Muscarella?

20 LEGISLATOR MUSCARELLA: Here.

21 CLERK PULITZER: Legislator Laura
22 Schaefer?

23 LEGISLATOR SCHAEFER: Here.

24 CLERK PULITZER: Chairman Steven
25 Rhoads?

1 Public Safety Committee/12-4-17

2 CHAIRMAN RHOADS: Present.

3 CLERK PULITZER: Thank you, sir.

4 CHAIRMAN RHOADS: Thank you, Mr.
5 Clerk.

6 The first item on the agenda is
7 Clerk Item 448-17, a resolution authorizing
8 the County Executive to execute an amendment
9 to a grant agreement between the County of
10 Nassau acting on behalf of the District
11 Attorney's Office and the Women's
12 Opportunity Rehabilitation Center, Inc.

13 Do we have a motion, please?

14 LEGISLATOR SCHAEFER: So moved.

15 LEGISLATOR FORD: Second.

16 CHAIRMAN RHOADS: Motion by
17 Legislator Schaefer, seconded by Legislator
18 Ford. Do we have somebody here?

19 MR. MCMANUS: Yes, Bob McManus,
20 District Attorney's Office. This is a one
21 year extension of an agreement between the
22 District Attorney's Office and Women's
23 Opportunity Rehabilitation Center, a not for
24 profit corporation located in Hempstead.

25 The District Attorney's Office

1 Public Safety Committee/12-4-17
2 has a long standing partnership with WORC.
3 They provide counseling and employment
4 assistance to women referred by the courts
5 as a diversion to incarceration as well as
6 serving the needs of women who have been
7 released from jail or prison.

8 The goal of the program is to
9 reduce the likelihood that the clients will
10 return to criminal activity.

11 This contract is funded by New
12 York State forfeiture funds awarded to the
13 District Attorney as a result of our
14 participation in criminal investigations.

15 CHAIRMAN RHOADS: Thank you,
16 Mr. McManus. Do we have any questions?
17 Legislator Ford.

18 LEGISLATOR FORD: Good afternoon.
19 This sounds like an absolutely wonderful
20 program. I just am curious, what is the
21 success rate with dealing with these women?

22 Do you find it has been proven
23 very effective?

24 MR. MCMANUS: I know it's an
25 effective organization that as achieved

1 Public Safety Committee/12-4-17

2 excellent results. I don't have any
3 statistics with me right now. But I know
4 the courts, in regards to the court system
5 WORC is considered a valuable resource.

6 LEGISLATOR FORD: So they would
7 actually go there. Does this have any
8 involvement, like I know basically what you
9 call halfway houses, that women who leave
10 incarceration that they go to some of these
11 places in order to stay there until they
12 acclimate themselves back into society, does
13 this also help these women find that type of
14 housing?

15 MR. MCMANUS: It does not help
16 them find housing when you refer to halfway
17 houses, but it does provide services to
18 people who are living in that environment
19 temporarily.

20 LEGISLATOR FORD: So if you live
21 there then you could end up like those, sign
22 up and you can go there and help get jobs
23 and any type of assistance they may need?

24 MR. MCMANUS: That's correct, and
25 also help you prepare resumes, prepare

1 Public Safety Committee/12-4-17

2 interviews and things like that.

3 LEGISLATOR FORD: Thank you very
4 much.

5 CHAIRMAN RHOADS: Legislator
6 Curran.

7 LEGISLATOR CURRAN: Hi. I will
8 add, I have visited this program and they do
9 a lot with the \$75,000. They get a lot of
10 volunteers to help the women, they have a
11 little teeny tiny shoe box office. It's
12 very very impressive. It's sort of an
13 unsung hero in the diversion world. I'm
14 happy to see that we will be voting on this
15 today.

16 MR. MCMANUS: They have recently
17 moved actually to quarters that are a little
18 bit bigger.

19 LEGISLATOR CURRAN: That's good
20 to hear.

21 CHAIRMAN RHOADS: Any other
22 questions or comments from the legislators?

23 (No verbal response.)

24 Is there any public comment?

25 (No verbal response.)

1 Public Safety Committee/12-4-17

2 Seeing none, we will call for a
3 vote. All those in favor of Item 448-17
4 please signify so by saying aye.

5 (Aye.)

6 Those opposed say nay?

7 (No verbal response.)

8 The ayes have it and the
9 resolution is referred to finance.

10 Next up is Clerk Item 458 of '17,
11 an ordinance supplemental to the annual
12 appropriation ordinance in connection with
13 the police department.

14 First do we have a motion,
15 please.

16 LEGISLATOR SCHAEFER: So moved.

17 LEGISLATOR FORD: Second.

18 CHAIRMAN RHOADS: Motion by
19 Legislator Schaefer, seconded by Legislator
20 Ford.

21 LIEUTENANT STEPHANOFF: Good
22 afternoon. Lieutenant Greg Stephanoff,
23 Nassau County Police Department.

24 Item 458 of '17 is a supplemental
25 appropriation for the police department.

1 Public Safety Committee/12-4-17

2 This is to appropriate \$500,000 from asset
3 forfeiture to actually accommodate the next
4 item, 459, which I have Commissioner Ryder
5 and Assistant Commissioner Fox to speak
6 upon.

7 CHAIRMAN RHOADS: If there is no
8 objection, perhaps we should call 459 at the
9 same time. 459 is a resolution authorizing
10 the County Executive to execute a
11 cooperative agreement and license with the
12 New York State Office of Parks, Recreation
13 and Historic Preservation in relation to a
14 new environmental education and resiliency
15 center.

16 Do we have a motion, please?

17 LEGISLATOR SCHAEFER: So moved.

18 LEGISLATOR FORD: Second.

19 CHAIRMAN RHOADS: Motion by
20 Legislator Schaefer, seconded by Legislator
21 Ford. Commissioner Ryder.

22 COMMISSIONER RYDER: Good
23 afternoon and thank you for taking the time.
24 Item 459-17 is the build -- the State of New
25 York is building their building in the

1 Public Safety Committee/12-4-17

2 Hempstead State Lake Park.

3 We are going to be partners in
4 there taking over a thousand square feet for
5 our explorer's program. We currently do not
6 have a location where the explorers use.
7 They bounce around from building to building
8 depending on what event they're doing and
9 what type of training.

10 The idea of us getting into that
11 building was not only for finding space for
12 them but was also involved with the programs
13 with the Governor's Office.

14 Those programs on weekends
15 include fishing and hiking and kayaking.
16 All of those programs are in the current
17 agreement that we have with them.

18 Those program will allow our
19 explorers to teach our young kids from the
20 neighborhoods of Hempstead and Uniondale and
21 West Hempstead and pull them into the park,
22 create these programs on the weekends and,
23 again, our explorers will be involved and I
24 used to love using the word, but free labor
25 from the explorers, but it's also an

1 Public Safety Committee/12-4-17
2 education to then educate our young that
3 maybe they want as the future grows join
4 into the explorer program.

5 But it's really about the youth
6 in the neighborhood. It's about getting
7 them involved into some of the programs that
8 the park now has but will be enhanced once
9 they go through the whole recovery process
10 and building of this building.

11 No monies will be passed hands
12 until we take residence. And, if they do
13 not complete the building, we do not have to
14 put forth any of our monies.

15 CHAIRMAN RHOADS: Thank you,
16 Commissioner Ryder. Sounds like a
17 worthwhile program. Any questions or
18 comments? Legislator Schaefer.

19 LEGISLATOR SCHAEFER: Thank you.
20 Commissioner Ryder, how are you?

21 COMMISSIONER RYDER: Good.

22 LEGISLATOR SCHAEFER: So the
23 building is being built by the state you're
24 saying and the explorers are going to be
25 inhabiting a portion of it. What is the

1 Public Safety Committee/12-4-17
2 program, what is the group of the state
3 that's going to be there they're going to be
4 sharing it with?

5 COMMISSIONER RYDER: This is
6 under the New York State Storm Recovery
7 Program. It's an educational building for
8 the neighborhood for the park. We will
9 occupy that area of a thousand square feet
10 in the bottom.

11 LEGISLATOR SCHAEFER: In total,
12 how big is the big is the building? About
13 8,000 square feet; is that right?

14 COMMISSIONER RYDER: About 6,000
15 square feet.

16 LEGISLATOR SCHAEFER: Thank you.

17 CHAIRMAN RHODES: Legislator
18 Bynoe.

19 LEGISLATOR BYNOE: Hello
20 Commissioner.

21 COMMISSIONER RYDER: Good
22 afternoon.

23 LEGISLATOR BYNOE: So I actually
24 am a fan of this project. I have been
25 meeting with the folks out of the governor's

1 Public Safety Committee/12-4-17

2 office monthly at a minimum. I like what
3 they're going to be doing in the park
4 overall. I also like that you will take
5 residency there.

6 They are going to open up the
7 park at different access and egress areas so
8 the community can just come right in the
9 park and engage with the explorers. I think
10 that's absolutely fantastic.

11 I look forward to see what kind
12 of scheduling of events and programing you
13 will provide there. I think it's something
14 that will be beneficial to those that live
15 locally and those that can travel and get
16 there. I think that we should support this.
17 I'm excited about it.

18 COMMISSIONER RYDER: Thank you.

19 CHAIRMAN RHOADS: Any other
20 questions or comments? Legislator Curran.

21 LEGISLATOR CURRAN: So when it
22 comes to the funding, there is a half a
23 million in asset forfeiture from us and
24 there's state funding as well?

25 COMMISSIONER RYDER: That's

1 Public Safety Committee/12-4-17

2 correct. The rest of the construction of
3 the building is paid for by the state of New
4 York.

5 LEGISLATOR CURRAN: All right. I
6 would have to think this would have an
7 ancillary safety benefit to the park as well
8 just by the fact it's being there?

9 COMMISSIONER RYDER: 100 percent.
10 Every time our explorers are out there, our
11 law enforcement are from the community
12 affairs.

13 So, as they're walking through in
14 their uniform presence, along with our
15 uniformed officers, it does give an enhanced
16 security to the location. They're also
17 building a soccer field in the area that
18 will also be availed to the explorer
19 program.

20 LEGISLATOR CURRAN: I know the
21 theme in the Nassau County Police Department
22 is building trust between the police and the
23 communities and this seems like one step in
24 that endeavor.

25 COMMISSIONER RYDER: Thank you.

1 Public Safety Committee/12-4-17

2 CHAIRMAN RHOADS: Any other
3 questions or comments from the legislators?

4 (No verbal response.)

5 Any public comment? Ms. Mereday,
6 welcome.

7 MS. MEREDAY: Welcome. I should
8 say welcome back, but thank you. Meta
9 Mereday, Baldwin resident. I would like to
10 say that I do support and approve of this
11 project.

12 It's December. It's my birth
13 month, so I'll take the presents while they
14 come.

15 I think this is definitely
16 important and for those residents who are on
17 the South Shore, it's really about time as I
18 know Legislator Rhoads can attest to that as
19 well as Legislator Curran. We do need to
20 have these types of activities in these
21 communities.

22 It's been kind of difficult for
23 many of our residents as well as our young
24 people to get to the various activities that
25 seem to be taking place in such a

1 Public Safety Committee/12-4-17

2 preponderance at Bethpage and, again, those
3 parks or facilities that were kind of north
4 or along the 495 corridor.

5 We definitely support that. We
6 are very encouraged by the activities of the
7 explorer program and the explorers in terms
8 of the things that they have done in our
9 communities in terms of going around and
10 handing out flyers and public safety
11 information.

12 We do look forward to working
13 with the commissioner on this particularly
14 with regard to storm resiliency. Because we
15 definitely need that. Hopefully this will
16 be a prototype model that we can establish
17 at other parks that make it convenient for
18 residents and young people to participate
19 and we really do need to have some ongoing
20 training and support for storm resiliency f
21 because we are in a very vulnerable
22 location.

23 I'm in support of this. Record
24 this. You may not get it again. We will
25 just see what happens. Thank you.

1 Public Safety Committee/12-4-17

2 CHAIRMAN RHOADS: Thank you so
3 much, Ms. Mereday. I am honored that I was
4 chairing the meeting when you supported.

5 Is there any further public
6 comment?

7 (No verbal response.)

8 Seeing none, we will move to a
9 vote. All those in favor, and if there is
10 no objection we will vote on these together.
11 All those in favor of Items 458 and 459 of
12 '17 please signify so by saying aye.

13 (Aye.)

14 Those opposed say nay.

15 (No verbal response.)

16 Both items are agreed to and
17 referred to finance. There being no further
18 business before the committee, I will
19 entertain a motion to adjourn.

20 LEGISLATOR FORD: So moved.

21 LEGISLATOR SCHAEFER: Second.

22 CHAIRMAN RHOADS: Motion by
23 Legislator Ford, seconded by Legislator
24 Schaefer. All those in favor please signify
25 so by saying aye.

1 Public Safety Committee/12-4-17

2 (Aye.)

3 Those opposed say nay.

4 (No verbal response.)

5 Thank you. We stand adjourned.

6 Public Works is next.

7 (Whereupon, the Public Safety

8 Committee adjourned at 2:57 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 21st day of December, 2017.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

PUBLIC WORKS AND PARKS COMMITTEE

VINCENT MUSCARELLA, Chairman

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
2:59 P.M

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

VINCENT MUSCARELLA,
Chairman

STEVEN RHOADS,
Vice Chairman

DONALD MACKENZIE (Substituted by
Rose Walker)

C. WILLIAM GAYLOR III

ELLEN BIRNBAUM,
Ranking

LAURA CURRAN

ARNOLD DRUCKER

MICHAEL PULITZER
Clerk of the Legislature

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LIST OF SPEAKERS

JANE HODAK	5
ANDY PERSICH	18
JOE DAVENPORT	23
META MEREDAY	36

1 Public Works and Parks/12-4-17

2 CHAIRMAN MUSCARELLA: Public
3 Works and Parks Committee is hereby called
4 to order. I will call the roll. I am here
5 as chairman. Vice Chairman Rhoads?

6 LEGISLATOR RHOADS: Here.

7 CHAIRMAN MUSCARELLA: Sitting in
8 for Donald MacKenzie is Rose Walker.

9 LEGISLATOR Walker: Here.

10 CHAIRMAN MUSCARELLA: Mr. Gaylor?

11 LEGISLATOR GAYLOR: Here.

12 CHAIRMAN MUSCARELLA: Ranking
13 Member Ellen Birnbaum?

14 LEGISLATOR BIRNBAUM: Here.

15 CHAIRMAN MUSCARELLA: Laura
16 Curran?

17 LEGISLATOR CURRAN: Here.

18 CHAIRMAN MUSCARELLA: Arnold
19 Drucker?

20 LEGISLATOR DRUCKER: Here.

21 CHAIRMAN MUSCARELLA: We have a
22 quorum. We have one item on the addendum.
23 I would move for a suspension of the rules.

24 LEGISLATOR RHOADS: So moved.

25 LEGISLATOR CURRAN: Second.

1 Public Works and Parks/12-4-17

2 CHAIRMAN MUSCARELLA: Mr. Rhoads
3 moves, Ms. Curran seconds. All those in
4 favor of suspending the rules.

5 (Aye.)

6 The rules are suspended.

7 We have one item on the addendum.
8 479 of '17, which is a resolution
9 authorizing the County Executive to execute
10 an administrative consent agreement and
11 cooperation with the New York State
12 Department of Environmental Conservation in
13 relation to the Bay Park Diversion Project
14 and additional work.

15 LEGISLATOR WALKER: So moved.

16 CHAIRMAN MUSCARELLA: Moved by
17 Ms. Walker, and I will second that. The
18 item is now before us. Can we have someone
19 from the administration since this came down
20 to us very late? Come and explain this item
21 to us.

22 MS. HODAK: Jane Hodak, Counsel
23 to the Nassau County Department of Public
24 Works.

25 CHAIRMAN MUSCARELLA: Why don't

1 Public Works and Parks/12-4-17
2 you give us a general overview of what this
3 is.

4 MS. HODAK: The western bays of
5 Nassau County have failed to meet New York
6 State water quality standards. The major
7 causal factor of the failure is excessive
8 nitrogen in the water bodies.

9 The major discharger of nitrogen
10 to these water bodies is the Bay Park Sewage
11 Treatment Plant.

12 Accordingly, under New York State
13 law as well as federal law, the county is
14 obligated to reduce the amount of nitrogen
15 that comes out of the Bay Park plant.

16 We have been studying this issue
17 and working with the state to address this.
18 Through this agreement, the state has agreed
19 to work with us to hasten the water quality
20 improvements.

21 Through their design build
22 authority, they will take on the
23 construction and the management of
24 construction of the diversion from the Bay
25 Park plant to the Cedar Creek plant through

1 Public Works and Parks/12-4-17
2 the existing conduit under Sunrise Highway.

3 So this will mean that we will
4 reap the water quality benefits much more
5 quickly than we would have were we to do the
6 construction.

7 These contracts will all still go
8 to the public bidding. There will still be
9 the processes by which you seek to have a
10 competitive process and receive the lowest
11 responsible bid, but the state has certain
12 abilities under state law that will make the
13 project work more quickly.

14 In addition to the nitrogen
15 aspect of the agreement, it also covers the
16 ongoing work at Bay Park in response to the
17 damage caused by Super Storm Sandy and there
18 is also a component in which we are to work
19 with Long Beach to develop an agreement by
20 which they will divert their sewage to the
21 Bay Park plant.

22 They have already signed an
23 agreement with the state to do so and we
24 will work with them to develop that
25 agreement by which we are able to then take

1 Public Works and Parks/12-4-17

2 on that sewage as well.

3 CHAIRMAN MUSCARELLA: Mr. Rhoads,
4 I understand you have some questions on
5 this?

6 LEGISLATOR RHOADS: Absolutely.
7 Thank you, Mr. Chairman. One point first,
8 and the devil is somewhat in the details on
9 this.

10 The effluent from the Bay Park
11 Sewage Treatment Plant is not being diverted
12 to the Cedar Creek Plant, it's being
13 diverted to the Cedar Creek outfall pipe; is
14 that correct?

15 MS. HODAK: Correct.

16 LEGISLATOR RHOADS: So none of
17 the treated effluent will actually be
18 processed -- first off, all the effluent is
19 going to be treated?

20 MS. HODAK: The effluent at Bay
21 Park will be treated and there will be
22 nitrogen removed at the Bay Park facility.
23 There is an existing component within the
24 agreement that the engineers can describe a
25 lot better than I regarding the treatment at

1 Public Works and Parks/12-4-17
2 the plant. What this will do will then take
3 that treated effluent and, as you correctly
4 pointed out, connect it up to the outfall
5 that discharges to the ocean from the Cedar
6 Creek Plant.

7 LEGISLATOR RHOADS: So none of
8 the effluent will reach the Cedar Creek
9 Plant itself?

10 MS. HODAK: Correct.

11 LEGISLATOR RHOADS: It will
12 simply be diverted to the outfall pipe?

13 The reason that I make that point
14 is that there is a tremendous amount of
15 misinformation out there which leads to my
16 next point.

17 I have had several conversations
18 with the administration about when the
19 appropriate time is for us to have public
20 meetings with respect to what we anticipate
21 the plan is going to be. I think it's
22 absolutely essential that there be community
23 meetings and public meetings particularly in
24 my district since we are going to be the
25 accepting theoretically through our

1 Public Works and Parks/12-4-17
2 neighborhoods all the treated effluent now
3 for virtually the entirety of Nassau County
4 through our district.

5 I have been told that the
6 appropriate times for those meetings would
7 be upon completion of the design phase when
8 we were able to lay out for the community
9 where exactly these pipes would go, where
10 the connection points would be in order to
11 connect with the aqueduct, the conduit
12 underneath Sunrise Highway, what
13 specifically would be involved in the
14 project.

15 The assurance that I have also
16 been given is that before a final step is
17 taken and before we commit ourselves to the
18 project, that we would have those community
19 meetings and get that community input.

20 The proposal that's before us
21 today seems an awful lot like it's a
22 commitment.

23 Can you explain for us what
24 additional authority does the Legislature
25 have prior to finalization of this project

1 Public Works and Parks/12-4-17

2 to be able to get the communities input in a
3 time where we can still reverse course if we
4 need to.

5 Again, I'm supportive of the
6 project but I want to make sure before we
7 take the final step there is community
8 input. If we approve this today, do we
9 still have that ability?

10 MS. HODAK: The state has made a
11 commitment through its design process to
12 keep the communities abreast. I mean, the
13 state has done many community outreaches
14 through other Super Storm Sandy recovery
15 processes that it has undertaken and I think
16 if you use this in the same line that it's
17 going to be reaching out to the community
18 and having those public forums at which
19 people will be apprised of the plan and what
20 will go forward.

21 LEGISLATOR RHOADS: Well, there
22 is a difference between advising the
23 community of the plan and giving the
24 community input prior to the plan being
25 finalized. That's what I'm concerned about.

1 Public Works and Parks/12-4-17

2 MS. HODAK: The design bill
3 process that's being contemplated by this
4 agreement is somewhat different than the
5 process that we would normally have before
6 us where the legislators would review the
7 contracts.

8 We're not going to have that same
9 contractual oversight that we would. But we
10 do have the commitment from the state that
11 they will work with the communities that are
12 going to be benefitting from the water
13 quality improvements as well as hosting the
14 pass-through of the sewage to the ultimate
15 ocean outfall.

16 LEGISLATOR RHOADS: So what I'm
17 hearing is, once we approve this, if in fact
18 it is approved, am I correct in my
19 understanding then, that if in fact this is
20 approved, the county does not have the
21 ability to stop the process at that point?

22 MS. HODAK: The county has a
23 number of reports that it has to deliver
24 through the course of compliance with this
25 consent, with this agreement. And in

1 Public Works and Parks/12-4-17

2 delivering those reports and in hiring those
3 people to do those reports, those reports
4 will be made of course available to the
5 Legislature so that there can be input from
6 the Legislature on those reports.

7 There would be nothing that would
8 prevent the legislature requesting and
9 holding hearings on the information that the
10 state is developing throughout its
11 construction process.

12 LEGISLATOR RHOADS: I guess my
13 concern is, once the state takes over this
14 process, which, by this agreement, they will
15 be taking over the process, if the county
16 has objections, we can't stop it. The state
17 can do what they want to do at that point.

18 MS. HODAK: I don't exactly
19 understand what you mean by stop it. We're
20 here now because we have an obligation to
21 control nitrogen.

22 If absent this cooperative
23 agreement with the state, we would be in
24 some sort of enforcement agreement with them
25 to undertake it. We had have to sign on to

1 Public Works and Parks/12-4-17

2 this enforcement agreement and agree that we
3 are going to control it.

4 The input that you would have
5 after that process would be more in the
6 contracting phase and people that you are
7 choosing to do the work.

8 But, here, one of the things that
9 has to happen as part of this whole process
10 is a demonstration of the water quality
11 benefit to the western bays from what would
12 happen through modeling if you diverted the
13 effluent to the connection to the Cedar
14 Creek outfall. So that is something that,
15 as I said before, the public reporting of
16 this information.

17 What we're doing, the state is
18 taking on this design build obligation and
19 in doing so has pledged they will agree to
20 have public outreach and public information.

21 As you see, there is a
22 cooperative agreement here and that
23 cooperative agreement refers to entering
24 into a more formal agreement with the state.
25 I'm sure that the state would be willing to

1 Public Works and Parks/12-4-17

2 put into writing its commitment to hold
3 those public outreach sessions, public
4 hearing sessions, however you would like to
5 denominate them, but I don't see why they
6 wouldn't since they have already pledged to
7 do so.

8 LEGISLATOR RHOADS: I appreciate
9 the answer and I think I have the answer to
10 my question. I'm just not necessarily
11 pleased with it.

12 Again, my concern is that the
13 community outreach and the community
14 hearings and the input you solicit from the
15 community be done before there is a
16 commitment to the completion of the project
17 on the part of the county.

18 MS. HODAK: Right now we have a
19 commitment to control nitrogen. As to the
20 project itself, again, we're going to have a
21 more formal agreement with the state that
22 outlines the mechanics of this design build,
23 work by the state, and the cooperation
24 between the state and the county.

25 We can, in that agreement, craft

1 Public Works and Parks/12-4-17

2 some sort of obligation for public sessions.

3 LEGISLATOR RHOADS: I appreciate
4 it. Thank you.

5 CHAIRMAN MUSCARELLA: Any other
6 questions? Mr. Gaylor.

7 LEGISLATOR GAYLOR: Good
8 afternoon. Thank you for being here.
9 Without the benefit of having the public
10 input into any of this, what would happen if
11 we don't approve this today; if this is not
12 approved?

13 MS. HODAK: Then we would
14 probably go back to a simple enforcement
15 agreement.

16 LEGISLATOR GAYLOR: This
17 cooperative agreement, does this resolution
18 that's before us today address all water
19 quality violations and permit, discharge
20 permit violations that may exist at Bay
21 Park?

22 MS. HODAK: What this does is it
23 resolves any outstanding permit violations
24 and, as one, the appendix, in one of the
25 appendices you will see listed all of the

1 Public Works and Parks/12-4-17

2 Bay Park improvements that are being done,
3 physically at that plant caused by the
4 damage from the hurricane, as well as a
5 separate appendices that talks about all the
6 improvements that are being done at the
7 plant itself to address nitrogen.

8 LEGISLATOR GAYLOR: So there in
9 fact could be more violations than you're
10 saying that exist that are not covered by
11 this agreement?

12 MS. HODAK: No. There is no
13 other violations that exist right now that
14 aren't covered.

15 LEGISLATOR GAYLOR: That's what I
16 was trying to get at, to make sure this
17 resolves all violations that exist. All
18 right.

19 As part of the funding, I know
20 the state is committed to provide up to 77,
21 \$78 million. But they termed it as using
22 their best efforts to obtain that money.
23 Assuming they don't, where does that money
24 come from?

25 MS. HODAK: I can turn it over to

1 Public Works and Parks/12-4-17

2 the budget people to talk a little more
3 about the actual mechanics of the money.

4 But I will tell you that when
5 there is a water quality violation, and we
6 are the causal element of that water quality
7 violation, we have to fix it. The law
8 doesn't take into account how much that
9 costs us.

10 LEGISLATOR GAYLOR: So then maybe
11 the budget guy can tell us what's currently
12 set aside for this and what's the
13 contingency plan if we have to come up with
14 another \$78 million.

15 I appreciate the state indicating
16 they're going to use their best effort to
17 come up with \$78 million, the reality is
18 they may not. And, therefore, the county
19 has to and I would like to know where the
20 county plans to come up with \$78 million.

21 MR. PERSICH: Andy Persich,
22 Office of Management and Budget. There is
23 some money to fund part of this project in
24 the capital budget. We did some capital
25 budget amendments I think at the last

1 Public Works and Parks/12-4-17

2 session to fund a portion of this.

3 So I think the total project cost
4 is about \$350 million. I don't know what
5 the split is between the state and the
6 county but there is a project in the capital
7 budget that we amended a few weeks ago to
8 fund this, so --

9 LEGISLATOR GAYLOR: But that's
10 not the question before you. The question
11 is, the county has already committed to 147,
12 \$148 million, the state says they will use
13 their best efforts to try to find \$79
14 million.

15 I'm not so confident, the state
16 is going to come up with \$79 million for
17 Nassau County. So, therefore, where do we
18 come up with \$79 million?

19 MR. PERSICH: It's a capital
20 budget item so we would have bond for it in
21 order to fund it. So that probably would be
22 the funding source for the outstanding
23 balance if the state doesn't come through
24 with the funds.

25 LEGISLATOR GAYLOR: Do we know

1 Public Works and Parks/12-4-17

2 when the state will identify to us whether
3 they have the funds or not?

4 MR. PERSICH: I don't know the
5 answer to that one. It's part of their
6 budgetary process too and I don't know what
7 the DEC is going to do.

8 LEGISLATOR GAYLOR: I have no
9 further questions.

10 CHAIRMAN MUSCARELLA: Any other
11 questions? Mr. Drucker.

12 LEGISLATOR DRUCKER: If we didn't
13 have a cooperative agreement, we were
14 relegated to the enforcement obligation that
15 you spoke about, can you explain what the
16 parameters of that enforcement agreement
17 would be and what our obligations would be
18 under it?

19 MS. HODAK: Good afternoon.
20 Basically our obligations under the
21 enforcement agreement would be to build
22 whatever control is necessary at the
23 facility, or to utilize the diversion option
24 to connect to the Cedar Creek outfall to
25 accomplish the same result, which is the

1 Public Works and Parks/12-4-17

2 removal of the violating effluent from the
3 water body.

4 So, basically, if we went to the
5 enforcement agreement as opposed to the
6 cooperative agreement, what we would be
7 giving up is the state's cooperative work on
8 this project. You would be giving up all of
9 their willingness to do the design and the
10 construction and all the benefits that flow
11 with that whether they be monetary or simply
12 in terms of their expertise and their
13 ability to manage a project like this.

14 LEGISLATOR DRUCKER: But they
15 would definitely withdraw their financial
16 support for the project?

17 MS. HODAK: They wouldn't
18 withdraw their financial support for the
19 projects that are ongoing in terms of the
20 FEMA projects, in terms of the Sandy
21 rebuilding. I don't know what that would do
22 to their support of the nitrogen work.

23 LEGISLATOR DRUCKER: Thank you.

24 CHAIRMAN MUSCARELLA: Ms. Walker.

25 LEGISLATOR WALKER: Could you

1 Public Works and Parks/12-4-17

2 just repeat what you had said about Long
3 Beach, how Long Beach ties into this?

4 MS. HODAK: Sure. The Long Beach
5 plant has to control and manage its sewage
6 as do we according to its permit.

7 It had some outstanding permit
8 violations. It, too, needs to address
9 nitrogen and the state and Long Beach
10 recognizing the incredible amount of money
11 that was going to cost at such a small
12 facility approached it this way with a
13 requirement that Long Beach construct a
14 diversion to the Bay Park facility and then
15 construct and fund it -- this is not money
16 that is going to be paid for by the county,
17 it's a Long Beach obligation.

18 LEGISLATOR WALKER: So Long Beach
19 will connect to Bay Park and that's --

20 MS. HODAK: I don't know whether
21 or not under the agreement it connects
22 directly to Bay Park or it connects at a
23 point beyond the actual treatment of sewage
24 at Bay Park to the diversion pipe to -- I
25 will let the engineer talk about that.

1 Public Works and Parks/12-4-17

2 MR. DAVENPORT: Joe Davenport,
3 Chief Sanitary Engineer, Department of
4 Public Works.

5 The Long Beach diversion, they
6 would convert their plan to a pumping
7 station, they would construct the first
8 main, tie into the collection system that
9 serves the Bay Park plant, the pipes.

10 That wastewater would then be
11 treated at the Bay Park plant and then, with
12 this diversion project, utilizing the Cedar
13 Creek outfall, discharge out into the
14 Atlantic Ocean. What is good about -- if we
15 can accomplish that Long Beach component of
16 the project, if you look back over a number
17 of years, the county has shut down and
18 converted its Inwood sewage treatment plant
19 into a pump station back in 2000. We have
20 done the same with the villages of
21 Cedarhurst and Lawrence; small inefficient
22 plants.

23 Now, with Long Beach, and if we
24 divert the Bay Park effluent to the Cedar
25 Creek outfall, we will have eliminated all

1 Public Works and Parks/12-4-17
2 of those wastewater discharges in the
3 western bays there. It certainly would be a
4 great accomplishment.

5 LEGISLATOR WALKER: Thank you.

6 CHAIRMAN MUSCARELLA: If I may, a
7 couple of questions. Am I wrong, didn't the
8 governor a couple of weeks ago have a press
9 conference with respect to this issue?

10 MS. HODAK: Yes.

11 CHAIRMAN MUSCARELLA: At that
12 point didn't he indicate that the state was
13 committing certain funding for this effort?

14 MS. HODAK: That's what he said.
15 I was not there at the press conference, so
16 I cannot speak directly to that.

17 For this project, they recognize
18 the regional importance of addressing
19 nitrogen, and, as Joe Davenport eloquently
20 pointed out, you eliminate all of these
21 smaller inefficient plants and their
22 discharges into this water body that's
23 relatively shallow, feels the affects of
24 nitrogen acutely.

25 So, by doing this, I think that

1 Public Works and Parks/12-4-17

2 is the impetus behind their design build
3 approach to this, that they perceive the
4 regional importance of addressing water
5 quality and have on numerous occasions
6 pledged to support this project both with
7 their efforts and financially.

8 CHAIRMAN MUSCARELLA: And
9 assuming we did not vote in favor of this,
10 we would still be under the obligation to
11 address the problems that we have, correct?

12 MS. HODAK: Absolutely. Without
13 a doubt. I have been doing sewage treatment
14 plant consent orders since 1988 and I can
15 tell you that I have absolutely no doubt
16 that the state would force us to do this on
17 our own with our own money and whatever it
18 took.

19 CHAIRMAN MUSCARELLA: Without the
20 money of the state.

21 MS. HODAK: Absolutely.

22 CHAIRMAN MUSCARELLA: I'm sorry,
23 Ms. Curran.

24 LEGISLATOR CURRAN: Quite all
25 right. Thank you very much. To your point,

1 Public Works and Parks/12-4-17

2 Legislator Muscarella, I was at the press
3 conference and it was a very public and very
4 enthusiastic commitment.

5 So for whatever that is worth,
6 it's up to you to decide.

7 Quick question, who does the
8 design build procurement?

9 MS. HODAK: The state does that.

10 LEGISLATOR CURRAN: The state.
11 And then to Legislator Rhoads point about
12 misinformation, I know that in my community
13 as well there is misinformation out there
14 that people are freaking out that raw sewage
15 is going to be coming from other places.

16 I do think it would be helpful to
17 have community input whether they're input
18 meetings or information meetings and
19 wouldn't the Department of Public Works be
20 able to organize these meetings on its own
21 without the state?

22 Obviously in coordination with
23 the state but we obviously don't need their
24 permission to do this.

25 While this is being designed,

1 Public Works and Parks/12-4-17

2 there are questions that we will not be able
3 to answer, but I have to imagine there are a
4 lot of questions we will be able to answer
5 and perhaps stop misinformation from
6 spreading so that it doesn't make the
7 project a heavier lift than it already is.

8 MS. HODAK: You're correct.

9 Misinformation is always a detriment to any
10 project. So we would, of course, the state,
11 although they would be designing and
12 building it, we would be there working with
13 our engineers and consultants along the
14 processes and we can have certainly have
15 informational meetings at which the public
16 is given all the opportunities they want to
17 ask question and receive additional
18 information.

19 LEGISLATOR CURRAN: That's good.

20 I think that's very important for an
21 ambitious project like this that has such
22 great benefits.

23 We are in a position to say we're
24 doing great things for the environment, for
25 the water, for the economy, and this is

1 Public Works and Parks/12-4-17
2 something that we should be selling and this
3 is a good way to do that, through real
4 community engagement.

5 CHAIRMAN MUSCARELLA:
6 Ms. Birnbaum.

7 LEGISLATOR BIRNBAUM: I'm
8 concerned about the funding for this
9 project. I know the state has committed to
10 grants and the county will have to put in
11 its share. What about the City of Long
12 Beach? You did say that the Long Beach
13 effluent will now be going to Cedar Creek as
14 well.

15 MS. HODAK: They are responsible
16 for any construction work relative to
17 converting their facility to a pump station,
18 for paying for it to be connected to the Bay
19 Park plant, and any work they have to do to
20 comply with that obligation that they have
21 with the state to do that.

22 LEGISLATOR BIRNBAUM: But does
23 the county receive any benefit from having
24 the City of Long Beach join with us?

25 MS. HODAK: Then they would pay

1 Public Works and Parks/12-4-17
2 into the county rate system for sewage
3 service the way I do.

4 LEGISLATOR BIRNBAUM: Do we have
5 an idea of how much that would amount to
6 adding Long Beach to county --

7 MS. HODAK: We don't. But,
8 again, I think that having the Long Beach
9 connection to this facility which addresses
10 a very urgent need in that area only makes
11 it more amenable to the state to fund
12 because in my experience in the past with
13 these sewage treatment plants, the state has
14 money. And the state allocates that money
15 where they perceive to be the greatest
16 benefit and the greatest need.

17 So when you're having something
18 that addresses both the sewage treatment
19 plant of Long Beach and rectifying the
20 deficiencies at the sewage treatment plant
21 in Long Beach, as well as rectifying the
22 deficiencies at the sewage treatment plant
23 in Bay Park, you become much more eligible
24 for the funding pots that the state has
25 available for these water quality benefit

1 Public Works and Parks/12-4-17

2 projects.

3 LEGISLATOR BIRNBAUM: Thank you.

4 LEGISLATOR RHOADS: Mr. Chairman?

5 CHAIRMAN MUSCARELLA: Legislator
6 Rhoads.

7 LEGISLATOR RHOADS: Thank you. I
8 appreciate it. Obviously I think we all --
9 and I appreciate the County Executive
10 elect's comments. I think it's absolutely
11 essential that we have public input and
12 public information and we do that as quickly
13 as possible.

14 Obviously this is a proposal that
15 was brought to us sort of at the 11th hour
16 which we haven't even had the opportunity to
17 be able to review as of yet.

18 My intention is to approve this
19 today and pass it through to the Full
20 Legislature.

21 However, in the intervening weeks
22 before our meeting on the 18th, there are
23 several questions that I really need to have
24 answered, and I would also like to have in
25 place with the cooperation obviously with

1 Public Works and Parks/12-4-17

2 the incoming administration a timetable as
3 to when we're going to have those public
4 information meetings because I think getting
5 that information out there sooner rather
6 than later is vitally important.

7 MS. HODAK: Certainly those are
8 things we can accomplish between now and the
9 18th.

10 LEGISLATOR RHOADS: Thank you.

11 CHAIRMAN MUSCARELLA: Ms. Walker.

12 LEGISLATOR WALKER: I'm sorry. I
13 feel bad that I keep going back to this.
14 Long Beach will be paying for the conversion
15 as well as paying for the piping that goes
16 to where ever they're connecting to?

17 MS. HODAK: To Bay Park.

18 LEGISLATOR WALKER: Does Long
19 Beach determine the route?

20 MS. HODAK: I don't know that
21 they progressed to that point.

22 MR. DAVENPORT: It would be a
23 joint project between us and the City of
24 Long Beach. They would be responsible for
25 all the capital costs for the project.

1 Public Works and Parks/12-4-17

2 Certainly, if they propose a
3 route and they are installing the force main
4 or pipe along a county roadway, there are
5 requirements in place, road opening permits,
6 they would have come to us for approval.

7 It's not as if they would be able
8 to do work in a county roadway without our
9 okay on that.

10 CHAIRMAN MUSCARELLA: Just
11 quickly to wrap up.

12 Regardless of the hearings we
13 might have, the state is required to go
14 through an extension environmental hearing
15 process, SEQRA and all kinds of public
16 hearings with respect to moving this process
17 forward.

18 MS. HODAK: I haven't worked with
19 the state yet on a design build project,
20 that hasn't been something that they have
21 utilized before in the consent orders that I
22 worked on, so I can't speak to that, and
23 what they determined to be required in terms
24 of this.

25 In an enforcement action there is

1 Public Works and Parks/12-4-17

2 an exemption to SEQRA for enforcement
3 actions because it's already part of the
4 permit requirement, so it's already required
5 by law, so it's an enforcement action.

6 But that doesn't mean you can't
7 have the type of public information sessions
8 that you want. SEQRA doesn't require public
9 information centers. It requires that you
10 fill out forms and submit the forms and you
11 follow-up. Whether or not anybody ever
12 bothers to read these forms from the public
13 is a matter of whether or not you're
14 interested.

15 When you hold a public
16 information session which you obligated to
17 present that information, you get the
18 information disseminated to the public.

19 CHAIRMAN MUSCARELLA: Okay. And
20 regardless of anything that goes forward,
21 this project in order go forward would have
22 to come to this Legislature for bonding; is
23 that correct?

24 MS. HODAK: Correct.

25 CHAIRMAN MUSCARELLA: Any other

1 Public Works and Parks/12-4-17

2 questions? Yes, Ms. Curran.

3 LEGISLATOR CURRAN: Back again.

4 Another reason why I think it's so important
5 to engage the communities that is going to
6 affect is because we are also going to
7 constructing from Bay Park up to Sunrise
8 Highway and from Sunrise Highway down into
9 Cedar Creek and those communities will be
10 affected as well.

11 So the more correct information
12 we can get out there, I think the easier
13 that part of the project will be as well.
14 That's going to be the tricky part. The
15 aqueduct or viaduct -- not sure which to
16 call it.

17 MS. HODAK: A pipe.

18 LEGISLATOR CURRAN: That's
19 easier. The pipe seems easy. It's getting
20 to and from the pipe that's going to be the
21 hard part. That's where we really need the
22 community support.

23 MS. HODAK: I think you bring up
24 an excellent point in the idea that we
25 should have scheduled regular meetings.

1 Public Works and Parks/12-4-17

2 SEQRA doesn't require scheduled meetings.

3 It doesn't require meetings at all.

4 Basically what normally happens,
5 on the eve of a decision-making process in
6 which things have progressed down the line,
7 a good bit, and then people don't feel like
8 they have had input at a time in which they
9 could have made the decision makers and the
10 builders aware of what they should know.

11 So if you have regular scheduled
12 project meetings, and when I worked for the
13 city, at the New Town Creek Sewage Treatment
14 Plant projects and other projects, we had
15 all sorts of involvement from the
16 communities there, and we would have regular
17 monthly meetings that I would attend and
18 other people would attend to discuss where
19 we were, where we were going, and what
20 needed to be known to the decision makers
21 from the public as well as what the public
22 needed to -- what the decision makers needed
23 to tell the public.

24 CHAIRMAN MUSCARELLA: Any other
25 questions?

1 Public Works and Parks/12-4-17

2 (No verbal response.)

3 Hearing none, all those in favor
4 of moving this item -- I'm sorry. Public
5 comment. Ms. Mereday, I apologize.

6 MS. MEREDAY: Good afternoon.
7 Meta Mereday. Where do I begin in my three
8 minutes. I appreciate the comments from
9 Legislator Curran and Legislator Rhoads.
10 I'm trying to be bipartisan here.

11 The public needs to be heard
12 particularly in the impacted communities,
13 one in which I live in.

14 There is -- I don't necessarily
15 say it's misinformation, but Sunrise Highway
16 just received a significant upgrade. So now
17 we're going to be telling the residents that
18 we are going to be digging up parts of that
19 road, we don't know which parts. We don't
20 know how this pipe that's allegedly
21 pristine, what the overall integrity of that
22 is. We issues already with our water. The
23 nitrogen, the effluent aside.

24 So there are significant concerns
25 that we here and many of the residents,

1 Public Works and Parks/12-4-17

2 particular in the Baldwin, Baldwin Harbor
3 area who still addressing while paying their
4 taxes the fact that they can't live in their
5 homes because of what already rolls in their
6 house care of Super Storm Sandy.

7 We need to know what type of
8 assurances and safeties are going to be in
9 place to protect us against any leaks or
10 breaks. I don't know if anybody read about
11 the leaks in the Key Stone Pipe Line. As
12 far as having some assurances with modern
13 technology and construction, I really don't.

14 I really would also like to know
15 when we talk about work quality violations,
16 clearly this is not something that popped up
17 all of a sudden, so it was already there
18 when many of our politicians were having
19 those nice little photo ops down at Bay Park
20 after we spent all those multi million
21 dollars post Sandy. So where is the tab for
22 that, for the work that was already done?

23 So I'm hoping, I don't know, this
24 is probably whistling in the wind but it's
25 December and I'm optimistic, that we can

1 Public Works and Parks/12-4-17

2 have more discussion and since most of this
3 is going to pass through anyway, I would
4 like to endeavor to request that the public
5 get more opportunities to be heard.

6 Now, as opposed to having some
7 type of environmental catastrophe, and then
8 everyone wants to run for cover after the
9 fact. But the residents will still be the
10 ones impacted and will have to pay for the
11 privilege of having more sewer water
12 disrupting our aquifers and things of that
13 nature.

14 I'm pretty sure, call it a guess,
15 but I've kind of been here a few times, I
16 kind of now how this is going to run and the
17 discussion will come up in the Full Leg,
18 and, once again, the outgoing majority which
19 will still be the majority will vote a
20 certain way and the other side will vote a
21 certain way, and once again the taxpayers
22 are going to go into 2018 with another
23 project that may or may not be beneficial
24 for them.

25 So just give us the opportunity

1 Public Works and Parks/12-4-17

2 to ask the questions, because I was getting
3 ready to leave and I heard what was coming
4 up here and I think we could have had more
5 public here to actually get this addressed.
6 Thank you.

7 CHAIRMAN MUSCARELLA: Thank you.
8 We look forward in the future to affording
9 that opportunity to provide public input
10 into this project.

11 Any other public comment?

12 (No verbal response.)

13 Hearing none, all those in favor
14 of moving this item please say aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 That item is reported
19 unanimously. Seeing no other business
20 before us, motion to adjourn.

21 LEGISLATOR RHOADS: So moved.

22 LEGISLATOR GAYLOR: Second.

23 CHAIRMAN MUSCARELLA: By Mr.
24 Rhoads to adjourn, seconded by Mr. Gaylor.
25 All those in favor please say

1 Public Works and Parks/12-4-17

2 aye.

3 (Aye.)

4 We are adjourned. Next up is
5 Health.

6 (Whereupon, the Public Works and
7 Parks Committee adjourned at 3:35 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 21st day of December, 2017.

FRANK GRAY

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NASSAU COUNTY LEGISLATURE

RULES COMMITTEE

NORMA GONSALVES, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, December 4, 2017
1:33 P.M

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

NORMA GONSALVES,
Chairwoman

RICHARD NICOLELLO,
Vice Chairman

HOWARD KOPEL

VINCENT MUSCARELLA

KEVAN ABRAHAMS,
Ranking

DELIA DERIGGI-WHITTON

SIELA BYNOE

MICHAEL C. PULITZER,
Clerk of the Legislature

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MICHAEL SCHLERNOFF	14
BRIAN SCHNEIDER	16
META MEREDAY	17
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minutes;

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By reference:

Locate in Finance Committee minutes

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Clerk Item 216-17.....90

By reference:

Locate in Public Works and Parks

Committee dated 12-4-17 pertaining to

Clerk Item 479-17.....97

1 Rules Committee/12-4-17

2 CHAIRWOMAN GONSALVES: Will my
3 colleagues join us in the chamber for the
4 Pledge of Allegiance.

5 Legislator Gaylor, please lead us
6 in the Pledge of Allegiance.

7 (The Pledge of Allegiance was
8 recited.)

9 CHAIRWOMAN GONSALVES: Thank you,
10 Legislator Gaylor.

11 The Rules Committee will first
12 meet to entertain the various contracts that
13 have been presented to us and, once those
14 contracts have been approved or disapproved,
15 we move on to the other committees for their
16 testimony for other issues which may turn up
17 again in the Rules Committee.

18 So, after the contracts, we do
19 recess to give the other committees an
20 opportunity to address the items that are on
21 their agendas.

22 We will begin with the contracts
23 first but I will ask Mr. Pulitzer to please
24 call the roll for the Rules Committee.

25 CLERK PULITZER: Thank you,

1 Rules Committee/12-4-17

2 Madam. Rules Committee. Legislator Siela

3 Bynoe?

4 LEGISLATOR BYNOE: Here.

5 CLERK PULITZER: Legislator

6 DeRiggi-Whitton?

7 LEGISLATOR DERIGGI-WHITTON:

8 Here.

9 CLERK PULITZER: Ranking Member

10 Kevan Abrahams?

11 LEGISLATOR ABRAHAMS: Here.

12 CLERK PULITZER: Alternate Deputy

13 Presiding Officer Howard Kopel?

14 LEGISLATOR KOPEL: Here.

15 CLERK PULITZER: Legislator

16 Vincent Muscarella?

17 LEGISLATOR MUSCARELLA: Here.

18 CLERK PULITZER: Vice Chairman

19 Richard Nicoletto?

20 LEGISLATOR NICOLELLO: Here.

21 CLERK PULITZER: Chairwoman Norma

22 Gonsalves?

23 CHAIRWOMAN GONSALVES: Present.

24 CLERK PULITZER: We have a

25 quorum, ma'am.

1 Rules Committee/12-4-17

2 CHAIRWOMAN GONSALVES: Thank you.
3 The first contract is A-51-17, a resolution
4 authorizing the director of Nassau County
5 Office of Purchasing to award and execute a
6 contract between the County of Nassau acting
7 on behalf of various County agencies and
8 Unitech Elevator.

9 Motion, please.

10 LEGISLATOR NICOLELLO: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Nicolello, seconded by Legislator
14 Kopel. Anyone here to speak on this item?

15 MR. MARINO: Anthony Marino,
16 Department of Public Works. This contract
17 is going to replace an existing contract for
18 the maintenance of the elevators in county
19 buildings.

20 CHAIRWOMAN GONSALVES: Any
21 questions for this item?

22 (No verbal response.)

23 Any public comment on this item?

24 (No verbal response.)

25 There being none, all those in

1 Rules Committee/12-4-17

2 favor of A-51 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes four to three.

7 The next item is A-53, a

8 resolution authorizing the director of

9 Nassau County Office of Purchasing to award

10 and execute a contract between the County of

11 Nassau acting on behalf of the Nassau County

12 Department of Public Works and LI Proliner,

13 Inc.

14 Motion, please.

15 LEGISLATOR MUSCARELLA: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by

18 Legislator Muscarella, seconded by

19 Legislator Kopel.

20 LIEUTENANT STEPHANOFF: Good

21 afternoon. Lieutenant Greg Stephanoff,

22 Nassau County Police Department. Item A-53

23 is to authorize and award a purchase for the

24 purchase of three rescue trucks. These

25 trucks are going to be used by the police

1 Rules Committee/12-4-17

2 department's emergency service unit.

3 They are going to replace two
4 2009 trucks; one with over 200,000 miles and
5 one approaching 200,000 miles.

6 We currently have five trucks.
7 We're going to go to a sixth truck.
8 Emergency service found that with five
9 trucks, when one of the trucks are down they
10 go down for a while and they had trouble
11 keeping trucks on the street.

12 We try to run with two or three
13 trucks per tour. So we are going to replace
14 two with the three that we're purchasing.

15 CHAIRWOMAN GONSALVES: Any
16 questions of the lieutenant? Minority
17 Leader.

18 LEGISLATOR ABRAHAMS: Lieutenant,
19 just explain the function of the trucks
20 again. I know you started to say that they
21 were used in rescue situations. Give us an
22 example of when this truck is used.

23 LIEUTENANT STEPHANOFF: Yes.
24 This truck is called to any heavy scene, can
25 be called to a Homeland Security incident.

1 Rules Committee/12-4-17

2 Can be called to any major incident. A
3 hazardous material incident, hazardous
4 material trained.

5 They also work together with
6 Bureau of Special Operations, and when the
7 Bureau is unavailable they can come out and
8 go to scenes. They have the heavy
9 bulletproof vests that they can go into
10 heavier situations.

11 They do everything similar to
12 emergency services in the city where the
13 emergency service in the city do a little
14 more than we do but very similar. They
15 basically run county wide. We try to run
16 one truck north, one truck south in the
17 county. They will go to any major scene.

18 Also, major accidents where
19 someone has to be extradited from a car,
20 they have the jaws of life they carry.
21 Probably missing a couple of things, but I
22 can go on and on.

23 LEGISLATOR ABRAHAMS: I think
24 that you've given enough. And the trucks
25 that are currently have in operation have in

1 Rules Committee/12-4-17

2 excess of 200,000 miles?

3 LIEUTENANT STEPHANOFF: There's
4 one over 200,000, one approaching 200,000
5 that we are going to replace.

6 They currently have five trucks
7 but with five trucks believe it or not, they
8 found it hard to keep two on the streets.
9 Like if it goes down, those big trucks go
10 down and sometimes it takes a little bit
11 more than a car to fix. So the sixth truck
12 is going to make it easier for us to
13 maintain two to three trucks on the street.

14 LEGISLATOR ABRAHAMS: Nothing
15 further.

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

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of Item A-53-17 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

1 Rules Committee/12-4-17

2 Unanimous.

3 The next item is A-55, a
4 resolution authorizing the director of
5 Nassau County Office of Purchasing to award
6 and execute a contract between the County of
7 Nassau acting on behalf of the Nassau County
8 Fire Marshal and LI Proliner, Inc.

9 Motion, please.

10 LEGISLATOR NICOLELLO: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Nicolello, seconded by Legislator
14 Kopel. Who is here to speak on this item?

15 ASSISTANT CHIEF PRIEST: Good
16 afternoon. Assistant Chief John Priest from
17 the Nassau County Fire Marshal's Office.

18 The item before you is to
19 purchase a utility vehicle which will be
20 used to transport equipment for hazardous
21 material scenes.

22 It is, believe me, actually a
23 more economic bill. We are replacing two
24 old trailers that have to be towed by pick
25 up trucks. So we will be putting level A

1 Rules Committee/12-4-17

2 suits and decontamination supplies in one
3 vehicle, get rid of the trailers, have one
4 vehicle, one drive, and be able to get
5 everything to the scene.

6 CHAIRWOMAN GONSALVES: Any
7 questions? Minority Leader.

8 LEGISLATOR ABRAHAMS: Thank you.
9 Just a quick question. According to the
10 backup there was only one bid received. Why
11 did the administration feel not to rebid?

12 ASSISTANT CHIEF PRIEST: Just a
13 little louder.

14 LEGISLATOR ABRAHAMS: According
15 to our backup, it indicates there was only
16 one bid received.

17 Just trying to find out why the
18 administration chose not to rebid.

19 ASSISTANT CHIEF PRIEST: I do not
20 know, legislator, that would have gone
21 through -- the Department of Public Works
22 handled the bidding process for us.

23 I know Proliner is a very popular
24 company on Long Island. They are big in
25 fire service vehicles. I know that from my

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2 volunteer side, but there's somebody, I will
3 get out the way.

4 LEGISLATOR ABRAHAMS: Before you
5 leave, one second. Real quick, before you
6 leave, this contract is also eight months
7 late. Is it on the actual late list?

8 ASSISTANT CHIEF PRIEST: I was
9 unaware that it was late. I don't believe
10 they have begun even making the vehicle.

11 LEGISLATOR ABRAHAMS: It's not on
12 the late list? Sorry. I'm looking at our
13 backup wrong. It's for the next one.
14 Sorry.

15 MR. SCHLERNOFF: Michael
16 Schlernoff, Director of Purchasing. Could
17 you repeat the question?

18 LEGISLATOR ABRAHAMS: It was a
19 question about this, Michael, only one bid
20 was received, so we were asking was there
21 any reasoning or any thinking towards not
22 rebidding to get more bids?

23 MR. SCHLERNOFF: Not rebidding?
24 The reason I would not rebid it is because
25 there is only one major vendor on the island

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2 that can get us these types of vehicles. So
3 it would just be throwing away money to
4 rebid it.

5 LEGISLATOR ABRAHAMS: And you
6 feel that the price that we're paying
7 ensures the fairest and best price the
8 county can get?

9 MR. SCHLERNOFF: Yes, I do.

10 LEGISLATOR ABRAHAMS: Fair
11 enough. Nothing further.

12 CHAIRWOMAN GONSALVES: Any other
13 comments from the legislators?

14 (No verbal response.)

15 Is there any public comment on
16 this item?

17 (No verbal response.)

18 There being none, all those in
19 favor of Item A-55 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Unanimous.

24 Next is E-232, a personal
25 services agreement between the County of

1 Rules Committee/12-4-17

2 Nassau acting on behalf of the Nassau County
3 Department of Public Works and the Savin
4 Engineers, P.C.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Nicolello, seconded by Legislator
10 Kopel. Mr. Schneider.

11 MR. SCHNEIDER: Brian Schneider
12 from Public Works. This is an amendment to
13 an existing on call construction management
14 and inspection agreement.

15 This will not change the funding
16 of the agreement only to extend the
17 expiration date for an additional 18 months
18 to complete work that is currently ongoing.

19 The department is in the process
20 of bidding a new contract but we are in the
21 process of also negotiating and having
22 discussions with CSEA to determine to what
23 extent the department can subcontract this
24 work going forward.

25 So as of this time until that is

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2 worked out, we are requesting that this
3 contract be extended for 18 months to
4 complete ongoing work.

5 CHAIRWOMAN GONSALVES: Any
6 comments from the legislators?

7 (No verbal response.)

8 Any public comment on this item?
9 It's on item E-232 correct.

10 MS. MEREDAY: Meta Mereday,
11 Baldwin resident. Just a quick question
12 with regard to the outreach. I believe I
13 heard something about some discussion with
14 regard to renewing the contract.

15 I'm just hoping that since this
16 has been an existing relationship that there
17 is the proper oversight moving forward as it
18 pertains to past performances in the overall
19 procurement.

20 I'm just curious as to whether
21 those measures have been put in place as far
22 as the types of relationships, if any, any
23 types of internal connections so, again, the
24 public has assurances moving forward that
25 all of our safeguards are in place.

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2 When I hear this is an existing
3 contract, it really kind of precludes any
4 type of fair competition towards this type
5 of work if we don't have an opportunity for
6 others to participate. Thank you.

7 CHAIRWOMAN GONSALVES: You're
8 welcome. Any other comments? Legislator
9 Bynoe.

10 LEGISLATOR BYNOE: Hi,
11 Mr. Schneider. The question is, this is
12 late, this particular contract, and I guess
13 the RFP was issued in 2013. I guess the
14 amendment to this contract is late showing
15 up here to the Legislature late. Could you
16 explain?

17 MR. CLEARY: Robert Cleary,
18 director of compliance. There is a memo in
19 the document explaining the delay.

20 LEGISLATOR BYNOE: I would like
21 it on the record so can you can explain it.

22 MR. CLEARY: You can read it.

23 MR. SCHNEIDER: I'm going to
24 paraphrase this. It basically states that
25 we're requesting CSEA approval to bid a new

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2 contract. So it's not going to be a renewal
3 of this one. It's going to be a new
4 contract. So while this issue is being
5 worked out, we need to extend the expiration
6 date.

7 So, granted there is some
8 lateness, but this is an ongoing issue that
9 we've been trying to work through with CSEA
10 and it's not something that's been sitting
11 on somebody's random desk and we are trying
12 to get through this issue so we can bid a
13 new contract.

14 LEGISLATOR BYNOE: So they have
15 been continuing to work as you have been
16 trying to deal with this issue with CSEA?

17 MR. SCHNEIDER: Correct. And we
18 also have approval from the Comptroller that
19 this ongoing work associated with these
20 contracts are acceptable to the Comptroller
21 to be paid as it's to allow for completion
22 of assigned work prior to the expiration.

23 LEGISLATOR BYNOE: Were we under
24 some belief that this was going to resolve
25 much earlier on and now you realize you are

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2 at an impasse or something and now you're
3 coming for the extension because if you knew
4 you were working out these issues earlier
5 on, I'm not sure why it wouldn't have come
6 to us back in April or what have you.

7 MR. SCHNEIDER: We tried to
8 address whatever, not controversies, but
9 issues that could arise to the issuance of a
10 new contract which essentially this would
11 be.

12 But, obviously, CSEA had some
13 issues on whether or not this work is being
14 claimed by DPW or if it can be subcontracted
15 out.

16 This is an ongoing discussion
17 that we been having with CSEA over the last
18 several months and it just can't seem to
19 resolve itself. We feel it's necessary for
20 these extensions.

21 This is not the only on call
22 agreement that requires an extension. We
23 have five other agreements besides the one
24 with Savin Engineering and some of which
25 have already been approved by the

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2 Legislature.

3 LEGISLATOR BYNOE: Thank you.

4 CHAIRWOMAN GONSALVES: There
5 being no other questions or comments, all
6 those in favor of E-232 signify by saying
7 aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 The item passes four to three.

12 The next item is E-233-17, a
13 personal services agreement between the
14 County of Nassau acting on behalf of the
15 Nassau County Department of Public Works and
16 Marvel Lite Company, Inc.

17 Motion, please.

18 LEGISLATOR MUSCARELLA: So moved.

19 LEGISLATOR KOPEL: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Muscarella, seconded by
22 Legislator Kopel. We have?

23 MR. SCHNEIDER: Brian Schneider,
24 Public Works. The purpose of this amendment
25 is to extend the existing contract date

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2 through December 31st of this year coming up
3 in a couple of weeks for the upgrade of the
4 county's traffic signal control system and
5 the traffic management center in Westbury.

6 This is the second amendment to
7 this contract but all the work has already
8 been completed. There is no cost increase
9 as part of this contract amendment but this
10 is really for payment purposes. So we need
11 to extend the date until December 31st so we
12 can complete all the paperwork for the
13 project and pay the vendor.

14 CHAIRWOMAN GONSALVES: Legislator
15 Kopel.

16 LEGISLATOR KOPEL: Thank you. I
17 understand that there were some issues as to
18 the performance rendered?

19 MR. SCHNEIDER: There's nothing
20 in my file that indicates anything about the
21 performance. I know there have been some
22 delays due to some of the issues ongoing at
23 the facility itself.

24 LEGISLATOR KOPEL: But none of
25 those issues as far as you know are

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2 attributable to the contract?

3 MR. SCHNEIDER: In my backup
4 there is nothing that has been indicated
5 that there is an issue with the vendor
6 itself. There have been a number of delays
7 from equipment installation issues,
8 integration issues, and final --

9 LEGISLATOR KOPEL: The equipment
10 and integration, all those, those were not
11 the contractor's responsibility?

12 MR. SCHNEIDER: Correct.

13 LEGISLATOR KOPEL: I understand.
14 Thank you.

15 CHAIRWOMAN GONSALVES: Legislator
16 DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON: Was
18 there actually an original contract?

19 MR. SCHNEIDER: Yes. The
20 original contract was awarded in February of
21 2008. There was a previous amendment
22 authorizing the extension of the contract
23 through December 31st of 2014.

24 LEGISLATOR DERIGGI-WHITTON: And
25 what was the original cost for that

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2 contract?

3 MR. SCHNEIDER: Legislator, I do
4 not have that in my package. I can find
5 out. All I know is this extension is for no
6 additional funds. This is just an increase
7 in time.

8 LEGISLATOR DERIGGI-WHITTON: If
9 you could let us know. I'm fine to extend
10 it, just a matter of how much it is. Thank
11 you.

12 CHAIRWOMAN GONSALVES: Any other
13 comments from the legislators?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in
18 favor of Item E-233-17 signify by saying
19 aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 The item passes four to three.

24 The next item is E-234 a personal
25 services agreement between the County of

1 Rules Committee/12-4-17

2 Nassau acting on behalf of the Nassau County
3 Attorney's Office and Hopkins & Kopliow.

4 Motion, please.

5 LEGISLATOR NICOLELLO: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Nicolello, seconded by Legislator
9 Kopel.

10 MS. KRISEL: Deputy County
11 Attorney Martha Krisel. This is a personal
12 services contract with Hopkins & Kopliow as
13 the outside counsel.

14 CHAIRWOMAN GONSALVES: Any
15 comments or questions from the legislators?
16 Minority Leader.

17 LEGISLATOR ABRAHAMS: Thank you,
18 Madam Presiding Officer. Just a question.
19 From when the contract lapsed, because it
20 goes back from our backup 13 months late,
21 from the time the contract lapsed, how much
22 billing occurred from the time the contract
23 lapsed until current today?

24 MS. KRISEL: I can check on the
25 amount of billing that occurred with regard

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2 to that but I do have a note in my memo that
3 there were no billings beyond the amount
4 that NIFA permitted.

5 LEGISLATOR ABRAHAMS: Less than
6 \$20,000. It's less than \$20,000 the total
7 bill?

8 MS. KRISSEL: I will double check
9 that for you, legislator. The information
10 that I have focuses on the delay that we had
11 in getting the documents back from the
12 vendor. That's really what the focus was
13 here.

14 LEGISLATOR ABRAHAMS: Do you
15 think you would be able to get those for us
16 today?

17 MS. KRISSEL: Yes.

18 LEGISLATOR ABRAHAMS: You got it
19 now?

20 MS. KRISSEL: No. We will get it.

21 LEGISLATOR ABRAHAMS: Request to
22 table, Madam Presiding Officer.

23 MS. KRISSEL: It will be quick.

24 CHAIRWOMAN GONSALVES: Motion to
25 table by Minority Leader.

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2 LEGISLATOR BYNOE: Second.

3 CHAIRWOMAN GONSALVES: Seconded
4 by Legislator Bynoe. All those in favor of
5 tabling E-234 signify by saying aye.

6 (Aye.)

7 Any opposed?

8 (No verbal response.)

9 The item is tabled.

10 The next item is E-235, a
11 personal services agreement between the
12 County of Nassau acting on behalf of the
13 Department of Information Technology and
14 Sierra-Cedar, Inc.

15 Motion, please.

16 LEGISLATOR MUSCARELLA: So moved.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Moved by
19 Legislator Muscarella, seconded by
20 Legislator Kopel. Who is here to speak on
21 this item?

22 COMMISSIONER EISENSTEIN: Ed
23 Eisenstein from the Information Technology
24 Department. We are looking for an extension
25 for about a year for our hosting vendor for

1 Rules Committee/12-4-17

2 our soft product. That is who Sierra-Cedar
3 is.

4 CHAIRWOMAN GONSALVES: Any
5 questions or comments for Mr. Eisenstein?

6 (No verbal response.)

7 Is there any public comment?

8 (No verbal response.)

9 There being none, all those in
10 favor of Item E-235-17 signify by saying
11 aye.

12 (Aye.)

13 Any opposed?

14 (Nay.)

15 The item passes four to three.

16 The next item is E-236, a
17 personal services agreement between the
18 County of Nassau acting on behalf of the
19 Nassau County Department of Traffic and
20 Parking Violations Agency and Zelda Jonas.

21 Motion, please.

22 LEGISLATOR NICOLELLO: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Nicolello, seconded by Legislator

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2 Kopel. Who is here to speak on this item?

3 MR. RICH: Dave Rich, Assistant
4 Executive Director of Traffic and Parking.

5 JUDGE MARKS: John Marks,
6 Executive Director, Traffic and Parking.

7 MR. RICH: Just as a point
8 including this contract, there are 18
9 contracts with additional hearing officers
10 on the calendar for today.

11 CHAIRWOMAN GONSALVES: I just
12 called 236. The other one is I believe
13 E-242, a personal services agreement between
14 the County of Nassau acting on behalf of the
15 Nassau County Department of Health?

16 MR. BECKER: I believe he is
17 referencing the addendum that has that and
18 the tabled items.

19 CHAIRWOMAN GONSALVES: Where is
20 the addendum items. I believe there is one
21 item. Hold on. I see the addendum. Now I
22 have to suspend the rules. I need a motion
23 to suspend the rules.

24 Motion, please.

25 LEGISLATOR KOPEL: So moved.

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2 LEGISLATOR NICOLELLO: Second.

3 CHAIRWOMAN GONSALVES: Moved by
4 Legislator Kopel, seconded by Legislator
5 Nicolello. All those in favor of suspending
6 the rules signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Now you would like me to call
11 Item E-207 which is I believe a tabled item,
12 am I correct?

13 MR. BECKER: Madam Chair, the 207
14 is on the addendum.

15 CHAIRWOMAN GONSALVES: I know
16 it's on the addendum.

17 MR. BECKER: It's up to you. Do
18 you want to wait?

19 CHAIRWOMAN GONSALVES: No, if
20 they are all pertaining to TPVA, then we
21 need a motion to untable. This is what we
22 are untabling; E-202, E-203.

23 MR. BECKER: E-201?

24 CHAIRWOMAN GONSALVES: No. Just
25 go. Be patient, Mr. Becker. E-204, E-205,

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2 E-206, E-208, E-209, E-210, and I believe
3 one more, E-211, E-212, E-214, E-215, E-223,
4 E-229, E-230. A motion to untable.

5 MR. BECKER: And E-201, am I not
6 correct?

7 CHAIRWOMAN GONSALVES: We're not
8 calling it. The item that is on the
9 addendum which is E-207 is going to be also
10 untabled.

11 MR. BECKER: I want to confirm
12 with you, E-201, we don't want to call that,
13 correct?

14 CHAIRWOMAN GONSALVES: No. Are
15 we ready for all of these items?

16 First of all, I need a motion.

17 LEGISLATOR NICOLELLO: So moved.

18 LEGISLATOR KOPEL: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Nicolello, seconded by Legislator
21 Kopel. The motion was to untable all of
22 those items that were just called.

23 That was the motion before us. A
24 motion to untable the items that were just
25 called and the motion to untable was moved

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2 by Legislator Nicoletto and seconded by
3 Legislator Kopel. All those in favor?

4 LEGISLATOR NICOLELLO: May I ask
5 a question?

6 CHAIRWOMAN GONSALVES: Sure. You
7 may ask a question before we untangle.

8 LEGISLATOR NICOLELLO: Go ahead
9 and untangle.

10 CHAIRWOMAN GONSALVES: All those
11 in favor of untangling the items that were
12 just called signify by saying aye.

13 (Aye.)

14 Any opposed to untangling?

15 (No verbal response.)

16 They are now untangled. Let's go
17 back. I think we started out with 236; am I
18 correct, and then we moved on to the other
19 items, am I correct?

20 I need to read them into the
21 record; E-226, a personal services
22 agreement, I said Traffic and Parking
23 Violations Agency and Zelda Jonas and then,
24 are we doing them all together?

25 MR. RICH: All the contract terms

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2 are exactly the same, they are three year
3 contracts with two one year extensions.

4 CHAIRWOMAN GONSALVES: So we're
5 going to E-202 which is a contract, a
6 personal services agreement with Salvatore
7 Nicosia;

8 E-203 which is a personal
9 services contract with Edward A. Marin;

10 E-204 with Daniel Palmieri;

11 E-205, all personal services
12 agreements, with Frank A. Gulotta, Jr.;

13 E-206 with Joseph C. Calabrese;

14 E-208 with Kenneth S. Diamond;

15 E-209 with Mitchell Studley;

16 E-210 with Anthony Murray;

17 E-211 Lawrence M. Schaefer;

18 E-212 with Clair I. Weinberg;

19 E-214 with Elizabeth Pessala;

20 E-215 with Allen S. Mathers;

21 E-223 with Daniel J. Cotter;

22 E-229 with John P. O'Shea;

23 And E-230 with James J. Tini.

24 They were all untabled. Are you
25 ready? On all of these, is there something

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2 which applies to each and everyone of them?

3 MR. BECKER: Madam Chair, E-207,
4 Mr. Grello also?

5 CHAIRWOMAN GONSALVES: Yes.
6 E-207, Mr. Grello, that was untabled as
7 well.

8 MR. BECKER: Good. Thank you.

9 CHAIRWOMAN GONSALVES: Go ahead.
10 You said you can do a general.

11 MR. RICH: Yes. This is 18
12 judicial hearing officers that are
13 contracted with Traffic and Parking
14 Violations Agency. They are three year
15 contracts with two one year extensions. As
16 you know, it's mandated that we have
17 judicial hearing officers for the agency to
18 run.

19 CHAIRWOMAN GONSALVES: Any
20 questions on this particular personal
21 services agreement? Siela Bynoe.

22 LEGISLATOR BYNOE: Thank you,
23 Presiding Officer. I have pretty much a
24 kind of obvious question. Some of these
25 individual contracts haven't expired. Why

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2 are we here today asking for an extension or
3 to renew these contracts?

4 MR. RICH: We currently have 22
5 judicial hearing officers. Of the 18 that
6 are presented today, 17 expired 12-31-17 and
7 then one more expires January 31st of '18.

8 LEGISLATOR BYNOE: So let's talk
9 about the one for January 2018. Why would
10 you be here before this body today asking
11 for an extension?

12 MR. RICH: We're not asking for
13 an extension.

14 LEGISLATOR BYNOE: Asking for a
15 new contract. Why are you here today on a
16 contract that does not expire for over a
17 year asking for this body to consider giving
18 them a new contract.

19 MR. RICH: We start this process
20 in July.

21 LEGISLATOR BYNOE: I keep
22 forgetting we are in 2017. I apologize.
23 But why are you here today in a bull quarter
24 like this for three year contracts; is this
25 customary? Were you getting three years in

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2 the previous contracts?

3 MR. RICH: The previous contracts
4 were one year with one year extensions.

5 LEGISLATOR BYNOE: So then I
6 think that would be more appropriate if you
7 were going to come before this body asking
8 for some continuity at TPVA which I think is
9 reasonable.

10 But to come here today and ask
11 for a three year contract on something that
12 we customarily do a one year contract I
13 think is not really in good faith and I
14 think it's out of context for you to be here
15 today asking for a three year contract.

16 MR. RICH: The reason we are
17 asking for the extended terms because
18 there's 22 contracts that we have here in
19 front of the leg and I believe there are
20 five or six agencies involved with the
21 approval of the contracts, so we are just
22 trying to lighten the load for everyone
23 involved with approving a contract. We are
24 not trying to do anything in bad faith.

25 LEGISLATOR BYNOE: Well, I don't

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2 think we need our load lifted to that degree
3 in this fashion. I think it's wrong. I
4 think it's wrong that you be here today
5 asking for three year contracts when we
6 customarily give a one year contract on
7 these type of arrangements. I think it's
8 really wrong. You have to really convince
9 me it's not in bad faith.

10 So, Madam Presiding Officer, I
11 think we should table these items and review
12 them with different terms because I believe
13 that this is -- it's not the appropriate
14 action for this body. So I actually move to
15 table.

16 CHAIRWOMAN GONSALVES: All those
17 in favor of tabling these items signify by
18 saying aye.

19 (Aye.)

20 Any opposed?

21 (Nay.)

22 We move on.

23 LEGISLATOR BYNOE: I'm just going
24 to close by saying we're talking about
25 \$90,000 per contract for 18 contracts per

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2 year for three years. That is lot of money,
3 a lot of taxpayer dollars and I don't see
4 why we would need to do this in such a rush
5 today.

6 I think that we should really
7 take some time and look at the terms of
8 these contracts and this Rules Committee
9 should have time to mull this over. I think
10 pushing it over to the Full Leg is the wrong
11 move today, Madam Presiding Officer.

12 CHAIRWOMAN GONSALVES: We voted
13 on the tabling. This is on the items.

14 LEGISLATOR ABRAHAMS: Yes, on the
15 item. I wanted to make sure I can clarify a
16 couple of things. I thought I heard it
17 correctly but I'm not too sure.

18 Most of the terms of these
19 contracts expire on December 31st, correct,
20 except one that expires in January of 2018?

21 JUDGE MARKS: That's correct.

22 LEGISLATOR ABRAHAMS: Normally,
23 when these are not new, we have done
24 judicial hearing officers and TPVA officials
25 in the past, so what are the normal terms we

1 Rules Committee/12-4-17

2 appoint in the past over the last four,
3 eight years?

4 JUDGE MARKS: The same as these
5 terms that are before you right now.

6 LEGISLATOR ABRAHAMS: So we
7 normally do three years terms?

8 JUDGE MARKS: No. The labor
9 intensity of doing a contract each year is
10 to try to save the county and everybody at
11 work that's not really essential at this
12 time. The judges have a contract. They
13 have to be approved each year or are
14 approved by the chief administrative judge
15 of Nassau County.

16 LEGISLATOR ABRAHAMS: So, in the
17 past when these gentleman have come before
18 us, and ladies, they ever been appointed to
19 three year terms with this legislative body
20 -- I'm sorry, one year term, which this
21 Legislative body has confirmed?

22 JUDGE MARKS: Yes.

23 LEGISLATOR ABRAHAMS: And because
24 now we realize at this juncture that's
25 become labor intensive. We want to go

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2 forward with three years? Why did you come
3 to that conclusion now? How come you didn't
4 come to that conclusion a year ago, two
5 years ago? It seems like the labor
6 intensive stuff would have existed for the
7 last eight to ten years I think.

8 MR. BECKER: Legislator, one of
9 the things that we've been trying to do in
10 the County Executive's Office with the
11 nonprofits and many the social service
12 contracts as you realize they're like one
13 year contracts. They all renew in January.

14 Of course, this is not a
15 nonprofit but it's a general philosophy we
16 are trying to pursue with all department
17 heads. Where, if it's possible, we are
18 trying to do multiyear contracts so our
19 procurement office, myself and others, we
20 are just going to head us off with this
21 problem of constantly being late with
22 contracts. By having this in place, it was
23 actually encouraged by myself and others --
24 and all the department heads who --

25 LEGISLATOR ABRAHAMS: Fran, I got

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2 you, but let me explain to you a couple of
3 different things. It comes off a bit
4 disingenuous that you are doing this now.

5 Just take a look from our
6 perspective. We are doing this, it's 11:57,
7 midnight is about to strike with the new
8 administration that's coming in, and
9 suddenly we decided to go from one year to
10 three years.

11 MR. BECKER: One and one. It's
12 one year with one year extension currently.

13 LEGISLATOR ABRAHAMS: But you
14 don't come back to this Legislative body for
15 that extension. Let me make sure. Right
16 now it's one and one. Let me make sure --
17 basically we're shifting from a one year
18 contract which we have done now throughout
19 the entire County Executive Mangano's
20 administration, two terms always done one
21 year.

22 Now this looks like we are making
23 this change which it just seems a bit
24 disingenuous we are deciding to make this
25 change today, and, as I used the analogy,

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2 it's 11:57, the administration is about to
3 change. We would have no problem supporting
4 these gentlemen or these ladies for one
5 term, one year, but to do it for three years
6 just seems like holy cow, I just believe for
7 the life of me that suddenly we realized in
8 the eighth year of the current County
9 Executive's term that it's too labor
10 intensive and because of the contracts and
11 them being renewed and timeliness, that
12 suddenly we realize that in the eighth year
13 of his term it's too labor intensive, seem
14 like it's way too disingenuous.

15 And to go three years just seems
16 to be just, calling it for what it is, it
17 does not sit well with our side.

18 I understand how this vote is
19 going to go, but we have to make our
20 objection very well known that this is the
21 same politics people are tired of.

22 Not for nothing, we have a whole
23 bunch of commission appointments which we
24 are going to consider each one individually
25 because obviously we do not want to see any

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2 key people that could be vital to the next
3 administration not be considered, but this
4 is a change. One thing when you got the
5 Human Rights Commission and some other
6 boards, Planning Commission that come before
7 us later on today. That's existing. Those
8 terms, those periods, they are existing.
9 But this is a change in how you are
10 proceeding.

11 MR. BECKER: I can very well
12 appreciate it looking at it from your
13 perspective, I want to tell you that I want
14 to assure that you that that's really not
15 the case.

16 The intent here was just to be
17 very, very sincere, to try to be in a
18 situation where contracts are not late and
19 things are more on the minor side as these
20 are in a sense like our nonprofits and other
21 contracts, we are trying to find ways to
22 extend some of the contracts. We find this
23 in our nonprofit situations we try to do the
24 same thing.

25 I just want to assure that you

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2 this didn't come from -- in the contract
3 routing, the people in the Legislative
4 Affairs Office trying to extend contracts so
5 they won't be late and there's a little more
6 stability in what we're trying to do.

7 I completely understand what
8 you're saying, the appearance of it, but I
9 assure you that's not the case.

10 LEGISLATOR ABRAHAMS: Would you
11 support changing these agreements to one
12 year?

13 MR. BECKER: Whatever it is that
14 this body decides to do, we have no
15 difficulty with that. Of course, if this
16 body decides they want to continue the
17 agreements at one year at a time, we have no
18 trouble with that at all.

19 LEGISLATOR ABRAHAMS: Madam
20 Presiding Officer, we respectfully request
21 that we change these agreements to one year.
22 Would you be accepting of that? We can make
23 an amendment.

24 MR. BECKER: You guys have no
25 trouble with that, right?

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2 CHAIRWOMAN GONSALVES: Legislator
3 Nicolello.

4 MR. BECKER: The judge has no
5 problem with that either. As I said, this
6 was an initiative on our part to make things
7 fall a little quicker, but if this body
8 decides they want to make it one year, the
9 judge says he has no problem.

10 LEGISLATOR ABRAHAMS: Since the
11 judge has no problem and Mr. Becker, Fran, I
12 appreciate you saying that on the record,
13 let's make it one year.

14 LEGISLATOR NICOLELLO: I have a
15 question for you, Fran, or Judge Marks, or
16 Mr. Rich. The one year contracts currently,
17 there is also an extension that goes with
18 that, correct?

19 JUDGE MARKS: Correct.

20 LEGISLATOR NICOLELLO: Do they
21 come back to us on the extension or no?

22 JUDGE MARKS: Yes, they do.

23 LEGISLATOR NICOLELLO: So it's
24 the option of either party?

25 JUDGE MARKS: Yes. And they are

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2 also approved by the administrative judge of
3 Nassau County.

4 LEGISLATOR NICOLELLO: You have
5 no problem going to a one year contract?

6 JUDGE MARKS: No.

7 LEGISLATOR NICOLELLO: I have no
8 problem either way. Looking at this list,
9 it's Republicans, Democrats, it's retired
10 judges and they're all highly qualified.
11 Whatever way you want to do it, it is fine.
12 Can you get us a one year amendment to one
13 year contracts by two weeks from now?

14 JUDGE MARKS: To be perfectly
15 honest, I can't. We will do our best to do
16 it. The problem we have when we submit
17 something is the different layers it goes
18 through to get to this point. We were
19 talking about the 1157, I think several
20 months ago there were proposals and it was
21 tabled for some reason. I don't know why,
22 it was at same judges. We will do
23 everything in our power to make it one a
24 year.

25 LEGISLATOR NICOLELLO: It is

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2 December 4th and the administration is on
3 the way out. When did this process start
4 with these administrative judges?

5 When did the discussion with
6 these contracts start?

7 JUDGE MARKS: July.

8 MR. BECKER: Let's consult with
9 Martha just a moment.

10 MR. BECKER: Madam Chair,
11 Legislator Nicoletto, they don't have to go
12 through the approval process. We can do it
13 very, very quickly. Could be ready at the
14 next session. There is no trouble with that
15 at all.

16 CHAIRWOMAN GONSALVES: We are
17 going to be meeting on the 18th and there
18 will be a special Rules Committee at that
19 particular time. Hopefully you will be
20 ready and now I'm going to ask for a motion
21 to table the items.

22 MR. BECKER: We will get it done.

23 CHAIRWOMAN GONSALVES: To table
24 the items that were called so they can be
25 amended.

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2 Motion, please.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Kopel. All those in favor of tabling, here
8 I go, E-236, I'm going to do it properly;
9 E-202, E-203, E-204, E-205, E-206, E-207,
10 E-208, E-209, E-210, E-211, E-212, E-214,
11 E-215, E-219, E-223, and E-230. Moved by
12 Legislator Nicolello, second by Legislator
13 Kopel. All those in favor of tabling those
14 items that were just called, signify by
15 saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Tabled unanimously.

20 All the items that I just call
21 carried. All in favor signify by saying
22 aye.

23 (Aye.)

24 The items from E-236 to the
25 addendum item which is E-207 have been

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2 tabled.

3 MR. BECKER: Thank you, Madam
4 Chair.

5 CHAIRWOMAN GONSALVES: The last
6 time is on the 18th when we will be calling
7 another Rules Committee.

8 MR. BECKER: And we will be here
9 and get it done.

10 CHAIRWOMAN GONSALVES: Hopefully.

11 MR. BECKER: It will be done.

12 CHAIRWOMAN GONSALVES: All right,
13 if you say so.

14 The next item is E-237, a
15 personal services agreement between the
16 County of Nassau acting on behalf of the
17 Nassau County Police Department and Long
18 Island Equine Medical Center, P.C.

19 Motion, please.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Muscarella, seconded by
24 Legislator Kopel.

25 LIEUTENANT STEPHANOFF: Good

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2 afternoon. Lieutenant Greg Stephanoff,
3 Nassau County Police Department.

4 Item E-237 of '17 is to increase
5 contractual encumbrance and extend the
6 contract for the veterinarian services for
7 the Nassau County Police Department mounted
8 unit. This includes routine emergency
9 medical and emergency medical veterinary
10 services for its police horses.

11 We're going to put \$17,500 on the
12 encumbrance for it.

13 CHAIRWOMAN GONSALVES: Any
14 questions of the lieutenant on this item?

15 (No verbal response.)

16 Is there any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of Item E-237-17 signify by saying
20 aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 We all like horses. Especially
25 me. Don't go away, you have E-238, another

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2 personal services agreement between the
3 County of Nassau acting on behalf of the
4 Nassau County Police Department and Euro
5 Lloyd Travel, L.L.C.

6 Motion, please.

7 LEGISLATOR NICOLELLO: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Nicolello, seconded by Legislator
11 Kopel.

12 LIEUTENANT STEPHANOFF: Good
13 afternoon. Lieutenant Greg Stephanoff,
14 Nassau County Police Department. E-238 is a
15 contract with Euro Lloyd Travel Group. This
16 travel service is used for our extraditions.
17 It includes the members travel and also the
18 person we're picking up also that possibly
19 out on a warrant. We book the travel
20 services for them on this as well.

21 We are putting \$20,000 on this.
22 We are doing a one year extension. We are
23 going to be putting -- this as the last
24 year, we are going to be putting an RFP out
25 for a new contract after this.

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2 CHAIRWOMAN GONSALVES: Any
3 questions of the lieutenant on this item?
4 Legislator DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: Why
6 would this be the last year you are putting
7 the RFP out?

8 LIEUTENANT STEPHANOFF: We've had
9 this for a number of years and after this we
10 will put out an RFP. We have been using
11 this for a couple of years already.

12 LEGISLATOR DERIGGI-WHITTON:
13 Thank you.

14 CHAIRWOMAN GONSALVES: Minority
15 Leader.

16 LEGISLATOR ABRAHAMS: Lieutenant,
17 just looking at the back up, it references
18 that the term was extended August 20 of 2017
19 but we don't have any record of that, of
20 that extension coming to the Legislature.
21 We have the original contract which was
22 between August 21, 2013 to August 20, 2016,
23 and then it references that there was an
24 extension if a term in August 2017.

25 I'm sorry, there is an amendment

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2 one that extended to August, let me
3 apologized.

4 So we have the original contract
5 from August 2013 to August 2016, and then it
6 references that there was an amendment that
7 took us from '16 to '17 but we don't have
8 any record of that vote taking place.

9 Now we are considering one that
10 takes us from August '17 to August 2018.

11 We're just trying to find the
12 amendment that extended us from '16 to '17.
13 We don't have any record of that. We just
14 wanted to know that the vote went through in
15 the Rules Committee.

16 LIEUTENANT STEPHANOFF: In the
17 packet I have, the item extended that to
18 August '17. I'm trying to see how to
19 reference it for you.

20 I mean, it went through the
21 Comptroller's Office because it extended and
22 it wouldn't go without the Leg. Like, in
23 other words, it preceded after -- that it
24 would need to go to this body to go to the
25 Comptroller's Office. And we also got a

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2 certified copy back to our office from the
3 clerk of the Leg.

4 LEGISLATOR ABRAHAMS: So you're
5 saying it did go through we just don't know
6 if --

7 LIEUTENANT STEPHANOFF: Yes,
8 because otherwise we wouldn't have been able
9 to, for the past year, from '16 to '17, we
10 wouldn't have been able to operate under the
11 contract.

12 LEGISLATOR ABRAHAMS: I mean, our
13 counsel didn't find anything in our history
14 going back to last year of that vote taking
15 place. That's the only reason why we
16 brought that up.

17 LIEUTENANT STEPHANOFF: It's a
18 good question.

19 LEGISLATOR ABRAHAMS: We didn't
20 see anything with Euro Lloyd Travel Group
21 going back to August.

22 LIEUTENANT STEPHANOFF: I wish I
23 can send you -- like back in my office I
24 have the certified copy.

25 LEGISLATOR ABRAHAMS: Okay. I

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2 appreciate it.

3 CHAIRWOMAN GONSALVES: Any other
4 comments from the legislators?

5 (No verbal response.)

6 Is there any public comment?

7 (No verbal response.)

8 There being none, all those in
9 favor of Item E-238 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The item passes four to three.

14 Let's move on.

15 The next item is E-239, a
16 personal services agreement between the
17 County of Nassau acting on behalf of the
18 Nassau County Department of Public Works and
19 Liro Program and Construction Management,
20 P.C.

21 Motion, please.

22 LEGISLATOR MUSCARELLA: So moved.

23 LEGISLATOR KOPEL: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Muscarella, seconded by

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2 Legislator Kopel. Who is here to speak on
3 this item?

4 MR. LABAW: Robert Labaw,
5 Architect from DPW. This agreement is for a
6 term extension of an existing contract.
7 There is no additional funds required at
8 this time on this contract.

9 It will permit the consultant to
10 continue to perform construction management
11 services for the family and matrimonial core
12 project through the completion of the Phase
13 One.

14 CHAIRWOMAN GONSALVES: Any
15 questions from the legislators? Legislator
16 DeRiggi-Whitton.

17 LEGISLATOR DERIGGI-WHITTON: Can
18 I ask the gentleman from the procurement
19 office to come up, Mr. Cleary? Thank you.

20 I'm not sure if this is just my
21 notes or the actual back up. In our notes
22 it says that for the five political
23 contributions the contributed name, the
24 amount and the contributions are not
25 indicated. Is that what you're seeing in

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2 your backup too? They have the five groups
3 that were the donated to but not the amount
4 nor the person who contributed.

5 MR. CLEARY: We have a political
6 contribution form dated 9-22-17 indicating
7 that contributions were made to Friends of
8 Ed Mangano, Friends of Norma Gonsalves,
9 Uvoli 2017, Labriola for Comptroller and
10 Martins for Nassau.

11 LEGISLATOR DERIGGI-WHITTON:
12 Isn't it your understanding that we request
13 the amount?

14 MR. CLEARY: No.

15 LEGISLATOR DERIGGI-WHITTON: So
16 just that the contribution is made without
17 the amount is all that's required?

18 MR. CLEARY: Yes. I mean, the
19 information is publically available once
20 it's recorded.

21 LEGISLATOR DERIGGI-WHITTON: I
22 thought we had requested the amount because
23 we usually see the amount.

24 MR. CLEARY: Not on the form
25 itself, no. Some people do include it.

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2 LEGISLATOR DERIGGI-WHITTON: Why
3 wouldn't we include it?

4 MR. CLEARY: Again, it's
5 publically available.

6 LEGISLATOR DERIGGI-WHITTON: I
7 know but wouldn't it be kind of a good idea
8 if it was a major amount, or -- I don't
9 know.

10 MR. CLEARY: I think this one is
11 written into law if the Legislature wants to
12 change the form.

13 LEGISLATOR DERIGGI-WHITTON:
14 Maybe we should think about that. Thank you
15 for your time.

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

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in
22 favor of Item E-239 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

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2 The item passes four to three.

3 The next item is E-240, a
4 personal services agreement on behalf of the
5 Nassau County Department of Health and
6 Charles J. Casolaro, Esquire;

7 E-241, a personal services
8 agreement between the Nassau County
9 Department of Health and Eric S. Zaidins,
10 Esquire;

11 And E-242, a personal services
12 agreement on behalf the Nassau County
13 Department of Health and John J. O'Grady.
14 Motion, please.

15 LEGISLATOR NICOLELLO: So moved.

16 LEGISLATOR KOPEL: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Nicoletto, seconded by Legislator
19 Kopel.

20 MR. GIULIANO: Yes. Gerard
21 Giuliano, Department of Health, here to
22 speak on all three items.

23 These are administrative law
24 judges that work with the Department of
25 Health. It is their job to enforce the

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2 public health laws of New York State of the
3 Nassau County Public Health Ordinance and
4 your local laws.

5 These are the judges that enforce
6 the food service establishment regulations,
7 laws over pools and camps, led poisoning in
8 children, rabies, clean air acts, smoking,
9 E-cigarettes, to name a few, body piercing,
10 tatooing.

11 The cover all of these laws; they
12 enforce them on behalf of this Legislature
13 and various state laws.

14 This procured through the RFP
15 process, requests for proposals. There are
16 three judges here before you today. Two of
17 them are -- two of the contracts are
18 retroactive. Charles Casolaro, no work has
19 commenced with him.

20 For the other two, they do date
21 back to work that was done in 2016. The
22 reason for that is the Nassau County
23 Department of Health was approached in 2016.
24 We had already started the process to renew
25 the contracts but we were approached by the

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2 state. We have a special delegation from
3 the state which helps protect our
4 groundwater from under the petroleum bulk
5 storage program. That is run under the New
6 York State Department of Environmental
7 Conservation. That is an area entirely
8 preempted by the state. We can't do it
9 without that special delegation.

10 They approached us and asked us
11 to go forward and pick up some work that we
12 had not done previously with respect to the
13 Fire Marshal gasoline tanks. To do so, we
14 had to rewrite or regulations.

15 At the very same time there was
16 passage of the federal energy act. That
17 required a rewrite of the state petroleum
18 bulk storage regulations and we had to wait
19 for that to happen for us to then rewrite
20 our local petroleum bulk storage regulations
21 to conform with the states. That took way
22 longer than anyone at the state, and anyone
23 here in Nassau County that that would take,
24 although we started the process in 2016,
25 those regulations did not get rewritten

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2 until 2017, and we finally got our
3 delegation in the middle of 2017.

4 At that time the delegation they
5 gave to us was a three year delegation and
6 we moved to bring the judges on so that that
7 would mimic that same or similar three year
8 term.

9 We are here today before you
10 today proposing these contracts for these
11 three judges.

12 The three judges have responded
13 to the request for proposals so it went out
14 to an advertisement to Nassau County/Suffolk
15 County and over to 100 legal vendors.

16 CHAIRWOMAN GONSALVES: Minority
17 Leader.

18 LEGISLATOR ABRAHAMS: Good
19 afternoon. I appreciate your explanation in
20 regards to -- obviously all these are late
21 but the two that really caught my eye were
22 the ones that go retro -- back to July 1,
23 2016. If I could finish, just give me a
24 second.

25 If I understand your point

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2 correctly, work has not started for either
3 one of these two contracts?

4 MR. GIULIANO: Work has not
5 started for the contract for Mr. Charles
6 Casolaro. For the other two, Judge Eric
7 Zaidins and Judge John O'Grady, they have
8 been working through without the contract.
9 They felt that that work was too important
10 in terms of enforcing the vital work that
11 the Health Department does and enforcing
12 your laws and in protection of the public
13 health. So they decided to work through
14 while we went through this process with the
15 DEC to try to get the petroleum bulk storage
16 delegation redelegated down to the Health
17 Department with the changes that include
18 picking up the Fire Marshal's work that they
19 used to do with the gasoline tanks which is
20 what necessitated us for the need to have a
21 third judge.

22 LEGISLATOR ABRAHAMS: Not to cut
23 you off and not dismissing what you just
24 said, so from July 2016 to December 2017,
25 you've been, the administration has been

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2 administering the contract, has been paying
3 a contract.

4 MR. GIULIANO: No, no, no. They
5 have not been paid one penny for this work.

6 LEGISLATOR ABRAHAMS: These
7 gentlemen have been working for 18 months
8 without being paid?

9 MR. GIULIANO: At risk, yes.

10 LEGISLATOR ABRAHAMS: So you have
11 been administering a contract. So now in
12 December 2017, we are just a formality to
13 make sure these people get paid?

14 MR. GIULIANO: No. I don't think
15 that at all. We did start a contract in
16 2016. We pulled it back as a result of what
17 came down from the DEC.

18 So we started this process when
19 we knew the delegation was coming down to us
20 and that wasn't until April 2017 which is
21 when we reissued for the contracts for the
22 third.

23 In retrospect, I should have just
24 let the 2016 contracts go, but we didn't
25 realize, the state didn't realize it was

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2 going to take such a long time to write
3 their regs and get them published and
4 approved by the state.

5 LEGISLATOR ABRAHAMS: If you were
6 sitting where I'm sitting, would you vote
7 for these contracts today?

8 MR. GIULIANO: I absolutely
9 would.

10 LEGISLATOR ABRAHAMS: Considering
11 they're 18 months past their time?

12 MR. GIULIANO: And given the
13 explanation of that --

14 LEGISLATOR ABRAHAMS: Let me ask
15 you, do you normally support people that do
16 work 18 months in advance and it doesn't get
17 any legislative approval?

18 MR. GIULIANO: I think they know
19 that they are acting at their own risk but
20 it was important work that they do that is
21 vital to the department and vital to the
22 residents that they felt the need to just
23 continue.

24 LEGISLATOR ABRAHAMS: And if this
25 contract was to fail in Rules today, they

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2 would be perfectly fine with the work they
3 have put forward without being paid?

4 MR. GIULIANO: I think they
5 understand the nature of what they're doing,
6 and they understand the nature of what's
7 going on here in terms of their work and the
8 work of this Legislature.

9 LEGISLATOR ABRAHAMS: Thank you.
10 Nothing further.

11 CHAIRWOMAN GONSALVES: Any other
12 comments from the legislators?

13 (No verbal response.)

14 Is there any public comment on
15 these items?

16 (No verbal response.)

17 There being none, all those in
18 favor of Items E-240, E-241, and E-242
19 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 The items pass four to three.

24 Now, before we recess Rules, I
25 want to make sure that Item E-236 was

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2 included in the tabled items, so rather than
3 run the risk of it not being, I'm going to
4 ask that E-236 be tabled.

5 Motion, please.

6 LEGISLATOR NICOLELLO: So moved.

7 LEGISLATOR KOPEL: Second.

8 CHAIRWOMAN GONSALVES: Moved by
9 Legislator Nicolello, seconded by Legislator
10 Kopel. All those in favor of tabling E-236
11 signify by saying aye.

12 MS. KRISEL: I'm terribly sorry,
13 Madam Chair, we can untable the one County
14 Attorney contract. I do have the
15 information that was asked for.

16 CHAIRWOMAN GONSALVES: Which one
17 is that, Martha?

18 MS. KRISEL: It is E-234-17 where
19 the minority leader had asked for the dollar
20 amount.

21 CHAIRWOMAN GONSALVES: Let me
22 make that the record has E-236 tabled.

23 So there is a motion made by
24 Legislator Nicolello and seconded by
25 Legislator Kopel. All those in favor of

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2 tabling E-236 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 It is tabled. Now, Martha, go
7 ahead.

8 MS. KRISEL: I apologize for the
9 interruption. We have confirmed that
10 \$18,000 has been billed under that contract
11 and that was the question that Legislator
12 Abrahams asked us about.

13 LEGISLATOR ABRAHAMS: \$18,000
14 billed total?

15 MS. KRISEL: Yes, that's correct,
16 yes, \$18,000 total billed.

17 CHAIRWOMAN GONSALVES: Okay. We
18 need a motion to untable E-234.

19 Motion, please.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR NICOLELLO: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Muscarella, seconded by
24 Legislator Nicolello. All those in favor of
25 untabling E-234 signify by saying aye.

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2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Now anything further to add?

6 MS. KRISEL: No.

7 CHAIRWOMAN GONSALVES: Then go
8 back. All those in favor of E-234 signify
9 by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The item passes four to three.

14 Now the Rules Committee is now in
15 recess. The next committee is Public
16 Safety.

17 (Whereupon, the Rules Committee
18 recessed at 2:40 p.m. and reconvened at 4:30
19 p.m.)

20 CHAIRWOMAN GONSALVES: Before we
21 get to the regular agenda, we do have two
22 items that were tabled and not called. They
23 are personal services agreements.

24 The first one is E-200 which is
25 personal services agreement between the

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2 County Department of Purchasing and
3 Universal Management Technology Solutions;

4 And the other one is E-227 which
5 is a personal services agreement between the
6 County of Nassau acting on behalf of the
7 Office the Nassau County Comptroller and RSM
8 US, LLP.

9 Motion to untable, please.

10 LEGISLATOR NICOLELLO: So moved.

11 LEGISLATOR KOPEL: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Nicolello, seconded by Legislator
14 Kopel. All those in favor of untabling
15 E-200 and E-227 signify by saying aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 Let's go for the first one. The
20 first one is E-200, a personal services
21 agreement between the Department of
22 Purchasing and Universal Technology
23 Management Solutions Inc.

24 Is someone here to talk about it?
25 We untabled it. Let's do it. Let's go.

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2 MR. SCHLERNOFF: Michael
3 Schlernoff, Director of Purchasing.

4 This actually is an agreement
5 from the IT department. It was originated
6 by the IT Department. We were part of the
7 group that asked for it. It came out of the
8 executive branch which was some way to find
9 savings for the county as far as negotiating
10 contracts for the county.

11 CHAIRWOMAN GONSALVES: Any
12 questions or comments? Mr. Cleary, do you
13 have something to add?

14 MR. CLEARY: I can speak to it a
15 little bit. This was solicited as a
16 strategic sourcing contract. The intent is
17 to save the county money which is not a bad
18 thing. It is leveraging vendor information
19 regarding private sector markets and
20 identifying potential savings based on that
21 information.

22 There are not any other
23 capacities in the county to do what that
24 contract does and it has more potential
25 realized some benefits.

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2 CHAIRWOMAN GONSALVES: Any
3 comments or questions? Legislator
4 DeRiggi-Whitton

5 LEGISLATOR DERIGGI-WHITTON: I
6 guess the obvious issue we have had with
7 this contract in the past is, what impact it
8 would have having Mr. Barski as one of the
9 principals of this company?

10 MR. CLEARY: As has been
11 mentioned previously, he recused himself
12 from any involvement in any county business
13 once he took over NIFA. So I don't believe
14 it's had any impact whatsoever. I'm not
15 aware of any interactions whatsoever in this
16 regard, but, as I said, he did in writing he
17 did recuse himself.

18 LEGISLATOR DERIGGI-WHITTON: In
19 recusing himself, does he then preclude the
20 opportunity of him benefitting financially
21 from this type of contract?

22 MR. CLEARY: I believe his
23 recusal referenced that he should not
24 benefit in any way from the contract as
25 well.

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2 LEGISLATOR DERIGGI-WHITTON: But
3 we don't know for sure, right?

4 MR. CLEARY: Well, he has put on
5 record and in writing he specifically
6 directed his company not to have him benefit
7 in any way shape or form the contract.

8 LEGISLATOR DERIGGI-WHITTON: Not
9 to have him benefit but his company can.

10 MR. CLEARY: That's right.

11 LEGISLATOR DERIGGI-WHITTON: It
12 is an indirect benefit if your company
13 benefits.

14 Now, does NIFA have to approve
15 this contract?

16 MR. CLEARY: That will be
17 determined by the Comptroller's Office. I
18 don't know if it was reviewed by them
19 previously or not.

20 LEGISLATOR DERIGGI-WHITTON: If
21 we can get an opinion on that from the
22 Comptroller's office, that would be helpful.

23 I'm going to go on the record
24 that whenever you're on a board that's
25 regulating the county's finances, I can't

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2 just see how we can be giving any contracts
3 at all.

4 Recusing I understand, but there
5 are so many different levels but just the
6 hint of impropriety just with the basic fact
7 that he is on the board, a principal, and on
8 the NIFA board, I don't think it's the way
9 the county should be going in this
10 direction.

11 MR. CLEARY: I don't know. I
12 don't have any specific examples but I have
13 been advised that in certain instances
14 certain members of the Legislature are on
15 board with companies that the county does
16 business with, which is also the case of
17 recusing themselves from those reviews.

18 LEGISLATOR DERIGGI-WHITTON: I
19 don't know anybody that would have -- there
20 might be people that work for the company
21 but not in a situation I know of anyway that
22 might of gained a financial -- possibility
23 of a financial. That's what I'm worried
24 about.

25 I don't have to continue on with

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2 it but, basically, I don't think this type
3 of arrangement looks good for the county.

4 MR. SCHLERNOFF: Can I ask, what
5 is your concern as far as the contract? The
6 whole idea of the contract is to save the
7 county money. If they find ways to save the
8 county money, they get a commission on the
9 savings. So the question really is, what is
10 the problem?

11 LEGISLATOR DERIGGI-WHITTON:

12 Okay. I will take a shot at that.

13 Mr. Barski is in a position where he's very
14 much involved in the county and how it's
15 spending their finances.

16 For us to be giving his company
17 from which he is still a principal, any form
18 of income, you can say you recuse yourself
19 or not --

20 MR. SCHLERNOFF: What happens has
21 nothing do with him. I would ask them to
22 look at a potential contract of ours and
23 find ways to save the county money.

24 My whole function is to save the
25 county money. Why would I not want to save

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2 the county money?

3 LEGISLATOR DERIGGI-WHITTON: I
4 have no problem with that intent. What I
5 have a problem with, which is what we have
6 been living through for a while now, is we
7 to be very careful who is given contracts
8 from the county.

9 If there is any chance that
10 someone who is somewhat connected to the
11 county in any way shape or form benefits
12 financially or their company benefits
13 financially, it not only looks bad but it's
14 a real conflict of interest.

15 We have had this time and time
16 again in the past eight years, and maybe he
17 recused himself but we don't have any back
18 up of that recusal. We don't know for sure
19 he is not benefitting financially.

20 Seeing what's going on in the
21 last couple of years I don't know how that
22 could be a question with all due respect.

23 MR. SCHLERNOFF: First of all,
24 legislator --

25 CHAIRWOMAN GONSALVES: Legislator

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2 DeRiggi-Whitton, thank you. If there are no
3 other comments, any public comment regarding
4 this issue?

5 (No verbal response.)

6 There being none, all those in
7 favor of Item E-200-17 signify by saying
8 aye.

9 (Aye.)

10 Any opposed?

11 (Nay.)

12 We have two nays, four to two.

13 The contract passes four to two.

14 Now E-227, the next contract, a
15 personal services agreement between the
16 County of Nassau acting on behalf of the
17 Nassau County Office of the Comptroller and
18 RM US, LLP. Now it's your turn.

19 MR. BLANCO: My name is Sergio
20 Blanco, Deputy Comptroller. I'm here on
21 behalf of the county for a contract with
22 RSM. They perform our comprehensive audit
23 of our financial statements as well as our
24 single audit. This is a two year contract
25 along with some additional services. Any

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2 questions from the Legislature?

3 CHAIRWOMAN GONSALVES: Any
4 questions? Legislator DeRiggi-Whitton.

5 LEGISLATOR DERIGGI-WHITTON: The
6 main question we have with this. It's
7 untabled, yes.

8 Basically, what you're doing is
9 setting up a company that's going to be used
10 for the Comptroller now through December
11 31st of 2018.

12 I don't understand why we
13 wouldn't wait for the new comptroller to
14 make this decision.

15 MR. BLANCO: I understand that
16 but there is a need for this contract now.
17 If we don't have this contract approved
18 today, in fact the county has significant
19 risk to not only federal funding, but also
20 our bond rating could be impacted if our
21 Caffer is later, single audit is late.

22 It is a two year contract but
23 there is a termination for convenience
24 clause in the contract. We have discussed
25 with the vendor and they are amenable to

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2 that.

3 So if the new Comptroller would
4 like to terminate and go back out to market,
5 he would have the ability to do so.

6 LEGISLATOR DERIGGI-WHITTON: So
7 that's good. So there's absolutely no time
8 he has to wait before he can do that?

9 MR. BLANCO: He would be bound
10 for 2018 for the full year. However, for
11 the second year he would be able to
12 terminate the contract and go back out to
13 the market. And failing to do the 2018
14 would have significant financial
15 consequences for the county.

16 It's for the '17 audit, when I
17 say 2018 it's for the 2017 audit.

18 LEGISLATOR DERIGGI-WHITTON: All
19 right. I understand what you're saying,
20 there are some things that have to be
21 addressed prior.

22 MR. BLANCO: Yes. The training
23 begins December 7 and it's very critical
24 they get the services beginning as soon as
25 possible.

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2 LEGISLATOR DERIGGI-WHITTON: Thank
3 you.

4 CHAIRWOMAN GONSALVES: Are there
5 any other comments or questions from the
6 legislators?

7 (No verbal response.)

8 Is there any public comment?

9 (No verbal response.)

10 There being none, all those in
11 favor of Item E-227-17 signify by saying
12 aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 The item passes four to two.

17 Right now there are a number of
18 items that are part of the consent agenda.
19 These items were vetted in different
20 committees.

21 Again, I ask that we incorporate
22 them by way of testimony.

23 The first item is 448, 449, 450,
24 458, 459, 460, 461, 462, 463, 464, 465, 466,
25 467, 468, 469, and on the addendum is Item

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2 470, 471, 472, 473, 475, 476.

3 (Whereupon, please refer to the
4 minutes of the Public Safety Committee;
5 Health and Social Services Committee; and
6 Finance Committee dated 12-4-17 pertaining
7 to Clerk Items 448, 449, 450, 458, 459, 460,
8 461, 462, 463, 464, 465, 466, 467, 468, 469,
9 and on the addendum is Item 470, 471, 472,
10 473, 475, 476.)

11 Motion, please.

12 LEGISLATOR NICOLELLO: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Nicolello, seconded by Legislator
16 Kopel. I know Mr. Budnick is standing right
17 there. I'm calling on you.

18 MR. BUDNICK: Thank you, Madam
19 Chair, honorable members.

20 I have a question on 459, a
21 resolution, et cetera, et cetera, agreement
22 and license, New York State Office of Parks
23 Recreation et cetera in relation to a new
24 Environmental Education and Resiliency
25 Center. What is it to be physically or is

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2 it to be physically someplace somewhere in
3 the county? I would just like to know some
4 detail.

5 CHAIRWOMAN GONSALVES: I'm going
6 to give you an answer, Mr. Budnick. You
7 want to hear the answer to your question?
8 It's going to be a site at the Hempstead
9 Lake Park for young explorers.

10 MR. BUDNICK: Thank you. My
11 compliments to you as always.

12 CHAIRWOMAN GONSALVES: Thank you.
13 Any other questions or any other comments
14 from the legislators?

15 (No verbal response.)

16 Is there any other public
17 comment? And thank you Mr. Budnick.

18 (No verbal response.)

19 All those in favor of the items
20 that were called signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (Nay.)

24 The items pass unanimously.

25 Now there are a number of

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2 appointments to the Commission on Human
3 Rights and other organizations within the
4 county.

5 We're going to call those
6 appointments by consent which is Item 65-16,
7 Item 121-16, Item 277-17, Item 303-17, Item
8 304-17, Item 375-17, 376-17, 452-17, 453-17,
9 454-17, 455-17, 456-17, 457-17, 477-17.

10 Motion, please.

11 LEGISLATOR KOPEL: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Kopel. These are all
16 appointments to, as I said, the Human Rights
17 Commission or other organizations within the
18 county. Any questions or comments regarding
19 these items that were called?

20 (No verbal response.)

21 If not, all those in favor
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

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2 Any abstentions?

3 (Abstain.)

4 You and Siela; four, zero, two.

5 I wanted to explain the abstention.

6 LEGISLATOR BYNOE: Presiding

7 Officer, I wanted to explain my abstention.

8 I'm abstaining and I think it's the position
9 of also my colleague that we are abstaining
10 not because necessarily of who the people
11 are it's about again being 11:57 at night
12 and, all of a sudden, these appointments
13 show up.

14 So there is serious concern about
15 the approach. That is why we are abstaining
16 at this time.

17 CHAIRWOMAN GONSALVES: Hear you.

18 Thank you. Now move along to the Item 397,
19 an intermunicipal agreement with the Village
20 of Bayville in relation to a project to
21 purchase a digital communication sign for
22 the village.

23 Motion, please.

24 LEGISLATOR NICOLELLO: So moved.

25 LEGISLATOR KOPEL: Second.

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2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Nicoletto, seconded by Legislator
4 Kopel. Who is talking about it? Anyone
5 here to talk about it? It's an IMA, Fran.

6 MR. BECKER: Madam Chair, that is
7 a CRP generated from one of the legislator's
8 office. I believe Don MacKenzie's office
9 and I just processed it and it's before you
10 now.

11 CHAIRWOMAN GONSALVES: Do you
12 have any questions of Mr. Becker. I don't
13 know if he can answer them. Legislator
14 Bynoe.

15 LEGISLATOR BYNOE: My question
16 is, where are the CRPs for Legislative
17 District 2,

18 MR. BECKER: Legislator, they have
19 all been filed. Every IMA is signed and I
20 have all the paperwork. They are filed with
21 the Clerk's Office.

22 LEGISLATOR BYNOE: It seems like
23 they get filed but never make it on to an
24 agenda.

25 CHAIRWOMAN GONSALVES: We have

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2 one more time, December 18th.

3 LEGISLATOR BYNOE: You want to
4 give Legislative District 2 a present?
5 You're going to allow these things to show
6 up on the agenda?

7 CHAIRWOMAN GONSALVES: I don't
8 know yet, but there is a possibility.

9 LEGISLATOR BYNOE: As long as
10 there's a possibility there's hope. Thank
11 you, Presiding Officer.

12 CHAIRWOMAN GONSALVES: Say what
13 you have to say.

14 LEGISLATOR DERIGGI-WHITTON:
15 Fran, I was going to give you a compliment.
16 Your office has been a pleasure to work
17 with. You are very organized and I know you
18 have worked with my assistant Tony Castle
19 and I appreciate it, they are all ready to
20 go. We just need them called.

21 MR. BECKER: They're ready to go.
22 Thank you for the kind words. I do
23 appreciate it. And Tony is great to work
24 with. She's wonderful.

25 CHAIRWOMAN GONSALVES: Any other

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2 comments regarding 397? The IMA with the
3 village of Bayville.

4 (No verbal response.)

5 Is there any public comment?

6 (No verbal response.)

7 There being none, all those in
8 favor of Item 397-17 signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 Six to zero.

13 I'm going to call 451 which is a
14 reappointment of Keria L. Blue to the Nassau
15 County Commission on Human Rights.

16 Motion, please.

17 LEGISLATOR KOPEL: So moved.

18 LEGISLATOR MUSCARELLA: Second.

19 CHAIRWOMAN GONSALVES: Moved by
20 Legislator Kopel, seconded by Legislator
21 Muscarella. That's why we took the item
22 separately. Legislator Bynoe.

23 LEGISLATOR BYNOE: Thank you.

24 Some time ago, Keria Blue's appointment was
25 on the agenda but it wasn't called.

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2 I know that I was on record
3 making quite a bit of noise about the fact
4 that it was pulled. No one could ever tell
5 me why it was pulled.

6 Now it mysteriously shows up, now
7 even later at 11:59.

8 So, again, in the spirit of just
9 not appreciating the approach, it is under
10 great duress that I'm going to abstain from
11 this.

12 I think it's wrong that she was
13 pulled from the initial agenda some months
14 ago because I have witnessed Keria Blue's
15 labor in this community.

16 She had just had a beautiful
17 event here on Friday night in recognition of
18 World AIDS Day and some other things. I
19 think it was a huge injustice to her that
20 she was pulled some months ago.

21 With great pains, I'm going to
22 have to abstain from this because I think
23 the spirit of the movement is wrong.

24 CHAIRWOMAN GONSALVES: Any other
25 comments?

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2 (No verbal response.)

3 Is there any public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of Item 451 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Any abstentions?

11 (Abstain.)

12 Two abstentions. So it's four
13 zero two.

14 LEGISLATOR BYNOE: It was on the
15 agenda and we went over it, not only her,
16 but Mr. Ahmed from the Islamic Center that
17 day, and those two from some reason didn't
18 get called.

19 CHAIRWOMAN GONSALVES: I don't
20 know, I don't remember.

21 The first item on the addendum
22 was 216 which was vetted in the Finance
23 Committee but is now part of the consent
24 calendar and this is an ordinance allowing
25 termination paid to be paid in a single

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2 installment for certain officers and
3 employees.

4 Motion, please.

5 LEGISLATOR NICOLELLO: So moved.

6 LEGISLATOR KOPEL: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Nicolello, seconded by Legislator
9 Kopel. Any further discussion?

10 LEGISLATOR BYNOE: Just to let
11 the finance comments be on the record.

12 (Whereupon, please refer to the
13 minutes of the Finance Committee dated
14 12-4-17 pertaining to Clerk Item 216.)

15 LEGISLATOR DERIGGI-WHITTON: I
16 also agree with my colleagues here that this
17 is something that could really hurt the 2018
18 budget and that's exactly not the direction
19 we want to go in.

20 I think that's the only reason I
21 can see it happening honestly. So I would
22 really implore everyone not to vote for
23 this. That's all.

24 CHAIRWOMAN GONSALVES: We should
25 incorporate the testimony by way of

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2 reference from the Finance Committee. Is
3 there any other public comment?

4 (No verbal response.)

5 There being none, all those in
6 favor of Item 216-17 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (Nay.)

10 So it passes four to two.

11 Moving along, we have 474 an
12 intermunicipal agreement between the County
13 of Nassau acting on behalf of the Nassau
14 County Department of Health and the County
15 of Suffolk acting on behalf of the Suffolk
16 County Department of Health Services in
17 relation to Ryan White Program
18 Implementation.

19 Motion, please.

20 LEGISLATOR MUSCARELLA: So moved.

21 LEGISLATOR KOPEL: Second.

22 CHAIRWOMAN GONSALVES: Moved by
23 Legislator Muscarella, seconded by
24 Legislator Kopel. MaryEllen.

25 MS. LAURAIN: Good afternoon.

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2 MaryEllen Laurain, Department of Health.

3 Item 474-17 is an intergovernment
4 agreement between Nassau County Department
5 of Health and Suffolk County Department of
6 Health for the Ryan White HIV AIDS Treatment
7 Modernization Act. Nassau County Department
8 of Health is the grantee so this will allow
9 us to enter into the grant.

10 CHAIRWOMAN GONSALVES: Any
11 questions or comments from the legislators?

12 (No verbal response.)

13 Any public comment?

14 (No verbal response.)

15 There being none all those in
16 favor of 474 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 The item passes I would assume
21 unanimously.

22 The next item is 478, a
23 resolution to confirm the appointment of
24 Carnell T. Foskey by the County Executive to
25 the Nassau County Civil Service Commission.

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2 Motion, please.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Kopel. Is there anyone to speak on behalf
8 of this appointment, Fran? Anyone who can
9 speak on this, Judge Foskey to the civil
10 service?

11 MR. BECKER: Mr. Foskey is
12 currently our County Attorney. He's a great
13 guy.

14 CHAIRWOMAN GONSALVES: And, is he
15 going to be?

16 MR. BECKER: Is he going to
17 be -- yes, he is ready to serve.

18 CHAIRWOMAN GONSALVES: He's ready
19 to serve, and that means he's no longer
20 going to serve in two capacities?

21 MR. BECKER: It seems that way,
22 yes.

23 CHAIRWOMAN GONSALVES: I'm
24 putting it bluntly I guess. Someone had a
25 question. Legislator DeRiggi-Whitton.

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2 LEGISLATOR DERIGGI-WHITTON: What
3 is his salary going to be?

4 MR. BECKER: Can I find out for
5 you?

6 LEGISLATOR DERIGGI-WHITTON: I
7 guess for Full Leg, I know the Minority
8 Leader may have a few other questions at the
9 Full Leg also.

10 MR. BECKER: Legislator, would it
11 be possible to get that information for you
12 for the next session?

13 LEGISLATOR DERIGGI-WHITTON: Yes.

14 MR. BECKER: Salary and what
15 other questions?

16 LEGISLATOR DERIGGI-WHITTON:
17 That's all I have, just what his salary is.

18 MR. BECKER: I will get that to
19 you and your counsel.

20 CHAIRWOMAN GONSALVES: Legislator
21 Bynoe, you had your hand up.

22 LEGISLATOR BYNOE: Who will he
23 be replacing?

24 MR. BECKER: I know the person's
25 name. Can I get that for you too? This was

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2 on the addendum and I was unprepared for it.

3 LEGISLATOR BYNOE: Was that
4 person's term --

5 MR. BECKER: Yes, that person's
6 term had already expired. The person -- I
7 forget. Begins with an S.

8 LEGISLATOR BYNOE: If you could
9 give me what that person's name is and what
10 their term was.

11 MR. BECKER: Yes, I will and I
12 appreciate your accommodating me.

13 LEGISLATOR BYNOE: Was there a
14 resume for Mr. Foskey? Of course I know who
15 he is but I want to see if there's some
16 unique experience that he's had that
17 qualifies him to be the one person that was
18 chosen to sit on this commission.

19 MR. BECKER: Honestly, being
20 County Attorney, the resume is definitely
21 submitted, but a few people that know this
22 county better than he does having served
23 here for so so many years.

24 And also being responsible as the
25 County Attorney for civil service as well.

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2 LEGISLATOR BYNOE: Right. There
3 was something with civil service. Yes.
4 That's right. Thank you.

5 MR. BECKER: Legislator, I will
6 get you the resume. What was the other
7 question?

8 LEGISLATOR BYNOE: I want to know
9 who he was replacing and the term of that
10 person.

11 MR. BECKER: I will have that
12 information to your counsel as well as to
13 the majority.

14 LEGISLATOR BYNOE: Thank you.

15 CHAIRWOMAN GONSALVES: Thank you
16 very much. Any public comment?

17 (No verbal response.)

18 There being none, all those in
19 favor of 478 signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (Nay.)

23 We got four to two.

24 Again it's part of the addendum,
25 it's Item 479, a resolution authorizing the

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2 County Executive to execute an
3 administrative consent agreement and
4 cooperative agreement with the New York
5 State Department of Environmental
6 Conservation in relation to the Bay Park
7 Diversion Project and additional work.

8 Motion, please.

9 LEGISLATOR NICOLELLO: So moved.

10 LEGISLATOR MUSCARELLA: Second.

11 CHAIRWOMAN GONSALVES: Moved by
12 Legislator Nicolello, seconded by Legislator
13 Muscarella.

14 I think this was vetted in Public
15 Works so the testimony from Public Works
16 will be incorporated into today's Rules
17 agenda.

18 (Whereupon, please refer to the
19 minutes of the Public Works and Parks
20 Committee dated 12-4-17 pertaining to Clerk
21 Item 479-17.)

22 Are there any other questions?
23 We can move on?

24 (No verbal response.)

25 All those in favor of 479 signify

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2 by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Six zero.

7 480, a local law to amend the
8 county governmental law of Nassau County to
9 establish an independent Office of Inspector
10 General for Nassau County.

11 Motion, please.

12 LEGISLATOR NICOLELLO: So moved.

13 LEGISLATOR KOPEL: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Nicolello, seconded by Legislator
16 Kopel.

17 I'm going to be very brief
18 because I know that we're going to probably
19 have quite a discussion at the Full Leg
20 regarding this item.

21 But this is, I would say, is an
22 attempt on the part of I guess the majority
23 to try to come to a bipartisan piece of
24 legislation.

25 But you have to remember that

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2 this item before us is a version of the
3 Inspector General that is similar in most
4 respects to the version put forth by the
5 Democrats several times over the last two
6 years.

7 Many of those comments are
8 incorporated in the legislation. The key
9 difference in the two proposals is the
10 source is the appointments and whether this
11 office will fall under the executive branch
12 of county government or the legislative
13 branch.

14 The Democratic proposal is optive
15 for the most part by the legislation before
16 us, grants sweeping powers and authorities
17 to the Inspector General.

18 The nature of these powers are in
19 our opinion inherently legislative in
20 nature.

21 For a very long time we
22 emphatically voiced our concerns as to the
23 accountability of this office and heard from
24 our colleagues across the aisle as a need to
25 be independent.

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2 For this legislation to progress,
3 a balance must be struck. The proposal
4 before us would create this office as a
5 legislative office similar to the office of
6 Legislative Budget Review whose selection is
7 by the Legislature and whose appointment is
8 subject to a majority vote of the
9 Legislature.

10 The Democrat proposal makes the
11 Inspector General an appointee of the county
12 executive subject to a super majority vote
13 selected via committee consisting of
14 representatives of the County Executive
15 majority minority.

16 The term of the Democrat's
17 proposal proposed Inspector General is six
18 years and the one being put forth by the
19 Republican delegation is amended to include
20 a four year term.

21 I have little doubt that our
22 proposal is as equally unaccessible to the
23 Democrats as theirs is to us.

24 I'm sure we are going to hear a
25 little bit more about this in the coming

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2 days.

3 I had the opportunity to speak
4 with the Minority Leader this morning. I
5 gave him a heads up on Saturday letting him
6 know that this legislation was being filed
7 Friday night and that we will continue the
8 dialogue between now and when this will come
9 to a vote, a Full Legislative vote on the
10 18th.

11 But to temper those voices of
12 discontent, I in fact made this offer to the
13 Minority Leader to sit down and discuss what
14 this office will become or come to on
15 January 1st.

16 Let's get it done in time so the
17 additional processes and procedures
18 occasioned by this law are absorbed into the
19 new administration's work product on day
20 one.

21 This county can withstand no more
22 grid lock over this issue and we are
23 prepared to turn the page.

24 As I said to you, I do intend to
25 continue this dialogue with the minority

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2 and, as I had stated to the Minority Leader
3 Kevan Abrahams.

4 That's where we are at this
5 point. We want this to go forward but we
6 also want it to be something that both sides
7 can agree on because it's very necessary
8 that we get rid of the logjam and that's
9 exactly what's happened.

10 That's why I said come the 18th
11 of this month there will be a special Rules
12 Committee. So a lot can be done between now
13 and next week.

14 So here's hoping that we have
15 reasonable minds can disagree and also
16 agree. Without any further comment, I don't
17 know what you want to do.

18 Legislator Bynoe.

19 LEGISLATOR BYNOE: Thank you.
20 This is indeed a good day, excited and happy
21 to be working together to have a final bill
22 that hopefully we can all be very proud of.

23 I think the community and the
24 residents of Nassau County have spoken and
25 asked for this and I'm happy that we are

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2 answering the call to action.

3 I'm hopeful that as we work
4 together and as our legal counsel will come
5 together to work on this, that one of the
6 things we will look at is the fact that the
7 appointment is made by the appointment and
8 then I guess the termination of that
9 individual is made by a simple majority of
10 the Legislature.

11 While I think it's very trendy
12 for that to happen at this point being that
13 we have a Republican majority and a
14 Democratic County Executive elect, I think
15 that over time as we can see this situation
16 change, in two years we could have a
17 Democratic majority and two years following
18 that we could have a Republican County
19 Executive elect.

20 So I think we should consider
21 doing something that is not trendy for the
22 moment but would be timeless insomuch that
23 we would have a super majority be the ones
24 that would ultimately confirm the
25 appointment and be the ones that would be

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2 able to terminate the contract or agreement
3 with that individual so that it could stand
4 the test of time and that this really would
5 be a piece of legislation that would not
6 need to be modified or repealed if the
7 political winds were to turn.

8 So that is something that I would
9 be very anxious and excited to work on and
10 so I look forward to these next few days of
11 these two parties, these two caucuses
12 working together.

13 I know that my colleague has some
14 comments that she would like to share and
15 some issues that she would like to identify.
16 So I will yield the floor to her.

17 CHAIRWOMAN GONSALVES: Legislator
18 DeRiggi-Whitton.

19 LEGISLATOR DERIGGI-WHITTON:
20 Thank you. I second my colleague's comments
21 which is we had been hoping for this for so
22 long and we are happy that it's being
23 entertained and more so the need is being
24 recognized.

25 The real problem I think we had

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2 with the Commissioner of Investigations and
3 some of these other positions that have been
4 put in place are the basic lack of
5 independence.

6 What I think we really have to be
7 careful going forward and what we are going
8 to want on this side is to ensure complete
9 independence is present in the IG, otherwise
10 this is really just a waste of time in my
11 opinion.

12 It has to be real and people know
13 what's real. I know a lot of times when we
14 talked about the IG we talked about how they
15 actually work for the County Executive and
16 they also are dependent upon the county
17 executive's roll as far as him or her being
18 the person to be able to fire the IG.

19 If you really -- it is a turning
20 point. I think this could be an incredible
21 time for Nassau County. I think if we do it
22 right it can be. If we do it wrong and it's
23 just another layer of something that's
24 ineffective which is what we've had in the
25 past and doesn't do anything to prevent

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2 things such as AbTech then, not only are we
3 wasting our time and our money and resources
4 but we are insulting the residents of Nassau
5 County.

6 The fact that, number one, the
7 funding isn't independent is number one,
8 that's really concerning me. Again we
9 really need it set up correctly.

10 Number two, as Legislator Bynoe
11 addressed, we can't just have the majority
12 Legislature choose this person. I really
13 think it has to be a super majority rule.

14 Otherwise, again, this is not
15 only for us but for the residents of Nassau
16 County. They endured a lot in the last
17 eight years. We have to do it right or else
18 it's really not anything better than what we
19 have right now.

20 As far as funding the office, we
21 would like to work with you on that as well
22 because it's something that we need to
23 figure out. We have to have transparency
24 with that as well.

25 Again, look, when I first heard

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2 this I wasn't happy in the sense because I
3 just felt without the independence it's
4 really going to be -- I don't know, I want
5 to say a disappointment.

6 I hope that you keep your word.
7 I know you will, but I hope you understand
8 how important it is for us to have this be a
9 joint venture and having both of us along
10 with our attorneys reach the point that we
11 feel this is a legitimate bill.

12 If we can, I would be very happy
13 it sit down along with my attorney to the
14 majority counsel this week if he is
15 available. I'd rather see this even not
16 happen immediately, although I really want
17 it to happen and just wait to have it
18 completely right.

19 I think again the major thing is
20 independence and who approves the IG.

21 CHAIRWOMAN GONSALVES: All right.
22 Is there any comment from the public? I
23 think everybody is gone.

24 (No verbal response.)

25 There being no other comments and

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2 again hopefully something will be done. Our
3 counsels have heard your concerns and we
4 start working on it this week. We don't
5 have much time in which to do this if we
6 want to bring it before the Full Leg on the
7 18th.

8 There being no other comments or
9 questions, all those in favor of moving 480
10 on to the Full Legislature signify by saying
11 aye.

12 (Aye.)

13 Any opposed?

14 (No verbal response.)

15 It's I guess unanimous.

16 The next item, I think that
17 Legislator Birnbaum is happy to see this
18 one. I may have introduced, however, I'm
19 going to suggest that it would be a Full
20 Legislative sponsorship.

21 Both sides of the aisle will
22 sponsor the legislation dealing with Item
23 481 which is the legislative approval of
24 acting department heads, something that
25 Legislator Birnbaum has submitted and, if

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2 you looked at the legislation, most of it is
3 legislation that you submitted.

4 So if there is any comments --
5 first a motion.

6 Motion, please.

7 LEGISLATOR NICOLELLO: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Nicolello, seconded by Legislator
11 Kopel. Is there any comments or questions?
12 Legislator Nicolello.

13 LEGISLATOR NICOLELLO: I have one
14 suggestion, that we amend this so that after
15 the initial six month period for acting
16 commissioner, that if County Executive
17 wanted to come to the Legislature, she or he
18 could request an additional six month
19 period, one six month period but the Full
20 Legislature would have to approve it. Just
21 to give it a little bit of the flexibility
22 and retain our ability to control the
23 process. We're not doing it now, no
24 amendment now.

25 LEGISLATOR DERIGGI-WHITTON: Super

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2 majority or unanimously?

3 LEGISLATOR NICOLELLO: I really
4 didn't get to that. Not unanimous I don't
5 think.

6 CHAIRWOMAN GONSALVES: Explain
7 why.

8 LEGISLATOR NICOLELLO: As I said,
9 it gives a little bit of flexibility in case
10 they need additional time in their search
11 for finding a commissioner to be appointed
12 so there will be one initial six-month
13 period for the Acting Commissioner, and if
14 the County Executive needed additional time
15 then come before the Legislature and the
16 Legislature then approves an additional
17 final six month period. It builds a little
18 bit of flexibility.

19 CHAIRWOMAN GONSALVES: I know
20 that Legislator Birnbaum is not on this
21 committee but out of courtesy -- would you
22 like to add something?

23 LEGISLATOR BIRNBAUM: First I
24 want to thank Norma for recognizing the
25 importance of this legislation because I

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2 think it will really tighten the government
3 better. I think we'll have more qualified
4 people in positions and I think it will
5 really act to move the county forward in a
6 positive direction so I thank you for that.
7 I would be very proud to be a co-sponsor
8 with you if it's the exact bill, we're all
9 going to be sponsors, the entire
10 Legislature. That would be great.

11 I'm listening to the possible
12 amendment. I think that would work if the
13 County Executive is the one to come with the
14 request to do the extension.

15 LEGISLATOR NICOLELLO: Of course.

16 CHAIRWOMAN GONSALVES: Any other
17 comments? Go ahead.

18 LEGISLATOR DERIGGI-WHITTON: One
19 more, along those lines. Is this
20 retroactive as of today, like I know that
21 Commissioner Ryder has four or five months
22 already? That's what I want on the record.
23 This is going to start January 1st. So it
24 will be six months from January 1st for any
25 Acting Commissioner?

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2 LEGISLATOR NICOLELLO: I think it
3 should be clarified that that would be the
4 case.

5 LEGISLATOR DERIGGI-WHITTON: I
6 think that that's important because we don't
7 want to run into that with him.

8 And we just have one more other
9 clarification which I think is worthwhile.
10 We just want to make sure the nomination
11 could be done like the next meeting after
12 the appointment.

13 LEGISLATOR BIRNBAUM: Not to hold
14 up nominations.

15 CHAIRWOMAN GONSALVES: Would you
16 do me a favor and write it down and just
17 pass them on and if we have to amend before
18 the 18th we can do it?

19 So whatever expressed just now,
20 do it. Are you ready to go home yet?

21 All those in favor of 481 signify
22 by saying aye.

23 (Aye.)

24 It better be unanimous otherwise
25 we can't all sponsor it.

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2 MR. BECKER: Madam Chair, may I
3 just interject one thing. I just wanted to
4 mention Mr. Foskey, his salary would be
5 \$20,000. Mr. Foskey is retiring on December
6 28th. His term will begin on December 29th,
7 2017 and end May 31st, 2022. This by the
8 way is all in the resolution which you will
9 eventually see. I don't yet know who he is
10 replacing but we will have that for you.

11 CHAIRWOMAN GONSALVES: Okay.
12 Item 482, an ordinance authorizing the
13 County Executive on behalf of the County of
14 Nassau to execute an amendment to amend a
15 restated Coliseum lease between the county
16 of Nassau, as landlord, and Nassau Event
17 Center, NEC, LLC, as tenant of certain
18 premises located in Uniondale, Town of
19 Hempstead, County of Nassau, State of New
20 York, said property known as Section 44,
21 Block F, lot 415 and 351 on the land and tax
22 map of the County of Nassau and authorizing
23 the County Executive to execute all
24 pertinent documents in connection therewith
25 to consummate the lease.

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2 Motion, please.

3 LEGISLATOR NICOLELLO: So moved.

4 LEGISLATOR KOPEL: Second.

5 CHAIRWOMAN GONSALVES: Moved by
6 Legislator Nicolello, seconded by Legislator
7 Kopel. Explain explain explain. Who is
8 going to do it? I thought I saw him back
9 there. Okay, Mr. Meyer.

10 MR. MEYER: Good evening. I
11 thought you forgot about me. I'm here to
12 speak on this item. It's Josh Meyer, West
13 Group Law, 81 Main Street, Suite 510, White
14 Plains, New York 10601.

15 So this is, on the proposed
16 amendment, what we are doing is extending
17 the deadline for the tenant to enter into
18 the agreement with the minor league hockey
19 team number December 31st, 2018.

20 We are also addressing that the
21 parties are going to agree to cooperate in
22 good faith to execute the development of the
23 structured parking garbage utilizing the
24 grant from the Empire State Development
25 Corporation. So those two items are in the

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2 proposed amendment.

3 LEGISLATOR NICOLELLO: The second
4 item, where did that come from? I thought
5 we were just extending the AHL requirement
6 for a year?

7 MR. MEYER: Right. And this one
8 is just an agreement for the parties to
9 cooperate on that, it's just a single
10 paragraph in there that says that the Empire
11 State Development would like to see
12 continued momentum on this.

13 LEGISLATOR KOPEL: What do you
14 mean by cooperation?

15 MR. MEYER: It's just very
16 general to say that right now, the issue
17 with that, is that --

18 LEGISLATOR KOPEL: We need a
19 contractual amendment to say we are going to
20 cooperate?

21 MR. MEYER: We don't, we're just
22 saying that the Empire State Development
23 Corporation wanted to see some additional
24 evidence because the county received the
25 grant for \$85 million, the approval for the

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2 \$85 million, to come from Empire State
3 Development, to develop that parking garage.

4 Right now, NEC has site control
5 there. So they just wanted to see something
6 that said the parties were agreeing to
7 cooperate to construct that parking garage
8 on the site.

9 LEGISLATOR KOPEL: They're
10 worried that we won't agree?

11 MR. MEYER: It's just further
12 evidence that we are going to as they
13 process the paperwork and provide the
14 funding agreement for that to the county.
15 It's basically an agreement to agree in
16 there.

17 LEGISLATOR NICOLELLO: I think we
18 have to look at that. We got not chance to
19 look at it. We thought we had an agreement
20 on one item and now we find there's a second
21 item. There should be some disclosure to
22 us. We have to take a look at it.

23 LEGISLATOR KOPEL: We're almost
24 done here. We don't like being surprised.

25 CHAIRWOMAN GONSALVES: Only when

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2 somebody is giving us a nice present. You
3 knew about it?

4 MR. MEYER: As I indicated, it's
5 just an agreement to agree on that. It's
6 just to say the parties have worked together
7 in the development of the parking garbage.

8 CHAIRWOMAN GONSALVES: Are you
9 agreeable? Go ahead Legislator
10 DeRiggi-Whitton.

11 LEGISLATOR DERIGGI-WHITTON: I'm
12 sorry. It's never that easy. I understand
13 that going back to the first part with
14 allowing another year to find a hockey team.

15 We were supposedly to possibly be
16 told of other things that had been
17 progressing and has been bringing in
18 revenue, other than the hockey team, we're
19 supposed to get a report I believe, do you
20 know anything about that?

21 MR. MEYER: No. Just my
22 understanding it was prior to the December
23 18th meeting that that would be discussed,
24 but that's all in terms of a financial
25 analysis. That was just my understanding

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2 that it would be prior to the December 18th
3 meeting and that would need to be --

4 LEGISLATOR DERIGGI-WHITTON:

5 Well, how prior, like the day of? I would
6 like to see that pretty soon only because we
7 are kind of giving them a pass right now
8 with the hockey team, which was a big part
9 of this, and if it's true that other
10 concerts or whatever made up for it, we
11 would really like to see that as soon as
12 possible.

13 MR. MEYER: So I would like to
14 clarify that issue, exactly what you are
15 looking for. Just to clarify on this, it's
16 a deferral on the requirement to provide the
17 minor league to enter into the agreement to
18 provide the minor league hockey team for the
19 15 years. They would still be required to
20 provide that and this is just the deferral
21 for one year in order to enable them to do
22 that.

23 The tenant currently is
24 negotiating with the Islanders to bring them
25 back, that's been the goal of this

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2 administration, to bring the Islanders back
3 here. We don't want to do anything to
4 interfere with that at this time.

5 So, what they are doing is,
6 they're allowing the negotiations with the
7 Islanders to play out so they can maximize
8 the number of games and the number of
9 seasons they could come here.

10 In doing that, we were just
11 giving the extra year and then once the
12 negotiations play out with the Islanders,
13 then the parties will go back and discuss.

14 LEGISLATOR DERIGGI-WHITTON:

15 Listen, I hope that's the reason. I hope
16 it's to bring the Islanders back. I know we
17 have a real problem with the seating. I
18 know that and I know we're not going to get
19 around that without major renovations to
20 bring the 3,000 seats back in.

21 So I appreciate you saying that's
22 the reason but, no disrespect, but I think
23 honestly it might have just been that they
24 weren't able to find someone right by now.

25 Either way, if there is a way to

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2 get that report by Monday, my counsels would
3 be very happy to meet with you and go over
4 it. I would like to see it prior to the
5 meeting.

6 MR. MEYER: Just to clarify, that
7 would not come from us, we would have to
8 request that and work with the tenant to
9 provide that and just to clarify that, what
10 is the specific analysis you would be
11 interested in?

12 LEGISLATOR DERIGGI-WHITTON: My
13 attorney can speak to you about that, Pete
14 Kleins, but from what I understand that was
15 a verbal agreement that they would be
16 providing that, supposedly they can show
17 that revenue in other areas, might have
18 compensated for the fact that they haven't
19 been able to find a minor league hockey
20 team, possibly more concerts again.

21 So I think it has been discussed
22 so we're just waiting for the actual report.

23 MR. MEYER: So, like I said, we
24 would have to -- that's outside of our
25 control for that financial analysis, but we

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2 can work with them and get back to your
3 office to let you know.

4 LEGISLATOR DERIGGI-WHITTON: Just
5 before we give the consideration of that, I
6 think they know that's sort of what we would
7 like and expect.

8 As far as the parking garbage, is
9 there any issue with the zoning, is that
10 part of why they're trying to get us to
11 agree ahead of time?

12 MR. MEYER: No. Getting who to
13 agree with us? The state?

14 LEGISLATOR DERIGGI-WHITTON: I'm
15 just trying to figure out what the reason
16 would be to have this -- I mean, obviously
17 we want to see this happen.

18 MR. MEYER: So it's nothing more.
19 Both parties are interested in doing it it's
20 that as we move forward with the application
21 process with the state for the funding that,
22 we're in the process of either developing an
23 MOU, or future amendment with the tenant,
24 because they have site control, where it
25 would be located, how it would be handled,

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2 how does site access work.

3 In lieu of that, we would just
4 like to show the state that there is
5 continued cooperation there, that the tenant
6 is willing to allow us to do that and to
7 work with us on it because they do have site
8 control for the next approaching 49 years on
9 that site.

10 CHAIRWOMAN GONSALVES: Any other
11 comments?

12 LEGISLATOR DERIGGI-WHITTON: I
13 want to finish one last thing.

14 The agreement to cooperate if you
15 look at it when you get it, it's subjective
16 because it doesn't really say -- like we
17 were just talking about the zoning, if the
18 zoning is involved, we don't know exactly
19 what -- obviously we all want to see it
20 happen but this kind of agreement we just
21 don't know exactly what we are agreeing to
22 at this point.

23 LEGISLATOR NICOLELLO: That's
24 exactly my point. I'm not a contract lawyer
25 so I'm not sure what the ramifications are

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2 or what rights we're losing or whatever so
3 we will have to take a look at it. It might
4 be innocuous, might be positive but it was a
5 surprise to us. Let's put it that way.

6 CHAIRWOMAN GONSALVES: Legislator
7 Bynoe.

8 LEGISLATOR BYNOE: Thank you,
9 Presiding Officer. Good evening, Josh. I
10 have a host of different questions and one
11 of them, what would be the financial
12 impacts. So I'm awaiting that information.

13 One of the other things that I
14 started to question was, when were we
15 supposed to be in compliance with this and
16 when did the clock start ticking? It
17 unearthed another issue that I have concern
18 about.

19 Part of this AHL league
20 requirement was tied to the substantial
21 completion of the Coliseum?

22 MR. MEYER: That's correct.

23 LEGISLATOR BYNOE: So I asked
24 what date was the substantial completion.
25 I'm told that the substantial completion

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2 hasn't even been signed off on. There is no
3 completion, certification of completion. So
4 that is concerning, alarming, and I'm
5 questioning as to why we wouldn't have, from
6 my point of view, it looks substantially
7 completed.

8 So why is it that we are still in
9 this limbo stage?

10 MR. MEYER: Right. So just to
11 give you the background on it, it was -- the
12 requirement to bring the minor league team
13 -- to enter into the agreement with a minor
14 league team was the construction commencing
15 with a condition.

16 So, by letter, the County
17 Executive waived that requirement, which he
18 was authorized to do pursuant to section
19 551C of the lease and he did issue that
20 letter relating to that. That extended the
21 time for them to enter in the agreement from
22 the construction commencement date to the
23 substantial complete date, which would be at
24 the end of the construction date.

25 That technically would have

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2 occurred on April 6th which is the date
3 after Billy Joel played at the Coliseum.

4 Pursuant to that, there could be
5 a certificate that's issued in connection
6 with the substantial completion between the
7 parties that they made that agreement that
8 that occurred.

9 One reason is, technically they
10 would be in breach if that certificate was
11 entered into and that was the actual date
12 that that substantial completion occurred.
13 They were in the process of negotiating with
14 the Islanders at that time. The county did
15 not want to impede those negotiations.

16 It was described to us that they
17 would have an agreement immanently and that
18 has extended on since that time.

19 They have been paying the full
20 rent as if it were a substantial completion
21 but, like I said, if the goal is to bring
22 the Islanders back in some form for a number
23 of games, a number of seasons, it would just
24 be impeding those negotiations to do
25 something along those lines.

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2 LEGISLATOR BYNOE: So my question
3 now is then, when there was a determination,
4 a business decision, not to issue or to
5 issue the construction completion
6 certificate, whatever it would be called, to
7 move out of this substantial holding
8 pattern, right?

9 What would have been the damages
10 had we not done that? Would it have been a
11 financial reward to the county?

12 MR. MEYER: Technically it would
13 be that they would be in breach at that
14 time. With the Islanders, there's a million
15 dollars a year penalty, if they didn't bring
16 the Islanders, they have been paying that
17 penalty.

18 In this regard, it's an
19 obligation of the tenant under the lease and
20 if they did not meet that they could be
21 breached, defaulted under the current lease.

22 LEGISLATOR BYNOE: Just a breach
23 in the sense then they would lose the
24 opportunity to lose the operation of the
25 Coliseum?

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2 MR. MEYER: Potentially, there's
3 a separate provision regarding assessing
4 liquidated -- assessing damages.

5 LEGISLATOR BYNOE: Well, that's
6 my question. That's the question, what
7 would be the damages?

8 MR. MEYER: So they would be
9 difficult to assess at this point. This
10 would be the first season that the AHL team
11 would be playing there because the arena
12 just opened in April.

13 So you would probably go to
14 Bridgeport, go to where the Sound Tigers
15 play, where the Islanders AHL team plays and
16 you'd look at the revenue coming in from
17 that and make some determination as to how
18 it would be here.

19 Just in connection with this
20 lease though, the way it works, is greater
21 of eight percent of revenue or 12 and three
22 quarter percent of parking revenue, or \$4
23 million, which is the minimum rent that
24 comes to the county.

25 Let's just say the revenue of \$4

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2 million as a round number in Bridgeport,
3 which I don't know if that's accurate or
4 not, the eight percent would only bring you
5 to \$320,000. Of that \$4 million minimum
6 that they would have to pay no matter what.

7 So it's in-determined at this
8 point whether or not what the damages would
9 be.

10 To a certain extent that would be
11 in their control because they could, right
12 now they would be backfilling all of those
13 dates. It's very difficult when you have an
14 AHL team like that that they take up a lot
15 of Friday and Saturday night games and you
16 have to hold dates many months in advance
17 for playoffs, and so to backfill that with
18 concerts or in the future potentially with
19 Islander games, that could be much more
20 lucrative for the county.

21 LEGISLATOR BYNOE: I agree 100
22 percent in terms of it potentially being
23 more lucrative for us.

24 Is there any other ramifications
25 or provisions that are tied to this

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2 substantial completion requirement?

3 MR. MEYER: As I indicated, the
4 rent payment.

5 LEGISLATOR BYNOE: Other than
6 what we just discussed.

7 MR. MEYER: I believe there are a
8 few others.

9 LEGISLATOR BYNOE: I would like
10 to see what those are in a clear and concise
11 way as opposed to me trying to read through
12 this voluminous contract. It was a business
13 decision that this body was not a part of.
14 It's a fiduciary issue. I would like to see
15 what those are.

16 MR. MEYER: Certainly. I'll get
17 those to you.

18 LEGISLATOR BYNOE: Thank you. I
19 appreciate it.

20 CHAIRWOMAN GONSALVES: There
21 being no other comment, no public comment?

22 (No verbal response.)

23 All those in favor of 482 signify
24 by saying aye.

25 (Aye.)

1 Rules Committee/12-4-17

2 Any opposed?

3 LEGISLATOR DERIGGI-WHITTON: Yes

4 on the condition that we will get the
5 information. It's yes with a condition.

6 MR. MEYER: So I will get back to
7 you on the date that I can get that to you,
8 but I won't get it to you the day before.

9 CHAIRWOMAN GONSALVES: It's six
10 zero.

11 LEGISLATOR MUSCARELLA: So moved.

12 LEGISLATOR NICOLELLO: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Muscarella, seconded by
15 Legislator Nicolello.

16 All those in favor signify by
17 saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 We are adjourned. Until we meet
22 again.

23 (Whereupon, the Rules Committee
24 adjourned at 5:40 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 21st day of December, 2017.

FRANK GRAY