

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

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REGAL REPORTING SERVICES
516-747-7353

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

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO
Vice Chairman

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

FRANK MORONEY, Clerk Pro Tempore

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2 CHAIRWOMAN GONSLAVES: Legislator Dunne,
3 please lead us in the Pledge of Allegiance.

4 (Whereupon, the Pledge of Allegiance was
5 recited.)

6 CHAIRWOMAN GONSLAVES: We're going to
7 begin - since this was a committee day - we're
8 going to begin with the committees and then move
9 on to reconvening the Full Leg. As is customary,
10 we do the Rules contracts first, we recess the
11 Rules Committee to hear testimony and items from
12 the other committees. Fortunately or
13 unfortunately, we only have two other committees
14 outside of Rules, which are Public Safety and
15 Finance. So hopefully everything will move
16 quickly. Does that make you happy? I hope so.
17 I see a smiling face over there.

18 Those who are on Rules, we should begin.
19 Mr. Moroney, will you please call the Rules
20 Committee.

21 MR. MORONEY: Yes, Presiding Officer.
22 Let me call the roll first, Chairwoman Norman
23 Gonsalves.

Vice Chairman Richard Nicoletto?

LEGISLATOR NICOLELLO: Here.

MR. MORONEY: Legislator Dunne?

LEGISLATOR DUNNE: Here.

MR. MORONEY: Legislator Kopel.

LEGISLATOR KOPEL: Here.

MR. MORONEY: Ranking Member Kevan
Abrahams?

LEGISLATOR ABRAHAMS: Here.

MR. MORONEY: Legislator Judy Jacobs?

LEGISLATOR JACOBS: Here.

MR. MORONEY: Legislator Carrie Solages?

LEGISLATOR SOLAGES: Here.

MR. MORONEY: You have a quorum.

CHAIRWOMAN GONSALVES: Thank you very
much.

As I just said, we begin with the
contracts and then we recess. There are a number
of contracts, and hopefully they will move along
expeditiously.

The first contract is A-4-16, a
resolution authorizing the 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.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

Who is here to talk about this item, this
contract? Is there anyone? If there is no one
here, I'm going to ask for a motion to table.

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Nicolello, seconded by Legislator
Dunne.

All those in favor of tabling A-4 signify
by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

The next item is A-7, 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

Nassau County District Attorney and Journal
Technologies, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

Who is here to speak on this item? I
thought I saw you there. That's good.

MR. MCMANUS: Bob McManus, District
Attorney's Office.

The item before you is for annual
support, maintenance, and training for the
district attorney's case management and document
assembly system, which was originally installed
in December 2014.

Journal Technologies is the vendor who
designed and installed their proprietary system.
Design and implementation began in 2012 and the
system went live, as I said, in December 2014.
They are the only vendor capable of providing
maintenance, support, and upgrades to the
database, web server, document server, and report
management server. They are proprietary owners

2 of that software, and no other vendor has rights
3 to access the code of the modules necessary to
4 provide upgrades.

5 CHAIRWOMAN GONSALVES: Any questions of
6 Mr. McManus? Minority Leader Kevan Abrahams.

7 LEGISLATOR ABRAHAMS: Thank you, Madam
8 Presiding Officer. How are you, Mr. McManus?

9 MR. MCMANUS: Very good, thank you.

10 LEGISLATOR ABRAHAMS: Just a quick
11 questions in regards to the actual procurement
12 process; was it handled by the district
13 attorney's office?

14 MR. MCMANUS: Yes.

15 LEGISLATOR ABRAHAMS: And was there any
16 involvement from the county in regards to that, I
17 guess the county procurement office?

18 MR. MCMANUS: No.

19 LEGISLATOR ABRAHAMS: Or purchasing or
20 anyone along those lines?

21 MR. MCMANUS: No. We handled the
22 procurement process at the district attorney's
23 office.

24 LEGISLATOR ABRAHAMS: And you handled
25 also - I guess that would be the RFPing of the

2 contracts and the reviewing of the contracts, and
3 the committee that was put together to review the
4 RFPs were all handled by the district attorney's
5 office?

6 MR. MCMANUS: Correct.

7 LEGISLATOR ABRAHAMS: Thank you very
8 much.

9 CHAIRWOMAN GONSALVES: Legislator
10 Solages.

11 LEGISLATOR SOLAGES: Thank you very
12 much, Presiding Officer. Good afternoon.

13 MR. MCMANUS: Hi.

14 LEGISLATOR SOLAGES: Is there -- tell me
15 more about, I guess, the case processing system
16 at the district attorney's office, is there
17 currently a backlog? How is this system used to
18 make sure there is no backlog?

19 MR. MCMANUS: I would say there is not
20 currently a backlog. Prior to the implementation
21 of this system, the office was relying on kind of
22 a hybrid system with I think two or three old,
23 antiquated systems that we, each year, had to
24 spend quite a bit of money on coordinating all of
25 the various records and files so they could be

2 maintained, you know, in our database. This new
3 system, once people have gotten trained, we've
4 really worked through any backlog that existed
5 prior to the installation.

6 LEGISLATOR SOLAGES: Great. Great. I
7 served briefly as a prosecutor in the Bronx and
8 having a system that is really efficient just
9 helps to serve time all together in the office,
10 and I'm very glad that your office is using this
11 technology.

12 MR. MCMANUS: It enables us to follow a
13 case from beginning to its conclusion, and also
14 in terms of record storage it's a big help.

15 LEGISLATOR SOLAGES: Thank you. I know
16 my colleague from Freeport asked you questions
17 about the procurement process but I just want to
18 be very clear. Again, the procurement process
19 here, in this case, very different from the Abtec
20 situation that we saw; is that correct?

21 MR. MCMANUS: That's correct.

22 LEGISLATOR SOLAGES: Okay. Great.
23 Thank you.

24 CHAIRWOMAN GONSALVES: Any other
25 comments or questions regarding this contract?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
A-7 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(No verbal response.)

The item passes unanimously.

MR. MCMANUS: Thank you.

CHAIRWOMAN GONSALVES: Thank you, Mr.
McManus.

The next item is A-8, 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
Nassau County Department of Information
Technology and I constituent.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by

2 Legislator Dunne, seconded by Legislator
3 Nicolello.

4 MR. EISENSTEIN: Hello. Ed Eisenstein
5 here. It's Iconstituent is the vendor. This is
6 our e-mail messaging system for upcoming events
7 and storm information to everyone in Nassau
8 County.

9 CHAIRWOMAN GONSALVES: Any questions or
10 comments for Mr. Eisenstein? Legislator
11 Nicolello.

12 LEGISLATOR NICOLELLO: So this - what do
13 they do, they compile e-mail addresses and then
14 we use them for what purpose?

15 MR. EISENSTEIN: Yes, exactly. You have
16 to imagine we are not able to send millions of e-
17 mail messages out of our own server - that would
18 be bad for us - so we use an e-mail service where
19 we send out information on tax deadlines,
20 upcoming events, information about Storm Jonas,
21 for example, so we are able to reach everyone
22 within a short period of time.

23 LEGISLATOR NICOLELLO: So they have a
24 time sensitivity to them?

25 MR. EISENSTEIN: Sure. I imagine we

know about storms a couple of days beforehand so we have two, three days to kind of inform everyone. For example, we're able to send out one to two million e-mails within a few days through the service.

LEGISLATOR NICOLELLO: You also send out information about events going on; is that correct?

MR. EISENSTEIN: Yes. Storm activity. Tax deadlines. All of those communications.

LEGISLATOR NICOLELLO: Somebody who does not want to receive these, do they have an opportunity to opt out?

MR. EISENSTEIN: Yeah. As a matter of fact, by law you have to have an opt out at the bottom, an unsubscribe feature that takes you off the list if you wish.

LEGISLATOR NICOLELLO: Okay.

MR. EISENSTEIN: Standard.

LEGISLATOR NICOLELLO: And this is a flat fee, no matter how many e-mails get sent or how many occasions we use this?

MR. EISENSTEIN: Yes. That is correct. That was one of the features for it. We can

really maximize it without paying extra.

LEGISLATOR NICOLELLO: Thank you.

CHAIRWOMAN GONSALVES: Any other questions or comments regarding this item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of A-8 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(Abstain.)

Four-three. Four in favor and three abstentions.

The next item is B-1, 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 Welsbach Electric Corp.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by

Legislator Dunne, seconded by Legislator
Nicolello.

Mr. Arnold.

MR. ARNOLD: Kenneth Arnold, Public
Works. Item B-1 is a construction contract for
the installation of traffic management cameras at
28 locations throughout the county. This is a
state-funded contract at 80 percent. This
contract took a while to award. We had issues
with New York State, getting concurrence
initially. They were backlogged on projects. We
have since met with DOT and phoned in a new
response plan to work through the concurrence
issues quicker. Because of that long time
period, we lost our low bidding contractor so
this is our second lowest bidding contractor.

CHAIRWOMAN GONSALVES: Any other
questions or comments for Mr. Arnold? Minority
Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam
Presiding Officer.

According to our backup, Mr. Arnold, the
contracts that we're seeing, some of the forms
were incomplete and should be rejected under the

2 new guidelines, in terms of disclosure. Some of
3 the examples would be that some of the completed
4 copies and the business history form and the
5 principal questionnaire form required by the
6 county attorney's memos, some of their answers
7 were insufficient and nonconforming. Did you
8 come to the same conclusion? I don't know if you
9 had a chance to review some of the backup.

10 MR. ARNOLD: There were some concerns
11 that we resubmitted some forms about two weeks
12 ago. I thought we handled all of the questions
13 at that time.

14 LEGISLATOR ABRAHAMS: Let me take a
15 look. Let me just go through it on my computer.
16 I don't know if we received the additional forms.
17 Let me just go through it. I'm going through it
18 right now. It's on the computer.

19 It didn't make it to what I have on the
20 backup on my computer. I don't know when this
21 was generated. I don't see it. The last thing I
22 have, it has some of the stuff that's missing.

23 MR. ARNOLD: I know there was some
24 outreach. I thought everything was satisfied.

25 LEGISLATOR ABRAHAMS: We haven't seen

it. Let me just check with counsel.

CHAIRWOMAN GONSALVES: Minority Leader Abrahams, could you tell us what items you're looking for?

LEGISLATOR ABRAHAMS: We have counsel that's checking to see if the additional files that have been sent, if they are sufficient.

CHAIRWOMAN GONSALVES: You're still not answering. What forms are you looking for?

LEGISLATOR ABRAHAMS: Mr. Arnold, when you sent the revised copies or revised documents, did you send them to the county attorney's office or did you send them to the clerk?

MR. ARNOLD: I'm double checking right now. I have to go back to my office and look up where I sent it.

LEGISLATOR ABRAHAMS: I'm sorry?

MR. ARNOLD: I have to go back to my office. I can't tell from my phone.

LEGISLATOR ABRAHAMS: Okay.

CHAIRWOMAN GONSALVES: You're still not answering my question. What forms are you missing? What are you missing?

LEGISLATOR ABRAHAMS: There are some

conflict of interest questions on the business history form, Madam Presiding Officer. Some of the forms weren't filled out correctly, in terms of the business history and the principal questionnaire forms. Everything that Mr. Arnold acknowledged, that they got subsequent forms since then but they never made it to our backup. I'm not doubting he didn't submit it; I'm just saying we didn't receive it.

According to a memo that we were able to find from the county attorney, one part of the memo talks about any sealed bid or proposal submitted to a county department or office in response to a sealed bid or request for a proposal issued on or before July 15 that does not contain completed copies of a business history form and a principal questionnaire form required by this memo shall be deemed insufficient, nonconforming, and shall be rejected. So the question begs, how did this even get to us today, unless somehow -

MR. ARNOLD: This was filed a while back, and I believe that it was filed before that memo came out. I know one of the things that we

did follow up on was that question 17 item.

LEGISLATOR ABRAHAMS: Okay. I was under the impression that they were kicking some stuff back, Mr. Arnold. Be that as it may. On a going-forward basis, we should see less of the conflict of issue questions not be answered, we should see less of it or it shouldn't even be making its way to us.

I don't have anything further, Madam Presiding Officer.

CHAIRWOMAN GONSALVES: I do have in front of me Item 17, which is the conflict of interest, and it seems that it was responded to with not available or not answered - not applicable, I'm sorry. It doesn't apply to this particular contract; is that correct, Mr. Arnold?

MR. ARNOLD: That was the question that we followed up on, yes.

CHAIRWOMAN GONSALVES: Right. And it was followed up and has N/A, which is not applicable.

MR. ARNOLD: My mistake, maybe I didn't send it to the clerk and sent it just to the majority; my person may have done that.

2 CHAIRWOMAN GONSALVES: I believe, Mr.
3 Arnold, it was in the original packet.

4 MR. ARNOLD: It was in the original
5 packet?

6 CHAIRWOMAN GONSALVES: Yes.

7 MR. ARNOLD: Okay.

8 CHAIRWOMAN GONSALVES: Is there anything
9 else, Minority Leader Abrahams? Is there
10 anything else?

11 LEGISLATOR ABRAHAMS: I don't have
12 anything else. We don't have it.

13 CHAIRWOMAN GONSALVES: You don't have
14 it?

15 LEGISLATOR ABRAHAMS: I'm looking at my
16 backup now. Granted, I thought we were under the
17 impression, the last time Ms. Locurto came down,
18 that we weren't going to accept an answer or no
19 answer or not applicable. I thought we discussed
20 this. Is Ms. Locurto here?

21 LEGISLATOR NICOLELLO: My understanding
22 though is the problem is that there was no answer
23 at all. At least they are responding N/A, which
24 means not applicable. They are providing a
25 response.

LEGISLATOR ABRAHAMS: That's the same as no answer. If you read the question -- the proper answer should be yes or not, not not applicable. If you guys are comfortable with that.

LEGISLATOR NICOLELLO: I think N/A is a response. I think if you look at all the financial disclosure forms the N/A is all over the place. I think we generally view it as a response, and I think it's a response in this case, in my opinion.

CHAIRWOMAN GONSALVES: If there are no further comments or questions, is there any public comment regarding this item?

(No verbal response.)

There being none; all those in favor of B-1 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(Abstain.)

The item passes four-zero-three.

The next item is E-43, a resolution

authorizing the county execute to execute a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and Nelson & Pope Engineers & Surveyors, PLLC.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

Mr. Arnold.

MR. ARNOLD: Thank you. E-43 is our solicitation for on-call traffic engineering and construction management services for the department. The department shows the highest ranked firms, which is E-43 through E-47, to assist the county in our traffic engineering projects.

CHAIRWOMAN GONSALVES: Any questions or comments for Mr. Arnold? We're doing E-43. It's a personal services agreement.

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
E-43 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(Abstain.)

The item passes four-zero-three.

We have I believe four items that we can
call together, and we will address them
separately, if need be.

The first item is E-44, 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 Public Works, and LIRO Engineers,
Inc.

E-45, 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 Public
Works, and Greenman-Pederson, Inc.

E-46 is 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 Public Works, and the RBA Group - New York.

E-47 is a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Public Works, and L.K. McLean Associates Engineers & Surveyors, Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Nicolello.

Would you like to address these, Mr. Arnold?

MR. ARNOLD: Yes. E-44 through E-47 are the other four contracts. As I mentioned in E-43, which is our on-call traffic engineering and construction management contracts for the department, they assist the department in handling traffic-related items on an expedited basis.

CHAIRWOMAN GONSALVES: Go on.

Are there any questions or comments
regarding E-44?

(No verbal response.)

Okay.

Any public comment on E-44?

(No verbal response.)

E-45, what can you tell us about that
particular item? Is it for all four?

MR. ARNOLD: I spoke for all four.

CHAIRWOMAN GONSALVES: Okay. Any
questions on any of the four?

(No verbal response.)

There being none; any public comment?

(No verbal response.)

There being none; all those in favor of
E-44, E-45, E-46, and E-47 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(No verbal response.)

The items pass four-zero-three.

Move on to E-48, a personal services

2 agreement between the County of Nassau, acting on
3 behalf - thank you, Mr. Arnold - acting on behalf
4 of the Department of Social Services and Family &
5 Children's Association.

6 Motion, please?

7 (No verbal response.)

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR NICOLELLO: Second.

10 CHAIRWOMAN GONSALVES: Moved by
11 Legislator Dunne, seconded by Legislator
12 Nicolello.

13 How are you? Okay. Here we go. What
14 can you tell us?

15 MR. BRODERICK: Good afternoon.

16 CHAIRWOMAN GONSALVES: Good afternoon.

17 MR. BRODERICK: Paul Broderick, Deputy
18 Commissioner, Department of Social Services.

19 The item before you is a contract between
20 the Department of Social Services and FCA to
21 provide preventive services and homemaking
22 services.

23 Do you have any questions?

24 CHAIRWOMAN GONSALVES: Any questions of
25 Mr. Broderick? Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Mr. Broderick, just a quick question in regards to the evaluation of the contract. In the backup, Ms. Theresa McGuinness, does that name sound familiar?

MR. BRODERICK: Yes.

LEGISLATOR ABRAHAMS: She's the assistant director. She states that the family ties has provided excellent service and is always responsive to DSS requests, but the homemaker program is not as effective or responsive and requires change, which is in the process. Can you elaborate on what she meant by that?

MR. BRODERICK: Absolutely. What had happened, the evaluation form, when it came in, it was evaluated the services being performed, while Ms. McGuinness was happy with the overall quality, she really had some concerns with the timeliness and the responsiveness from FCA back to us on evaluations. That was back in October.

She worked with FCA to put a plan in place to be, I guess more timely communications. FCA had hired a coordinator, regional coordinator, which basically addressed all of her concerns. Now that coordinator, very responsive

back to the department.

LEGISLATOR ABRAHAMS: Okay. And the implementation of that plan is already in place?

MR. BRODERICK: That started in October.

LEGISLATOR ABRAHAMS: It started in October. Okay.

Just another question that's related to DSS and Family & Children's but not pertaining to this contract, per say.

For quite some time, you remember the discussions between Family & Children's, the CSEA and the County regarding that issue of the contract that wasn't going to be renewed; we just wanted to find out if there are any updates on that particular.

MR. BRODERICK: We're internalizing that program starting July 1 of this year.

LEGISLATOR ABRAHAMS: And we can do it?

MR. BRODERICK: We'll be in a position to do it. We have plans in place. We're effectuating the plans. We're hiring individuals.

LEGISLATOR ABRAHAMS: Okay. Can you keep us posted on that?

MR. BRODERICK: Absolutely. We recently appointed a director for the position. We have our plans in place and are moving forward.

LEGISLATOR ABRAHAMS: Okay. Okay.

CHAIRWOMAN GONSALVES: Any other comments or questions for Mr. Broderick?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-48 signify by saying aye.

(Aye.)

Any opposed?

Any abstentions?

Is it abstentions or nay?

MR. BRODERICK: Thank you.

CHAIRWOMAN GONSALVES: Next item is E-49, a personal services agreement on behalf of the Nassau County Department of Human Services, Office of Mental Health, Chemical Dependency and Developmental Disabilities Services and PSCH, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

And we have Ms. Murphy.

MS. MURPHY: Yes. Hi. This is a
contract with PSCH which provides mental health
services to residents in our county on the
western corridor, western portion of Nassau
County.

It is a contract for \$100,000. It is 100
percent state funded by state OMH. They have
selected this vendor to receive those funds.

CHAIRWOMAN GONSALVES: Any questions or
comments for Ms. Murphy? Minority Leader Kevan
Abrahams.

LEGISLATOR ABRAHAMS: How are you, Ms.
Murphy?

MS. MURPHY: Very good. Yourself?

LEGISLATOR ABRAHAMS: Good. I just
have a quick question. In the backup, our
counsel basically did a search and from our
records PSCH inappropriately used funds, New York
State funds, to the tune of \$11,000 for a two-day
executive and board retreat in Montauk. The

comptroller's office wrote a letter that identified \$152,680 in costs that did comply with the terms and conditions of the contract, including \$54,809 in non-allowable expenses and \$97,871 in duplicate. Are you aware of the comptroller's report and this article in Crain's in May --

MS. MURPHY: No, I am not. This is the very first that I am hearing of it.

LEGISLATOR ABRAHAMS: Okay. We obviously value the need and the service but we are extremely concerned by this particular item, these developments.

MS. MURPHY: I understand based on the information you have why you would have concerns, and you have raised legitimate concerns with me on that as well. However, I have not been informed of this. And as I said before, State OMH is the one who told us and provides the money and the revenue for these services. It's not county funds. They are the ones who had selected PSCH to provide these services.

LEGISLATOR ABRAHAMS: I believe you on that. It's just, like I said before, according

to *Crains* - I'll read it verbatim. According to *Crain's New York Business* article, which was published on May 15, 2015, the New York State Comptroller, Tom DiNapoli's office, conducted a thorough examination of expenses of PSCH and found that the not-for-profit received more than 150,000 in reimbursements from the State Office of Mental Health for inappropriate expenses, including almost \$11,000 for alcohol at a two-day executive board retreat in Montauk, Long Island.

MS. MURPHY: I do find that disturbing. Again, there is really nothing I can say except I believe that State OMH in that case should be clawing back their revenue.

LEGISLATOR ABRAHAMS: I agree.

MS. MURPHY: There is no question about that.

LEGISLATOR NICOLELLO: I would like to make a motion to table to allow the commissioner time to investigate this issue.

LEGISLATOR DUNNE: Seconding the motion.

CHAIRWOMAN GONSALVES: Motion to table by Legislator Nicolello, seconded by Legislator

Dunne.

All those in favor of tabling this item
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

MS. MURPHY: Thank you.

CHAIRWOMAN GONSALVES: The next item is
E-50, a personal services agreement between the
County of Nassau, acting on behalf of the Nassau
County Board of Elections, and Nuzzi Bros. Moving
Service, Inc.

Motion, please?

Seconded? Okay.

And I'm going to move to table it.

I'm moving to table E-50.

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

All those in favor of E-50 being tabled
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

The next item, E-51, a personal services agreement between the County of Nassau acting on behalf of the Department of Traffic Safety Board and Danielle P. Rella.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

I'm going to also move that this item be tabled as well.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

This item has been called.

All those in favor of tabling it signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

Next item is E-53, a personal services agreement between the County of Nassau, acting on behalf of the County Office of Human Resources, and Aetna Life Insurance Company.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

Who is here to speak on this item?

MR. BLANCO: Good afternoon. Sergio Blanco from the Comptroller's Office here to speak on behalf of the contract with the County of Nassau and Aetna.

CHAIRWOMAN GONSALVES: What can you tell us about this contract?

MR. BLANCO: This contract, the purpose is to cover those new hires for the various unions throughout the County. This plan will cover substantially the same services as the current contract we have with NYSHIP for health

benefits. The difference is for those new hires, this plan is a little over 15 percent cheaper than the current county plan. So the new hires will no longer have to contribute for the health insurance and, in addition, as this current plan is 78 percent of the current cost for NYSHIP, the county will realize a savings as well.

CHAIRWOMAN GONSALVES: Legislator Kopel.

LEGISLATOR KOPEL: So it's going to be cheaper than the past contracts. What about - how much cheaper would it be than other possible plans out there?

MR. BLANCO: I don't know with respect to the few HMOs the county has a contract with. However, the vast majority of county employees are enrolled through NYSHIP, which is administered by Empire/Blue Cross, and this plan will be --

LEGISLATOR KOPEL: No, no. I understood what you said. But my question was different. My question was have you investigated others beyond this one as well?

MR. BLANCO: Yes, sir. This was actually submitted for an RFP. We got various

responses. They were the second lowest bidder, with terms of premium. The lowest bidder was a vendor that does not have the facilities to appropriately cover the entire workforce. It was really limited to the north shore of Nassau County with lesser coverage in Suffolk and other areas, whereas Aetna is a nationwide company and did have the second lowest rate.

LEGISLATOR KOPEL: Okay. Thank you.

MR. BLANCO: You're welcome, legislator.

CHAIRWOMAN GONSALVES: Legislator Dunne.

LEGISLATOR DUNNE: I'm just a little confused here. We're supposed to - in order to save taxpayers' dollars, the new hires are supposed to pay 15 percent of their health insurance.

MR. BLANCO: That's correct.

LEGISLATOR DUNNE: All right. So no matter what it costs, they're paying, whomever, is paying 15 percent. Now you're saying that that's being waived because it's cheaper. How are we saving taxpayer dollars if we're going to be - oh, we got it cheaper so you don't have to do it? That doesn't sound like the plan was.

MR. BLANCO: That's another great question, Legislator. The contract actually allowed for a contribution for new hires until such time as the county elected a health benefits plan that was at least 15 percent cheaper than the current plan being offered. So the county is still realizing savings. Again, as I mentioned, this is actually lower than 85 percent, so the county is realizing additional savings as opposed to new members contributing 15 percent. This is going to save us even more money.

CHAIRWOMAN GONSALVES: Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Mr. Blanco, could you just walk me through, in terms of how the comptroller's office made the decision to RFP this process?

MR. BLANCO: Now the comptroller's office was not responsible for the RFP of this document. There were a few employees from our office who were on the evaluation committee, as well as a representative from each major union, who was also a part of the evaluation committee. But the actual procurement was handled by the

Office of HR.

LEGISLATOR ABRAHAMS: Office of HR.

Okay. They made the determination to do an RFP because? Was Blue Cross/Blue Shield, the Empire, was their proposal too high for these future employees? I'm just trying to make sure I understand the rationale why we decided to make the RFP for these new employees and not go with the current format.

MR. BLANCO: As I was not involved in the actual drafting for the RFP or the procurement itself, I can't speak to that. That would be a question better answered by HR.

LEGISLATOR ABRAHAMS: Okay. Madam Presiding Officer, I respectfully request that we have somebody from HR here before this committee move forward.

MR. BLANCO: I can say that Empire did submit a proposal for the RFP, and it was substantially more expensive than the offerings by Aetna.

LEGISLATOR ABRAHAMS: Legislator Jacobs asked me a very good question. Describe to us, if you can, how comparable this is to what the

Empire Plan is.

MR. BLANCO: It's almost identical. It's not exactly identical. But after you actually read the contract, Aetna is required to give us benefits substantially similar to those being offered by NYSHIP, which is right in the second page of the contract, I believe, with respect to services. Actually, it's on page one, section two: Such plan, design and benefits, shall be maintained in a manner that is the same or substantially similar to the benefits contained in the Empire Plan with Core Plan, known as the Empire Plan, as made available by the New York State Health Insurance Program. So they are contractually obligated to provide similar benefits, substantially similar benefits.

LEGISLATOR ABRAHAMS: I see. Like I said, I'm looking at the backup and from our standpoint I'm still a little hazy on why we actually decided to not roll it into the Empire Plan.

MR. BLANCO: Again, since I was not involved in that process I cannot speak to that.

LEGISLATOR ABRAHAMS: There is some

trepidation. I'm sure, as you're familiar with BPA, with that insurance situation that happened in the late 90's. From our side, we are very hesitant whenever we see a proposal.

How long was the RFP process?

MR. BLANCO: I believe it was over a month. It was actually, again, in the documents. Bear with me one minute and I can read it out to you. The RFP was --

LEGISLATOR ABRAHAMS: I'm -- I'm sorry. Go ahead.

MR. BLANCO: The RFP was issued on August 8, 2015, in *Newsday* and industry websites via e-mail to interested parties and by publication on the county's procurement website, and the proposals were due September 28, 2015, wherein the county received five proposals, including one from the Empire Plan.

LEGISLATOR ABRAHAMS: And the steering committee that you talked about that actually was a part of this process, what were the evaluation tools that they had in order to be able to evaluate the Empire Plan versus any future proposals they were going to get before the

2 proposals that's before us today that we
3 received?

4 MR. BLANCO: I was not on the evaluation
5 committee myself so I can't speak to that.

6 LEGISLATOR ABRAHAMS: Okay. I
7 appreciate that.

8 CHAIRWOMAN GONSALVES: Legislator
9 Nicolello.

10 MS. D'ALLEVA: Hi. Roseanne D'Alleva.
11 Just to clarify. This is an option. So new
12 employees have an option not to pay for their
13 health insurance, like everyone else, or they
14 have the option to choose NYSHIP and pay 15
15 percent.

16 LEGISLATOR ABRAHAMS: Ms. D'Alleva, if
17 you could answer some questions. I don't know if
18 you can.

19 MS. D'ALLEVA: I actually was not on the
20 evaluation committee; my deputy budget director
21 was. I will try to answer your questions.

22 LEGISLATOR ABRAHAMS: How was it a
23 determination of the administration to actually
24 do an RFP and not have these future employees
25 actually be rolled into the Empire Plan? What

was the decision-making process?

MS. D'ALLEVA: Actually, we were asked by the unions to provide a no-cost health insurance plan. So we did an RFP to do so. The employees, the new employees have the option to enroll themselves into NYSHIP and have a 15 percent deduction from their paychecks.

LEGISLATOR ABRAHAMS: I see. That's the question I was driving at. That actually leads me to my second question. Don't go anywhere just yet. That actually leads me into my second question. Were there any meetings, any discussions with any of the vendors and anyone on the steering committee prior to this actual contract being awarded?

MS. D'ALLEVA: Yes. There were several meetings. The proposals were evaluated. I believe HR hosted those meetings. And the evaluation committee voted on the selection of Aetna.

LEGISLATOR ABRAHAMS: Okay.

MS. D'ALLEVA: As the option for no-cost health insurance for new employees.

LEGISLATOR ABRAHAMS: I see.

MS. D'ALLEVA: All the proposals were vetted, and there were several.

LEGISLATOR ABRAHAMS: I see.

CHAIRWOMAN GONSALVES: Legislator Nicolello.

LEGISLATOR NICOLELLO: What's the term of this agreement?

MR. BLANCO: It's a three year term.

LEGISLATOR NICOLELLO: What if, in year three, Aetna's cost rise to the point that the savings to the county will be less than the 15 percent if an employee were to opt for the Empire Plan? Is there a guarantee here that the county's cost is not going to rise above that threshold?

MR. BLANCO: The contract did speak to that. In the payment section of the contract, the contractor after the first year may propose rate changes. Those rate changes have to be substantiated to the satisfaction of the county and they also have to be approved by the county. However, throughout the term of the agreement the contractor must provide benefits at a cost that is equal to or less than 85 percent of the Empire

Plan.

LEGISLATOR NICOLELLO: Thank you.

CHAIRWOMAN GONSALVES: Any other questions or comments?

LEGISLATOR DUNNE: Just whenever we do an insurance thing, we always ask if there are any hidden fees involved in this.

MR. BLANCO: Not to my knowledge. It's pretty straightforward. The fees, what the premium costs will be is in the contract. It's pretty straightforward.

LEGISLATOR DUNNE: Thank you.

CHAIRWOMAN GONSALVES: Any public comment on this item?

(No verbal response.)

There being none; all those in favor of E-53 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

Okay. The item passes four to three.

The next item is E-54, a personal services agreement between the County, acting on behalf of the Nassau County District Attorney's

Office, and Family & Children's Association.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Dunne.

Mr. McManus.

MR. MCMANUS: Thank you. The item
before you is for services through the Counsel on
Thought and Action, known by the acronym of COTA.
COTA operates within the Village of Hempstead,
and is a program that provides job training and
educational services to non-violent offenders and
recently incarcerated individuals to reduce
recidivism and to enhance the chances of
participants becoming productive citizens. Among
the services provided are case management,
outreach, and mentoring. For this contract
period, the program is being expanded to the City
of Long Beach.

The program was initiated as a part of
the district attorney's Hempstead Village
Community Improvement Project, and Family &
Children's Association has been a partner with

the District Attorney's Office on this program for what will be the tenth year.

CHAIRWOMAN GONSALVES: Any questions of Mr. McManus? Legislator Kopel.

LEGISLATOR KOPEL: Mr. McManus -

MR. MCMANUS: Yes.

LEGISLATOR KOPEL: So tell me, please, how do you select - what is the criteria, what are the criteria, I should say, for selection of the participants on the program?

MR. MCMANUS: The participants in the program are selected in conjunction with the Probation Department and the staff at the facility or institution where the person has been incarcerated. We work with probation, in terms of identifying individuals who would be appropriately served by this program.

LEGISLATOR KOPEL: Yes. You've told me who does it but you haven't told me how. What I asked you was if you have any criteria that are applied on a consistent basis by which you were able to identify the proper participants.

MR. MCMANUS: Yes, sir. I don't have that information with me at this point, but I

will be glad to provide it to you as soon as I get back to the office.

LEGISLATOR KOPEL: This money is - the funding for this is completely through forfeiture money?

MR. MCMANUS: Partly through forfeiture and partly through grant funding. There is no cost from the county general fund.

LEGISLATOR KOPEL: So you say that there are no violent offenders in this.

MR. MCMANUS: No, sir. I said that it's open to non-violent offenders and recently incarcerated individuals, some of whom might indeed be violent offenders.

LEGISLATOR KOPEL: And how would you define violent? Let's say you had somebody who was a pusher, a pusher, is that a violent - would that be considered non-violent?

MR. MCMANUS: No. Drug pushers, as you put it, would not be considered non-violent offenders in regards to the guidelines of this program. However, it is possible that people convicted of drug offenses, when they are incarcerated, could be a part of this program if

they were deemed eligible.

LEGISLATOR KOPEL: So you talk about prior offenders, you said prior offenders when they come back; is that how it would work?

MR. MCMANUS: It's non-violent offenders or prior offenders who have been incarcerated for a period of time.

LEGISLATOR KOPEL: Okay. Fine. I understand. That's some sort of an early release type of?

MR. MCMANUS: It's not early release. No, sir. They serve their full sentence. This program provides services when they are released. It is not an early release program.

LEGISLATOR KOPEL: Have you compiled any statistics on recidivism?

MR. MCMANUS: Yes, sir. There is data available.

LEGISLATOR KOPEL: And what are those data? What have they told you?

MR. MCMANUS: We feel that the program has been very beneficial. Most of the participants have successfully completed the program.

LEGISLATOR KOPEL: When you say most, can you drill down a little bit?

MR. MCMANUS: I would say at this point most means a majority. I would be happy to try to obtain more detailed information for you.

LEGISLATOR KOPEL: At this point you don't know how successful the program has been. You're not able to quantify that at all.

MR. MCMANUS: No, sir. Not here. I don't have the information with me to be able to quantify it.

LEGISLATOR KOPEL: So how are we supposed to decide this?

MR. MCMANUS: As I said to you, I'm happy to provide whatever statistics are available once I get back to the office. That's not a problem.

LEGISLATOR KOPEL: I thank you for this. I think that perhaps you ought to do just that. Pending that, I'm going to make a motion to table.

CHAIRWOMAN GONSALVES: Motion by Mr. Kopel, seconded by Legislator Dunne.

All those in favor of tabling E-54

signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

The item is tabled.

LEGISLATOR KOPEL: And if you would,
just get that to us in advance, please.

CHAIRWOMAN GONSALVES: If you can get it
back to us today.

MR. MCMANUS: Yes, ma'am. But I still
have some more items that I have to speak on.

CHAIRWOMAN GONSALVES: Okay. That's no
problem.

MR. MCMANUS: Thank you.

CHAIRWOMAN GONSALVES: The next items
are E-55 and E-56. E-55 is a special counsel
contract entered into by Nassau County Attorney
and Wilson Elser Moskowitz Edelman & Dicker LLP.

E-56, a resolution affirming to a special
counsel contract entered into by the Nassau
County Attorney and Wilson Elser Moskowitz
Edelman & Dicker LLP.

Motion for the two of them?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

And I'm going to now ask for a motion to
table.

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Motion by
Legislator Kopel, seconded by Legislator Dunne.

All those in favor of tabling E-55 and E-
56 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items are tabled.

E-57 is 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 Parks, Recreation and Museums and
Ed Moore Advertising, Inc.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Dunne.

I'm going to now call for a motion to
table.

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Dunne.

All those in favor of tabling E-57
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

E-58 is a personal services agreement
between the County of Nassau, acting on behalf of
the Nassau County Board of Elections, and Super
Express Service, Inc. d/b/a The Moving Doctor.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator
Nicolello.

Who is here to speak on this item? Is there anyone here to speak on this item? No one is here to speak on this item? Guess what? A motion to table.

LEGISLATOR NICOLELLO: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Nicolello, seconded by Legislator Kopel.

We can open it again if we have somebody here to talk about it.

All of these items can be untabled.

All those in favor of tabling E-58 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item is tabled.

E-59, a personal services agreement between the County of Nassau, acting on behalf of the Office of the Nassau County Attorney, and Long Island Auto Appraisers, Inc.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator
Nicolello.

Anyone here to speak on this item?

(No verbal response.)

We're not doing too well here, guys. You
know what the next step is; a motion to table.
Oh, I'm sorry. I'm sorry. Okay. I didn't take
the motion.

MR. GREGWARE: Deputy County Attorney
Dan Gregware.

CHAIRWOMAN GONSALVES: Okay. What can
you tell us about this?

MR. GREGWARE: That's an extension to an
existing contract to provide appraisal services
for the county attorney's office.

CHAIRWOMAN GONSALVES: Any questions?

(No verbal response.)

No questions. Any public comment?

(No verbal response.)

There being none; all those in favor of
E-59 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes four-zero-three.

E-60, a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Police Department, and Integrated Forensic Lab, LLC.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

And we have the Lieutenant here.

LIEUTENANT STEPHANOFF: Good afternoon. Lieutenant Greg Stephanoff. E-60 is to add funds to an existing contract, Integrated Forensic Laboratories. The additional amount to be encumbered is for current analysis activity through the expiration of this contract.

IFO will conduct ballistic, microscopy ballistic forensics and ballistic analysis. They basically test our firearms, bullets, and shell casings for investigations, and this is to add

2 \$120,000.

3 CHAIRWOMAN GONSALVES: We have
4 Legislator Kopel, Legislator Dunne, and
5 Legislator Jacobs.

6 LEGISLATOR KOPEL: Good afternoon,
7 Lieutenant.

8 LIEUTENANT STEPHANOFF: Good afternoon.

9 LEGISLATOR KOPEL: So, why aren't we
10 doing this here?

11 LIEUTENANT STEPHANOFF: The ME's office
12 is getting up in disciplines to take over what we
13 used to do in the lab, but this is not one of the
14 ones that they're currently working on to get
15 accredited. They're working on to get accredited
16 for drug testing at the current time, drug
17 testing and arson.

18 LEGISLATOR KOPEL: Do we not have the
19 expertise in-house?

20 LIEUTENANT STEPHANOFF: No.

21 LEGISLATOR KOPEL: We don't have it.
22 You'd have to start hiring people?

23 LIEUTENANT STEPHANOFF: We'd have to get
24 accredited for this to take over this discipline.

25 LEGISLATOR KOPEL: And why are we not?

LIEUTENANT STEPHANOFF: Because they're focusing on the bigger disciplines, our drug analysis and our arson - those are where we have more volume.

LEGISLATOR KOPEL: You can't do them both?

LIEUTENANT STEPHANOFF: As far as I'm told, they're getting accredited for what they can.

LEGISLATOR KOPEL: I see this goes until '18. Does that indicate that you don't expect this to be accredited before that?

LIEUTENANT STEPHANOFF: I'm sorry. Say that again.

LEGISLATOR KOPEL: This contract runs through 2018, right?

LIEUTENANT STEPHANOFF: '16. September '16.

LEGISLATOR KOPEL: I'm sorry. But you've got options. Whose options are those, our or theirs?

LIEUTENANT STEPHANOFF: To renew, we have the option to renew.

LEGISLATOR KOPEL: Our option. Okay.

LIEUTENANT STEPHANOFF: We're going to use them, this service, if the ME gets up and running, we'll use this until they get up and running to full capacity.

LEGISLATOR KOPEL: Was this bid out?

LIEUTENANT STEPHANOFF: This is a current contract. We're just adding money. The contract - the contract was back when we entered into the contract.

LEGISLATOR KOPEL: So it's on a piece-work basis; is that how it works? Is that a per analysis fee?

LIEUTENANT STEPHANOFF: What we're paying?

LEGISLATOR KOPEL: Yes.

LIEUTENANT STEPHANOFF: Yes.

LEGISLATOR KOPEL: Okay. Fine. So it will be on the same basis as what was received in the bid.

LIEUTENANT STEPHANOFF: Yes. As the current contract. We're not changing the terms. We're just adding money to do future investigations.

LEGISLATOR KOPEL: Okay. Thank you.

LIEUTENANT STEPHANOFF: You're welcome.

CHAIRWOMAN GONSALVES: Legislator Dunne.

LEGISLATOR DUNNE: I understand that we drive the evidence to Texas. We have a detective or two taking the evidence to Texas.

LIEUTENANT STEPHANOFF: Texas, I don't believe.

LEGISLATOR DUNNE: Isn't that were it is? It's in Bedford, Texas.

LIEUTENANT STEPHANOFF: I don't believe we drive this to Texas. I believe we drive to Pennsylvania.

LEGISLATOR DUNNE: So how do we get the evidence there? That's the chain of, you know, evidence.

LIEUTENANT STEPHANOFF: I can find out. I know we drive to Pennsylvania.

CHAIRWOMAN GONSALVES: I believe there is someone here.

LIEUTENANT STEPHANOFF: We're giving it to a satellite office in Pennsylvania, and they're testing it in Pennsylvania. This is just their headquarters.

LEGISLATOR DUNNE: Okay. So we drive

it to Pennsylvania.

LIEUTENANT STEPHANOFF: Yes. We drive to Pennsylvania.

LEGISLATOR DUNNE: After seeing all of that stuff about O.J. over the weekend, we don't want any chain of evidence being messed up.

LIEUTENANT STEPHANOFF: What I was told is we drive to Pennsylvania for this and the other evidence.

LEGISLATOR DUNNE: All right. Thank you.

CHAIRWOMAN GONSALVES: Legislator Jacobs.

LEGISLATOR JACOBS: I have a question I wanted to ask you. I know the whole story. I'm glad you're able to continue to do the investigations on this work and what has to be done, considering what happened and how bad it was. Can I ask you this? Do we have a timetable in place right now as to when the Forensic Evidence Bureau might be reaccredited and re-opened?

LIEUTENANT STEPHANOFF: In the police department?

LEGISLATOR JACOBS: Yeah.

LIEUTENANT STEPHANOFF: I think the movement is that the ME's office will take over.

LEGISLATOR JACOBS: Do you have any idea of when?

LIEUTENANT STEPHANOFF: For this discipline?

LEGISLATOR JACOBS: Well, I'd love to see it all open. But let's say for this discipline.

LIEUTENANT STEPHANOFF: For this discipline, they're not being accredited at the current time. They're not going -- they're going for the accreditation of drug analysis and arson because those are the bigger disciplines.

LEGISLATOR JACOBS: Once they get that -

-

LIEUTENANT STEPHANOFF: Then they're going to continue for other disciplines.

LEGISLATOR JACOBS: Okay. I assume the hope is or the idea is that we eventually reach a point where we're back to what we should have been --

LIEUTENANT STEPHANOFF: Yes.

2 LEGISLATOR JACOBS: what we were but
3 just didn't work.

4 LIEUTENANT STEPHANOFF: It just takes
5 time getting accredited.

6 LEGISLATOR JACOBS: Okay. Fine. Thank
7 you very much.

8 CHAIRWOMAN GONSALVES: Any other
9 questions or comments?

10 (No verbal response.)

11 Any public comment?

12 (No verbal response.)

13 There being none; all those in favor of
14 E-60 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 The item passes unanimously.

19 Next one is E-61, a personal services
20 agreement between Nassau County, on behalf of the
21 Nassau County Police Department, and National
22 Medical Services d/b/a NMS Labs.

23 Motion, please?

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator
Nicolello.

Lieutenant.

LIEUTENANT STEPHANOFF: This contract is
to extend the term to include 2016 and also to
add funds to National Medical Service.

National Medical Service does our drug
testing, which is heroin and other drugs. This
is what we drive over to Pennsylvania to get
tested. This is the discipline that the ME is
currently getting accredited for. Once they get
up to full capacity, we just -- the department
feels it necessary to maintain this contract
until the ME gets up to full capacity to allow us
to test drugs.

CHAIRWOMAN GONSALVES: Any other
comments or questions for the Lieutenant?
Legislator Nicolello.

LEGISLATOR NICOLELLO: Why is it taking
so long to get this accreditation done? It's
been six or seven years now since the whole
issue.

LIEUTENANT STEPHANOFF: The ME has taken

over certain disciplines from us. They're continuing as they go. This is a big discipline so it takes --

LEGISLATOR NICOLELLO: It's a time consuming process.

LIEUTENANT STEPHANOFF: I believe it's time consuming to put everything in place and then also to have the space necessary, also.

LEGISLATOR NICOLELLO: Do we foresee that this will be the last of these contracts, at least with respect to the drug testing? Is it possible that they'll --

LIEUTENANT STEPHANOFF: I hope so. We will need NMS. NMS we used before when we had a lab for some testing. But the bulk of this should be taken over.

LEGISLATOR NICOLELLO: Thank you.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: Any other questions or comments for the Lieutenant?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of

2 E-61 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 The item passes unanimously.

7 LIEUTENANT STEPHANOFF: Thank you.

8 CHAIRWOMAN GONSALVES: Thank you,

9 Lieutenant.

10 The next item is E-62, a personal
11 services agreement on behalf of the Office of the
12 Nassau County Comptroller and RSM US LLP.

13 Motion, please?

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

16 CHAIRWOMAN GONSALVES: Motion by
17 Legislator Dunne, seconded by Legislator Kopel.

18 MR. BLANCO: Again, Sergio Blanco here
19 from the comptroller's office to present this
20 amendment to a personal services contract between
21 the County of Nassau and RSM, formerly known as
22 McGladry (phonetic).

23 CHAIRWOMAN GONSALVES: Formerly known as
24 what?

25 MR. BLANCO: McGladry.

LEGISLATOR KOPEL: Come again?

MR. BLANCO: Formerly known as McGladry, LLP. They changed their name to RSM. My apologies.

LEGISLATOR ABRAHAMS: If I may.

CHAIRWOMAN GONSALVES: Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam Presiding Officer. Mr. Blanco, just a quick question in regards to the RFP and the procurement process.

It was handled by the comptroller's office?

MR. BLANCO: Yes, sir, it was.

LEGISLATOR ABRAHAMS: The RFPing of the contract, the reviewing -- the RFPing as well as the review of the proposals has been handled by the comptroller's office as well?

MR. BLANCO: That's correct, sir.

LEGISLATOR ABRAHAMS: Thank you very much, Mr. Blanco.

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

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
E-62 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(Yes.)

Thank you, Sergio.

I was going to untable E-58. Where did
he go? The item is on behalf of the Board of
Elections. Is somebody here?

I'm going to ask for a motion to untable
E-58.

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator Dunne.

And we have?

All those in favor of untabling E-58
signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Okay.

MR. NIDELCA: Good afternoon. My name is Larry Nidelca. I'm with the Nassau County Board of Elections. I'm here to respond to questions regarding our trucking contracts. Before I do that, let me just give you a brief history of what the trucking contracts are for.

As you know, when people go to vote at their regular polling places on Election Day, Primary Day, special elections, the voting equipment meets them at the place for them to vote on. We store it in Mineola, which means we need truckers to get them to and from the polling places.

What the Board does, at its own level, we put out a bid, a competitively sealed bid, for the ten routes the county has been broken down into, covering all of the polling sites that we use. We send an advertisement and legal notices to *Newsday*, and then what we do is we send existing contractors the bid specs and then anybody who has inquired over the time between bids, if they'd like to be a vendor, we give them

the bid specs and if anybody calls in during the bid process we give them bid specs as well.

These bids come to the Board of Elections, they are sealed, marked, and in a bipartisan fashion they are locked up to make sure there is no, I guess for lack of a better word, any hanky panky on them. They are opened up and analyzed based on the prices by routes and equipment, and then a determination is made by both commissioners at the Board of Elections as to who is getting the awards for the various routes that are in question.

CHAIRWOMAN GONSALVES: Any questions of Mr. Nidelca? Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam Presiding Officer.

Mr. Nidelca, just to save yourself from the questioning on E-50. The procurement was handled the same way as you've just announced this way, internally with the Board of Elections in regards to the RFP process?

MR. NIDELCA: Yes, sir.

LEGISLATOR ABRAHAMS: Okay. In a bipartisan way.

MR. NIDELCA: Right. We have three vendors that won this year, up from two from the prior year. I think you have two today. The other one, the paperwork is being completed for a future calendar date.

CHAIRWOMAN GONSALVES: Any other questions of Mr. Nidelca?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-58 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The item passes unanimously.

There are several items -- thank you, Mr. Nidelca.

There are several items to be untabled, beginning with -- in fact, there are five of them, all having to do with towing, and it's E-31, E-32, E-33, E-34, E-35. Just so it's on the record, they're all personal services agreements between the Nassau County Police Department - the

first one, CNR Automotive, Inc.; 32, again on behalf of the Police Department and T&D Towing Corporation; E-33, also a personal services agreement between the Police Department and A1 Grand Auto Body, Inc.; E-34, a personal services agreement between the Police Department and North Shore Auto and Towing, Inc.; and E-35, again a personal services agreement between the County of Nassau, acting on behalf of the Police Department and All County Hookup Towing, Inc., d/b/a All County Towing and Recovery.

Motion to untable E-31, 32, 33, 34, 35.

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Nicolello.

All those in favor of untabling those items that were just called signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The items are now untabled.

You want to add any information? Do you have any information that we didn't have before?

LIEUTENANT STEPHANOFF: No. We have since submitted the forms that were requested with the appropriate answers. Also, the business disclosure form - the principal disclosure form for the one company that was requested.

CHAIRWOMAN GONSALVES: So all of the information that was lacking is now on file, correct?

LIEUTENANT STEPHANOFF: Yes.

CHAIRWOMAN GONSALVES: Legislator Jacobs.

LEGISLATOR JACOBS: Lieutenant, my question is by doing it this way where you're literally choosing one tow truck company for each section you're really closing the door on it being open to all of the ones you approved being able to respond. Is there a reason for that?

LIEUTENANT STEPHANOFF: Each company has to have requirements. In other words, they have to have a storage yard that's secure, they have to be licensed in the area. Not all companies are licensed in all the areas. What we are able

2 to do is if a company is not available, we are
3 allowed to go to the adjoining one that can tow.
4 Having more companies actually leaves
5 flexibility, where if a company is not available
6 for some reason - because they do do other
7 business besides work for us, then we can use an
8 adjoining company that can come. This way it
9 lends itself to getting the car off the road
10 quick, in some instances.

11 LEGISLATOR JACOBS: Is this fair to all
12 these companies, that they all have a shot at
13 everything? I know that this is their work.
14 This is what they do. Let's say, for example -
15 I'm just looking at the one that I'm opened up to
16 - All County Hookup - I'm not picking them for
17 any reason. They are located - I don't know from
18 this form where they are located. It doesn't
19 matter.

20 LIEUTENANT STEPHANOFF: All County?

21 LEGISLATOR JACOBS: Yeah.

22 LIEUTENANT STEPHANOFF: I believe
23 Freeport.

24 LEGISLATOR JACOBS: Obviously, they are
25 located -- they are physically located in that

particular area.

LIEUTENANT STEPHANOFF: Yes.

LEGISLATOR JACOBS: So they are the first one you call?

LIEUTENANT STEPHANOFF: For the zones that they are going to cover, they have five zones, so they will be the primary in those five zones and they will be called first.

LEGISLATOR JACOBS: Under this present system, can anyone else put in a request to be part of those zones or --

LIEUTENANT STEPHANOFF: When we put out -- we did a *Newsday* advertisement, and we collected bids. At the time, companies can bid on the zones. There was a selection committee -- we chose the highest responsible bidders that are able to perform the work in those areas.

LEGISLATOR JACOBS: But then you said before that if they are overwhelmed or if they don't have the capabilities you can go outside of that?

LIEUTENANT STEPHANOFF: Yes. I believe we use the adjoining.

MR. SPUTO: We use a contractor who won

an adjoining zone.

LEGISLATOR JACOBS: You understand where I'm coming from with this. I'm just thinking that if you approve of all of these people then it almost seems fair they let them all be available, on-call no matter where in Nassau County. I'm not an expert on this.

LIEUTENANT STEPHANOFF: They also bid to what they can handle for the work, for those impound zones.

LEGISLATOR JACOBS: Thank you.

CHAIRWOMAN GONSALVES: Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam Presiding Officer.

Just a quick question, Sergeant. To the way it's done now, if something happens on Main Street and Seaman in Freeport and we require tow truck services, explain to me the process that happens now, before this contract is approved.

DETECTIVE-LIEUTENANT SPUTO: Detective Lieutenant Robert Sputo - S-P-U-T-O.

The current contractor moving forward is pretty much working the way it has been for the

last number of years. Specifically, we're not dealing with every disabled vehicle on the road; these are just vehicles that are impounded by the Police Department. If we deem a vehicle to be impounded, we call the impound contractor who has that zone and they provide the service.

The person who bids on a zone and is a successful bidder and wins the contract must have a storage location, either in that zone or in an adjacent zone. What we're trying to do is we're trying to make sure that they do have the storage facilities and they're not going to bring a vehicle to the other side of the county and inconvenience us or inconvenience the person who owns the car. We make sure that they have proper storage, that all the locations are secure, that they are well lit, and that's what we do moving forward.

LEGISLATOR ABRAHAMS: So the process that happens currently now is not much different than what we're going to, we just RFPd it out again?

DETECTIVE LIEUTENANT SPUTO: Yes.

LEGISLATOR ABRAHAMS: Did we change the

configurations of the zones?

LIEUTENANT STEPHANOFF: Yes. We separated the LIE, the 135, and for any big vehicles that need to be towed we have a company for that also, as well. The reason - the LIE previously cut through several precincts. This uniformed it where one company is called on any area of the LIE or the 135 and it will streamline it to get the car off the road quicker.

LEGISLATOR ABRAHAMS: Okay. Thank you.

LIEUTENANT STEPHANOFF: You're welcome.

CHAIRWOMAN GONSALVES: Any other questions or comments for the Lieutenant?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of E-31, E-32, E-33, E-34, E-35 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(Abstain.)

The items pass four-zero-three.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: I'm going to recess the Rules Committee. If information is forthcoming for items that were tabled, we will resume when we come back after the other two committees meet.

(Whereupon, the Rules Committee recessed at 2:43 p.m.)

(Whereupon, the Rules Committee reconvened at 3:53 p.m.)

CHAIRWOMAN GONSALVES: We are now back in session, so would my colleagues please take their seats?

I'm going to ask for a motion to suspend the rules.

LEGISLATOR KOPEL: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Kopel, seconded by Legislator Dunne.

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

(Aye.)

Any opposed?

(No verbal response.)

The rules are now suspended.

As a request, I'm going to call Item 96 on the addendum agenda. I know that two of the legislators need to recuse themselves, and that's Minority Leader Kevan Abrahams and Legislator Jacobs.

The item is a resolution authorizing the county attorney compromise and settle any and all claims between Lighthouse Development Group, LLC, and the County of Nassau; pursuant to the County Law, County Government Law, and the Nassau County Administrative Code.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Dunne, seconded by Legislator Kopel.

I believe that there was testimony given during the Finance Committee; correct, Legislator Nicolello?

LEGISLATOR NICOLELLO: Yes.

CHAIRWOMAN GONSALVES: Is there any other additional information? Would you like

2 Pinnone and Lopes to be up here? Legislator
3 Solages.

4 LEGISLATOR SOLAGES: Thank you,
5 Presiding Officer.

6 Good afternoon, counselors.

7 MR. MEYER: Good afternoon.

8 LEGISLATOR SOLAGES: Just a couple of
9 more questions I had.

10 If the Islanders breach this agreement or
11 the sublicense, can the county seek specific
12 enforcement or performance requiring the
13 Islanders to use the facility as a practice
14 facility for open practices?

15 MR. MEYER: As I indicated before during
16 the Finance Committee in executive session, those
17 types of questions may be better answered back in
18 executive session, as there is a possibility of
19 litigation.

20 LEGISLATOR SOLAGES: Okay. But if the
21 Islanders permanently vacate the premises in year
22 three, must the Lighthouse pay the penalty amount
23 for each succeeding year, through year zero?

24 MR. MEYER: I'm sorry. Can you repeat
25 that question, please?

LEGISLATOR SOLAGES: If the Islanders permanently vacate the premises in year three, must the Lighthouse pay the penalty amount for each succeeding year through year ten?

MR. MEYER: Just to further describe that, as I had indicated in my prior remarks during the Finance Committee, what would happen on that is that the settlement amount is \$3.5 million. So in that first year, if they were to vacate, they would pay the \$3.5 million if it was determined that the Islanders did not use Twin Rinks as their primary practice facility. In the second year that number would be reduced by \$450,000. So for the first five years it gets reduced by \$450,000. So it would be \$3.05 million in year two. It's just a one-time payment at that point.

What the county is attempting to do is recoup whatever amount of the \$3.5 million isn't utilized in any given year. So that \$3.5 million is amortized over that period of time. It's just a one-time payment to reimburse the county for the amount that it would not be used.

LEGISLATOR SOLAGES: You mentioned that

2 a million would go to improve county parks. Can
3 you specify any particular improvements in county
4 parks?

5 MR. MEYER: I cannot at this time. It's
6 just to be used for any general parks.

7 LEGISLATOR SOLAGES: I understand.

8 Just for best practices going forward,
9 this was presented to my team, my staff Friday,
10 last week, just three days ago. Please, go
11 forward. Just better notice, more advanced
12 notice would be preferred.

13 MR. MEYER: The point is well taken.
14 Understood, Legislator.

15 LEGISLATOR SOLAGES: Thank you.

16 CHAIRWOMAN GONSALVES: Any other
17 comments or questions?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 Item 96 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

We have five to zero, two recusals.

MR. MEYER: Thank you very much.

CHAIRWOMAN GONSALVES: Thank you very much.

Since a number of items went through other committees, particularly Public Safety, Finance, the testimony of those committees will be incorporated into the Rules Committee. I'm going to call the items, as agreed upon.

Item 58, 59, 60, 61, 62, 67, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 94, 86, 87, 88, 89, 90, 93, and I think I said 94, and on the addendum agenda we have Item 70.

(Whereupon, the following are the minutes of the March 7, 2016, Public Safety Committee pertaining to Clerk Items 60, 61, 62, 67, 68, 69, 70, 71, 72, and 74-16.)

The first item which was called, the 60-16, was a grant for \$3,000 dedicated for the Child Passenger Safety Program provided by Traffic Safety. The grant allows for Traffic Safety to purchase car seats and equipment for doing specifically our mobile traffic child

2 safety seat checks, which actually we do in the
3 legislative districts.

4 CHAIRMAN DUNNE: Which is a great
5 program. We might as well as well vote on them
6 individually. We called them all together but
7 we're going to vote on them individually.

8 The motion is made and passed.

9 Does anybody have any questions on this
10 item?

11 (No verbal response.)

12 There being none; all those in favor
13 indicate by saying aye.

14 (Aye.)

15 Any against?

16 (No verbal response.)

17 It passes on to Finance.

18 The next one was 68-16.

19 MR. MISTRON: 68-16, again is a grant
20 that we received. There is surcharge money
21 charged for people that park in handicapped
22 parking spaces. The legislation in the State
23 calls for that surcharge to be able to be used
24 for educational programs involved for physically
25 challenged people. We utilize that money through

another organization to do everything from child specialized traffic safety programs to mobility programs.

CHAIRMAN DUNNE: Okay. Any questions on this from any of the legislators?

(No verbal response.)

All in favor indicate by saying aye.

(Aye.)

Against?

(No verbal response.)

It passes on to Finance also.

Now 69-16.

MR. MISTRON: The final one is the police traffic services grant, that again, Traffic Safety applied for on behalf of all the police departments in Nassau County, the Nassau County PD and the village and city police.

This particular enforcement is split between the annual Buckle-Up enforcement wave that takes place the end of May, as well as specialized enforcement for everything from pedestrian safety to speed enforcement and aggressive driving enforcement, as well as the new component for cell phone use.

CHAIRMAN DUNNE: Any questions on this?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

It passes unanimously on to Finance.

Thank you, Mr. Mistrion.

The next item coming up before us will be
Item 61-16, an annual appropriation ordinance in
connection with the Office of Emergency
Management.

Who do we have?

LEGISLATOR WALKER: So moved.

CHAIRMAN DUNNE: Moved by Rose Walker,
seconded by Vincent Muscarella, Legislator
Muscarella.

MR. DELANEY: Hi, everyone. Tom
Delaney, Nassau County OEM. This is a New York
State grant funded by cellular surcharge revenue.
When you look on your cell phone bills, now you
know where some of this money is going to.

This is called the public safety

answering point grant. We applied for \$163,406 last year to upgrade the Firecom dispatch system, which, as many people are aware, suffered two outages last year, not just affecting the county dispatch system but potentially, even though they're a fire department that do self dispatch because Firecom is a backup. What the system is going to do is allow them to start transitioning into newer technology. This system is very expandable. We're going to start off with something small, still utilizing the current system and then build onto that.

The award amount that we received was for \$137,000. Like I said, the system was 163. We're going to be able to backfill this with money from our other homeland security grants because this involves interoperable communications. So we will be able to meet the goal that was originally asked for.

CHAIRMAN DUNNE: Welcome to the future.

Any questions from any of the legislators?

(No verbal response.)

There being none; all in favor indicate

by saying aye.

(Aye.)

Any against?

(No verbal response.)

Okay. Thank you kindly. This goes on to Finance.

The next item is Item 62-16, and we're going to call also 67-16 and 74-16 because they are all dealing with the district attorney's office. They are all ordinances supplemental to the annual appropriations ordinance in connection with the district attorney's office.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Moved by Legislator Walker, seconded by Legislator Muscarella.

MR. MCMANUS: Bob McManus, District Attorney's Office.

Item 62 is for the Nassau County District Attorney's Office rapid intervention and services model. Funds will be used by the district attorney's office to reduce DWI repeat offenses by addressing two specific issues within the criminal justice system: predicting which

offenders are likely to reoffend by utilizing non-traditional assessment tools and reducing the amount of time between arrest and disposition of the case.

Research conducted by the state has shown that offenders respond to intervention, but only if there are swift and clear consequences for recidivistic behavior. Offenders will be tracked throughout the process in order to evaluate compliance with the program and sanctions will be imposed accordingly. This is funded entirely by grant money.

CHAIRMAN DUNNE: You might as well do all three while you're there. Do the other two.

MR. MCMANUS: Excuse me, sir?

CHAIRMAN DUNNE: 67 also.

MR. MCMANUS: Yes. This item is the motor vehicle theft and insurance fraud prevention grant program. The Nassau County District Attorney's Office motor vehicle theft and insurance fraud prevention program investigate and prosecute motor vehicle theft and motor vehicle insurance fraud cases. Investigative efforts target medical mills and

auto body shops suspected of no-fault fraud, with an emphasis of undercover investigations. The program also facilitate cooperation between law enforcement agencies and the insurance industry in combating the program of auto-related insurance fraud.

CHAIRMAN DUNNE: And that's funded through?

MR. MCMANUS: It's a grand funded through New York State Division of Criminal Justice Services.

CHAIRMAN DUNNE: Excellent. And then 74-16.

MR. MCMANUS: Item Number 74 is the crimes against revenue program. Funds will be used by the Nassau County District Attorney's Office for continuation of the crimes against revenue program. This program will provide effective investigation and prosecution of cases that have adverse affects on all government revenues, including, but not limited to, sales and personal income tax evasion, Medicaid fraud, and enforcement of prevailing wage laws. And this is also 100 percent funded.

CHAIRMAN DUNNE: Excellent.

Any questions for Mr. McManus from any of the legislators?

(No verbal response.)

There being none; all those in favor of all three of these items indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

Thank you, Mr. McManus. All three will go on to Finance.

MR. MCMANUS: Thank you.

CHAIRMAN DUNNE: The next item to come before us is Item 71-16, which is an ordinance supplemental to the annual appropriation ordinance in connection with the police department.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: Rose Walker makes the motion, and Don Mackenzie seconds.

Lieutenant. Lieutenant, can I just ask you when did you get the promotion?

LIEUTENANT STEPHANOFF: December.

2 CHAIRMAN DUNNE: Excellent.

3 Congratulations.

4 LIEUTENANT STEPHANOFF: Thank you.

5 CHAIRMAN DUNNE: Great job. We used to
6 call you Serg. Now it's Lieutenant.

7 LIEUTENANT STEPHANOFF: Thank you.

8 CHAIRMAN DUNNE: Okay. Item 71, can you
9 tell us about this?

10 LIEUTENANT STEPHANOFF: This item
11 appropriates \$145,783 in funds from the New York
12 State Division of Criminal Justice Services.
13 This is our surveillance apprehension and
14 enforcement program. We use this for extra
15 patrols for stolen autos in high theft areas, and
16 we also send detectives for extra work for
17 insurance fraud.

18 CHAIRMAN DUNNE: Excellent. Any
19 questions from any legislator on this?

20 (No verbal response.)

21 All in favor indicate by saying aye.

22 (Aye.)

23 Any against?

24 (No verbal response.)

25 It passes on to Finance.

Thank you, Lieutenant.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRMAN DUNNE: The next item to come before us is Item 72-16, an ordinance supplemental to the annual appropriation ordinance in connection with the Toxicology/Medical Examiner.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Legislator Walker made the motion, seconded by Vincent Muscarella.

Now, on the item. Yes, ma'am

MS. DOOLING: Hi. Karen Dooling, Crime Laboratory, Medical Examiner's Office on behalf of toxicology.

This award is \$21,542 from the federal government. It's a pass-through no match through the state. It will be used for conferences, the temperature monitoring system for the lab, and for overtime to perform casework.

CHAIRMAN DUNNE: What discipline is that?

MS. DOOLING: This is toxicology, which is separate from crime laboratory, but a

2 toxicology person wasn't available today.

3 CHAIRMAN DUNNE: We do all that in-house
4 here?

5 MS. DOOLING: Yeah. Toxicology deals
6 with the death investigations in the medical
7 examiner's office.

8 CHAIRMAN DUNNE: Excellent.

9 Any questions from any legislator?

10 (No verbal response.)

11 There being none; all in favor indicate
12 by saying aye.

13 (Aye.)

14 Any against?

15 (No verbal response.)

16 It passes on to Finance.

17 Thank you, Karen.

18 Now we entertain a motion to suspend the
19 rules.

20 LEGISLATOR BYNOE: One second.

21 Legislator Dunne?

22 CHAIRMAN DUNNE: Yes.

23 LEGISLATOR BYNOE: I have something I
24 want to discuss before we adjourn for the day.

25 CHAIRMAN DUNNE: We have another item.

LEGISLATOR BYNOE: We do?

CHAIRMAN DUNNE: We have an addendum
item.

LEGISLATOR BYNOE: I'm sorry.

CHAIRMAN DUNNE: I will entertain after
we complete.

I entertain a motion to suspend the rules
for the addendum item.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: So moved by Legislator
Rose Walker, seconded by Don Mackenzie.

All in favor?

(Aye.)

The item is Item 70-16, an ordinance
supplemental to the annual appropriations
ordinance in connection with the medical
examiner's division of forensic services.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: It is moved by
Legislator Walker, seconded by Legislator
Mackenzie.

Now, on this item.

MS. DOOLING: Hi. Karen Dooling, Crime Lab.

This is actually the same grant I was discussing before; one gets awarded to the toxicology laboratory from the state and another for the same amount, \$21,542 gets awarded to the crime laboratory.

For the crime laboratory, this money will be used to support our laboratory information management system, which is what we use to process all casework and keep track of our QC records.

CHAIRMAN DUNNE: Okay. Any questions?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

This also passes and goes on to Finance.

(Whereupon, the following are the minutes of the March 7, 2016, Finance Committee meeting pertaining to Clerk Items 58, 59, 60, 61, 62, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79,

2 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 93,
3 and 94-16.)

4 Item 58-2016 is a resolution authorizing the
5 county executive to execute a grant agreement
6 between the County of Nassau, acting on behalf of
7 the Department of Parks and Recreation and
8 Museums and the Seaford Historical Society.

9 LEGISLATOR WALKER: So moved.

10 LEGISLATOR MACKENZIE: Second.

11 CHAIRMAN NICOLELLO: Moved by Legislator
12 Walker, seconded by Legislator Mackenzie.

13 Any discussion on this item?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 The item carries unanimously.

22 Item 59-2016 is a resolution providing
23 for the issuance of a warrant directing the
24 treasurer of the County of Nassau to pay to the
25 supervisors of the several towns and the

treasurers of several villages and the 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 quarter beginning October 1, 2016 through December 31, 2016; pursuant to the County Government Law of Nassau County and the Nassau County Administrative Code.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

This is the mortgage taxes, obviously.

Any discussion? Legislator DeRiggi-Whitton.

LEGISLATOR DeRIGGI-WHITTON: I have a question.

CHAIRMAN NICOLELLO: Do we have someone to speak on this item?

MS. CALLEY: Hi. Deidre Calley, Office of Legislative Budget Review.

LEGISLATOR DeRIGGI-WHITTON: Should it be budget review for this?

CHAIRMAN NICOLELLO: She's at the mic, so let's give her a shot at answering the question. Who else do you want?

LEGISLATOR DeRIGGI-WHITTON: Someone from the administration, I thought.

MS. CALLEY: The reason we came is because we allocate the money between the different villages. That's what our office does.

LEGISLATOR DeRIGGI-WHITTON: If it's okay with you, maybe the county attorney should just make a statement on the record.

CHAIRMAN NICOLELLO: The county attorney to make a statement about what?

LEGISLATOR DeRIGGI-WHITTON: Okay. Then I would just like to put a question on the record. Are any of these proceeds being withheld in connection with the dispute of the reimbursement of the FIT tuition?

CHAIRMAN NICOLELLO: The question is whether any of the mortgage taxes are being withheld because of the dispute over FIT, with the towns over the FIT tuition. Does anyone have an answer to that question? So the question is on the record. Obviously, this is the first step

in the process, in terms of the committees. So you will have an answer, if not by Rules --

LEGISLATOR DeRIGGI-WHITTON: If they could provide that and also just when they expect to have the towns and villages reimbursed completely, like how long of a delay this is going to be.

CHAIRMAN NICOLELLO: Doesn't that depend on how long the lawsuit lasts?

LEGISLATOR DeRIGGI-WHITTON: Yeah. It depends on what's going on. If it something with FIT or not, I don't know if it is connected or not.

CHAIRMAN NICOLELLO: I think there is litigation.

LEGISLATOR DeRIGGI-WHITTON: If that's what this is.

CHAIRMAN NICOLELLO: I don't know if it's the mortgage taxes or sales taxes that are being withheld. If there is litigation over the issue, if there is then it won't be disbursed until after the litigation is completed.

LEGISLATOR DeRIGGI-WHITTON: Right. So if it's connected to FIT, that's just something

we need to know. I don't even know if that's the case. As long as we know by Monday, the 21st.

CHAIRMAN NICOLELLO: All right.

Any other questions or discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Carries unanimously.

Items 60, 61, 62, 67, 68, 69, 71, 72, 73, and 74, these are all ordinances supplemental to the annual appropriation ordinance in connection with the Traffic Safety Board, Office of Emergency Management, District Attorney's Office, Police Department, Department of Toxicology/Medical Examiner, and the Office of Housing and Community Development.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

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

Any discussion on these items?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

(Whereupon, the following are the minutes of the March 7, 2016, Public Safety Committee pertaining to Clerk Items 60-16, 61-16, 62-16, 67-16, 68-16, 69-19, 71-16, and 72-16.)

The first item to come before us, we're going to call together, Item 60-16, together with 68-16 and 69-16. They are all ordinances supplemental to the annual appropriation ordinance in connection with the Traffic Safety Board.

Who do we have for traffic safety? We have Chris.

Motion by Rose Walker, seconded by Donald Mackenzie on all three of those items.

MR. MISTRON: Christopher Mistron, Director of Traffic Safety.

The first item which was called, the 60-16, was a grant for \$3,000 dedicated for the Child Passenger Safety Program provided by Traffic Safety. The grant allows for Traffic Safety to purchase car seats and equipment for doing specifically our mobile traffic child safety seat checks, which actually we do in the legislative districts.

CHAIRMAN DUNNE: Which is a great program. We might as well as well vote on them individually. We called them all together but we're going to vote on them individually.

The motion is made and passed.

Does anybody have any questions on this item?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

It passes on to Finance.

The next one was 68-16.

MR. MISTRON: 68-16, again is a grant

that we received. There is surcharge money charged for people that park in handicapped parking spaces. The legislation in the State calls for that surcharge to be able to be used for educational programs involved for physically challenged people. We utilize that money through another organization to do everything from child specialized traffic safety programs to mobility programs.

CHAIRMAN DUNNE: Okay. Any questions on this from any of the legislators?

(No verbal response.)

All in favor indicate by saying aye.

(Aye.)

Against?

(No verbal response.)

It passes on to Finance also.

Now 69-16.

MR. MISTRON: The final one is the police traffic services grant, that again, Traffic Safety applied for on behalf of all the police departments in Nassau County, the Nassau County PD and the village and city police.

This particular enforcement is split

between the annual Buckle-Up enforcement wave that takes place the end of May, as well as specialized enforcement for everything from pedestrian safety to speed enforcement and aggressive driving enforcement, as well as the new component for cell phone use.

CHAIRMAN DUNNE: Any questions on this?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

It passes unanimously on to Finance.

Thank you, Mr. Mistrion.

The next item coming up before us will be Item 61-16, an annual appropriation ordinance in connection with the Office of Emergency Management.

Who do we have?

LEGISLATOR WALKER: So moved.

CHAIRMAN DUNNE: Moved by Rose Walker, seconded by Vincent Muscarella, Legislator Muscarella.

MR. DELANEY: Hi, everyone. Tom Delaney, Nassau County OEM. This is a New York State grant funded by cellular surcharge revenue. When you look on your cell phone bills, now you know where some of this money is going to.

This is called the public safety answering point grant. We applied for \$163,406 last year to upgrade the Firecom dispatch system, which, as many people are aware, suffered two outages last year, not just affecting the county dispatch system but potentially, even though they're a fire department that do self dispatch because Firecom is a backup. What the system is going to do is allow them to start transitioning into newer technology. This system is very expandable. We're going to start off with something small, still utilizing the current system and then build onto that.

The award amount that we received was for \$137,000. Like I said, the system was 163. We're going to be able to backfill this with money from our other homeland security grants because this involves interoperable communications. So we will be able to meet the

goal that was originally asked for.

CHAIRMAN DUNNE: Welcome to the future.

Any questions from any of the
legislators?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

Okay. Thank you kindly. This goes on to
Finance.

The next item is Item 62-16, and we're
going to call also 67-16 and 74-16 because they
are all dealing with the district attorney's
office. They are all ordinances supplemental to
the annual appropriations ordinance in connection
with the district attorney's office.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Moved by Legislator
Walker, seconded by Legislator Muscarella.

MR. MCMANUS: Bob McManus, District
Attorney's Office.

Item 62 is for the Nassau County District Attorney's Office rapid intervention and services model. Funds will be used by the district attorney's office to reduce DWI repeat offenses by addressing two specific issues within the criminal justice system: predicting which offenders are likely to reoffend by utilizing non-traditional assessment tools and reducing the amount of time between arrest and disposition of the case.

Research conducted by the state has shown that offenders respond to intervention, but only if there are swift and clear consequences for recidivistic behavior. Offenders will be tracked throughout the process in order to evaluate compliance with the program and sanctions will be imposed accordingly. This is funded entirely by grant money.

CHAIRMAN DUNNE: You might as well do all three while you're there. Do the other two.

MR. MCMANUS: Excuse me, sir?

CHAIRMAN DUNNE: 67 also.

MR. MCMANUS: Yes. This item is the motor vehicle theft and insurance fraud

prevention grant program. The Nassau County District Attorney's Office motor vehicle theft and insurance fraud prevention program investigate and prosecute motor vehicle theft and motor vehicle insurance fraud cases. Investigative efforts target medical mills and auto body shops suspected of no-fault fraud, with an emphasis of undercover investigations. The program also facilitates cooperation between law enforcement agencies and the insurance industry in combating the program of auto-related insurance fraud.

CHAIRMAN DUNNE: And that's funded through?

MR. MCMANUS: It's a grand funded through New York State Division of Criminal Justice Services.

CHAIRMAN DUNNE: Excellent. And then 74-16.

MR. MCMANUS: Item Number 74 is the crimes against revenue program. Funds will be used by the Nassau County District Attorney's Office for continuation of the crimes against revenue program. This program will provide

2 effective investigation and prosecution of cases
3 that have adverse affects on all government
4 revenues, including, but not limited to, sales
5 and personal income tax evasion, Medicaid fraud,
6 and enforcement of prevailing wage laws. And
7 this is also 100 percent funded.

8 CHAIRMAN DUNNE: Excellent.

9 Any questions for Mr. McManus from any of
10 the legislators?

11 (No verbal response.)

12 There being none; all those in favor of
13 all three of these items indicate by saying aye.

14 (Aye.)

15 Any against?

16 (No verbal response.)

17 Thank you, Mr. McManus. All three will
18 go on to Finance.

19 MR. MCMANUS: Thank you.

20 CHAIRMAN DUNNE: The next item to come
21 before us is Item 71-16, which is an ordinance
22 supplemental to the annual appropriation
23 ordinance in connection with the police
24 department.

25 LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: Rose Walker makes the motion, and Don Mackenzie seconds.

Lieutenant. Lieutenant, can I just ask you when did you get the promotion?

LIEUTENANT STEPHANOFF: December.

CHAIRMAN DUNNE: Excellent.
Congratulations.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRMAN DUNNE: Great job. We used to call you Serg. Now it's Lieutenant.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRMAN DUNNE: Okay. Item 71, can you tell us about this?

LIEUTENANT STEPHANOFF: This item appropriates \$145,783 in funds from the New York State Division of Criminal Justice Services. This is our surveillance apprehension and enforcement program. We use this for extra patrols for stolen autos in high theft areas, and we also send detectives for extra work for insurance fraud.

CHAIRMAN DUNNE: Excellent. Any questions from any legislator on this?

(No verbal response.)

All in favor indicate by saying aye.

(Aye.)

Any against?

(No verbal response.)

It passes on to Finance.

Thank you, Lieutenant.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRMAN DUNNE: The next item to come before us is Item 72-16, an ordinance supplemental to the annual appropriation ordinance in connection with the Toxicology/Medical Examiner.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

CHAIRMAN DUNNE: Legislator Walker made the motion, seconded by Vincent Muscarella.

Now, on the item. Yes, ma'am

MS. DOOLING: Hi. Karen Dooling, Crime Laboratory, Medical Examiner's Office on behalf of toxicology.

This award is \$21,542 from the federal government. It's a pass-through no match through the state. It will be used for conferences, the

2 temperature monitoring system for the lab, and
3 for overtime to perform casework.

4 CHAIRMAN DUNNE: What discipline is
5 that?

6 MS. DOOLING: This is toxicology, which
7 is separate from crime laboratory, but a
8 toxicology person wasn't available today.

9 CHAIRMAN DUNNE: We do all that in-house
10 here?

11 MS. DOOLING: Yeah. Toxicology deals
12 with the death investigations in the medical
13 examiner's office.

14 CHAIRMAN DUNNE: Excellent.

15 Any questions from any legislator?

16 (No verbal response.)

17 There being none; all in favor indicate
18 by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 It passes on to Finance.

23 Thank you, Karen.

24 (Whereupon, the following is the
25 continuation of the March 7, 2016, Finance

Committee meeting.)

CHAIRMAN NICOLELLO: Items 75 and 76, resolutions authorizing the county executive to execute grant agreements between the County of Nassau, acting on behalf of the Department of Parks, Recreation and Museums, and the Freeport Historical Society, and the St. John of Jerusalem Cemetery Inc.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

Any questions or discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those two items carry unanimously.

Item 77 is a resolution to authorize the transfer of appropriations heretofore made within the budget for the year 2016.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

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

Any discussion on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Mr. Jefferson.

MR. JEFFERSON: I just wanted to answer the question on the mortgage tax.

CHAIRMAN NICOLELLO: Sure.

MR. JEFFERSON: We do not net on the mortgage tax. There is no net on the mortgage tax. That's paid in full. The netting is done on the sales tax for FIT.

CHAIRMAN NICOLELLO: Okay. I think you have your answer.

MR. JEFFERSON: Is that it?

LEGISLATOR DeRIGGI-WHITTON: So you're not withholding because of the lawsuit? So, just on the record, they're getting the full amount of

the sales tax?

MR. JEFFERSON: That is correct.

LEGISLATOR DeRIGGI-WHITTON: Thank you.

CHAIRMAN NICOLELLO: Thank you, Mr.
Jefferson.

Next items are 78, 79, 80, 81, 82, 83,
84, 85, and 86. These are resolutions to
authorize the county assessor and/or the county
treasurer and/or the receiver of taxes of the
Towns of Hempstead, North Hempstead, Oyster Bay,
and the City of Long Beach to partially exempt
from real property taxation, certain real
properties situated in various school districts
to correct a rate code error and taxes in
accordance with petitions of the County Assessor;
and to correct erroneous assessments and taxes in
accordance with petitions.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

These items are before the committee.

Any discussion on the items? Legislator
DeRiggi-Whitton.

LEGISLATOR DeRIGGI-WHITTON: I have one quick question. I don't know who is here.

I just wanted to make sure it's not an oversight that Glen Cove is not listed here. I see Long Beach. Usually when Long Beach and all the others towns are listed, Glen Cove is usually there.

CHAIRMAN NICOLELLO: I think that may be coincidental. I don't think they have to be.

LEGISLATOR DeRIGGI-WHITTON: It just seems like everyone else is represented. If it's zero, then okay.

CHAIRMAN NICOLELLO: I think it's when these types of items come up, whether it's correcting erroneous assessments or exempting real property. If nothing is before or is in the process at this point, it won't come to us.

LEGISLATOR DeRIGGI-WHITTON: Thank you.

CHAIRMAN NICOLELLO: Any other discussion?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those items carry unanimously.

Items 87 and 88-2016 are resolutions to authorize the transfer of appropriations heretofore made within the budget for the year 2016.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

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

Any discussion?

(No verbal response.)

Public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those two items carry unanimously.

Item 89-2016, an ordinance supplemental to the annual appropriation ordinance in connection with the Office of Management and

Budget.

LEGISLATOR WALKER: So moved.

LEGISLATOR MUSCARELLA: Second.

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

Any discussion? Legislator DeRiggi-Whitton.

LEGISLATOR DeRIGGI-WHITTON: On Item 89, is there anyone here for that?

CHAIRMAN NICOLELLO: That would be OMB.

MR. PODLESAK: OMB asked me to speak on this.

LEGISLATOR DeRIGGI-WHITTON: It was just mentioned that there will be improvements made; can you just discuss what improvements they are?

MR. PODLESAK: I don't know about that. All I know is that this is one of four recurring payments for the year for this period.

LEGISLATOR DeRIGGI-WHITTON: All right. Maybe, again, for Monday, Chair, if that's okay.

CHAIRMAN NICOLELLO: For the 21st.

LEGISLATOR DeRIGGI-WHITTON: For the 21st. It just states in there that we are going to have improvements for the legal service

2 system. I just want to see what the improvements
3 are.

4 MR. PODLESAK: I will inquire.

5 LEGISLATOR DeRIGGI-WHITTON: Just so we
6 know what we're voting on.

7 Thank you.

8 CHAIRMAN NICOLELLO: Thank you, Mr.
9 Podlesak.

10 Any other discussion?

11 (No verbal response.)

12 Public comment?

13 (No verbal response.)

14 All in favor signify by saying aye.

15 (Aye.)

16 The item carries unanimously.

17 93 and 94-2016, resolutions authorizing
18 the county executive to execute a grant agreement
19 between the County of Nassau, acting on behalf of
20 the Parks, Recreation and Museums Department and
21 Hood African Methodist Episcopal Zion Church and
22 the Long Island Children's Museum.

23 LEGISLATOR WALKER: So moved.

24 LEGISLATOR MACKENZIE: Second.

25 CHAIRMAN NICOLELLO: Moved by Legislator

Walker, seconded by Legislator Mackenzie.

Any discussion on these items?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

Those opposed?

(No verbal response.)

Those two items carry unanimously.

We have a motion to suspend by Legislator
Muscarella, seconded by Legislator Walker.

All in favor of suspending the rules for
the addendum signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The addendum is suspended.

Item 70 is an ordinance supplemental to
the annual appropriation ordinance in connection
with the Medical Examiner, Division of Forensic
Services.

(Whereupon, the following is the minutes
of the March 7, 2016, Public Safety Committee

pertaining to Clerk Item 70-16.)

The item is Item 70-16, an ordinance supplemental to the annual appropriations ordinance in connection with the medical examiner's division of forensic services.

LEGISLATOR WALKER: So moved.

LEGISLATOR MACKENZIE: Second.

CHAIRMAN DUNNE: It is moved by Legislator Walker, seconded by Legislator Mackenzie.

Now, on this item.

MS. DOOLING: Hi. Karen Dooling, Crime Lab.

This is actually the same grant I was discussing before; one gets awarded to the toxicology laboratory from the state and another for the same amount, \$21,542 gets awarded to the crime laboratory.

For the crime laboratory, this money will be used to support our laboratory information management system, which is what we use to process all casework and keep track of our QC records.

CHAIRMAN DUNNE: Okay. Any questions?

(No verbal response.)

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

(Aye.)

Any against?

(No verbal response.)

This also passes and goes on to Finance.

(The following is the continuation of the
minutes of the March 7, 2016, Finance Committee
meeting.)

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

Any discussion on this item?

(No verbal response.)

Any public comment?

(No verbal response.)

All in favor signify by saying aye.

(Aye.)

It carries unanimously.

(Whereupon, the following is the
continuation of the minutes of the March 7, 2016,
Rules Committee meeting.)

CHAIRWOMAN GONSALVES: A motion, please.

90 is not one of the items on the agenda.

Motion, please? I think I have
Legislator Kopel, seconded by Legislator Dunne.

Any other questions or comments regarding
them that were not asked before?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
the items just called signify by saying aye.

(Aye.)

Any abstentions?

(No verbal response.)

I believe that the items pass
unanimously.

Now we're going to go back to those items
that were not part of the consent calendar.

Item 56, which is a resolution
authorizing the county executive to execute an
inter-municipal agreement with the East Meadow
School District to procure playground for the
McVey Elementary School.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

Any questions or comments regarding this
particular item?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
Item 56 signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

Any abstentions?

(No verbal response.)

The item passes seven to zero.

Moving on.

Item 64, a resolution to confirm the
county executive's reappointment of Jeffrey H.
Greenfield as a member of the County Planning
Commission pursuant to Section 1601(B) of the
Nassau County Charter.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator
Nicolello.

Any questions or comments regarding this
appointment?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
Item 64 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

The item passes six to one.

Item 66, a resolution to confirm the
county executive's reappointment of Leonard H.
Shapiro as a member of the County Planning
Commission pursuant to Section 1601(B) of the
Nassau County Charter.

Motion, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

Any questions or comments?

(No verbal response.)

We're on 66.

Any comments, questions regarding his
appointment?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of
Item 66 signify by saying aye.

(Aye.)

Any opposed?

(Nay.)

I have four-two-one.

We have one item that's on the addendum,
which is Item 95, a local law to amend the County
Government Law of Nassau County in relation to
personal service contracts.

Motion, please?

LEGISLATOR KOPEL: So moved.

LEGISLATOR NICOLELLO: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Kopel, seconded by Legislator
Nicolello.

And we have, I believe, the county attorney who is going to speak on this item.

COUNTY ATTORNEY FOSKEY: Good afternoon.

CHAIRWOMAN GONSALVES: Good afternoon.

COUNTY ATTORNEY FOSKEY: Carnell Foskey, Nassau County Attorney.

This local law is a county executive initiative as part of his continuing efforts to promote greater transparency and openness within county government. Thus far, these efforts have included the new local laws requiring the registering of lobbyists and public disclosure campaign contributions.

The current law, under Section 103.8, requires all personal services contracts \$25,000 or over to go before the Rules Committee for approval. The local law proposed here today will reduce the contract limit and require all personal service contracts that fall between \$1,000 and over to go before the Rules Committee.

CHAIRWOMAN GONSALVES: Any questions or comments for County Attorney Foskey? All right. Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: How are you,

County Attorney Foskey?

COUNTY ATTORNEY FOSKEY: Fine, thank you.

LEGISLATOR ABRAHAMS: I don't have any general concerns about the bill. What I do have is, as you probably are aware, our caucus has submitted a bill which also includes an independent inspector general. I know the county executive wrote back our caucus stating that he felt that that position does not need to be developed because he felt that between I guess yourself - not between yourself - acts in that role. However, and no disrespect to you, Mr. Foskey, I think you've been valid in your position, valiant in your position. But that being said. I truly believe in order to add transparency as well as confidence among the people, we submitted a bill which would basically require an independent inspector general in addition to county contracts of all amounts, not only going to Rules but going to Full Legislature.

We do recognize that this is a step in the right direction. But I do want to get your

thoughts on the matter of independent inspector general, very similar to the Office of Legislative Budget Review.

COUNTY ATTORNEY FOSKEY: Well, I stand by the letter that the county executive sent to you; it speaks for itself.

LEGISLATOR ABRAHAMS: But you would agree -- in your mind, I mean, taking your position, I'm sure you feel that you can be independent. But to the average taxpayer, do you feel that your independence is conveyed to them?

COUNTY ATTORNEY FOSKEY: Yes. I think in my other role as Commissioner of Investigations, I have a separate staff that is available to me - I believe seven investigators - and I don't see it being an issue. There is no lack of independence with respect to the Department of Investigations in that role.

LEGISLATOR ABRAHAMS: But Mr. Foskey, just to be fair, you were hired at the pleasure of the County Executive, correct?

COUNTY ATTORNEY FOSKEY: You asked me did I feel I could be independent, and I answered yes.

LEGISLATOR ABRAHAMS: Yes.

COUNTY ATTORNEY FOSKEY: So any other editing that you want to do, you're more than free to have that liberty.

As I said to you before, I stand by the letter that the county executive wrote to you and the information contained in that letter. And in answer to your question, in that role of commissioner of investigation can I be independent, yes, and that's my answer and it's not going to change.

LEGISLATOR ABRAHAMS: Okay. So let's just play devil's advocate.

COUNTY ATTORNEY FOSKEY: With all due respect, I don't want to play devil's advocate.

LEGISLATOR ABRAHAMS: Let's call it something else.

COUNTY ATTORNEY FOSKEY: I just want to deal with the facts, that's all.

LEGISLATOR ABRAHAMS: Then let's talk facts. If there was something that arised in your office, in the county attorney's office, how would that be investigated?

COUNTY ATTORNEY FOSKEY: That is no

different than what we do now as county attorney. In my role as county attorney, I wear several hats - I represent you, this body; I represent the Department; and I represent the county executive. I have the ability to compartmentalize those things. In my role as commissioner of investigations, that is a separate role, a separate entity, a separate budget line, and I interact differently in that role. I interact pursuant to the mandate that's given me by the Charter, and that's my foundation. Whatever my role is in the Charter, that's the role that I act in and the powers that are given to me in the Charter.

LEGISLATOR ABRAHAM: But Mr. Foskey, wouldn't you agree that -- and I'm not accusing your office anyone in there of anything, but couldn't you at some time - in a future county attorney's office, if you were not there, the commissioner of counsel or the person doing the investigating could be investigating themselves if the accused crimes heighten to that level.

COUNTY ATTORNEY FOSKEY: With all due respect, my crystal ball is not working too well

today about future county attorneys.

I can't comment on what a future county attorney can do. I can only comment on what I would do as a county attorney and as an officer of the court, which I take very seriously.

LEGISLATOR ABRAHAMS: Okay. So if a situation arose in your office and it had speculation of the magnitude that it included yourself, an accusation, how would you investigate that?

COUNTY ATTORNEY FOSKEY: If someone was commissioner of investigation, how would they investigate themselves?

LEGISLATOR ABRAHAMS: You can't.

COUNTY ATTORNEY FOSKEY: But that has not occurred thus far. So it has not occurred. When it occurs we will deal with it in a manner that's ethical and a manner that's consistent with the Charter and consistent with the powers of the investigator.

LEGISLATOR ABRAHAMS: How would we not know? Wouldn't you appoint someone to that role? How do we not know -- again, I'm not accusing you of anything. But how will we not know is the

question. There is no independent authority that can say this is happening or it's not happening.

COUNTY ATTORNEY FOSKEY: I stand by my answer that I fully intend to fully execute the duties that the Charter gives the commissioner of investigations. I rely on the county executive's letter. And, most respectfully, I have no additional comments. I think I have answered this three or four times.

LEGISLATOR ABRAHAMS: Are you aware, Mr. Foskey, of the district attorney's position and proposal in regards to an independent inspector general?

COUNTY ATTORNEY FOSKEY: I only know what I read in *Newsday* and the reports that I've seen early on regarding other things. She's entitled to her opinion. She is a separate elected official, just as the county executive is a separate elected official. I am not here to comment, criticize, to support or not support her opinion. That's something you would have to talk to her directly about.

LEGISLATOR ABRAHAMS: No. What I'm talking to you about is do you agree with it or

do you not agree with it?

COUNTY ATTORNEY FOSKEY: I stand by my answer previously.

LEGISLATOR ABRAHAMS: Thank you, County Attorney Foskey.

Again, I would just --

COUNTY ATTORNEY FOSKEY: County Attorney, not county executive.

LEGISLATOR ABRAHAMS: I promoted you. Sorry, Mr. County Attorney.

I do want to say for the record again that we truly believe that an independent inspector general is exactly what this county needs and we stand by our legislation, which would basically authorize and generate that. Right now, I don't think anyone in this county can dispute that there is not an independent authority, very similar to the Legislative Office of Budget Review, which is headed up by Mr. Chalmers, who runs off a contract. No disrespect to Mr. Foskey, but we need to be able to add a level of transparency to this process; the way you do that is by hiring someone that has the ability to act independent and not be worrying

about losing their job or being fired because of an investigation that they choose to do. And that, right now, we do not have and I don't think anybody can debate that.

CHAIRWOMAN GONSALVES: I'm going to ask a question, County Attorney Foskey. How does the commissioner of investigation here in Nassau County compare with the New York State inspector general as appointed by the governor and the City of New York inspector general appointed by the mayor? How does it compare?

COUNTY ATTORNEY FOSKEY: If you read the responsibility and duties they are very similar to what's contained in the Charter with respect to the ability to oversee things, the subpoena power, and ability to look into and investigate certain actions that occur within the county. So they are extremely similar.

CHAIRWOMAN GONSALVES: Okay. Thank you, County Attorney Foskey.

Legislator Nicolello.

LEGISLATOR NICOLELLO: I wanted to raise one issue or respond to one issue. This perceived conflict in the event that the county

attorney is the person under investigation.

It's not uncommon for someone in an investigative role if they become the subject of that investigation, very simply appoint someone else to do it. For example, if you had a Title 9 officer who is accused of sexual harassment, you wouldn't have the Title 9 officer investigate but you would have somebody else outside of it. If the county attorney was ever the subject of investigation, you would simply appoint an outside investigator to investigate the county attorney. It's no reason to take the power away from the county attorney in all cases.

COUNTY ATTORNEY FOSKEY: Correct.

LEGISLATOR NICOLELLO: Thank you.

LEGISLATOR ABRAHAMS: Again --

CHAIRWOMAN GONSALVES: Minority Leader Kevan Abrahams.

LEGISLATOR ABRAHAMS: Thank you, Madam Presiding Officer.

Again, we stand by our position again because we obviously believe that these offices cannot legally investigate each other or be required to do so.

That being said. I just want to also note for the record that the idea of inspector general was not just some idea that was created by the minority in the legislative caucus on the democratic side; it was actually a suggestion and a recommendation put together by the panel, by the very same county executive that the county attorney stands before and represents. That panel came up with the idea and thought that an inspector general, independent inspector general is necessary in addition to a procurement director. From that standpoint, we have not taken any action since that report came out, I believe in November or October. Since that report came out in October, we have not take any action on any of those items in regards to making sure that we have an independent inspector general. If the panel that the county executive puts together believes that it is necessary to do, I could not understand why this legislative body would not take the same consideration.

Thank you, Mr. Foskey.

CHAIRWOMAN GONSALVES: Any other comments? Legislator Solages.

2 LEGISLATOR SOLAGES: Thank you. Good
3 afternoon, Mr. Foskey.

4 COUNTY ATTORNEY FOSKEY: Good afternoon,
5 Legislator.

6 LEGISLATOR SOLAGES: It's been more than
7 300 days since the Abtec scandal in which my
8 caucus has been demanding for greater
9 accountability and transparency in our local
10 government.

11 How does this particular provision
12 prevent an Abtec situation?

13 COUNTY ATTORNEY FOSKEY: I think this
14 came up once before. The Abtec situation is much
15 different. And we're talking about apples and
16 oranges here, they're not the same in any way,
17 shape, or form.

18 LEGISLATOR SOLAGES: They are contracts
19 with the government.

20 COUNTY ATTORNEY FOSKEY: But it didn't
21 deal with the limit of the contract.

22 LEGISLATOR SOLAGES: Whether the
23 contract is 250,000, two million \$25, or \$1,000,
24 or \$25,000 --

25 COUNTY ATTORNEY FOSKEY: It's different

in several ways. We have more things in place now. We have disclosure forms, the business forms. There are a series of forms now that we have in place that in conjunction with this new county executive initiative would have more than likely made that disclosure of the contacts with the county. As you know, in April there is another form, the Campaign Finance Reform Law, that is going into place. So, actually there have been a number of reforms within our contract process that would address that issue. So in conjunction, this is just another step in the direction of transparency.

LEGISLATOR SOLAGES: But the Abtec situation happened on your watch. My question is who --

COUNTY ATTORNEY FOSKEY: Let's stop.

LEGISLATOR SOLAGES: your office is enforcing and checking --

COUNTY ATTORNEY FOSKEY: You're not listening to the answers. If you look at the forms that are attached to the contracts, even some of the contracts which came before you today, that would have disclosed the Abtec

situation. So that question now is moot, for all intents and purposes. In today's forms that we use and contract procurement procedures that we followed, the Abtec situation would have been disclosed to you.

LEGISLATOR SOLAGES: I don't think a bunch of forms could have prevented the Abtec situation. I think greater enforcement and greater transparency by an independent body that has the power to subpoena a separate body or government is able to prevent that situation.

COUNTY ATTORNEY FOSKEY: I would urge you to read the forms. And if you read the forms carefully, you would see that in the Abtec situation disclosure would have been mandated by the forms.

LEGISLATOR SOLAGES: But we saw today that we had forms that were not fully executed.

COUNTY ATTORNEY FOSKEY: I don't want to argue with you. Some of those contracts by this body -- I'm the one who sent the memo out telling the vendors, telling the department heads to put them in. So I know and I'm familiar with it. As long as -- in the true spirit of transparency,

2 once again I repeat, if you read the forms and
3 disclosure in which those forms acquire, the
4 Abtec situation, people would have known who
5 contacted who, who lobbied who, as simple as
6 that.

7 LEGISLATOR SOLAGES: But it's not
8 applicable on a form sufficient for us to see
9 there's enough evidence there to see if this
10 contract --

11 COUNTY ATTORNEY FOSKEY: That's up to
12 you. You read the questions, you read the
13 answers, and you make a determination. That's
14 why there are three branches of government.

15 LEGISLATOR SOLAGES: Thank you.

16 CHAIRWOMAN GONSALVES: Minority Leader
17 Kevan Abrahams.

18 LEGISLATOR ABRAHAMS: If I may, again,
19 Mr. County Attorney. You are right in saying
20 that the forms did provide some information; I do
21 agree with you. But what if they lie?

22 COUNTY ATTORNEY FOSKEY: There are
23 certain criminal penalties if you lie.

24 LEGISLATOR ABRAHAMS: If I may finish.
25 I wasn't done, actually. I didn't get my whole

question out.

If they lie and then basically we find out that there has been some false information, we need to be able to investigate.

COUNTY ATTORNEY FOSKEY: That would be a matter for the district attorney. That would become a matter for the district attorney.

LEGISLATOR ABRAHAMS: Why wouldn't it be a matter of an independent inspector?

COUNTY ATTORNEY FOSKEY: Because they lied on a public document. We're kind of getting into the weeds here, to be honest with you.

If they lied on a public document, submitting a false statement --

LEGISLATOR ABRAHAMS: Are you cheerleading for him, Madam Presiding Officer?

COUNTY ATTORNEY FOSKEY: submitting false information --

LEGISLATOR ABRAHAMS: Because you're clamoring quite a bit.

COUNTY ATTORNEY FOSKEY: on a public document has criminal consequences. It has criminal consequences by doing that.

LEGISLATOR ABRAHAMS: But it has

criminal consequences in regards to the form.

COUNTY ATTORNEY FOSKEY: No. In regard to their action.

LEGISLATOR ABRAHAMS: I'm just confused. So we don't want to police ourselves, we want to be able to pass this on to the district attorney whenever something like this happens.

COUNTY ATTORNEY FOSKEY: That's not what I'm saying. Your question to me was if someone puts false information down on a public document or form, and I explained to you that that could be a criminal matter that would be referred to the district attorney's office. I'm not asking you to let the district attorney -- no more than if you had an employment application and you put something false on that employment application, allegedly, and down the road the district attorney finds that out, it's the same thing. It's a public document. You're putting information down.

LEGISLATOR ABRAHAMS: This is where I disagree with you. The correction is if I put something down on an actual employment

application that's false, there are investigators - if I choose to work at Home Depot or some place else - that are fact checking what I did. Right now we have no fact checking. We have to rely on a form, which is similar to an application, to be accurate.

COUNTY ATTORNEY FOSKEY: If you feel that someone has lied or misled you and you see it in the form, you can do your own investigation. Civil Service does not have --

Once again, we're --

LEGISLATOR ABRAHAMS: If I had subpoena power, I would. But I don't have subpoena power.

COUNTY ATTORNEY FOSKEY: I go back to my original statement. If you put a false statement on a public form there could be very well and more than likely be criminal consequences for doing that.

LEGISLATOR ABRAHAMS: And who is investigating to make sure whether or not the form is accurate? So basically they put something down and we're assuming what they put down is rightful and truthful.

COUNTY ATTORNEY FOSKEY: If you are

concerned that someone put something down, just like today with the Lisa Murphy contract, I believe someone brought an issue up with that one. So obviously somebody on your staff did an investigation and found out information about that company; is that correct?

LEGISLATOR ABRAHAMS: Yes, someone did.

COUNTY ATTORNEY FOSKEY: Okay.

LEGISLATOR ABRAHAMS: So basically we have to do it upon ourselves not an independent authority with the responsibilities --

COUNTY ATTORNEY FOSKEY: There would be no guarantee that another authority would do it.

As I said to you before, the level of transparency has increased tenfold. The amount of disclosure that has to be done with respect to these contracts are greater than it's ever seen with the history of the county, including by bringing these additional contracts to you of \$1,000 and \$25,000.

Once again, I might also add that prior to passing this law, this administration has started including those contracts that prior to being executed, we started disclosing those

2 contracts to this body.

3 LEGISLATOR ABRAHAMS: Mr. Foskey, just
4 another question.

5 COUNTY ATTORNEY FOSKEY: Madam Presiding
6 Officer, I have answered all the questions.
7 There are not any new questions.

8 LEGISLATOR ABRAHAMS: What does that
9 mean?

10 COUNTY ATTORNEY FOSKEY: I have nothing
11 to add.

12 LEGISLATOR ABRAHAMS: We're having a
13 debate. If you want to leave, you're free to
14 leave.

15 Madam Presiding Officer -

16 CHAIRWOMAN GONSALVES: If you have
17 another question, ask him.

18 LEGISLATOR ABRAHAMS: I do have another
19 question.

20 CHAIRWOMAN GONSALVES: Don't debate.
21 It's not a debate.

22 LEGISLATOR ABRAHAMS: I know you're
23 sticking up for him.

24 CHAIRWOMAN GONSALVES: Never mind. I'm
25 not sticking up for anything. Follow procedure.

LEGISLATOR ABRAHAMS: But you are.

CHAIRWOMAN GONSALVES: You have a question, ask him.

LEGISLATOR ABRAHAMS: Madam Presiding Officer, first of all, I have a problem with your tone. You're not going to talk to me like I'm one of your children. That's number one.

CHAIRWOMAN GONSALVES: I'm sorry.

LEGISLATOR ABRAHAMS: Number two. I am following procedures. And when I was in line of my next question, Mr. Foskey took it upon himself to say if there are no other questions, I'm deciding to leave, without even finding out if I had another question.

CHAIRWOMAN GONSALVES: Okay. Now I'm saying to you --

LEGISLATOR ABRAHAMS: First of all, Madam Presiding Officer -- first of all, Madam Presiding Officer, he doesn't need a cheerleader or a mother; I'm sure he has one.

CHAIRWOMAN GONSALVES: Excuse me. Listen to me.

LEGISLATOR ABRAHAMS: Thank you. Thank you. I have the floor.

2 CHAIRWOMAN GONSALVES: If you have a
3 question that's different than what you've
4 already asked, ask it.

5 LEGISLATOR ABRAHAMS: What matter is it
6 to you if it's something different or if Mr.
7 Foskey is choosing to leave?

8 CHAIRWOMAN GONSALVES: Because I am the
9 presiding officer.

10 LEGISLATOR ABRAHAMS: Okay. Then run
11 the legislature the way it should be run -

12 CHAIRWOMAN GONSALVES: I'm asking you to
13 ask him --

14 LEGISLATOR ABRAHAMS: and not be a
15 cheerleader for the county attorney.

16 CHAIRWOMAN GONSALVES: You have gotten a
17 lot of leeway. If you have another question, ask
18 it.

19 LEGISLATOR ABRAHAMS: Mr. Foskey, if
20 you could come up to the podium.

21 LEGISLATOR NICOLELLO: I'm just curious
22 about this cheerleader comment. Does the fact
23 that she's a woman have anything to do with that?
24 What are we doing here?

25 LEGISLATOR ABRAHAMS: No. No. It's

because she's defending the county attorney.

LEGISLATOR NICOLELLO: You wouldn't say the same about me, would you?

LEGISLATOR ABRAHAMS: Okay. Nice try, Rich. Good try.

LEGISLATOR NICOLELLO: Look.

LEGISLATOR ABRAHAMS: If you had an independent ounce of cell in your body, you would be with us, but you're not.

LEGISLATOR NICOLELLO: I have to agree with you to be independent, right.

LEGISLATOR ABRAHAMS: Yeah.

LEGISLATOR NICOLELLO: It doesn't work that way.

LEGISLATOR ABRAHAMS: You're far from it, though. I could tell you that.

LEGISLATOR NICOLELLO: I'm talking down to him? She's not talking down to him.

CHAIRWOMAN GONSALVES: I am not talking down to him.

LEGISLATOR NICOLELLO: She talks to all of us the same way.

CHAIRWOMAN GONSALVES: If he has any other questions, he can ask them.

LEGISLATOR ABRAHAMS: Mr. Foskey, if you may, please come back up to the podium.

Please, you're going to go there with that nonsense. Give me a break.

COUNTY ATTORNEY FOSKEY: Yes.

LEGISLATOR ABRAHAMS: Mr. Foskey, can you specify for the record of any internal audits that you have done of the contract process?

COUNTY ATTORNEY FOSKEY: I can provide that to you at a later date. I did not come here today prepared to talk about my role of commissioner of investigations. I don't want to guess or speculate.

LEGISLATOR ABRAHAMS: I'm not going to ask you to speculate on a number. What I'm asking you is have you done any; it's yes or no.

COUNTY ATTORNEY FOSKEY: I'm sure that I have. I would just like to have an opportunity to go back and check my records and files to see if I've done them and to what extent.

LEGISLATOR ABRAHAMS: Thank you.

CHAIRWOMAN GONSALVES: Legislator Nicolello.

LEGISLATOR NICOLELLO: The issue was

2 brought up - I don't have a question for you
3 right now, Judge - about fact checking. I'm not
4 sure what their proposal is with respect to this
5 inspector general office. My understanding was,
6 my thought process would be do we really need
7 another step in the process to fact check; isn't
8 that what the administration does?

9 LEGISLATOR ABRAHAMS: Mr. Nicolello, do
10 you just put your head into the sand?

11 LEGISLATOR NICOLELLO: Are you going to
12 let me --

13 LEGISLATOR ABRAHAMS: Do you realize
14 what this county is enduring?

15 LEGISLATOR NICOLELLO: Are you going to
16 let me finish?

17 CHAIRWOMAN GONSALVES: You are now
18 interfering with him.

19 LEGISLATOR ABRAHAMS: Sorry.

20 LEGISLATOR NICOLELLO: The inspector
21 general to investigate, yes.

22 LEGISLATOR ABRAHAMS: Madam Presiding
23 Officer -

24 LEGISLATOR NICOLELLO: Would you let me
25 finish?

LEGISLATOR ABRAHAMS: Please. Mr. Nicolello, are you really serious about what you're saying?

LEGISLATOR NICOLELLO: Are you serious about letting me finish?

LEGISLATOR ABRAHAMS: Is there an individual in this county that is being investigated, yes or no?

CHAIRWOMAN GONSALVES: You are doing exactly what you accused me of doing.

LEGISLATOR NICOLELLO: That has nothing to do with the issue of fact checking.

LEGISLATOR ABRAHAMS: Oh, my god. Yeah, okay.

LEGISLATOR NICOLELLO: You brought up the subject of fact checking, as if when you submit an employment application somebody checks the facts. Of course the administration does that type of thing when they get contracts.

Now, the process right now is after a contract is executed it goes through a number of approvals. At first it goes to the initiating party, then the Office of Management and Budget, then to the county attorney, then to the Office

of the County Attorney again, then the county comptroller, then the county legislature, then the county attorney for a third time, then the Office of Management and Budget for a second time, then the county comptroller for a second time, and finally the county executive's office. So putting another inspector general in to check facts, to check things like employment applications or things of that nature makes no sense whatsoever. I just think it clutters up the process.

LEGISLATOR ABRAHAMS: Corruption.

LEGISLATOR NICOLELLO: What?

LEGISLATOR ABRAHAMS: You're part of the corruption, that's why.

LEGISLATOR NICOLELLO: That's uncalled for and it's beneath the dignity of this body to make a statement like that.

CHAIRWOMAN GONSALVES: I am going to call the question. I'm sorry. I'm sorry. I am going to cut discussion, debate, or arguments now.

I'm going to call the item, which is Item 95. I'm sorry. You can vote for it or you can

2 say no.

3 LEGISLATOR SOLAGES: Presiding Officer -

4 CHAIRWOMAN GONSALVES: I am not even

5 going to go there.

6 LEGISLATOR ABRAHAMS: Let's go there.

7 CHAIRWOMAN GONSALVES: Listen. There's

8 plenty.

9 LEGISLATOR ABRAHAMS: And we're not
10 doing anything about it.

11 CHAIRWOMAN GONSALVES: Yeah, okay. I am
12 calling the question.

13 LEGISLATOR SOLAGES: I have an
14 additional question. Please, Presiding Officer.

15 CHAIRWOMAN GONSALVES: The item is Item
16 95, a local law to amend the County Government
17 Law of Nassau County in relation to personal
18 service contracts.

19 All those in favor signify by saying aye.

20 (Aye.)

21 Any opposed?

22 (No verbal response.)

23 Any abstentions?

24 (No verbal response.)

25 I didn't hear any nays.

It's seven to nothing.

Okay. Thank you very much.

All the items on the Rules agenda and
Rules addendum have been addressed.

Motion to adjourn, please?

LEGISLATOR DUNNE: So moved.

LEGISLATOR KOPEL: Second.

CHAIRWOMAN GONSALVES: Moved by
Legislator Dunne, seconded by Legislator Kopel.

All those in favor signify by saying aye.

(Aye.)

Any opposed?

(No verbal response.)

The motion to adjourn is unanimous.

Thank you very much.

(Whereupon, the Rules Committee adjourned
at 4:30 p.m.)

C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 21st day of March, 2016.

FRANK GRAY