

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

RULES COMMITTEE

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

May 9, 2016
1:20 p.m.

REGAL REPORTING SERVICES
516-747-7353

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

NORMA GONSALVES
Chairwoman

RICHARD NICOLELLO (Not Present)
Vice Chairman

ROSE WALKER (Sitting in for Richard Nicolello)

DENNIS DUNNE

HOWARD KOPEL

KEVAN ABRAHAMS
Ranking

JUDY JACOBS

CARRIE SOLAGES

MICHAEL C. PULITZER, Clerk

LIST OF SPEAKERS

GREG MAY.	7
KEN ARNOLD.	8
ADRIAN CAVENAUGH.	11
LISA LOCURTO.	17
BOB MCMANUS	36
EILEEN KRIEB.	42
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INSERTS TO TRANSCRIPT

Page 84, Line 8 through Page 150, Line 8

2 CHAIRWOMAN GONSLAVES: Legislator Dunne,
3 would you please lead us in the Pledge of
4 Allegiance?

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

7 CHAIRWOMAN GONSLAVES: We will begin
8 committees with the Rules Committee. Once we act
9 on the various contracts, we will then recess
10 Rules to go through the other committees that are
11 scheduled to act today.

12 Without - before I ask the clerk to call
13 the roll, I just want to announce that a former
14 colleague of ours, Legislator Fran Becker, his
15 father passed away, so I think we could have a
16 moment of silence on behalf of his Fran Becker's
17 father.

18 (Whereupon, a moment of silence was
19 taken.)

20 CHAIRWOMAN GONSALVES: Mr. Pulitzer,
21 Clerk, please call the roll for the Rules
22 Committee.

23 CLERK PULITZER: Legislator Carrie
24 Solages?

25 LEGISLATOR SOLAGES: Here.

2 CLERK PULITZER: Legislator Judith
3 Jacobs?

4 LEGISLATOR JACOBS: Here.

5 CLERK PULITZER: Ranking Member Kevan
6 Abrahams?

7 LEGISLATOR ABRAHAMS: Here.

8 CLERK PULITZER: Alternate Deputy
9 Presiding Officer Howard Kopel?

10 LEGISLATOR KOPEL: Here.

11 CLERK PULITZER: Legislator Dennis
12 Dunne?

13 LEGISLATOR DUNNE: Here.

14 CLERK PULITZER: Substituting for Vice
15 Chairman Richard Nicoletto will be Rose Walker.

16 LEGISLATOR WALKER: Here.

17 CLERK PULITZER: And Chairwoman Norma
18 Gonsalves?

19 CHAIRWOMAN GONSALVES: Present.

20 CLERK PULITZER: We have a quorum.

21 CHAIRWOMAN GONSALVES: Thank you very
22 much, Mr. Pulitzer.

23 As stated previously, we will begin with
24 the contracts, and once we deliberate on the
25 contracts we will recess Rules and go to the

2 remaining committees.

3 Beginning with the first contract, which
4 is A-15, a resolution authorizing the director of
5 Nassau County Office of Purchasing to award and
6 execute a contract between the County of Nassau,
7 acting on behalf of the Nassau County Department
8 of Public Works and Hi Tech Air Conditioning
9 Service Inc.

10 Motion, please?

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator Walker.

15 Mr. May.

16 MR. MAY: Good afternoon. Happy
17 Mother's Day to everyone. I know it's a day
18 late.

19 CHAIRWOMAN GONSALVES: That's all right.
20 Every day is Mother's Day.

21 MR. MAY: We have Mr. Adrian Cavanaugh
22 from the Office of Purchasing to answer any
23 questions on this item.

24 CHAIRWOMAN GONSALVES: Minority Leader.

25 LEGISLATOR ABRAHAMS: Thank you, Madam

2 Presiding Officer.

3 Not in specific to this question, this
4 item, but I do have a concern - and it's been
5 happening over and over and for quite some time,
6 it probably goes back to the previous
7 administration as well. But when we only get one
8 bid received - and I know that we sent this out
9 electronically to 42 vendors - is it a practice
10 to rebid when we get the one bid? It just looks
11 like, I don't know. It just seems weird, like we
12 should almost rebid when we get the one bid just
13 to say that we did it twice just to ensure that
14 we allowed as many entities as possible to bid.

15 CHAIRWOMAN GONSALVES: Mr. Arnold -

16 LEGISLATOR ABRAHAMS: That's a general
17 question, not specific to this item.

18 CHAIRWOMAN GONSALVES: I know. Mr.
19 Arnold, do you wish to comment on that?

20 MR. ARNOLD: That would be a question
21 for the purchasing department. But to my
22 knowledge, they have not gotten readvertising. A
23 lot of times these requests are timely for the
24 department to finish projects at in a certain
25 timeframe, like this one. But that would be

2 something you would direct to the purchasing
3 department, on what their policy is.

4 LEGISLATOR ABRAHAMS: Is there anybody
5 here from purchasing today?

6 CHAIRWOMAN GONSALVES: In this case,
7 there were several vendors who bid on this
8 project.

9 LEGISLATOR ABRAHAMS: No. That's the
10 problem, only one bid.

11 CHAIRWOMAN GONSALVES: Forty-two vendors
12 were notified.

13 MR. MAY: Right. The bid was sent out,
14 and we only received one bid back from one
15 vendor. To answer the immediate question, no, we
16 don't have anybody here from purchasing, but I
17 can certainly bring the concerns that you had to
18 the administration and maybe we could work
19 something out in the future.

20 LEGISLATOR ABRAHAMS: Okay. Thank you,
21 Mr. May.

22 CHAIRWOMAN GONSALVES: Alternate.

23 LEGISLATOR KOPEL: Yeah. Just following
24 up on the Minority Leader's question. I think
25 we'd like to know if there is a good reason that

2 this happened. It does seem to raise a question;
3 why would such a thing happen? You'd think that
4 this is something that would elicit quite a few
5 bids. It's business out there. It just sounds
6 like something might be wrong in the notification
7 process. Maybe there ought to be outreach to
8 some of those 42 just as a matter of information.
9 Ask them why is it that you didn't bid?

10 That's it. Just a general question.
11 That might be a good thing to do.

12 CHAIRWOMAN GONSALVES: Mr. May, do any
13 of them respond with reason for a lack of
14 interest?

15 MR. MAY: Not to my knowledge, but we can
16 certainly check with the purchasing department
17 and see -

18 CHAIRWOMAN GONSALVES: I think that
19 would be a good idea to check.

20 MR. MAY: Sure. We can do that.
21 Absolutely.

22 CHAIRWOMAN GONSALVES: And possibly then
23 we should review the possibility - if it requires
24 timeliness, then I think that might be a reason
25 why we don't go out for another bid. But in the

2 meantime, we should check to see if any of those
3 vendors who received the RFPs responded, whether
4 it be negatively - most likely negatively - we
5 should know, and perhaps advise purchasing as to
6 what would be the next step.

7 MR. MAY: Okay. Excellent. We could
8 certainly look into that.

9 CHAIRWOMAN GONSALVES: Thank you very
10 much.

11 Now, on this item, which is Contract A-
12 15, okay, talk to us. A-15 is a contract between
13 the County Department of Public Works and Hi Tech
14 Air Conditioning Service Inc.

15 What are you going to tell us about it?
16 No, no. You interjected before he was able to
17 talk. Name of the record, please.

18 MR. CAVERNAUGH: Name is Adrian Cavanaugh
19 from the Department of Public Works. This
20 project is for the purchase of air conditioning
21 equipment for the Board of Election areas. The
22 reason they need the air conditioning is they now
23 have electronic voting machines, which are
24 sensitive to temperature and humidity, too high a
25 temperate or too high humidity, that is. In the

2 past they've had the mechanical voting machines,
3 which were not a problem. But now that they have
4 these electronic machines, the air conditioning
5 and dehumidification is necessary to control the
6 temperatures in the areas where they store them.

7 CHAIRWOMAN GONSALVES: Any questions?
8 Legislator Jacobs.

9 LEGISLATOR JACOBS: Hello. How are you?

10 MR. CAVENAUGH: Good.

11 LEGISLATOR JACOBS: I just have a quick
12 question. I seem that the initial funding is
13 \$346,500, but the blanket order that accompanies
14 this says, blanket order/purchase order in the
15 amount of one million. Can you explain that
16 discrepancy?

17 MR. CAVENAUGH: This would have to do
18 with the RTI. I don't have that piece of paper
19 with me. There was an overall project cost for
20 1.2 million. This is a part of that project
21 cost, the 346,000 is an equipment portion.

22 LEGISLATOR JACOBS: So this is just a
23 portion of the whole then.

24 MR. CAVENAUGH: Correct.

25 LEGISLATOR JACOBS: I don't mean to

2 sound foolish, but what is an RTI?

3 MR. CAVENAUGH: Request to Initiate.

4 It's a form that we have.

5 LEGISLATOR JACOBS: I have never heard
6 that used. All right. Okay. Thank you.

7 CHAIRWOMAN GONSALVES: Any other
8 legislators?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

12 There being none; all those in favor of
13 A-15 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 Any abstentions?

18 (Abstain.)

19 Four-zero-three.

20 The next one is B-17, a resolution
21 authorizing the county executive to award and
22 execute a contract between the County of Nassau,
23 acting on behalf of the Nassau County Department
24 of Public Works and Gramercy Group, Inc.

25 Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR WALKER: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator Walker.
6 Mr. May.

7 MR. MAY: We have Mr. Ken Arnold from
8 DPW to answer any questions on the item.

9 CHAIRWOMAN GONSALVES: Okay. Mr.
10 Arnold, just fill us in.

11 MR. ARNOLD: B-17 is a construction
12 contract associated with the demolition of
13 Cedarhurst and Lawrence. Both those plants now
14 are pumping to the Bay Park Sewage Treatment
15 Plant. These contracts will take all the
16 equipment away and leave the properties in the
17 hands of the village so they can proceed with
18 what they want to do with them.

19 Gramercy was the lowest responsible
20 bidder for the project.

21 CHAIRWOMAN GONSALVES: According to the
22 backup it was the second lowest bidder. The
23 first lowest bidder?

24 MR. ARNOLD: The first lowest bidder had
25 a math error. He asked for his bid to be

2 withdrawn. We accepted his withdrawal of his
3 bid.

4 CHAIRWOMAN GONSALVES: Thank you, Mr.
5 Arnold.

6 Mr. Kopel. Legislator Kopel.

7 LEGISLATOR KOPEL: Mr. Arnold, just a
8 quick note for you. The people in Lawrence and
9 Cedarhurst have expressed some concern about a
10 lack of information flowing to them, lack of
11 coordination, lack of - the department is not
12 informing the villages of what's going on, and
13 they would like -- I guess this applies certainly
14 not only to this contract but generally overall.

15 MR. ARNOLD: To my knowledge, we've
16 talked to both villages, to the extent where
17 Cedarhurst has actually asked us to leave a
18 building up there for them. I can follow up and
19 make sure that we do a better outreach.

20 LEGISLATOR KOPEL: Look. I don't have
21 any knowledge and I'm not accusing you of
22 anything. I'm simply letting you know a point of
23 information -

24 MR. ARNOLD: Yep.

25 LEGISLATOR KOPEL: That this is

2 something that I've heard from time to time, and
3 I suspect others have heard similar rumblings as
4 well, that there is not sufficient notification
5 and coordination.

6 MR. ARNOLD: I'll take that back. The
7 department does try to do its best to coordinate
8 all of our projects with the various
9 municipalities.

10 LEGISLATOR KOPEL: Thank you.

11 CHAIRWOMAN GONSALVES: Thank you, Mr.
12 Arnold.

13 Any other comments from the legislators?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 There being none; all those in favor of
18 B-17 signify by saying aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 Any abstentions?

23 (Abstain.)

24 Four-zero-three.

25 The next item is E-92, a contract entered

2 into by the Nassau County Attorney and Roemer
3 Wallens Gold & Mineaux LLP.

4 Motion, please?

5 LEGISLATOR DUNNE: So moved.

6 LEGISLATOR WALKER: Second.

7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Dunne, seconded by Legislator Walker.

9 Who is here to speak on this item?

10 MS. LOCURTO: Lisa Locurto, County
11 Attorney's Office. This is a special counsel
12 contract we have retained to provide counsel to
13 Nassau County Civil Service Commission. They are
14 going to be working with the Commission and the
15 county's human resources department to provide
16 guidance, specifically with regard to the hiring
17 practices of the Nassau University Medical
18 Center.

19 The firm was procured after looking at
20 specific labor firms who were qualified on the
21 county attorney panel. Due to conflicts of two
22 of the firms, we went to an outside - a firm
23 outside the panel, which is Roemer Wallens Gold &
24 Mineaux. They were selected because of their
25 extensive expertise in this particular area.

2 CHAIRWOMAN GONSALVES: Minority Leader.

3 LEGISLATOR ABRAHAMS: How are you, Ms.

4 Locurto?

5 MS. LOCURTO: Very good, Legislator.

6 LEGISLATOR ABRAHAMS: Just a quick
7 question about the term of the contract. In our
8 backup it indicates the term would be November
9 23, 2016 until completion; is that your
10 understanding as well?

11 MS. LOCURTO: I'm looking at the
12 contract. I heard the term was November 23, 2015
13 until -

14 LEGISLATOR ABRAHAMS: 2015, sorry.
15 Typo. Until when?

16 MS. LOCURTO: Until completion.

17 LEGISLATOR ABRAHAMS: Until completion.
18 It indicates - I'm just concerned that we have
19 this indefinite term that allows this contract to
20 just be open ended. Are there protocols that are
21 in place so that we can review it to know when
22 work is going to be coming close to completion?

23 MS. LOCURTO: Certainly. I think the
24 reason the county attorney's office sometimes
25 puts until completion is because litigation is

2 contemplated or is actually engaged, and because
3 there may not be a definite end date to
4 litigation, that's why it's until completion.
5 There could be successive appeals or continuing
6 of the litigation, so that's why it's usually to
7 completion.

8 There is a specific dollar amount to the
9 contract, and any amendments to add additional
10 funding to the contract would come back to the
11 legislative body and is for legislative review.
12 So that is the oversight that the legislature
13 has.

14 LEGISLATOR ABRAHAMS: I heard you say
15 this is a litigation contract.

16 MS. LOCURTO: When litigation is
17 anticipated.

18 LEGISLATOR ABRAHAMS: Oh, I see.

19 MS. LOCURTO: We are not in litigation
20 at this stage. But in the event the commission
21 makes a determination that maybe litigation is
22 necessary --

23 LEGISLATOR ABRAHAMS: So we don't have
24 any pending litigation.

25 MS. LOCURTO: Not at the moment.

2 LEGISLATOR ABRAHAMS: Gotcha. Do we
3 anticipate any litigation?

4 MS. LOCURTO: Potentially, yes.

5 LEGISLATOR ABRAHAMS: Then why isn't
6 that in - wouldn't - shouldn't that be specified
7 in the contract?

8 MS. LOCURTO: We're hoping to avoid
9 litigation, and that is the purpose of having the
10 counsel retained. If litigation is necessary, we
11 want the ability to engage as soon as possible.

12 CHAIRWOMAN GONSALVES: Legislator
13 Solages.

14 LEGISLATOR SOLAGES: Thank you very
15 much, Presiding Officer.

16 Good afternoon.

17 MS. LOCURTO: Good afternoon.

18 LEGISLATOR SOLAGES: Can I please ask
19 what type of litigation can we anticipate?

20 MS. LOCURTO: I think there are
21 questions that the Civil Service has when they
22 are administering the Civil Service hiring
23 practices, in particular with the Medical Center.
24 Although the Medical Center is subject to civil
25 service, it is not directly under the arm of the

2 county. In 1999, the Medical Center was - became
3 a public corporation and separated from the
4 county. However, the relationship between the
5 county and this public corporation, there is
6 still some intertwining between the two. The
7 workers - there are certain workers with the
8 Medical Center that are still subject to Civil
9 Service Law and Civil Service regulation, and the
10 commission wants to ensure that they are
11 administering the Civil Service Law with regard
12 to those workers properly.

13 And if there are issues and they feel the
14 need to proceed with a litigation, then they
15 would need counsel to advise them.

16 LEGISLATOR SOLAGES: I'm sorry. I'm
17 just trying to understand this. Why are we
18 paying money to outside law firms to advise NUMC?
19 Why can't we advise them? Why can't in-house
20 attorneys at the county attorney's office advise
21 them?

22 MS. LOCURTO: There are - there could be
23 an Article 78 litigation, a separate litigation
24 challenging the determination of the Commission.
25 Therefore, we would like counsel in place to

2 anticipate and be prepared for that possibility.

3 LEGISLATOR SOLAGES: I understand.

4 You're an attorney, and I see that you're
5 choosing your words very carefully. Would you
6 like to discuss this in executive session?

7 MS. LOCURTO: If you feel the need to go
8 into executive session to speak further on it,
9 I'd be happy to do so, that's up to the presiding
10 officer.

11 LEGISLATOR SOLAGES: I just want to know
12 and want to learn what specific issues with
13 respect to this litigation that we should
14 anticipate.

15 MS. LOCURTO: Any civil service
16 determination is subject to an Article 78. I'm
17 not quite sure what specific information that you
18 are looking for that I could provide.

19 LEGISLATOR SOLAGES: Okay.

20 CHAIRWOMAN GONSALVES: Let me ask you -

21 LEGISLATOR SOLAGES: Thank you.

22 CHAIRWOMAN GONSALVES: Ms. Locurto, this
23 item is an item that we would normally do when
24 there is a question of hiring practices between a
25 union that deals with the county as well as an

2 outside agency such as New Health. Why would it
3 require an executive session?

4 MS. LOCURTO: It normally would not.
5 There are - sometimes you retain legal counsel
6 because of their expertise, to hope to avoid
7 having to go into a litigation, to avoid and to
8 ensure that your practices are proper, such that
9 you will not be subject to making a determination
10 that will be subject to an Article 78 or some
11 other litigation. So that is the purpose of
12 retaining this counsel.

13 CHAIRWOMAN GONSALVES: Any other
14 questions? Yes.

15 LEGISLATOR SOLAGES: Just to follow up.
16 Does civil service charge NUMC for providing
17 services?

18 MS. LOCURTO: I'm not certain. I would
19 have to find out that answer for you, Legislator.

20 CHAIRWOMAN GONSALVES: What services,
21 Legislator Solages, are you talking about?

22 LEGISLATOR SOLAGES: I'm just trying to
23 understand what sort of services, I guess, this
24 law firm can provide. We have counsel there at
25 the hospital that earns over \$300,000, we have

2 several there, in fact. I just don't see why the
3 need to have outside counsel there for this issue
4 for the county.

5 MS. LOCURTO: I believe it's because
6 they have a special expertise with regard to
7 hiring practices, specific labor and employment
8 law knowledge dealing with this entity, which is
9 a public corporation. It's a public corporation
10 that's still subject to municipal civil service
11 laws. So their expertise and particular
12 knowledge will give the guidance to the Nassau
13 County Civil Service Commission that regular
14 counsel - NUMC has its own counsel, but NUMC's
15 counsel is to advise on other matters than this.

16 LEGISLATOR SOLAGES: Thank you very
17 much, Ms. Locurto. Thank you.

18 CHAIRWOMAN GONSALVES: Any public
19 comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 E-92 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

2 Any abstentions?

3 (No verbal response.)

4 It's four-three.

5 The next item is E-93, a resolution
6 authorizing the county executive to execute an
7 amendment to a personal services agreement
8 between the County of Nassau and Servisair LLC.

9 Motion, please?

10 LEGISLATOR DUNNE: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Dunne, seconded by Legislator Walker.

14 Now I'm going to ask for a motion to
15 table.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR DUNNE: Second.

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

20 All those in favor of tabling E-93
21 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 Any abstentions?

(No verbal response.)

Seven-nothing.

E-101, an amendment to a special counsel contract entered into by the Nassau County Attorney and Leventhal, Mullaney & Blinkoff LLP.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR DUNNE: Second.

CHAIRWOMAN GONSALVES: Moved by Legislator Walker, seconded by Legislator Dunne. Lisa Locurto, please.

MS. LOCURTO: Thank you, Presiding Officer. This is an amendment to an existing contract. This was counsel who is retained by the county in consultation to bring an affirmative lawsuit on behalf of the Nassau County comptroller.

The specific lawsuit that was filed was making claims for fraud and breach of contract against certain banks in connection with the issuance of libor-based financial instruments.

The matter was removed to federal court and it was subsequently transferred to the Southern District as part of a multi-district

2 federal litigation. The lawsuit an affirmative
3 litigation, which will give the county
4 potentially the opportunity to recover monies
5 that it was defrauded out of.

6 The purpose for the amendment, originally
7 a contract, had been voted and approved by the
8 legislature, but NIFA had denied approving the
9 contract because it had some concerns about the
10 contract. This amendment that is before the
11 legislature addresses all of NIFA's concerns, and
12 it is before you because of the expertise that is
13 necessary to bring this type of affirmative
14 litigation.

15 I also have counsel from the
16 comptroller's office if there are more specific
17 questions that the legislators might have about
18 the litigation.

19 CHAIRWOMAN GONSALVES: Before I ask the
20 question regarding NIFA's approval of the
21 amendment or the changes to this litigation. I
22 wanted to, for the record, indicate the timestamp
23 of May 2, five o'clock in the afternoon.

24 Just to repeat. This amendment is in
25 keeping with the recommendations of NIFA.

2 MS. LOCURTO: Yes, it is.

3 CHAIRWOMAN GONSALVES: Any questions
4 from the legislators? Minority Leader.

5 LEGISLATOR ABRAHAMS: Thank you, Madam
6 Presiding Officer.

7 Quick thing, Ms. Locurto, again.

8 MS. LOCURTO: Sure.

9 LEGISLATOR ABRAHAMS: In our reading of
10 the backup and I'm not too sure if it just got
11 misplaced. It appears the lobby and disclosure
12 form in our backup is missing. Do you have a
13 copy with you?

14 MS. LOCURTO: I did not because it's
15 over 100 pages so I didn't bring it all out. If
16 you need me to pause, I can go over and look on
17 the computer screen.

18 LEGISLATOR ABRAHAMS: I'm assuming
19 since it's before us that someone has reviewed
20 and determined that it is there. From our
21 reading of the backup, it's not there.

22 MS. LOCURTO: I would have to look and
23 see if all the pages were provided to you or if
24 it was not. I will definitely do that if you
25 give me a minute.

2 LEGISLATOR ABRAHAMS: Sure.

3 CHAIRWOMAN GONSALVES: In the meantime,
4 we're checking it out too, Kevan.

5 LEGISLATOR ABRAHAMS: Thank you.

6 MS. LOCURTO: And you're specifically
7 looking for?

8 LEGISLATOR ABRAHAMS: Just looking for
9 the disclosure form.

10 MS. LOCURTO: The disclosure. Okay.

11 CHAIRWOMAN GONSALVES: I'm going to move
12 to table this item.

13 Motion, please?

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR KOPEL: Second.

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

18 All those in favor of tabling this item
19 until we can find - oh, you got it. Now I have
20 to untable it.

21 LEGISLATOR ABRAHAMS: Ms. Locurto, just
22 as a word of advice because I guess things are
23 getting mixed up in how - I don't know if the
24 majority has found theirs. It might behoove the
25 administration to give us the disclosures for all

2 of the items that it pertains to in a separate
3 file. It seems like every week I'm asking you
4 and you guys have it, which is great. But if we
5 could just have them in a separate file being
6 sent to us on Friday or Thursday before.

7 MR. MAY: I don't know about that,
8 Legislator. We will examine that. But the
9 administrative work that that would require is
10 fairly significant. We order all of the
11 documents specifically so that you could thumb
12 through the front of the documents to see what's
13 available.

14 The question, I believe, was regarding a
15 lobbyist disclosure form.

16 LEGISLATOR ABRAHAMS: Hum, hmm.

17 MR. MAY: I don't know which page it is,
18 but on page 75 of my PDF, question number seven,
19 lists all lobbyists whose services are utilized
20 in any stage of this matter: the answer was
21 none. Therefore, there would be no lobbyist
22 disclosure form required since they did not use a
23 lobbyist.

24 CHAIRWOMAN GONSALVES: But all of that
25 is in the backup, Mr. May?

2 MR. MAY: That is correct. It's on
3 file.

4 LEGISLATOR ABRAHAMS: I was just
5 confirming with counsel. Basically, the county
6 attorney's opinion was that if they check the box
7 none then we should not see any form going
8 forward.

9 MR. MAY: I believe if they indicated
10 very specifically none as opposed to N/A or not
11 applicable that there would not be a lobbyist
12 disclosure form because there would be nothing to
13 disclose.

14 LEGISLATOR ABRAHAMS: Gotcha. All
15 right. So I guess that's how we know to proceed.

16 CHAIRWOMAN GONSALVES: Mr. May, the
17 lobbyist form said none, not N/A, none.

18 MR. MAY: That's correct. That's what
19 I'm saying, we do not accept N/A. And this one
20 says none. This is correct.

21 CHAIRWOMAN GONSALVES: All right. No
22 problem.

23 MR. MAY: Thank you.

24 CHAIRWOMAN GONSALVES: Thank you very
25 much.

2 I have to clarify something before we
3 move on. Did we vote on that motion to table?
4 No. Okay. The motion to table was really not
5 activated.

6 Any other comment?

7 (No verbal response.)

8 There being none; all those in favor of
9 E-101 signify by saying aye.

10 (Aye.)

11 Any opposed?

12 (Nay.)

13 The item passes four to three.

14 The next item is --

15 LEGISLATOR SOLAGES: Presiding Officer?

16 CHAIRWOMAN GONSALVES: Yes.

17 LEGISLATOR SOLAGES: Just a point of
18 clarification. In going forward, if there is no
19 form or if the form is executed and it says none,
20 we won't receive that form? Just going forward,
21 what can I anticipate, please? I would just
22 appreciate the distinction between not
23 applicable, N/A, and none.

24 MR. MAY: Legislator, I believe the
25 county attorney issued an opinion that N/A was an

2 unacceptable answer.

3 CHAIRWOMAN GONSALVES: Yes, it was. We
4 will not accept N/A.

5 MR. MAY: This form was marked none
6 and, therefore, there would not be a lobbyist
7 disclosure form. We are not going to be filing
8 items that are blank and wasting paper. If they
9 indicate that they are not using lobbyists, we're
10 not going to be filing a form for lobbyists.

11 LEGISLATOR SOLAGES: Thank you.

12 MR. MAY: You're very welcome.

13 CHAIRWOMAN GONSALVES: Mr. May, don't go
14 away. Question to you.

15 MR. MAY: Yes.

16 CHAIRWOMAN GONSALVES: That form
17 requiring an answer to whether or not a lobbyist
18 was involved -

19 MR. MAY: Yes.

20 CHAIRWOMAN GONSALVES: if the answer is
21 none, as we have indicated from the advice from
22 the county attorney's office, that is not going
23 to be part of the backup?

24 MR. MAY: The document indicating that
25 there is no lobbyist would be filed. The

2 lobbyist disclosure form would not be filed
3 because there is no lobbyist to disclose.

4 CHAIRWOMAN GONSALVES: You're talking
5 about the lobbyist registration form, that would
6 not be filed.

7 MR. MAY: Whichever form it is, the
8 lobbyist, registration or disclosure form,
9 neither would be in there. There would be no
10 lobbyist to disclose and there would be no
11 lobbyist to register, so none of that information
12 would be included.

13 CHAIRWOMAN GONSALVES: And then how are
14 we supposed to know, Mr. May?

15 MR. MAY: Know what?

16 CHAIRWOMAN GONSALVES: That there was
17 none, if it's not in the backup.

18 MR. MAY: Because they're indicating
19 that they have not used - in the vendors,
20 consultants, and lobbyists disclosure form they
21 are indicating that no lobbyist was used;
22 therefore, we will not be filing any information
23 on a lobbyist because they have indicated to you,
24 in the backup provided, that they are not using a
25 lobbyist, so there would be nothing further to

2 file on that answer.

3 CHAIRWOMAN GONSALVES: Thank you very
4 much, that clears it up.

5 MR. MAY: You are very welcome.

6 CHAIRWOMAN GONSALVES: Any other
7 questions?

8 (No verbal response.)

9 Any other comments?

10 LEGISLATOR WALKER: My comment was just
11 that we are getting the form that says none.

12 MR. MAY: Correct.

13 LEGISLATOR WALKER: That's easy.

14 MR. MAY: If it said yes, you would have
15 further information then -

16 LEGISLATOR WALKER: Right.

17 MR. MAY: because there would be
18 additional information. When it's none, it's -

19 CHAIRWOMAN GONSALVES: We understand
20 where we're going.

21 MR. MAY: Thumbs up. Thank you very
22 much.

23 CHAIRWOMAN GONSALVES: Thank you very
24 much.

25 There being no other questions regarding

2 this item, we are moving to E-103, a resolution
3 authorizing the county executive to execute an
4 amendment to a personal services agreement
5 between the County of Nassau, acting on behalf of
6 the Nassau County District Attorney, and Maria
7 Ploth.

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR WALKER: Second.

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

12 And we have?

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

15 Maria Ploth conducts programs of
16 operation Safe Child on behalf of the district
17 attorney's office. She occasionally assists with
18 other programs, but this is her primary function.

19 She has been trained by the New York
20 State Division of Criminal Justice Services to
21 conduct the program and is willing and able to
22 work nights and weekends to present it at
23 schools, churches, fraternal organizations, fire
24 house, etcetera.

25 Operation Safe Child is a state-of-the-

2 art system to protect children from abduction,
3 sex trafficking, and other dangers. All data,
4 including personnel information, photos, and
5 fingerprints are carefully collected and sent to
6 Albany to be recorded and maintained under the
7 auspices of the New York State Police.

8 CHAIRWOMAN GONSALVES: Any questions of
9 Mr. McManus? Minority Leader.

10 LEGISLATOR ABRAHAMS: Just a quick
11 question. How are you doing, Mr. McManus?

12 MR. MCMANUS: Good.

13 LEGISLATOR ABRAHAMS: Quick question in
14 regard to procurement. I think I normally ask
15 you this. Was it handled by the district
16 attorney's office?

17 MR. MCMANUS: Yes, it was.

18 LEGISLATOR ABRAHAMS: Thank you.

19 CHAIRWOMAN GONSALVES: Any other
20 questions or comments?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 There being none; E-103, all in favor
25 signify by saying aye.

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 The item passes seven to zero.

6 The next contract, which is E-104, a
7 personal services agreement between the County of
8 Nassau, acting on behalf of the Office of the
9 Nassau County Attorney and Enright Court
10 Reporting, Inc.

11 Motion, please?

12 LEGISLATOR WALKER: So moved.

13 LEGISLATOR DUNNE: Second.

14 CHAIRWOMAN GONSALVES: Moved by
15 Legislator Walker, seconded by Legislator Dunne.

16 Ms. Locurto.

17 MS. LOCURTO: Presiding Officer, if I
18 may, there are -- this is for stenography and
19 court reporting services for the county
20 attorney's office. There are three additional
21 court reporting contracts, so I don't know if you
22 want to call them all together but the testimony
23 that I'll give on this particular contract would
24 apply to those other court reporting contracts as
25 well.

2 CHAIRWOMAN GONSALVES: What are the
3 numbers, Ms. Locurto?

4 MS. LOCURTO: They are U-4-2016 with
5 Excel Reporting, U-8, Bee Reporting, and U-14,
6 Precise Court Reporting.

7 CHAIRWOMAN GONSALVES: So that we can
8 discuss all four, I will put these four items -
9 U-4, U-8, and U-14 - on the same motion as E-104,
10 which was moved by Legislator Walker and seconded
11 by Legislator Dunne.

12 Now you are free to talk about each of
13 these.

14 MS. LOCURTO: Thank you.

15 CHAIRWOMAN GONSALVES: You got the
16 items? It's U-4, U-8, and U-14. Go.

17 MS. LOCURTO: The county attorney's
18 office conducted an RFP for court reporting
19 services. The RFP was issued in November 2015.
20 The proposals were due in December 2015. There
21 were eight court reporting companies that
22 responded, the top five were scored and selected.
23 The four that are before you, again, were the
24 ones who were part of the top ranked ones of all
25 of the proposals that we received.

The amounts of each of the contracts is \$25,000, and the term of the contract will be from January 2016 through December 31, 2016.

The fifth court reporting service this legislative body already voted on back on April 11. So all five respondents to the RFP and who were awarded the contract, this will complete that.

The purpose for this litigation service is to enable the office to have stenography services, make transcriptions, have transcriptions of plaintiffs, of witnesses, and defendants at examinations before trials or administrative hearings so that the county attorney's office can make a record and use their testimony in motion papers.

CHAIRWOMAN GONSALVES: Any questions on these items from Ms. Locurto?

(No verbal response.)

Any public comment?

(No verbal response.)

There being none; all those in favor of Items E-104, U-4, U-8, and U-14 signify by saying aye.

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Any abstentions?

6 (Abstain.)

7 These items pass four-zero-three.

8 Item E-105, which is a personal services
9 agreement between the County of Nassau, acting on
10 behalf of the Nassau County Police Department and
11 Aon Consulting Inc.

12 Motion, please?

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Walker, seconded by Legislator Dunne.

17 Now I'm going to ask for a motion to
18 table.

19 LEGISLATOR DUNNE: So moved.

20 LEGISLATOR WALKER: Second.

21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator Walker.

23 All those in favor of tabling E-105
24 signify by saying aye.

25 (Aye.)

2 Any opposed?

3 (No verbal response.)

4 The item is tabled, seven to zero.

5 I'm sorry, Lieutenant.

6 The next one is E-106, a personal
7 services agreement, an amendment to a personal
8 services agreement between the County of Nassau,
9 acting on behalf of the Nassau County Department
10 of Parks, Recreation and Ed Moore Advertising,
11 Inc.

12 Motion, please?

13 LEGISLATOR DUNNE: So moved.

14 LEGISLATOR WALKER: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Dunne, seconded by Legislator Walker.

17 Who is here to speak on E-106?

18 MS. KRIEB: Good afternoon. Eileen
19 Krieb from the Department of Parks.

20 This is a new service agreement with Ed
21 Moore Advertising Agency for the year 2016 in the
22 amount of \$150,000 funded through hotel/motel
23 funding in response to an RFP.

24 CHAIRWOMAN GONSALVES: Any questions of
25 Ms. Krieb?

2 (No verbal response.)

3 Any public comment?

4 (No verbal response.)

5 There being none --

6 Legislator Kopel.

7 LEGISLATOR KOPEL: Just a question
8 similar to the one that was raised before with
9 respect to a different item. Do you have any
10 theories as to why 172 potential bidders
11 requested copies and one bid was received? Do
12 you have any theories how that happens?

13 MS. KRIEB: I don't know. I think that
14 sometimes there's more of a specialty than what
15 the title of the RFP implies.

16 LEGISLATOR KOPEL: If 172 received
17 copies -

18 MS. KREIB: And we received one.

19 LEGISLATOR KOPEL: And you got one bid,
20 is this so specialized that you would anticipate
21 receiving only one bid?

22 MR. KRIEB: Of course when we put it out
23 for bid we are anticipating more than one. But
24 based on how many people pull it and submit,
25 that's beyond our control.

2 LEGISLATOR KOPEL: I understand that.
3 But you don't have any theories about that?

4 MS. KRIEB: No, none at all.

5 LEGISLATOR KOPEL: Okay.

6 CHAIRWOMAN GONSALVES: Minority Leader.

7 LEGISLATOR ABRAHAMS: Just a quick
8 question in regards to the encumbering. Our
9 counsel has advised us that - I just want to make
10 sure that we are encumbering at the same schedule
11 as per the contract. It seems like we encumber
12 for the entire year, the whole entire \$150,000.
13 Based on our understanding or reading of the
14 contract, it looks like we should probably be
15 doing it on the per event or quarterly, maybe the
16 guidelines in the contract indicate something
17 different. Is that your impression as well?
18 This is more clarification. Your comments won't
19 have any impact on how we vote on the contract.

20 MS. KRIEB: We do the contract for the
21 year because the timing of our events, so we come
22 out to encumber for the entire year. If there
23 was money left in the contract, we disencumber
24 often at the end of the year.

25 LEGISLATOR ABRAHAMS: No. I guess what

2 I'm asking is is that the right way to do it or
3 should we be encumbering for the quarter or for
4 the event itself? I'm not too sure.

5 I guess what we're looking at is in
6 Section 3B - All payments shall be made in
7 accordance - this is the voucher, the voucher
8 review, approval and audit section. All payments
9 shall be made in accordance with Section 3A above
10 and shall be contingent upon the contractor
11 submitting vouchers in a form satisfactory to the
12 county that states reasonably specificity the
13 services to provided, the payment requested, as
14 considering such. I guess until we know they're
15 actually going to put the voucher in for the
16 services, we're already encumbering the entire
17 year.

18 MS. KRIEB: We encumber the amount -

19 LEGISLATOR ABRAHAMS: But they may
20 submit a voucher that is not correct for the
21 county to accept and we already encumbered that
22 money.

23 MS. KRIEB: We encumbered the money, but
24 each time they do advertising for us for an
25 event, on a monthly basis he submits copies of

2 the advertising that he does or a script that he
3 does for the radio and then that gets processed
4 with the claim voucher to the comptroller's
5 office for approval.

6 LEGISLATOR ABRAHAMS: No, no. I
7 understand the process. I guess what I'm saying
8 is we don't know what they're going to put in a
9 voucher for, or even if they put in a voucher for
10 something that's actually acceptable to the
11 county.

12 I understand what you're saying.

13 MS. KRIEB: It has to conform to the
14 contract or it wouldn't be paid.

15 LEGISLATOR ABRAHAMS: That's what I'm
16 saying. Based on the contract's reading, we need
17 to have the vouchers submitted before we even
18 know what we're going to pay. We're already
19 saying we're going to pay \$150,000 and some of
20 these vouchers may not come through until March
21 1, 2017. We can always disencumber it so I
22 understand.

23 MS. KRIEB: Yeah. It's like an ongoing
24 balance that gets disencumbered at the end.

25 LEGISLATOR ABRAHAMS: Yeah. It could

2 always get disencumbered at the end.

3 MS. KRIEB: He never gets overpaid and
4 we can pay up to that amount. It's based on
5 individual claims that add up to that amount
6 possibly or less.

7 MR. MAY: Legislator, this is no
8 different than the language included in your
9 community revitalization programs that you guys
10 pass on a monthly basis. We get claim vouchers
11 put in, they are reviewed by the departments,
12 they are reviewed by the comptroller's office,
13 and then if they are deemed appropriate they are
14 paid. This is not anything out of the ordinary.

15 LEGISLATOR ABRAHAMS: Okay.

16 I guess what I'm asking is just that
17 process, maybe we should take a look at that,
18 that's all I'm saying, even for the CRPs.

19 MR. MAY: Whatever you guys want to do
20 with the process in terms of review is fine with
21 us. It's a pretty detailed review process
22 already. The comptroller's office looks at this;
23 they are independently elected office. They have
24 really no concern with what we want. So if they
25 decide a claim is not valid, they really have no

2 problem kicking it back to us. This is pretty
3 detailed and pretty involved.

4 CHAIRWOMAN GONSALVES: Legislator Dunne.

5 LEGISLATOR DUNNE: We've been doing
6 this for over 20 years and there has never been
7 any problem with it. Unless you foresee a
8 problem coming up that we are not aware of, I
9 think it's worked out quite well. Don't fix it
10 if it's not broke.

11 LEGISLATOR ABRAHAMS: I think, Dennis,
12 it's not an issue of whether or not there is a
13 problem. In the reading of the contract it
14 indicates that payments will not be made until
15 vouchers are submitted. None of us have a
16 crystal ball. None of us can predict what the
17 voucher is going to be in March 1, 2017. So to
18 encumber the entire amount, maybe a better
19 practice would be - and this might require having
20 someone where from the comptroller's office or
21 the budget office - a better practice would be to
22 encumber quarterly or looking at the entire
23 picture or when the events are going to come.

24 As Ms. Krieb said, and I tend to agree,
25 we can always disencumber so that's always the

2 safety valve in any of this. My point is that's
3 just looking at the practice.

4 I'm not saying that it's wrong. It's
5 okay. Unless you want to.

6 CHAIRWOMAN GONSALVES: I think we're
7 okay.

8 LEGISLATOR ABRAHAMS: I think we're
9 okay, though.

10 LEGISLATOR DUNNE: It's done. Thank
11 you.

12 CHAIRWOMAN GONSALVES: Any public
13 comment?

14 (No verbal response.)

15 There being none; all those in favor of
16 E-106 signify by saying aye.

17 (Aye.)

18 Any opposed?

19 (No verbal response.)

20 Any abstentions?

21 (Abstain.)

22 Four-zero-three.

23 The next one is E-108, a personal
24 services agreement between the County of Nassau,
25 acting on behalf of the Office of the Nassau

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2 County Attorney, and Kaufman Dolowich & Voluck,
3 LLP.
4 Motion, please?
5 LEGISLATOR WALKER: So moved.
6 LEGISLATOR DUNNE: Second.
7 CHAIRWOMAN GONSALVES: Moved by
8 Legislator Walker, seconded by Legislator Dunne.
9 Who is here to speak on this agreement?
10 MR. PODLESAK: Madam Chairman, Jerry
11 Podlesak here. Ms. Locurto I believe is in
12 conference with your counsel right now.
13 CHAIRWOMAN GONSALVES: Do you want me to
14 table this item?
15 MR. PODLESAK: If you have to table it,
16 you have to table it.
17 CHAIRWOMAN GONSALVES: If they are in
18 conference - I'll have a motion to table.
19 LEGISLATOR DUNNE: So moved.
20 LEGISLATOR KOPEL: Second.
21 CHAIRWOMAN GONSALVES: Moved by
22 Legislator Dunne, seconded by Legislator Kopel.
23 All those in favor of tabling E-108
24 signify by saying aye.
25 (Aye.)

2 Any opposed?

3 (No verbal response.)

4 The item is tabled seven to zero. Thank
5 you.

6 The next one is E-109, a personal
7 services agreement between the County of Nassau,
8 acting on behalf of the Nassau County District
9 Attorney's Office, and North Shore Child & Family
10 Guidance Center.

11 LEGISLATOR WALKER: So moved.

12 LEGISLATOR DUNNE: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Walker, seconded by Legislator Dunne.

15 And?

16 Any questions regarding E-109, the
17 personal services agreement between the District
18 Attorney's Office and North Shore Child & Family
19 Guidance Center, Inc.

20 Okay. Mr. McManus.

21 MR. MCMANUS: Thank you. This is a one
22 year extension of an existing agreement for case
23 management services for the Closer to the Crib
24 program conducted by the district attorney's
25 office. This program focuses on supporting

2 positive developmental outcomes in prenatal to
3 three-year old children of criminal offenders to
4 reduce the likelihood that they will later become
5 involved in criminal activity.

6 This contract is for a case manager, and
7 referrals are made to existing reputable social
8 service agencies so that program participants can
9 receive the services they require.

10 There are currently 17 children receiving
11 services under this program.

12 CHAIRWOMAN GONSALVES: Any questions of
13 Mr. McManus? Legislator Jacobs.

14 LEGISLATOR JACOBS: I assume that your
15 office did the procurement on this?

16 MR. MCMANUS: Yes, ma'am. We did a
17 formal RFP in 2014.

18 LEGISLATOR JACOBS: Okay. Thank you
19 very much.

20 MR. MCMANUS: You're welcome.

21 CHAIRWOMAN GONSALVES: Any other
22 questions or comments?

23 (No verbal response.)

24 Any public comment?

25 (No verbal response.)

2 There being none; all those in favor of
3 E-109 signify by saying aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 Any abstentions?

8 (No verbal response.)

9 The item passes unanimously.

10 MR. MCMANUS: Thank you.

11 CHAIRWOMAN GONSALVES: Thank you, Mr.
12 McManus.

13 We're going back to 108. I will ask for
14 a motion to untable the personal services
15 agreement, E-108.

16 LEGISLATOR KOPEL: So moved.

17 LEGISLATOR DUNNE: Second.

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

20 All those in favor of untabling E-108
21 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item is untabled.

2 MS. LOCURTO: Thank you, Presiding
3 Officer. This is a special counsel contract
4 which is expiring in 2016. The county attorney's
5 office is exercising a one-year renewal option.
6 The reason we're renewing and adding additional
7 funding is because this litigation, it looks
8 like, is going to go forward to trial in
9 September of this year.

10 The firm was retained because of its
11 expertise in employment and labor law. This is a
12 federal claim being made alleging discrimination
13 and harassment and there are multiple parties
14 involved in the litigation. It is a complex,
15 requiring a specific expertise.

16 CHAIRWOMAN GONSALVES: Any questions of
17 Ms. Locurto regarding this item?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 E-108 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

2 The item passes four to three.

3 The next item is E-110, a special counsel
4 contract entered into by the Nassau County
5 Attorney and Bond Schoeneck & King LLC.

6 Motion, please?

7 LEGISLATOR WALKER: So moved.

8 LEGISLATOR KOPEL: Second.

9 CHAIRWOMAN GONSALVES: Moved by
10 Legislator Walker, seconded by Legislator Kopel.

11 Anyone here to speak on E-110?

12 MS. LOCURTO: Yes.

13 CHAIRWOMAN GONSALVES: Okay.

14 MS. LOCURTO: This is an amendment to an
15 existing contract. This is a law firm that was
16 retained because of its expertise in bankruptcy.
17 Specifically, they were retained by the county
18 attorney's office to represent the county and its
19 interest in the federal bankruptcy in the Twin
20 Rinks proceeding.

21 Bankruptcy is a particular area of law
22 that required an expertise that the in-house
23 counsel in the county attorney's office could not
24 provide.

25 CHAIRWOMAN GONSALVES: Any questions on

2 this item?

3 (No verbal response.)

4 Any public comment?

5 (No verbal response.)

6 There being none; all those in favor of
7 E-110 signify by saying aye.

8 (Aye.)

9 Any opposed?

10 (Nay.)

11 The item passes four to three.

12 The next item is E-114, an amendment to a
13 personal services agreement between the County of
14 Nassau, acting on behalf of the Nassau County
15 District Attorney's Office, and Suzanne Hand &
16 Associates, Inc.

17 Motion, please?

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator Walker.

22 Mr. McManus.

23 MR. MCMANUS: This is an extension of an
24 existing agreement with Suzanne Hand & Associates
25 to provide legally mandated court reporting

2 services to selected grand jury panels. We are
3 extending this agreement for the same amount as
4 previous years, and we are very satisfied with
5 the service we received from this vendor.

6 CHAIRWOMAN GONSALVES: Any questions of
7 Mr. McManus?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those in favor of
12 E-114 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (No verbal response.)

16 The item passes unanimously.

17 The next item is E-115, a resolution
18 authorizing the county executive to execute a use
19 and occupancy agreement between the County of
20 Nassau, acting on behalf of the Nassau County
21 Department of Parks, Recreation and the Friends
22 of Cedarmere, Inc.

23 Motion, please?

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR WALKER: Second.

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Dunne, seconded by Legislator Walker.

4 Who is here to speak on this item? This
5 is E-115.

6 MS. KRIEB: Eileen Krieb, Department of
7 Parks. This is a three-year use and occupancy
8 with the Friends of Cedarmere. It's
9 incorporating their previous agreement with us to
10 extend their scope of service that they are
11 allowed to engage in. It's a penny contract.

12 CHAIRWOMAN GONSALVES: Any questions
13 regarding this item?

14 LEGISLATOR ABRAHAMS: They'll have no
15 payment? There will be no payment?

16 MS. KRIEB: There's no payment. No.

17 CHAIRWOMAN GONSALVES: Any other
18 question or comment?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 There being none - Legislator Kopel.

23 LEGISLATOR KOPEL: Do they have any -
24 exercise any control over this park?

25 MS. KRIEB: Right now their scope of

2 work is horticulture. They do the gardens. They
3 do the box garden, the rose gardens, and now they
4 want to do other programs regarding watercolors
5 at the Grist Mill and other types of cultural
6 events.

7 LEGISLATOR KOPEL: Okay. But they don't
8 have any control over third-party use in the
9 park.

10 MS. KRIEB: No.

11 LEGISLATOR KOPEL: That's all. Thank
12 you.

13 CHAIRWOMAN GONSALVES: Legislator
14 Jacobs.

15 LEGISLATOR JACOBS: I want to know where
16 this park is. I'm sorry. I heard you talking
17 about the Grist Mill also. I just wanted - where
18 are we talking about?

19 MS. KRIEB: This is William Cullen
20 Bryant's house in Roslyn Harbor.

21 LEGISLATOR JACOBS: Okay. Thank you.

22 CHAIRWOMAN GONSALVES: Any public
23 comment?

24 (No verbal response.)

25 There being none; all those in favor of

2 E-115 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Any abstentions?

7 (No verbal response.)

8 It passed unanimously.

9 The next item is E-118, an amendment to a
10 special counsel contract entered into by the
11 Nassau County Attorney and Leahey & Johnson, P.C.

12 Motion, please?

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR KOPEL: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Walker, seconded by Legislator Kopel.

17 MS. LOCURTO: Good afternoon, Presiding
18 Officer. This is a special counsel contract to
19 add additional funding to an existing contract
20 and also increasing the scope of services. The
21 county attorney's office is adding the particular
22 case because the county attorney's office cannot
23 continue in the representation as there is a
24 potential conflict of interest.

25 This is a multi-defendant litigation. It

2 involves not only Nassau County but Suffolk
3 County. For all these reasons, we are amending
4 an existing contract so that this firm can
5 continue to represent and defend the county.

6 CHAIRWOMAN GONSALVES: Any questions or
7 comments for Ms. Locurto?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those in favor of
12 E-118 signify by saying aye.

13 (Aye.)

14 Any opposed?

15 (Nay.)

16 Four to three. The item passes, four to
17 three.

18 The next item is E-119, a personal
19 services agreement between the County of Nassau,
20 acting on behalf of the Nassau County Department
21 of Social Services, and YMS Management
22 Associates, Inc.

23 Motion, please?

24 LEGISLATOR WALKER: So moved.

25 LEGISLATOR DUNNE: Second.

2 CHAIRWOMAN GONSALVES: Moved by
3 Legislator Walker, seconded by Legislator Dunne.
4 Mr. Broderick.

5 MR. BRODERICK: Good afternoon. Paul
6 Broderick, Deputy Commissioner, Department of
7 Social Services.

8 The item before you is a contract between
9 Department of Social Services and YMS Management
10 Associates for account maintenance support
11 services for child support enforcement unit.

12 Do you have any questions?

13 CHAIRWOMAN GONSALVES: Any questions of
14 Mr. Broderick?

15 I'm going to ask to table Item E-119.
16 Mr. Broderick, don't go away.

17 Motion to table, please?

18 LEGISLATOR KOPEL: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Kopel, seconded by Legislator Walker.

22 All those in favor signify by saying aye.

23 (Aye.)

24 The item is tabled unanimously.

25 Just stay put, Mr. Broderick.

We're going to the next one, E-120, an amendment to a personal services agreement between the County of Nassau, acting on behalf of the Nassau County Department of Social Services and Summit Security Services, Inc.

Motion, please?

LEGISLATOR WALKER: So moved.

LEGISLATOR DUNNE: Second.

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

Who is here to speak on this item?

MR. BRODERICK: Presiding Officer, the department respectfully asks that the item be tabled for the current time.

CHAIRWOMAN GONSALVES: 120, a motion to table?

LEGISLATOR KOPEL: So moved.

LEGISLATOR WALKER: Second.

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

All those in favor of tabling E-120 signify by saying aye.

(Aye.)

The item passes unanimously. It is

2 tabled.

3 MR. BRODERICK: Thank you.

4 CHAIRWOMAN GONSALVES: Now we're going
5 to some of the U contracts.

6 U-3 an amendment to a personal services
7 agreement between the County of Nassau, acting on
8 behalf of the Nassau County Treasurer and
9 Auctions International Inc.

10 Motion, please?

11 LEGISLATOR DUNNE: So moved.

12 LEGISLATOR WALKER: Second.

13 CHAIRWOMAN GONSALVES: Moved by
14 Legislator Dunne, seconded by Legislator Walker.

15 Who do we have here to speak on U-3?

16 MR. JEFFERSON: Good afternoon.

17 CHAIRWOMAN GONSALVES: Good afternoon.

18 MR. JEFFERSON: Beaumont Jefferson,
19 County Treasurer.

20 CHAIRWOMAN GONSALVES: Welcome.

21 MR. JEFFERSON: Thank you.

22 The item before you is a contract for
23 unpaid tax lien auctioneer between the County and
24 Auctions International. This is to conduct the
25 annual tax lien sale.

2 CHAIRWOMAN GONSALVES: Okay. Any
3 questions of Mr. Beaumont? Legislator Solages.

4 LEGISLATOR SOLAGES: Good afternoon, Mr.
5 Jefferson. How are you doing?

6 MR. JEFFERSON: Good afternoon. I'm
7 fine.

8 LEGISLATOR SOLAGES: Thank you. Thank
9 you, Presiding Officer.

10 Mr. Jefferson, this work, when did this
11 work occur?

12 MR. JEFFERSON: As you can see before
13 you, this work occurred in February.

14 LEGISLATOR SOLAGES: This is for work
15 that already passed? This is for work that
16 already passed?

17 MR. JEFFERSON: That's correct. You
18 can see that in front of you. That's clearly on
19 the contract detail.

20 LEGISLATOR SOLAGES: As a matter of
21 practice, why couldn't the treasurer's office get
22 the contract to us during the four months after
23 the proposals were received? Because the RFP, to
24 my understanding, was issued in 2015, September.

25 MR. JEFFERSON: Yeah. The RFP was

2 issued in September. The documents were prepared
3 and submitted right after we awarded it. At some
4 point I guess the documents did not - you didn't
5 receive it at the Leg, but these documents were
6 submitted last, I believe, October.

7 LEGISLATOR SOLAGES: But I'm concerned.
8 I would like to approve these contracts before
9 the work occurs. We're well after the February
10 date and this is for work that happened already.

11 MR. JEFFERSON: Legislator, it was our
12 intention to get the contract to you. It was
13 submitted early so that we could get it approved,
14 we could get the bids back in. We were able to
15 get the bids back in, and we started the process
16 of routing the contract. At that point, I can't
17 speak for what happened within the routing
18 process. But we started the contract very early.
19 We started it in September 2015.

20 LEGISLATOR SOLAGES: I understand. In
21 the backup, I don't have a list of all the other
22 respondents to the RFP. Why isn't that in the
23 backup, please?

24 MR. JEFFERSON: That's not in the backup
25 because this is the only respondent.

2 LEGISLATOR SOLAGES: So there was only
3 one response?

4 MR. JEFFERSON: That's correct.

5 LEGISLATOR SOLAGES: Okay. Thank you.

6 CHAIRWOMAN GONSALVES: Mr. Jefferson,
7 Legislator Kopel.

8 LEGISLATOR KOPEL: Good afternoon.

9 MR. JEFFERSON: Good afternoon.

10 LEGISLATOR KOPEL: My question is on the
11 annual tax lien sale, can this be done, just
12 curious, online? Do you actually need to do it
13 with a live auctioneer? Is that a useful thing?

14 MR. JEFFERSON: The tax lien sale can be
15 done, and we're exploring online also. It can be
16 done online or it could be done in person. We're
17 exploring doing it online also.

18 LEGISLATOR KOPEL: Which one would be
19 cheaper? Which one would be more efficient?

20 MR. JEFFERSON: Excuse me?

21 LEGISLATOR KOPEL: Which one, if you
22 know, would be less expensive and which one would
23 be more efficient?

24 MR. JEFFERSON: It all depends. We've
25 done studies where we can see - you may be able

2 to drive the bids down if you have more
3 individuals bidding. You will have --

4 LEGISLATOR KOPEL: To drive the bids up,
5 I suppose.

6 MR. JEFFERSON: Well, we would actually
7 pay less to the investors. You also have the
8 development costs, which some firms are willing
9 to actually develop the programs for you because
10 they actually have to interface with the county
11 system. In the first year you may not see the
12 returns but you may see them in the out years.

13 LEGISLATOR KOPEL: Got it. Would you
14 let us know how that's looking, that study?

15 MR. JEFFERSON: Sure.

16 LEGISLATOR KOPEL: Is that an active,
17 ongoing study?

18 MR. JEFFERSON: Yeah. We started last
19 year. I worked with Jerry Podlesak. We've
20 started to look at it. We also looked at some
21 vendors last year and we're still looking at it.

22 LEGISLATOR KOPEL: All right. We'd love
23 to hear about that.

24 MR. JEFFERSON: Sure.

25 CHAIRWOMAN GONSALVES: Any other

2 questions or comments from the legislators?

3 MR. JEFFERSON: I just want to add one
4 thing for the record.

5 CHAIRWOMAN GONSALVES: Yes.

6 MR. JEFFERSON: Also, when we looked at
7 it, the current law doesn't allow - there would
8 have to be some changes in the Admin Code because
9 the current law doesn't allow us to do online
10 lien sales.

11 CHAIRWOMAN GONSALVES: Any other
12 comments or questions?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 There being none; all those in favor of
17 U-3 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (Nay.)

21 Any abstentions?

22 (No verbal response.)

23 Four to three.

24 I call for a motion to untable E-119.

25 LEGISLATOR KOPEL: So moved.

2 LEGISLATOR DUNNE: Second.

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

5 All those in favor of untabling E-119
6 signify by saying aye.

7 (Aye.)

8 Any opposed?

9 (No verbal response.)

10 Let's go back to E-119. The questions,
11 Mr. Broderick, I think you gave us a synopsis of
12 what it was about.

13 Any questions from the legislators
14 regarding E-119? E-119, a personal services
15 agreement between the County of Nassau, on behalf
16 of the Nassau County Department of Social
17 Services, and YMS Management Associates, Inc.

18 Any questions of Mr. Broderick regarding
19 E-119?

20 (No verbal response.)

21 Any public comment?

22 (No verbal response.)

23 There being none; all those in favor of
24 E-119 signify by saying aye.

25 (Aye.)

2 Any opposed?

3 (No verbal response.)

4 Any abstentions?

5 (Abstain.)

6 So we have four-zero-three on E-119.

7 Moving along.

8 MR. BRODERICK: Thank you.

9 CHAIRWOMAN GONSALVES: Thank you, Mr.
10 Broderick.

11 We already dealt with U-4, U-8, and U-14.
12 Let's move now to U-5, a personal services
13 agreement between the County of Nassau, acting on
14 behalf of the Office of the County Attorney, and
15 BDO USA, LLP.

16 Motion, please?

17 LEGISLATOR KOPEL: So moved.

18 LEGISLATOR DUNNE: Second.

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

21 I don't know who is going to speak on
22 this one.

23 MS. LOCURTO: I will speak on it,
24 Legislator.

25 CHAIRWOMAN GONSALVES: Okay. Pay

2 attention, please.

3 MS. LOCURTO: This is to retain a
4 consultant to assist the county attorney's office
5 in assessing the assets in the Twin Rinks
6 bankruptcy. This consultant, expert was retained
7 after contacting five different firms. They were
8 considered the best fit. They worked with our
9 counsel and the county attorney's office to
10 assist us in ensuring that the county's interests
11 were protected in the bankruptcy proceeding and
12 that we received the highest value for the assets
13 that were in question in the bankruptcy.

14 CHAIRWOMAN GONSALVES: Any questions or
15 comments for Ms. Locurto?

16 (No verbal response.)

17 Any public comment?

18 (No verbal response.)

19 There being none; all those in favor of
20 U-5 signify by saying aye.

21 (Aye.)

22 Any opposed?

23 (No verbal response.)

24 Any abstentions?

25 (Abstain.)

2 The item passes four-zero-three.

3 The next item is U-7, a personal services
4 agreement between the County of Nassau, acting on
5 behalf of the Nassau County Department of Parks,
6 Recreation and Museums and The Nassau Pops
7 Symphony Orchestra.

8 Motion, please?

9 LEGISLATOR DUNNE: So moved.

10 LEGISLATOR KOPEL: Second.

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

13 Who is going to talk about this one?

14 This is hotel/motel money, I would imagine.

15 MS. KRIEB: Eileen Krieb, Department of
16 Parks. This is a \$3,000 contract to hire North
17 Shore Pops to perform at Eisenhower Park on July
18 22 from 8:00 to 10:00 p.m.

19 CHAIRWOMAN GONSALVES: Any questions of
20 Ms. Krieb regarding this item?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

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

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Any abstentions?

6 (No verbal response.)

7 It passes unanimously.

8 The next two items are U-9 and U-12. U-9
9 is a personal services agreement between the
10 County of Nassau, acting on behalf of the Nassau
11 County Traffic and Parking Violations Agency and
12 Philip S. Milone.

13 Motion, please.

14 LEGISLATOR DUNNE: So moved.

15 LEGISLATOR WALKER: Second.

16 CHAIRWOMAN GONSALVES: Moved by
17 Legislator Dunne, seconded by Legislator Walker.

18 The next one is U-12, a personal services
19 agreement between the County of Nassau, acting on
20 behalf of the Nassau County Traffic and Parking
21 Violations Agency and Lawrence M. Schaefer.

22 Since Legislators Dunne and Walker moved
23 on U-9, I will ask them to move on that as well.

24 Judge Marks.

25 JUDGE MARKS: John Marks, Executive

2 Director, Nassau County Traffic and Parking
3 Violations Agency.

4 This is to amend an existing contract to
5 have the salary increased, a pre-budget approval
6 contract to meet the payment authorized in the
7 last budget.

8 CHAIRWOMAN GONSALVES: Any questions of
9 Judge Marks?

10 (No verbal response.)

11 There being none; any public comment?

12 (No verbal response.)

13 All those in favor of U-9 and U-12
14 signify by saying aye.

15 (Aye.)

16 Any opposed?

17 (No verbal response.)

18 Any abstentions?

19 (No verbal response.)

20 The items pass unanimously.

21 Thank you, Judge Marks.

22 The next one is U-13, an amendment to a
23 personal services agreement between the County of
24 Nassau, acting on behalf of the Office of the
25 Nassau County Attorney and Bond, Schoeneck &

2 King, PPLC.

3 Motion, please?

4 LEGISLATOR WALKER: So moved.

5 LEGISLATOR DUNNE: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Walker, seconded by Legislator Dunne.

8 Ms. Locurto.

9 MS. LOCURTO: This is a renewal of an
10 existing contract. It's to provide legal counsel
11 and advice on various bankruptcy matters as they
12 may arise that our in-house counsel may need to
13 consult with regarding the representation of the
14 county in state and federal bankruptcy courts.

15 CHAIRWOMAN GONSALVES: Any questions or
16 comments for Ms. Locurto?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 There being none; all those in favor of
21 U-13 signify by saying aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The item passes four to three.

2 The next item is U-15, a personal
3 services agreement between the County of Nassau,
4 acting on behalf of the Nassau County Department
5 of Parks, Recreation and Museums and Dean
6 Karahalidis.

7 Motion, please?

8 LEGISLATOR DUNNE: So moved.

9 LEGISLATOR KOPEL: Second.

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

12 MS. KRIEB: Eileen Krieb, Department of
13 Parks.

14 CHAIRWOMAN GONSALVES: Go ahead.

15 MS. KRIEB: This is a contract with Dean
16 Karahalidis, the Five Town Schools for Performance,
17 for the holiday concert that was held in
18 December. Normally this contract would not come
19 before the Leg because of the \$24,000 amount that
20 it is written for. It was issued by Park on
21 October 2, signed off by the county attorney
22 November 2. October 2 is Parks. November 2 is
23 county attorney. Then approved by the
24 comptroller on December 30, and since then the
25 file has not been found, so we've reconstructed

2 it for your approval today.

3 CHAIRWOMAN GONSALVES: Minority Leader.

4 We're on U-15. You may, Legislator Jacobs.

5 LEGISLATOR JACOBS: Eileen, just a quick
6 question. What we have in front of us, it looks
7 like he's going to appear on July 9, 2016 at the
8 Lakeside Theater at Eisenhower Park?

9 MS. KRIEB: No. He already performed at
10 the Holiday Spectacular which was held at the
11 formerly Twin Oaks property.

12 LEGISLATOR JACOBS: You're on U-15,
13 right?

14 MS. KRIEB: Yeah. CQPK94 is the
15 contract.

16 LEGISLATOR JACOBS: Let me ask you this.
17 We must have it mixed up in our backup, that's
18 all.

19 CHAIRWOMAN GONSALVES: Any other
20 questions?

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 There being none; all those in favor of
25 U-15 signify by saying aye.

2 (Aye.)

3 Any opposed?

4 (No verbal response.)

5 Abstain?

6 (Abstain.)

7 The item passes four-zero-three.

8 I'm going to ask for a motion to untable
9 Contract E-64, a use and occupancy agreement
10 between the County of Nassau, acting on behalf of
11 the Nassau County Department of Parks, Recreation
12 and Alan's Fair, Inc. d/b/a Nassau County Craft
13 Shows.

14 Motion, please? I need a motion to
15 untable.

16 LEGISLATOR DUNNE: Untable.

17 LEGISLATOR KOPEL: Second.

18 CHAIRWOMAN GONSALVES: Motion to untable
19 by Legislator Dunne, seconded by Legislator
20 Kopel.

21 All those in favor of untabling E-64
22 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

2 Seven to zero, the item is untabled.

3 Now, on the item.

4 MS. KRIEB: Eileen Krieb, Department of
5 Parks. This is a revenue generating contract
6 with Alan's Fair, better known as Nassau County
7 Craft Shows. It's a response to an RFP. We
8 receive a flat fee, plus a percentage depending
9 on the level of rentals that he has at each
10 location.

11 CHAIRWOMAN GONSALVES: Any comments or
12 questions for Ms. Krieb?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 There being none; all those in favor of
17 E-64 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 Any abstentions?

22 (No verbal response.)

23 It's four-zero-three.

24 I'm going to ask for a motion to suspend
25 the rules because we do have a contract on the

2 addendum.

3 Motion to suspend the rules?

4 LEGISLATOR DUNNE: So moved.

5 LEGISLATOR WALKER: Second.

6 CHAIRWOMAN GONSALVES: Moved by
7 Legislator Dunne, seconded by Legislator Walker.

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

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 The rules are suspended.

14 The item is B-19, a resolution
15 authorizing the county executive to award and
16 execute a contract between the County of Nassau,
17 acting on behalf of the Nassau County Department
18 of Public Works and G&M Earth Moving Inc.

19 Motion, please?

20 LEGISLATOR DUNNE: So moved.

21 LEGISLATOR KOPEL: Second.

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

24 Mr. Arnold.

25 MR. ARNOLD: B-19 is a construction

2 contract associated with the last phase of the
3 seawall improvements on West Shore Road. There
4 were nine bidders on the project, and G&M Earth
5 Moving was the lowest responsible bidder.

6 CHAIRWOMAN GONSALVES: Any questions on
7 this item for Mr. Arnold?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 There being none; all those - Mr. Arnold,
12 there being no other comments regarding B-19; all
13 those in favor of B-19 signify by saying aye.

14 (Aye.)

15 Any opposed?

16 (No verbal response.)

17 Any abstentions?

18 (Abstain.)

19 Four-zero-three.

20 Now the Rules Committee is in recess.

21 (Whereupon, the Rules Committee recessed
22 at 2:44 p.m.)

23 (Whereupon, the Rules Committee
24 reconvened at 4:34 p.m.)

25 CHAIRWOMAN GONSALVES: We are now back.

2 The Rules Committee is now back in session. As
3 is customary, we do the consent calendar, and
4 that's the calendar that went through the various
5 committees prior to now. Frank knows that he
6 will incorporate the testimony of those
7 committees into the record.

8 So without any further ado, I'm going to
9 call the consent calendar, beginning with Item
10 145, 146, 149, 150, 151, 152, 153, 154, 155, 159,
11 161, 162, 163, 164, 165, 166, 169, 170, 171, 172,
12 173, 174, 175, 176. Then, of course, the
13 addendum agenda, and we already suspended the
14 rules for the addendum, but I will call the
15 consent items from that addendum, which will be
16 178, 185, 186, and 187.

17 CHAIRWOMAN GONSALVES: Motion, please?

18 LEGISLATOR DUNNE: So moved.

19 LEGISLATOR WALKER: Second.

20 CHAIRWOMAN GONSALVES: Moved by
21 Legislator Dunne, seconded by Legislator Walker.

22 All those in favor signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

Those consent items pass unanimously.

(Whereupon, the following are the minutes of the May 9, 2016, Finance Committee meeting pertaining to Clerk Items 145, 146, 149, 150, 151, 153, 154, 155, 159, 161, 162, 163, 164, 165, 166, 169, 170, 171, 174, 175, and 176-16.)

Now we have the two executive session items, which are 145 and 146-2016, a resolution authorizing the county attorney to compromise and settle the claim of plaintiff, Joseph Medlin, as set forth in the action entitled *Joseph Medlin v. County of Nassau and Kenneth C. Parker*, and a resolution authorizing the County of Nassau to compromise and settle the claim of plaintiff *Laurence Federico v. County of Nassau* pursuant to Nassau County Law.

LEGISLATOR MUSCARELLA: So moved.

LEGISLATOR WALKER: Second.

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

Legislator Muscarella makes a motion to go into executive session, seconded by Legislator Walker.

All in favor of executive session signify

2 by saying aye.

3 (Aye.)

4 Those opposed?

5 (No verbal response.)

6 (Whereupon, the Finance Committee
7 recessed into executive session at 4:09 p.m.)

8 (Whereupon, the Finance Committee
9 reconvened at 4:20 p.m.)

10 CHAIRMAN NICOLELLO: We are out of
11 executive session. I am going to call those two
12 items.

13 145 and 146, any discussion?

14 (No verbal response.)

15 Public comment?

16 (No verbal response.)

17 All in favor signify by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Those items carry unanimously.

22 Item 149-2016 is a resolution authorizing
23 the county executive to execute a grant agreement
24 between the County of Nassau, acting on behalf of
25 the Department of Parks, Recreation and Museums,

2 and the Oyster Bay Historical Society.

3 Moved by Legislator MacKenzie, seconded
4 by Legislator Muscarella.

5 Any discussion?

6 (No verbal response.)

7 Public comment?

8 (No verbal response.)

9 All in favor signify by saying aye.

10 (Aye.)

11 I didn't hear you. We will withdraw that
12 vote on that. Legislator DeRiggi-Whitton.

13 LEGISLATOR DeRIGGI-WHITTON: When we
14 looked at the business history form, the
15 Historical Society had a yes answer to number 16.

16 MR. MAY: Okay. I see that.

17 LEGISLATOR DeRIGGI-WHITTON: We just
18 basically need on the record that as far as you
19 know that everything has been resolved, as far as
20 the taxes that were --

21 MR. MAY: It states, you know, right
22 after yes, underline, the Oyster Bay Historical
23 Society filed late IRS 990 returns for 2012 and
24 2013. However, all penalties were removed, see
25 attached, and the filings were completed.

2 LEGISLATOR DeRIGGI-WHITTON: So
3 basically they were just late but everything has
4 been paid to date?

5 MR. MAY: That is what they are
6 representing to us.

7 LEGISLATOR DeRIGGI-WHITTON: It does say
8 all penalties but I'm also worried about the
9 taxes as well.

10 MR. MAY: That's what they are
11 representing to us.

12 LEGISLATOR DeRIGGI-WHITTON: I didn't
13 see anything where it says - it says the
14 penalties but not the taxes.

15 MR. MAY: I would imagine you would pay
16 the penalties after you pay the taxes, but that's
17 what they are representing.

18 LEGISLATOR DeRIGGI-WHITTON: I would
19 think, but I just wanted to have it on the
20 record.

21 MR. MAY: That's what they're
22 representing to us.

23 LEGISLATOR DeRIGGI-WHITTON: All right.
24 Then I guess we're okay with it. Thank you.

25 MR. MAY: Excellent. Thank you.

2 CHAIRMAN NICOLELLO: Any further
3 discussion?

4 (No verbal response.)

5 Any public comment?

6 (No verbal response.)

7 All in favor signify by saying aye.

8 (Aye.)

9 Those opposed?

10 (No verbal response.)

11 The item carries unanimously.

12 Items 150, 151-2016 are resolutions to
13 authorize the transfer of appropriations
14 heretofore made within the budget for the year
15 2016.

16 Moved by Legislator Walker, seconded by
17 Legislator MacKenzie.

18 Any discussion on these two items?

19 (No verbal response.)

20 Any public comment?

21 (No verbal response.)

22 All in favor signify by saying aye.

23 (Aye.)

24 Those opposed?

25 (No verbal response.)

They carry unanimously.

Items 152, 153, 154, 155-2016 are ordinances supplemental to the annual appropriation ordinance in connection with the Department of Toxicology/Medical Examiner, Department of Health, Office of Housing and Community Development.

Moved by Legislator Muscarella, seconded by Legislator Walker.

I just ask that these -- these items went through committee before. I just ask that the committee minutes of these items and other items be incorporated by reference.

(Whereupon, the following is the minutes of the May 9, 2016, Public Safety Committee meeting pertaining to Clerk Item 152-16.)

CHAIRMAN DUNNE: Thank you. The first item to come before this committee is Item 152-16, an ordinance supplemental to the annual appropriation ordinance in connection with the Department of Toxicology/Medical Examiner.

Motion by Vincent Muscarella, seconded by Denise Ford.

Who do we have from the Medical

2 Examiner's Office? Please state your name and
3 title.

4 DR. AVELLA: Dr. Joe Avella. I'm the
5 director of the toxicology laboratory. This item
6 is a DCGS sponsored grant. It's a supplemental
7 grant, one time, that the toxicology lab applied
8 for.

9 CHAIRMAN DUNNE: Any questions from any
10 of the legislators?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

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

16 (Aye.)

17 Any against?

18 (No verbal response.)

19 It passes on to the Finance Committee.

20 (Whereupon, the following is the minutes
21 of the May 9, 2016, Health Committee meeting
22 pertaining to Clerk Items 153-16 and 154-16.)

23 Clerk Item 153-16, Clerk Item 154-16, and
24 Clerk Item 163-16, they are all ordinances
25 supplemental to the annual appropriation

2 ordinance in connection with the Department of
3 Health.

4 May I have a motion, please?

5 LEGISLATOR SCHAEFER: So moved.

6 LEGISLATOR KENNEDY: Second.

7 CHAIRWOMAN WALKER: Motion by Legislator
8 Schaefer, seconded by Legislator Kennedy.

9 And we have Ms. Mary Ellen Laurain.

10 MS. LAURAIN: Good afternoon. Ms. Mary
11 Ellen Laurain, Department of Health.

12 Item 153-16 is a supplemental
13 appropriation in the amount of \$297,646. This is
14 for the Adolescent Tobacco Use Prevention Act,
15 funded through New York State Department of
16 Health. This funding allows us to conduct our
17 certification checks on tobacco retailers
18 throughout the county.

19 CHAIRWOMAN WALKER: Are there any
20 questions or comments from the legislators?

21 LEGISLATOR JACOBS: I just wanted to get
22 on record my concerns with the tobacco program in
23 Nassau County.

24 There is no question that growing by
25 leaps and bounds in other counties is Tobacco 21.

2 They're doing it because it has nothing to do
3 with the ATUPA money that this is involved with,
4 which allows the sting for 18 or under. They
5 don't care if the county raises their limit to 35
6 for buying, as long as we sting for 18 or under.

7 The argument that's been given - and you
8 know I'm not trajecting this at you but I just
9 want it on the record.

10 MS. LAURAIN: Right.

11 LEGISLATOR JACOBS: The argument that
12 has been given by the commissioner of health here
13 and the attorney here that the ATUPA money will
14 be in jeopardy, I've cleared that up on my own,
15 just by knowing, obviously, that Suffolk and New
16 York City both have Tobacco 21. Now there are two
17 or three other counties in the Westchester area
18 that have gone to Tobacco 21, including states,
19 by the way, complete states, and they all still
20 have sting operations of 18 or under. So,
21 honestly, there's a very logical reason for it,
22 by the way, that everyone should realize.

23 I've been living, eating, and breathing
24 these tobacco laws from when I first started as a
25 legislator. The reason is they have found there

2 is actually certified, you know, reports that if
3 you can catch a young person from starting
4 smoking before they are 21 the chances of their
5 becoming addicted are lowered by a tremendous
6 percentage. So the truth of the matter is I do
7 not know. Mary Ellen, you know me well enough.
8 I'm not talking to you but I want the record to
9 show I don't know what our Health Department is
10 thinking of because - of course I'm going to vote
11 for this today. We have to do this. But the
12 bottom line is how could we be going against what
13 the federal government has already recognized as
14 a fact, not even a though, a fact.

15 MS. LAURAIN: We can't legislate. But I
16 have talked to Dr. Eisenstein at length and he is
17 quite aware that our ATUPA money wouldn't be
18 jeopardized and I believe he even wrote a letter
19 attesting to that. It's mutually exclusive.

20 LEGISLATOR JACOBS: That's new. That's
21 important.

22 MS. LAURAIN: I believe he wrote a letter
23 to the legislature.

24 LEGISLATOR JACOBS: Not to me. In my
25 office, that's not what I was told. I had to

2 call the New York State Department of Health.

3 I happen to like Dr. Eisenstein very
4 much. And I wanted to call just to make sure I'm
5 not crazy in what I'm telling you.

6 I just want it on record that I really
7 would urge - it doesn't have to be my name on the
8 bill, it could be Rose's or anybody on this side
9 of the aisle. I think we're missing out on an
10 opportunity here to protect our children, just as
11 other people are doing all over the country and
12 especially all over New York State.

13 I'm not going to vote against this.

14 MS. LAURAIN: The state law is 18 so we
15 must use this funding for 18. 19 is mutually
16 exclusive --

17 LEGISLATOR JACOBS: And I agree with you
18 100 percent. We do need this law for the ATUPA
19 money. But I'm just saying to pass something on
20 this legislative level, Tobacco 21, we're letting
21 things slip through our fingers and really it's
22 children's lives. That's the only thing I wanted
23 to say. But I'm for it.

24 You know what Mary Ellen? When it's
25 possible, when you have a chance - I know you

2 have other things to do when you get into work -
3 if you could get a copy of that letter to me, I
4 would appreciate it.

5 MS. LAURAIN: I will speak to him.

6 LEGISLATOR JACOBS: Okay. Thank you.
7 I'm finished.

8 CHAIRWOMAN WALKER: Any other
9 legislators have any comments?

10 LEGISLATOR BYNOE: I do.

11 CHAIRWOMAN WALKER: Legislator Bynoe.

12 LEGISLATOR BYNOE: Thank you,
13 Chairwoman.

14 I see that this is a preventative measure
15 and it's going to be really centered around
16 signage and the like and doing stings. Do we
17 have something that's set up for preventative,
18 like, educational for the students, that we're
19 going into the schools?

20 MS. LAURAIN: This funding is for the
21 compliance. This funding - when we get our state
22 funding we are mandated by the deliverables of
23 what we can and can't do with that funding. We
24 do educate on tobacco and the dangers just as a
25 health department, and many of us are health care

2 providers. But this money is specifically
3 earmarked for compliance checks. There is
4 certain signage that is required, you can't have
5 certain signs by the candy and there are
6 requirements within the state law of what can be
7 posted and not.

8 LEGISLATOR BYNOE: I recognize that this
9 is for compliance. But what I'm asking is that
10 when - for the preventative piece, where there's
11 education involved, I just - and I was trying to
12 get it up through Google. I've been reading that
13 the E-cigarettes are exploding and that people
14 are being harmed. I would like to make sure that
15 we expand in our educational endeavors, that we
16 speak to that. This is not just from the
17 National Enquirer. These are legitimate media
18 outlets that are covering this. It seems to be a
19 reality, and I'd like to make sure that the
20 county is embracing that and moving forward to
21 let our young people know about it.

22 MS. LAURAIN: Yes.

23 LEGISLATOR BYNOE: Thank you.

24 LEGISLATOR JACOBS: And we have a bill
25 that has been filed concerning E-cigarettes and

2 Tobacco 21, and I think they are in unison with
3 each other. I'd like to send you a copy of that
4 too.

5 MS. LAURAIN: Sure.

6 CHAIRWOMAN WALKER: Any other
7 legislators have any comments?

8 (No verbal response.)

9 Any public comment?

10 (No verbal response.)

11 Clerk Item 154-16.

12 MS. LAURAIN: Item 154-16 is a
13 supplemental appropriation in the amount of
14 \$75,000. This is for sexually transmitted
15 disease public health campaign and is funded
16 through New York State Department of Health. The
17 mission is to reduce the spread of STDs and
18 verify treatment and contact investigation.

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

21 (No verbal response.)

22 Any public comment?

23 (No verbal response.)

24 Clerk Item 163-16.

25 MS. LAURAIN: 163-16 is a supplemental

2 appropriation in the amount of \$615,196. This is
3 for our public health emergency preparedness
4 grant. This is grant funded through the Center
5 for Disease Control and Prevention. It's federal
6 pass-through money. This allows us to develop
7 local public health infrastructure in regard to
8 emergency preparedness.

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

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Okay. I'm hearing none. All those in
15 favor of Clerk Items 153-16, 154-16, and 163-16
16 signify by saying aye.

17 (Aye.)

18 Any nos?

19 (No verbal response.)

20 Any abstain?

21 (No verbal response.)

22 It's seven to zero and it will move on
23 the Finance Committee.

24 (Whereupon, the following is the
25 continuation of the minutes of the May 9, 2016,

2 Finance Committee meeting.)

3 CHAIRMAN NICOLELLO: Any discussion on
4 these four items?

5 (No verbal response.)

6 Any public comment?

7 (No verbal response.)

8 All in favor signify by saying aye.

9 (Aye.)

10 Any opposed?

11 (No verbal response.)

12 The items carry unanimously.

13 157, 158-2016 are bond ordinances

14 providing for capital expenditures to finance the

15 capital project specified herein with the County

16 of Nassau and authorizing, with respect to 157,

17 three million of bonds of the County of Nassau,

18 and, with respect to 158, 11,600,000 of bonds of

19 the County of Nassau, and making certain

20 determinations pursuant to SEQRA.

21 Moved by Legislator Walker, seconded by
22 Legislator Muscarella.

23 These two items are before the committee.

24 Mr. May, can you briefly describe what
25 these two items are?

2 MR. MAY: I'm going to take a flyer on
3 that one and let Ken Arnold give a proper
4 description of the items.

5 CHAIRMAN NICOLELLO: Okay. That sounds
6 good.

7 MR. ARNOLD: Ken Arnold, Public Works.
8 These two items associated with bond ordinances
9 for three projects that are critical for the
10 county. One is increase bond ordinance for the
11 Department of Technology equipment replacement.
12 That is required for two-fold, one is that there
13 are new police cars that are coming in that
14 require equipment and some older police cars that
15 need new upgrades of equipment in them. There is
16 also a cyber security concern that the police
17 want to enter a contract with on their systems.

18 The ADAPT capital project was requested
19 by the treasurer's office. This is to modify an
20 additional functionality as required to implement
21 the disputed assessment fund. This is time
22 sensitive, as they need to have this completed
23 and they wanted to move forward with that
24 program.

25 Finally, the last one is the \$11.6

2 million for our fuel tank program. As you are
3 aware, the county is under a consent order with
4 the EPA to implement various modifications and
5 additions to our program, and this would fund
6 what we need to accomplish this coming year.

7 CHAIRMAN NICOLELLO: So these items will
8 be added in a moment to the capital plan as well,
9 correct?

10 MR. ARNOLD: They are already in the
11 capital plan.

12 CHAIRMAN NICOLELLO: Okay.

13 MR. ARNOLD: This is just a bond
14 ordinance piece that was not approved.

15 CHAIRMAN NICOLELLO: All right.

16 Any questions on these items?

17 (No verbal response.)

18 Any public comment?

19 (No verbal response.)

20 Thank you, Ken.

21 All in favor signify by saying aye.

22 (Aye.)

23 Those opposed?

24 (No verbal response.)

25 Abstain?

2 (Abstain.)

3 It's four-zero-two on both items.

4 Item 159-2016 is an ordinance to amend
5 Ordinance Number 13-2016 adopting the capital
6 budget for the year 2016 for the County of
7 Nassau, corresponding to the first year of the
8 four-year capital plan pursuant to the provisions
9 of Section 310 of the County Government Law.

10 LEGISLATOR WALKER: So moved.

11 LEGISLATOR MACKENZIE: Second.

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

14 Any discussion on this item?

15 (No verbal response.)

16 Public comment?

17 (No verbal response.)

18 All in favor signify by saying aye.

19 (Aye.)

20 Those opposed?

21 (No verbal response.)

22 That item carries unanimously.

23 Item 161-2016 is a resolution providing
24 for the issuance of a warrant directing the
25 treasurer of the County of Nassau to pay to the

2 supervisors of the several towns and to the
3 treasurers of the several villages and cities
4 within the County of Nassau, the sums as
5 apportioned by the Nassau County Legislature
6 based on a report filed by the county treasurer
7 and county clerk, showing deposits from mortgage
8 taxes.

9 LEGISLATOR MUSCARELLA: So moved.

10 LEGISLATOR WALKER: Second.

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

13 This item is before the committee. This
14 is for the first quarter of 2016.

15 Any discussion?

16 (No verbal response.)

17 Public comment?

18 (No verbal response.)

19 All in favor signify by saying aye.

20 (Aye.)

21 Those opposed?

22 (No verbal response.)

23 That item carries unanimously.

24 Items 163, 164, 165-2016 are ordinances
25 supplemental to the annual appropriation

2 ordinances in connection with the Department of
3 Health, district attorney's office, and with the
4 general fund and a transfer of appropriations.

5 LEGISLATOR MUSCARELLA: So moved.

6 LEGISLATOR WALKER: Second.

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

9 These items went before the committees.

10 (Whereupon, the following is the minutes
11 of the May 9, 2016, Health Committee pertaining
12 to Clerk Item 163-2016.)

13 Clerk Item 153-16, Clerk Item 154-16, and
14 Clerk Item 163-16, they are all ordinances
15 supplemental to the annual appropriation
16 ordinance in connection with the Department of
17 Health.

18 May I have a motion, please?

19 LEGISLATOR SCHAEFER: So moved.

20 LEGISLATOR KENNEDY: Second.

21 CHAIRWOMAN WALKER: Motion by Legislator
22 Schaefer, seconded by Legislator Kennedy.

23 And we have Ms. Mary Ellen Laurain.

24 MS. LAURAIN: Good afternoon. Ms. Mary
25 Ellen Laurain, Department of Health.

2 Item 153-16 is a supplemental
3 appropriation in the amount of \$297,646. This is
4 for the Adolescent Tobacco Use Prevention Act,
5 funded through New York State Department of
6 Health. This funding allows us to conduct our
7 certification checks on tobacco retailers
8 throughout the county.

9 CHAIRWOMAN WALKER: Are there any
10 questions or comments from the legislators?

11 LEGISLATOR JACOBS: I just wanted to get
12 on record my concerns with the tobacco program in
13 Nassau County.

14 There is no question that growing by
15 leaps and bounds in other counties is Tobacco 21.
16 They're doing it because it has nothing to do
17 with the ATUPA money that this is involved with,
18 which allows the sting for 18 or under. They
19 don't care if the county raises their limit to 35
20 for buying, as long as we sting for 18 or under.

21 The argument that's been given - and you
22 know I'm not trajecting this at you but I just
23 want it on the record.

24 MS. LAURAIN: Right.

25 LEGISLATOR JACOBS: The argument that

2 has been given by the commissioner of health here
3 and the attorney here that the ATUPA money will
4 be in jeopardy, I've cleared that up on my own,
5 just by knowing, obviously, that Suffolk and New
6 York City both have Tobacco 21. Now there are two
7 or three other counties in the Westchester area
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23 show I don't know what our Health Department is
24 thinking of because - of course I'm going to vote
25 for this today. We have to do this. But the

2 bottom line is how could we be going against what
3 the federal government has already recognized as
4 a fact, not even a though, a fact.

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6 have talked to Dr. Eisenstein at length and he is
7 quite aware that our ATUPA money wouldn't be
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16 call the New York State Department of Health.

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18 much. And I wanted to call just to make sure I'm
19 not crazy in what I'm telling you.

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21 would urge - it doesn't have to be my name on the
22 bill, it could be Rose's or anybody on this side
23 of the aisle. I think we're missing out on an
24 opportunity here to protect our children, just as
25 other people are doing all over the country and

2 especially all over New York State.

3 I'm not going to vote against this.

4 MS. LAURAIN: The state law is 18 so we
5 must use this funding for 18. 19 is mutually
6 exclusive --

7 LEGISLATOR JACOBS: And I agree with you
8 100 percent. We do need this law for the ATUPA
9 money. But I'm just saying to pass something on
10 this legislative level, Tobacco 21, we're letting
11 things slip through our fingers and really it's
12 children's lives. That's the only thing I wanted
13 to say. But I'm for it.

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15 possible, when you have a chance - I know you
16 have other things to do when you get into work -
17 if you could get a copy of that letter to me, I
18 would appreciate it.

19 MS. LAURAIN: I will speak to him.

20 LEGISLATOR JACOBS: Okay. Thank you.
21 I'm finished.

22 CHAIRWOMAN WALKER: Any other
23 legislators have any comments?

24 LEGISLATOR BYNOE: I do.

25 CHAIRWOMAN WALKER: Legislator Bynoe.

2 LEGISLATOR BYNOE: Thank you,
3 Chairwoman.

4 I see that this is a preventative measure
5 and it's going to be really centered around
6 signage and the like and doing stings. Do we
7 have something that's set up for preventative,
8 like, educational for the students, that we're
9 going into the schools?

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15 health department, and many of us are health care
16 providers. But this money is specifically
17 earmarked for compliance checks. There is
18 certain signage that is required, you can't have
19 certain signs by the candy and there are
20 requirements within the state law of what can be
21 posted and not.

22 LEGISLATOR BYNOE: I recognize that this
23 is for compliance. But what I'm asking is that
24 when - for the preventative piece, where there's
25 education involved, I just - and I was trying to

2 get it up through Google. I've been reading that
3 the E-cigarettes are exploding and that people
4 are being harmed. I would like to make sure that
5 we expand in our educational endeavors, that we
6 speak to that. This is not just from the
7 National Enquirer. These are legitimate media
8 outlets that are covering this. It seems to be a
9 reality, and I'd like to make sure that the
10 county is embracing that and moving forward to
11 let our young people know about it.

12 MS. LAURAIN: Yes.

13 LEGISLATOR BYNOE: Thank you.

14 LEGISLATOR JACOBS: And we have a bill
15 that has been filed concerning E-cigarettes and
16 Tobacco 21, and I think they are in unison with
17 each other. I'd like to send you a copy of that
18 too.

19 MS. LAURAIN: Sure.

20 CHAIRWOMAN WALKER: Any other
21 legislators have any comments?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 Clerk Item 154-16.

2 MS. LAURAIN: Item 154-16 is a
3 supplemental appropriation in the amount of
4 \$75,000. This is for sexually transmitted
5 disease public health campaign and is funded
6 through New York State Department of Health. The
7 mission is to reduce the spread of STDs and
8 verify treatment and contact investigation.

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

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Clerk Item 163-16.

15 MS. LAURAIN: 163-16 is a supplemental
16 appropriation in the amount of \$615,196. This is
17 for our public health emergency preparedness
18 grant. This is grant funded through the Center
19 for Disease Control and Prevention. It's federal
20 pass-through money. This allows us to develop
21 local public health infrastructure in regard to
22 emergency preparedness.

23 CHAIRWOMAN WALKER: Any questions or
24 comments from the legislators?

25 (No verbal response.)

2 Any public comment?

3 (No verbal response.)

4 Okay. I'm hearing none. All those in
5 favor of Clerk Items 153-16, 154-16, and 163-16
6 signify by saying aye.

7 (Aye.)

8 Any nos?

9 (No verbal response.)

10 Any abstain?

11 (No verbal response.)

12 It's seven to zero and it will move on
13 the Finance Committee.

14 (Whereupon, the following is the minutes
15 of the May 9, 2016, Public Safety Committee
16 pertaining to Clerk Item 164-16.)

17 We will call 164 and 171. Motion by
18 Legislator Denise Ford, seconded by Legislator
19 Vincent Muscarella.

20 We have the district attorney's office
21 coming up.

22 MR. MCMANUS: Bob McManus, district
23 attorney's office.

24 Item 171 is a federal forfeiture award
25 that we are seeking your approval for, the

2 appropriation. This award resulted in our
3 participation in cases involving federal law
4 enforcement agencies. The money - we are
5 required by law to use the money for the same
6 purpose in the future after it is appropriated.

7 CHAIRMAN DUNNE: So you are asking for
8 the appropriation.

9 MR. MCMANUS: Yes, sir.

10 CHAIRMAN DUNNE: Any questions on 171
11 from any legislators?

12 (No verbal response.)

13 No public comment.

14 164.

15 MR. MCMANUS: 164 is also a supplemental
16 appropriation. This is a grant awarded by the
17 New York State Division of Criminal Justice
18 Services. It's the gun involved violence
19 elimination initiative. This grant money is
20 intended to help investigate and prosecute cases
21 where guns are involved in the County of Nassau.

22 CHAIRMAN DUNNE: That's legal and
23 illegal guns?

24 MR. MCMANUS: No, sir. Just illegal
25 guns.

2 CHAIRMAN DUNNE: Illegal guns. I'm glad
3 we clarified that. Thank you.

4 MR. MCMANUS: If it's used to commit a
5 crime.

6 CHAIRMAN DUNNE: Thank you. Thank you
7 so much.

8 Any questions on that?

9 (No verbal response.)

10 Any public comment?

11 (No verbal response.)

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

14 (Aye.)

15 Any against?

16 (No verbal response.)

17 They both move on to Finance.

18 (Whereupon, the following is the
19 continuation of the minutes of the May 9, 2016,
20 Finance Committee meeting.)

21 CHAIRMAN NICOLELLO: Mr. May, can you
22 give us an indication, at least with respect to
23 165-2016?

24 MR. MAY: Yes. Ms. D'Alleva is going to
25 handle this one. Thank you.

2 CHAIRMAN NICOLELLO: Thanks.

3 MS. D'ALLEVA: The item before you is to
4 transfer \$20 million for 2016 to increase the
5 appropriation in the litigation fund.

6 This item should also be discussed in
7 tandem with Item 166 as well.

8 CHAIRMAN NICOLELLO: All right. I will
9 call 166 also so we will have them all before the
10 committee.

11 Item 166 is a resolution to authorize the
12 transfer of appropriations heretofore made to
13 close the budget for the year 2015.

14 LEGISLATOR MUSCARELLA: So moved.

15 LEGISLATOR WALKER: Second.

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

18 Why don't you just connect the two for
19 us?

20 MS. D'ALLEVA: I believe at the last
21 legislative session we had presented a year-end
22 board transfer to close out, as prescribed by the
23 comptroller's office, to close out 2015. This
24 piece, in terms of recognizing the revenue
25 associated with the litigation fund, the \$20.2

2 million that was appropriated this year. This
3 was - they left this off of that board transfer
4 at the last legislative session and that was due
5 to some accounting, in terms of discussing with
6 the CAFR, where exactly the fund was going to be
7 constructed within the financial statements. Now
8 that we know all of that, we can put this before
9 you so you can vote on it.

10 CHAIRMAN NICOLELLO: Legislator DeRiggi-
11 Whitton.

12 LEGISLATOR DeRIGGI-WHITTON: For this
13 transfer from debt service to the litigation
14 fund, that was money that came from the capital
15 originally?

16 MS. D'ALLEVA: No. 2015 is pure
17 surplus, as well as we project in 2016 there will
18 be a \$20 million availability as well of surplus
19 and that's being transferred to the litigation
20 fund.

21 As you know, at the last legislative
22 session you all also voted on a large settlement
23 and that was all in conjunction with the planning
24 of this transfer to the litigation fund.

25 LEGISLATOR DeRIGGI-WHITTON: So when we

2 said there was a \$20 million balance in -

3 MS. D'ALLEVA: It was appropriated for
4 '15. It was appropriated but the revenue - the
5 cash receipt, in order to fund that
6 appropriation, wasn't there until we could
7 transfer it from the 2015 surplus.

8 LEGISLATOR DeRIGGI-WHITTON: I have to
9 just say I understand what happened, but when we
10 ask how much is in the litigation fund and we're
11 told 20 million yet it hasn't been moved in yet,
12 you know -

13 MS. D'ALLEVA: It was appropriated.
14 Theoretically, you could spend it but the
15 comptroller's office would not allow us to charge
16 the fund unless the cash receipts were there.
17 So, therefore, that's why the surplus in 2015 is
18 now funding that. And in order to actually not
19 be in that position again through '16, because we
20 know what we're spending in '15, we're now
21 anticipating that we're going to move in another
22 20 million for '16.

23 LEGISLATOR DeRIGGI-WHITTON: Right. I
24 do recall all that.

25 Again, may it's just semantics, but I

2 just think when we say it - I just would have
3 loved to have heard it's appropriated rather than
4 it's in the account.

5 MS. D'ALLEVA: I did say that many
6 times. \$20 million was appropriated.

7 LEGISLATOR DeRIGGI-WHITTON: But it
8 wasn't in the account until now.

9 MS. D'ALLEVA: It was appropriated as of
10 the 2016 budget. It was appropriated.

11 LEGISLATOR DeRIGGI-WHITTON: But now
12 we're going to be putting it in as of today, the
13 transfer, correct?

14 MS. D'ALLEVA: Cash receipt. It will
15 be a revenue actual in the 2016 budget.

16 LEGISLATOR DeRIGGI-WHITTON: We're
17 putting the money in today for this account once
18 this is past.

19 MR. MAY: At the full legislature,
20 Legislator DeRiggi-Whitton. It's not today.
21 This is just --

22 LEGISLATOR DeRIGGI-WHITTON: Right.

23 MR. MAY: At the full legislature.

24 LEGISLATOR DeRIGGI-WHITTON: So the fund
25 will be funded in about two weeks from now or a

2 week from now.

3 Could I ask you something else? This
4 20,200,000 that we're moving in today, is there a
5 balance at all right now or is this going to be
6 the full balance?

7 MS. D'ALLEVA: A balance in terms of
8 what?

9 LEGISLATOR DeRIGGI-WHITTON: In the
10 legislation.

11 MS. D'ALLEVA: 2016 budget was funded at
12 \$20.2 million.

13 LEGISLATOR DeRIGGI-WHITTON: Today.

14 MS. D'ALLEVA: The fund will be
15 balanced. We project that we will be spending
16 that between the \$13 million of the Oyster Bay
17 settlement that has to be paid out in '16, plus
18 all of the other settlements that must be charged
19 to the litigation fund that the comptroller is
20 holding up right now. We feel that, yes, we will
21 spend in excess of \$20 million this year. So
22 that is why we are appropriating an additional 20
23 in '16.

24 LEGISLATOR DeRIGGI-WHITTON: I get all
25 of that. But we're moving 20 million in. Is

2 there any balance in there right now? So, in
3 other words, the total balance will be 20.2?

4 MS. D'ALLEVA: Nothing has been charged
5 there, to my knowledge.

6 LEGISLATOR DeRIGGI-WHITTON: So it has a
7 zero balance right now?

8 MS. D'ALLEVA: Nothing's been charged.
9 The appropriation is there but nothing is
10 charged.

11 LEGISLATOR DeRIGGI-WHITTON: Okay. I
12 just wanted to know in my mind exactly how much
13 is in there. So this will be it. It's just 20.2
14 unless we do something further in a couple of
15 months to move more money in.

16 MS. D'ALLEVA: You have two items. So
17 \$40 million will be appropriated, approximately,
18 in 2016 after both of these items are passed,
19 once it goes to Full Leg.

20 LEGISLATOR DeRIGGI-WHITTON: Thank you.

21 CHAIRMAN NICOLELLO: Thank you.

22 Any other discussion?

23 (No verbal response.)

24 Thank you, Ms. D'Alleva.

25 Any public comment?

2 (No verbal response.)

3 All in favor of these items signify by
4 saying aye.

5 (Aye.)

6 Those opposed?

7 (No verbal response.)

8 The items carry unanimously.

9 I'm told that Item 116-2016 was not
10 called -- 162-2016 was not called. I will call
11 it again just in case it wasn't.

12 162-16 is a resolution declaring a
13 capital budget emergency pursuant to §310(D) of
14 the County Government Law of Nassau County.

15 LEGISLATOR WALKER: So moved.

16 LEGISLATOR MACKENZIE: Second.

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

19 Any discussion?

20 (No verbal response.)

21 Public comment?

22 (No verbal response.)

23 All in favor of this item signify by
24 saying aye.

25 (Aye.)

2 Those opposed?

3 (No verbal response.)

4 The item carries unanimously.

5 Items 168, 169, 170, 171 are all
6 ordinances supplemental to the annual
7 appropriation ordinance in connection with the
8 Department of Public Works, Office of Housing and
9 Community Development, and the Nassau County
10 Department of Probation and the District
11 Attorney's Office.

12 LEGISLATOR MUSCARELLA: So moved.

13 LEGISLATOR WALKER: Second.

14 CHAIRMAN NICOLELLO: Motion by
15 Legislator Muscarella, seconded by Legislator
16 Walker.

17 (Whereupon, the following are the minutes
18 of the May 9, 2016 Public Works Committee
19 pertaining to Clerk Item 168.)

20 The first item on the agenda is Item 168-16, an
21 ordinance supplemental to the annual
22 appropriation ordinance in connection with the
23 Department of Public Works.

24 Motion, please?

25 LEGISLATOR MACKENZIE: So moved.

2 LEGISLATOR GAYLOR: Second.

3 CHAIRMAN MUSCARELLA: Motion by Mr.
4 MacKenzie, seconded by Mr. Gaylor.

5 Do we have someone from DPW?

6 MR. ARNOLD: Ken Arnold, Public Works.

7 Item 168 is a supplemental appropriation
8 associated with the grants received by the
9 federal government on our NICE bus program, in
10 the total of \$52.1 million.

11 CHAIRMAN MUSCARELLA: Do we have any
12 questions? Ms. Jacobs, do you have questions?

13 LEGISLATOR JACOBS: Yes. I'm so sorry.
14 Yes. I'm sorry.

15 Ken, just a question. NIFA is meeting on
16 May 17. I understand they're asking for a
17 special session on this. Am I understanding this
18 correctly?

19 MS. D'ALLEVA: What I believe your
20 understanding is before you, I think what was
21 filed today is the bond ordinance - this is
22 Roseanne D'Alleva from the Office of Management
23 and Budget. The bond ordinance was filed today
24 to support the ten percent required match on
25 these FTA and state funding.

2 LEGISLATOR JACOBS: Okay.

3 MS. D'ALLEVA: So if we do not have the
4 bond ordinance approved, the county cannot fund
5 the ten percent local match that's required for
6 the supplemental, to purchase the buses and the
7 equipment.

8 LEGISLATOR JACOBS: But this is
9 supplemental funding we're voting on right now.

10 MS. D'ALLEVA: It's \$47 million is
11 outside funding from the state and the federal
12 government.

13 LEGISLATOR JACOBS: Right.

14 MS. D'ALLEVA: That \$47 million requires
15 a ten percent match from the county, which is
16 4.7. Hence, you see the \$52 million on the
17 supplemental, because 4.7 million - because they
18 are capitally eligible projects with a five year
19 useful life, five year or more useful life,
20 that's why we have to fund it from capital.
21 Therefore, you have a supplemental appropriation
22 of that amount as well.

23 LEGISLATOR JACOBS: Okay.

24 MS. D'ALLEVA: And I just wanted to say
25 that's in the capital budget plan that is before

2 you for passing or that you did pass.

3 LEGISLATOR JACOBS: But today we're
4 voting for the supplemental.

5 MS. D'ALLEVA: Yes, the supplemental
6 which includes the appropriation of the ten
7 percent local match as well.

8 LEGISLATOR JACOBS: Okay. Roseanne, can
9 I ask you a question? Just from my experience
10 through the years, why can't the county pay for
11 the \$4.7 million instead of bonding for it?
12 Don't you think NIFA is going to ask that same
13 question?

14 MS. D'ALLEVA: Well, basically,
15 normally anything above a five year useful life
16 we normally bond for. That's what - large
17 repairs to your home, that's what you would do.
18 Huge capital investment, you would borrow for it
19 over time. Buses have 20 year lives.

20 LEGISLATOR JACOBS: I understand that.

21 MS. D'ALLEVA: It's a policy decision.

22 LEGISLATOR JACOBS: I know. I
23 understand that. It could come from the bond
24 premiums too, right, for this instead of bonding?

25 MS. D'ALLEVA: If we had surpluses from

2 debt service, which I believe the next one of the
3 items that you are going to be considering today,
4 that's obviously been earmarked. There are
5 discussions in terms of debt service surplus that
6 we would use it for litigation and/or tax certs,
7 in terms of judgments and settlements.

8 LEGISLATOR JACOBS: Okay. Thank you.

9 CHAIRMAN MUSCARELLA: Any other
10 questions?

11 (No verbal response.)

12 Any public comment?

13 (No verbal response.)

14 Hearing none; all those in favor of
15 moving this item signify by aye.

16 (Aye.)

17 Any opposed?

18 (No verbal response.)

19 The item carries.

20 (Whereupon, the following is the minutes
21 of the May 9, 2016, Public Safety Committee
22 pertaining to Clerk Items 170 and 171-16.)

23 CHAIRMAN DUNNE: The next item to come before us
24 is Item 170-16, an ordinance supplemental to the
25 annual appropriation ordinance in connection with

2 the Nassau County Department of Probation.

3 MR. SHANK: Edward Shank, Nassau County
4 Probation Department.

5 This item appropriates \$316,245 as part
6 of the county's alternatives to incarceration
7 service plan. It's funded by the New York State
8 Division of Criminal Justice Services, Office of
9 Probation and Correctional Alternatives. It's
10 renewable annually. The service plan requires
11 counties to operate programs that divert
12 offenders from costly local incarceration,
13 especially at the pre-trial level. A release of
14 an offender provides the most substantial cost
15 savings, as the first several days of confinement
16 are typically the most expensive.

17 CHAIRMAN DUNNE: Thank you, Mr. Shank.

18 It was moved by Legislator Muscarella,
19 and seconded by Denise Ford, Legislator Ford.

20 Are there any questions on this?

21 (No verbal response.)

22 It sounds like a good program.

23 Any public comment?

24 (No verbal response.)

25 There being none; all in favor indicate

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2 by saying aye.
3 (Aye.)
4 Any against?
5 (No verbal response.)
6 This moves on to Finance.
7 (Whereupon, the following is the
8 continuation of the minutes of the May 9, 2016,
9 Finance Committee meeting.)
10 CHAIRMAN NICOLELLO: Any discussion on
11 these four items?
12 Just to be clear, 168, 169, 170, and 171
13 are before the committee.
14 Any questions?
15 (No verbal response.)
16 Discussion? We're on items 168, 169,
17 170, and 171. They are all together.
18 Actually, I have a question on 168
19 myself. Mr. May?
20 MR. MAY: Yes.
21 CHAIRMAN NICOLELLO: Who is here to
22 answer questions on 168?
23 MR. MAY: We have both Mr. Ken Arnold and
24 Ms. Roseanne D'Alleva to answer questions on
25 these items or this item.

2 CHAIRMAN NICOLELLO: Okay. There was
3 some discussion earlier in the Public Works
4 Committee. With respect to the monies that are
5 dedicated to NICE Bus and equipment, is there a
6 county match to what's being provided to us?

7 MS. D'ALLEVA: Yes. In most of the
8 grants listed here, there is a ten percent county
9 match.

10 CHAIRMAN NICOLELLO: Okay. And we are
11 using capital funds to pay the county match?

12 MS. D'ALLEVA: Yes, we are.

13 CHAIRMAN NICOLELLO: Is that money in
14 the capital borrowing that's being held up?

15 MS. D'ALLEVA: It's - I believe a bond
16 ordinance was filed today. Yes, it is in the
17 capital budget and plan that was filed with the
18 legislature and passed, I believe. The plan was
19 but the bond ordinance was not.

20 CHAIRMAN NICOLELLO: So how do we access
21 the \$52 million if we can't borrow for the county
22 match?

23 MS. D'ALLEVA: We wouldn't be able to
24 leverage the federal and state funding.

25 CHAIRMAN NICOLELLO: So that has to wait

2 until such time as we pass -

3 MS. D'ALLEVA: The bond ordinance, yes.

4 CHAIRMAN NICOLELLO: All right.

5 Any other questions or discussion?

6 MS. D'ALLEVA: But I do want to say,
7 just as an FYI, I know that a lot of the
8 equipment, some of the buses have been ordered.
9 We are taking delivery in September, I believe.
10 There are two deliveries scheduled, one September
11 and one I think is early December or late
12 November.

13 CHAIRMAN NICOLELLO: So we have already
14 ordered some of the equipment. At some point is
15 the federal government or the state government,
16 if we're not meeting our obligations under our
17 ten percent for the county match to stop the
18 money from flowing to us?

19 MS. D'ALLEVA: The money will now flow
20 until we actually - the money does not flow. We
21 have to pay in 72 hours. So once the federal
22 government sees that we paid our share then they
23 wire their money within 72 hours.

24 CHAIRMAN NICOLELLO: So we don't get a
25 cent until we do our share.

2 MS. D'ALLEVA: Right.

3 CHAIRMAN NICOLELLO: Any discussion?

4 LEGISLATOR MACKENZIE: Is there a risk
5 of losing it if we don't bond? If you could
6 please explain that.

7 MS. D'ALLEVA: I haven't dealt with them
8 on this - I haven't dealt with the federal
9 government on this particular grant, the FTA.
10 Sharon Persad (phonetic) is dealing with the
11 triennial review, deals with currently at the bus
12 today and tomorrow. She usually deals with this
13 particular grant. But I do believe if we don't
14 fund the ten percent we will not receive the FTA
15 funding.

16 CHAIRMAN NICOLELLO: Legislator DeRiggi-
17 Whitton.

18 LEGISLATOR DeRIGGI-WHITTON: And that is
19 in September, correct, Roseanne?

20 MR. ARNOLD: We have deliveries coming
21 in September, that's correct. But anything with
22 FTA, there is timely payment. If the county does
23 not do timely payment, that will jeopardize
24 future grant opportunities.

25 LEGISLATOR DeRIGGI-WHITTON: Are there

2 any operational costs in this?

3 MR. ARNOLD: There is a piece,
4 preventative maintenance, that is part of the FTA
5 funding that is passed.

6 LEGISLATOR DeRIGGI-WHITTON: How can we
7 bond for operational?

8 MR. ARNOLD: There has been research
9 done on that. As part of the FTA funding, our
10 bond counsel has said that this is eligible for
11 capital reimbursement.

12 LEGISLATOR DeRIGGI-WHITTON: I've never
13 seen that. I've always heard that we really
14 weren't supposed to bond for operational.

15 MR. ARNOLD: These questions have come
16 up in past sessions that I've been at. I can go
17 back and we can pull that out for you.

18 LEGISLATOR DeRIGGI-WHITTON: I heard
19 about the bus - how much is going to operational?

20 MS. D'ALLEVA: I'm actually not 100
21 percent sure on that.

22 LEGISLATOR DeRIGGI-WHITTON: Can you get
23 that information for us? Because I know we're
24 really not supposed to bond for it.

25 MS. D'ALLEVA: We can get it for you for

2 the next leg session.

3 LEGISLATOR DeRIGGI-WHITTON: Yeah.

4 MS. D'ALLEVA: We have done preventative
5 maintenance for several years now. We've been
6 awarded that grant several years. We've
7 definitely used it before.

8 LEGISLATOR DeRIGGI-WHITTON: I'm not
9 questioning the grant. I'm questioning whether
10 or not we should bond for operational. It's
11 really bad, you know, government, bad practice to
12 bond for the operational portion. If we don't
13 really know what the operational portion is, it's
14 a real question.

15 What I would like to do, if you could
16 just send me what is operational.

17 MS. D'ALLEVA: It's a \$6 million grant
18 which we basically fund ten percent capital
19 because we're allowed to, in terms of the
20 preventative maintenance grant. We leverage \$5.2
21 million comes into the operating fund to support
22 the bus system that's a revenue source.

23 LEGISLATOR DeRIGGI-WHITTON: So we have
24 five million you're saying?

25 MS. D'ALLEVA: The grant, it's a \$6

2 million grant, ten percent of it is funded
3 through our capital budget. In order to draw
4 down a \$6 million grant that funds operations,
5 the county puts up \$600,000, which is funded out
6 of the capital program.

7 LEGISLATOR DeRIGGI-WHITTON: Why would
8 we do that for operational?

9 MS. D'ALLEVA: Because the grant allows
10 it.

11 LEGISLATOR DeRIGGI-WHITTON: Why would we
12 bond for operational? That should be coming out
13 of our operational budget.

14 MS. D'ALLEVA: I think we leverage our
15 resources to the best of our abilities.

16 LEGISLATOR DeRIGGI-WHITTON: Okay. We
17 just have a disagreement on that. If you could
18 just get me that information in writing, I'd
19 appreciate it.

20 CHAIRMAN NICOLELLO: Any other
21 questions?

22 (No verbal response.)

23 Public comment?

24 (No verbal response.)

25 Thank you, Mr. Arnold, Ms. D'Alleva.

2 All in favor of these items, which are
3 168, 169, 170, and 171, signify by saying aye.

4 Sure. Do you want any one in particular
5 separated out? Okay.

6 We're just going to vote on Item 168 at
7 the moment. All in favor of Item 168 signify by
8 saying aye.

9 (Aye.)

10 Opposed?

11 (No verbal response.)

12 Abstention?

13 (Abstain.)

14 That's five-zero-two in favor of this
15 item, so it passes along.

16 Items 169, 170, 171; all in favor signify
17 by saying aye.

18 (Aye.)

19 Those opposed?

20 (No verbal response.)

21 Those carry unanimously.

22 Item 174-2016 is a resolution authorizing
23 a federal aid project administered by the New
24 York State Office of Parks, Recreation and
25 Historic Preservation and authorizing the County

2 of Nassau to participate in the non-federal share
3 of the cost of construction, and in construction,
4 supervision and inspection of the project and
5 authorizing the county executive of the county of
6 Nassau to execute an agreement, on behalf of the
7 County with the New York State Office of Parks,
8 Recreation and Historic Preservation for the
9 performance of such work for the project and for
10 the participation by the county in the non-
11 federal share of the cost of the project,
12 identified as C131494, to provide an
13 interconnected set of pathways for residents and
14 tourists to walk, bike, and ride neighborhood
15 electric vehicles.

16 This went through Public Works before.

17 LEGISLATOR WALKER: So moved.

18 LEGISLATOR MUSCARELLA: Second.

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

21 (Whereupon, the following is the minutes
22 of the May 9, 2016, Public Works Committee
23 pertaining to Clerk Item 174-16.)

24 Next up is Item 174-16, a resolution
25 approving a federal-aid project administered by

2 the New York State Office of Parks, Recreation
3 and Historic Preservation and authorizing the
4 County of Nassau to participate in the non-
5 federal share of the cost of construction, and in
6 construction, supervision and inspection of the
7 project and authorizing the county executive of
8 the county of Nassau to execute an agreement, on
9 behalf of the County with the New York State
10 Office of Parks, Recreation and Historic
11 Preservation for the performance of such work for
12 the project and for the participation by the
13 county in the non-federal share of the cost of
14 the project, identified as C131494, to provide an
15 interconnected set of pathways for residents and
16 tourists to walk, bike, and ride neighborhood
17 electric vehicles.

18 Motion, please?

19 LEGISLATOR GAYLOR: So moved.

20 LEGISLATOR RHOADS: Second.

21 CHAIRMAN MUSCARELLA: Moved by Mr.
22 Gaylor, seconded by Mr. Rhoads.

23 The item is before us. Mr. Arnold.

24 MR. ARNOLD: This is a grant that the
25 department received associated with access on our

2 trails. The grant is for \$250,000, of which 80
3 percent is reimbursed. The department intends on
4 using this money to improve one or two grade
5 crossings at the existing trails located within
6 the county.

7 CHAIRMAN MUSCARELLA: And how much is
8 the County's, 20 percent?

9 MR. ARNOLD: Twenty percent. We are
10 responsible for \$50,000.

11 CHAIRMAN MUSCARELLA: Any questions?
12 Ms. Jacobs.

13 LEGISLATOR JACOBS: Yes. Ken, I just
14 wanted to say something to you. I had taken
15 pictures just to show a few people in our area
16 what they do at these crossings. Between you and
17 me, I think it still probably warrants a traffic
18 light. When they are crossing and it's a busy
19 road, I'm talking about where the Bethpage trail
20 goes right through Round Swamp Road, right
21 through Woodbury Road, right across Jericho
22 Turnpike, which I know is not ours, but then goes
23 to Southwoods Road, your heart is in your throat.
24 But these beacons they put up are pretty good and
25 they blink a very bright light. I know this is a

2 state thing. I still think if they were thinking
3 about this you'd have a traffic light that would
4 turn red. It can be very disconcerting when
5 you're driving and a bicycle just goes.

6 I'm glad we're doing this. It's
7 certainly better than not having it.

8 MR. ARNOLD: Understood.

9 LEGISLATOR JACOBS: Okay.

10 CHAIRMAN MUSCARELLA: Any other
11 questions? Ms. Birnbaum.

12 LEGISLATOR BIRNBAUM: So this portion is
13 just for the signs, correct, the flashing signs?

14 MR. ARNOLD: The department will be
15 analyzing a couple of our grade crossings. It
16 will be sign, rapid beacons, or, if warranted, a
17 traffic signal, depending on what the level of
18 protection is required for that crossing of the
19 path on a county road.

20 LEGISLATOR BIRNBAUM: About how many
21 signs would this take care of?

22 MR. ARNOLD: We figure if it's -
23 assuming that it's a flashing beacon, we will
24 probably end up with two crossings accomplished
25 by this.

2 LEGISLATOR JACOBS: I have one more
3 question.

4 CHAIRMAN MUSCARELLA: Ms. Jacobs.

5 LEGISLATOR JACOBS: Can I ask one more
6 question? Do we have a map? Do you have a map
7 you could share with us -- not for now, I'm not
8 talking about today -- about where all the trails
9 are?

10 MR. ARNOLD: I'd have to speak with my
11 staff. I'm sure there's something either we
12 produced or the state produced in the bike trails
13 and the hiking trails.

14 LEGISLATOR JACOBS: Okay. There's got
15 to be more than the Bethpage to Syosset, right?
16 There's got to be.

17 MR. ARNOLD: I'd have to check. I
18 believe there is. I'd have to check.

19 LEGISLATOR JACOBS: Okay. It would be
20 good for us to know. Thank you.

21 CHAIRMAN MUSCARELLA: Any other
22 questions? Ms. Curran.

23 LEGISLATOR CURRAN: Thank you. So this
24 sounds to me like a great initiative to get
25 people out of their cars. I don't know how many

2 will actually do it. But the more of this sort
3 of alternative we can provide the better.

4 In that vein, what exactly is a
5 neighborhood electric vehicle?

6 MR. ARNOLD: Golf cart.

7 LEGISLATOR CURRAN: Ah.

8 MR. ARNOLD: It's a golf cart, I
9 believe. That's what -

10 LEGISLATOR CURRAN: Probably one of
11 those, like rascals.

12 MR. ARNOLD: No. I think it's something
13 that looks like a golf cart that is licensed.

14 LEGISLATOR CURRAN: Got it. Okay.
15 Thanks.

16 CHAIRMAN MUSCARELLA: Hearing no other
17 questions, no public comment; all those in favor
18 please say aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 The item carries.

23 (Whereupon, the following is the
24 continuation of the minutes of the May 9, 2016,
25 Finance Committee meeting.)

2 CHAIRMAN NICOLELLO: Could you just
3 briefly tell us what this is again?

4 MR. MAY: This is Clerk Item 174-16
5 we're talking about. This was for, I believe,
6 some signals at the grade level crossings for the
7 bike paths and mixed use trails in Nassau County.
8 I think the major one we were talking about is
9 the Bethpage Trail, which runs all the way from
10 Bethpage State Park up through Syosset.

11 CHAIRMAN NICOLELLO: Thank you.

12 Any discussion on this item?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 All in favor signify by saying aye.

17 (Aye.)

18 Those opposed?

19 (No verbal response.)

20 That item carries unanimously.

21 The next two are 175 and 176, resolutions
22 to authorize the County of Nassau to participate
23 in the federal aid transportation project for
24 emergency repairs to the Bayville Bridge over
25 Mill Creek, and a resolution authorizing the

2 County of Nassau to participate in a federal aid
3 project providing for emergency repairs to the
4 Long Beach Bridge over Wreck Lead Channel.

5 LEGISLATOR MACKENZIE: So moved.

6 LEGISLATOR WALKER: Second.

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

9 These went through the Public Works
10 Committee before.

11 (Whereupon, the following is the minutes
12 of the May 9, 2016, Public Works Committee
13 meeting pertaining to Clerk Items 175 and 176-
14 16.)

15 Next up, 175-16, a resolution authorizing
16 the County of Nassau to participate in a federal-
17 aid transportation project providing for
18 emergency repairs to the Bayville Bridge over
19 Mill Neck Creek, BIN 330001-0, Capital Project
20 63029, PIN 0989.26, and authorizing the county
21 executive of the County of Nassau to execute the
22 agreement on behalf of the County with the New
23 York State Department of Transportation for the
24 advancement of said federal aid transportation
25 projects in Nassau County, New York.

2 Motion by Mr. Rhoads, seconded by Mr.
3 Gaylor.

4 Mr. Arnold.

5 MR. ARNOLD: The County is eligible for
6 the reimbursement of funds expended after Sandy
7 for repairs required by the storm. The agreement
8 with New York State Department of Transportation
9 permits the state to pay the county these funds.
10 The county made repairs within 180 days of the
11 storm at this location, which was required to get
12 100 percent reimbursement of \$1.2 million. These
13 exact repairs were to the generator facilitator,
14 located outside the bridge pit, and the purchase
15 and installation of a new motor control room and
16 various other electronic equipment. The work is
17 complete. The county has paid for it, and we are
18 looking for our reimbursement; this is the last
19 step in that process.

20 CHAIRMAN MUSCARELLA: It's 100 percent
21 reimbursement.

22 MR. ARNOLD: Yes.

23 CHAIRMAN MUSCARELLA: Any questions?
24 Ms. Jacobs.

25 LEGISLATOR JACOBS: Have all of the

2 motors been replaced during this time of
3 construction, what they're reimbursing us for,
4 because they were under water.

5 MR. ARNOLD: Everything that was damaged
6 was replaced, yes. I know there is future work
7 for Bayville Bridge, I'm not exactly sure what it
8 is. I know there are other things that have to
9 get done on that bridge that is outside this
10 scope of what happened with Sandy.

11 LEGISLATOR JACOBS: Okay. Thank you.

12 CHAIRMAN MUSCARELLA: Any other
13 questions?

14 (No verbal response.)

15 Any public comment?

16 (No verbal response.)

17 Seeing none; all those in favor of moving
18 this item say aye.

19 (Aye.)

20 Any opposed?

21 (No verbal response.)

22 That item is reported.

23 Last on the regular agenda is 176-16, a
24 resolution authorizing the County of Nassau to
25 participate in a federal aid transportation

2 project providing for emergency repairs to the
3 Long Beach Bridge over Wreck Lead Channel, BIN
4 330030-1 and BIN 330030-2, Capital Project 63029,
5 PIN 0989.27 and authorizing the county executive
6 of the County of Nassau to execute the agreement
7 on behalf of the County with the New York State
8 Department of Transportation for the advancement
9 of said federal aid transportation projects in
10 Nassau County, New York.

11 Motion by Mr. MacKenzie, seconded by Mr.
12 Gaylor.

13 Mr. Arnold.

14 MR. ARNOLD: Similar to the last item,
15 this item is associated with the Long Beach
16 Bridge. In this case, the reimbursement will be
17 \$903,000. Again, it was done within the 180
18 timeframe, which we are 100 percent reimbursable
19 expense.

20 CHAIRMAN MUSCARELLA: Any questions on
21 this item?

22 (No verbal response.)

23 Any public comment?

24 (No verbal response.)

25 Hearing none; all those in favor please

2 say aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 (Whereupon, the following is the
7 continuation of the minutes of the May 9, 2016,
8 Finance Committee meeting.)

9 CHAIRMAN NICOLELLO: This is
10 reimbursements, I believe, for Sandy-related
11 expenses that were paid relatively promptly by
12 the county so we're getting 100 percent back.

13 MR. MAY: I believe that is correct,
14 yes.

15 CHAIRMAN NICOLELLO: Okay.

16 Any discussion on these items?

17 LEGISLATOR DeRIGGI-WHITTON: I'm just
18 going to go on record just saying that I know
19 that there have been future concerns, that
20 possibly some of the engines weren't replaced
21 that were underwater, under the salt water.

22 MR. MAY: What engines?

23 LEGISLATOR DeRIGGI-WHITTON: With that
24 drawbridge.

25 MR. MAY: Okay.

2 LEGISLATOR DeRIGGI-WHITTON: I know once
3 it's under water, salt water

4 MR. ARNOLD: The equipment that was
5 submerged and damaged as part of Sandy was all
6 reimbursed and reviewed by the DOT and it was
7 replaced.

8 LEGISLATOR DeRIGGI-WHITTON: They just
9 did additional replacements this last summer,
10 which was after this time, correct?

11 MR. ARNOLD: They are always fixing the
12 bridge, with different issues that the bridge
13 has. I can't speak to what was replaced. This
14 item covers everything that was submerged and
15 damaged because of Sandy and was replaced using
16 this funding.

17 LEGISLATOR DeRIGGI-WHITTON: All of the
18 engines that were submerged have been replaced?

19 MR. ARNOLD: Everything that was
20 identified as being submerged was replaced.

21 LEGISLATOR DeRIGGI-WHITTON: I know that
22 there were concerns that some of them might not
23 have been replaced that had been under salt
24 water. I guess my point is this was the repair
25 work done for the first 180 days. The work that

2 was done last year, were we reimbursed for that
3 as well?

4 MR. ARNOLD: That work was not
5 associated with Sandy.

6 LEGISLATOR DeRIGGI-WHITTON: Okay.

7 MR. ARNOLD: Everything with the two
8 bridges was addressed, at Sandy, was done in the
9 emergency work.

10 LEGISLATOR MUSCARELLA: If I might. Mr.
11 Arnold, this is a grant to reimburse those
12 expenditures due to Sandy, correct?

13 MR. ARNOLD: That is correct.

14 LEGISLATOR MUSCARELLA: And those
15 expenditures were made.

16 MR. ARNOLD: That is correct.

17 LEGISLATOR MUSCARELLA: Any subsequent
18 work that was not due to Sandy is not subject to
19 this reimbursement.

20 MR. ARNOLD: That is correct.

21 LEGISLATOR MUSCARELLA: Thank you.

22 CHAIRMAN NICOLELLO: Thank you.

23 Any other discussion or questions?

24 (No verbal response.)

25 Any public comment?

2 (No verbal response.)

3 All in favor of these two items signify
4 by saying aye.

5 (Aye.)

6 Any opposed?

7 (No verbal response.)

8 Those two items carry unanimously.

9 (Whereupon, the following is the
10 continuation of the minutes of the May 9, 2016,
11 Rules Committee meeting.)

12 CHAIRWOMAN GONSALVES: Going back to the
13 other items on the Rules Committee.

14 We begin with the first one, which is
15 Item 99.

16 (Whereupon, Legislators Jacobs and
17 Abrahams recused themselves from Clerk Item 99-
18 16.)

19 CHAIRWOMAN GONSALVES: Here we go. Item
20 99, an ordinance to amend Ordinance 76-200
21 relating to the establishment of various fees of
22 the Department of Public Works.

23 Motion, please?

24 LEGISLATOR DUNNE: So moved.

25 LEGISLATOR KOPEL: Second.

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

4 Do we have someone to speak on those
5 items?

6 MR. MAY: We do. The gentleman raising
7 his hands is Mr. Josh Meyer from Pinnone Lopes
8 Devoreaux and West.

9 CHAIRWOMAN GONSALVES: Okay, Josh. Mr.
10 Meyer.

11 MR. MEYER: Good afternoon, Legislators.
12 Josh Meyer, Pinnone Lopes Devoreaux and West, 81
13 Main Street, White Plains, New York 10601.

14 So we are here before you today on an
15 amendment to an ordinance passed in 2015
16 regarding the design review fees for the
17 Department of Public Works. The issue this is
18 addressing came to our attention as a result of
19 the Memorial Sloane Kettering real property
20 transaction, which would affect the design review
21 fee to be paid by Memorial Sloan Kettering.

22 As a result, this ordinance seeks to
23 clarify the building permit review fee to be
24 charged to a not-for-profit purchasing real
25 property from the county is the fee schedule

2 applicable on the date that the legislature
3 approved the contract of sale.

4 CHAIRWOMAN GONSALVES: Any questions of
5 Mr. Meyer? Legislator Solages.

6 LEGISLATOR SOLAGES: Thank you very
7 much, Presiding Officer. Good afternoon.

8 MR. MEYER: Good afternoon.

9 LEGISLATOR SOLAGES: In essence, does
10 this comprise of a gift to a non-profit?

11 MR. MEYER: We don't believe so, no.
12 Generally, this is a --

13 LEGISLATOR SOLAGES: That is your legal
14 opinion on this?

15 MR. MEYER: That's correct. It's a law
16 of general applicability to all not-for-profit
17 entities, so this applies to Sloan Kettering in
18 2015 and applies to all future transactions
19 between not-for-profits and the county for a
20 contract of sale. So what we're really doing
21 here is clarify the date upon which the fee is
22 applied. In the ordinance of 2015 it was silent
23 on it. It didn't discuss this at all. What
24 we're clarifying is that the timing of the fee is
25 when the legislature approves it. Why that it

2 important to the Sloan Kettering transaction is
3 that contract was being negotiated at the time,
4 and four days after the county executive executed
5 it, the legislature took up and this ordinance
6 was filed with the county legislature. This is
7 completely a matter of timing with regard to
8 this. So the one instance is it's a law of
9 general applicability to all future - for all
10 transactions in 2015 as well as all future not-
11 for-profit real estate transactions with the
12 county.

13 Also, the way the law works on this is
14 where there is fair and adequate consideration
15 between the parties, between a municipality and
16 an entity, gift and loan doesn't really apply.
17 So, in this instance, it's an arms-length
18 transaction. There was fair and adequate
19 consideration paid at the time. At the time that
20 this was negotiated the permit fee was - there
21 was no permit fee to be paid by the not-for-
22 profit. So, in 2015 the ordinance that was
23 approved removed the exemption for not-for-
24 profits for the design review fee.

25 LEGISLATOR SOLAGES: Just to be very

2 clear, if you could just state clearly on the
3 record that this is not a gift; is that correct?

4 MR. MEYER: That's correct.

5 LEGISLATOR SOLAGES: Okay. Currently,
6 are there any other non-profits that would
7 benefit from this?

8 MR. MEYER: On any future deals, it's
9 not a matter of benefitting from it. Moving
10 forward, the date will be clear moving forward
11 for a not-for-profit. So it will be as of the
12 time that the legislature approves the contract
13 of sale. In 2015 this would apply to Memorial
14 Sloan Kettering.

15 LEGISLATOR SOLAGES: Understood. God
16 forbid any future legislature repeals this, I
17 mean, what effect would that have?

18 MR. MEYER: Would repeal what,
19 specifically?

20 LEGISLATOR SOLAGES: This specific
21 provision?

22 MR. MEYER: It would only change the
23 date on which the fee would apply to any not-for-
24 profit.

25 LEGISLATOR SOLAGES: Understood. Okay

2 then. Thank you very much.

3 MR. MEYER: Thank you.

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

6 (No verbal response.)

7 Any public comment?

8 (No verbal response.)

9 There being none; all those in favor of
10 Item 99 signify by saying aye.

11 (Aye.)

12 Any opposed?

13 (No verbal response.)

14 Any abstentions?

15 (No verbal response.)

16 The item is five to zero.

17 147, 148, they are both appointments to
18 the Sewer and Storm Water Finance Authority. 147
19 is the appointment of Michell M. Darcy and 148 is
20 the appointment of Peter J. Clines.

21 Motion, please?

22 LEGISLATOR WALKER: So moved.

23 LEGISLATOR DUNNE: Second.

24 CHAIRWOMAN GONSALVES: Moved by
25 Legislator Walker, seconded by Legislator Dunne.

2 Any comments on these two appointments?

3 Be my guest.

4 LEGISLATOR ABRAHAMS: Who are they
5 again?

6 Peter Clines and Michelle - both are very
7 qualified.

8 CHAIRWOMAN GONSALVES: Absolutely.

9 LEGISLATOR ABRAHAMS: Both have worked
10 in our administration for quite some time. I
11 would strongly endorse them for unanimous support
12 today.

13 CHAIRWOMAN GONSALVES: If there are no
14 other comments, guess what? Judy, what do you
15 want to say?

16 LEGISLATOR JACOBS: I just want to ditto
17 what Kevan just said. They are wonderful people.
18 They do a very thorough job in everything they
19 do. I can't think of two better people.

20 MR. MAY: They just clearly need more
21 work, right?

22 CHAIRWOMAN GONSALVES: I know that,
23 Greg.

24 There being no other discussion on 147
25 and 148; all those in favor of 147 and 148

2 signify by saying aye.

3 (Aye.)

4 Any opposed?

5 (No verbal response.)

6 Any abstentions?

7 (No verbal response.)

8 The vote is unanimous.

9 Item 156, a resolution to accept a gift
10 offered by a donor to the Nassau County Police
11 Department.

12 Motion, please?

13 LEGISLATOR WALKER: So moved.

14 LEGISLATOR DUNNE: Second.

15 CHAIRWOMAN GONSALVES: Moved by
16 Legislator Walker, seconded by Legislator Dunne.

17 Lieutenant, it's yours.

18 LIEUTENANT STEPHANOFF: Good afternoon.

19 Lieutenant Greg Stephanoff. This is to allow
20 Stifel Nichols and Company to donate carpet
21 remnants to the Nassau County Police Department,
22 with the approximate value of \$100. This is
23 leftover from work that they had done that would
24 probably go in the trash. This is going to
25 benefit the police department.

2 CHAIRWOMAN GONSALVES: I'm not going to
3 ask this question. No, I don't think I want to
4 open the door to this one.

5 Are you satisfied with the quality of
6 these carpet remnants?

7 LIEUTENANT STEPHANOFF: Yeah. It's
8 brand new.

9 CHAIRWOMAN GONSALVES: That's what I was
10 alluding to.

11 LIEUTENANT STEPHANOFF: It's just left
12 over from jobs that they had done.

13 CHAIRWOMAN GONSALVES: No problem. No
14 problem. Okay. Judy, I think that was your
15 question as well.

16 Any other comments or questions from the
17 legislators?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 Item 156 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (No verbal response.)

Any abstentions?

(No verbal response.)

I think it's seven-zero.

LIEUTENANT STEPHANOFF: Thank you.

CHAIRWOMAN GONSALVES: The next two items are bond ordinances. I'm going to call them together.

Item 157 and Item 158, a bond ordinance for a capital expenditure to finance the capital project specified herein within the County of Nassau, authorizing \$3,000,000 of bonds of the County of Nassau to finance said expenditure, and making certain determinations pursuant to the State Environmental Quality Review Act, pursuant to the Local Finance Law of New York, and the County Government Law of Nassau County.

158 is a similar bond ordinance, which authorizes \$11,600,000 of bonds of the County of Nassau to finance said expenditure, and making certain determinations pursuant to the State Environmental Quality Review Act, pursuant to the Local Finance Law of New York, and the County Government Law of Nassau County.

Motion, please?

2 LEGISLATOR DUNNE: So moved.

3 LEGISLATOR WALKER: Second.

4 CHAIRWOMAN GONSALVES: Moved by
5 Legislator Dunne, seconded by Legislator Walker.

6 Okay. What are you going to tell us?
7 Anything that we don't know?

8 MR. MAY: I'm going to give it to Ken
9 Arnold to go over all the items with you.

10 CHAIRWOMAN GONSALVES: Okay. Mr.
11 Arnold.

12 MR. ARNOLD: Items 157 and 158 are
13 associated with three capital projects that
14 require bond ordinance in order to expedite work
15 that the department requires. 157 is associated
16 with the ADAPT program for the county treasurer's
17 office. They require this project to move
18 forward so they can do an amendment or do a
19 contract associated with the required modules and
20 interfaces for the financial system associated
21 with the disputed assessment fund.

22 The other capital project, 9713, is
23 technology equipment replacement for the IT
24 Department. This is associated with equipment
25 needs for police cars that are being purchased

2 and some old cars that need new computer systems
3 in them. In addition, the police require a cyber
4 security project to see that their infrastructure
5 is sound.

6 Finally, 158 is associated with the
7 county fuel storage tank program. The county has
8 a consent order with EPA that requests us to do
9 various upgrades and compliance items. This 11.6
10 million is what is required in order to keep the
11 project moving forward. A large component of
12 this is the replacement of fuel tank systems at
13 both the NICE Bus garages but there is also other
14 additional work that needs to get done in this
15 coming year.

16 CHAIRWOMAN GONSALVES: Any questions or
17 comments for Mr. Arnold?

18 (No verbal response.)

19 Any public comment?

20 (No verbal response.)

21 There being none; all those in favor of
22 157 and 158 signify by saying aye.

23 (Aye.)

24 Any opposed?

25 (Nay.)

2 The items pass four to three.

3 We're moving along to Item 160, a local
4 law to amend the Administrative Code of Nassau
5 County in relation to the prohibition of
6 discriminatory anti-competitive business
7 practices by companies that participate and
8 boycott divest sanctions activities.

9 Motion, please?

10 LEGISLATOR KOPEL: So moved.

11 LEGISLATOR WALKER: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Kopel, seconded by Legislator Walker.

14 And I think Legislator Kopel is going to
15 say a few words.

16 LEGISLATOR KOPEL: Very few words,
17 actually.

18 This is something that I believe that
19 most, if not all, of the legislators will co-
20 sponsor. Hopefully it's not terribly
21 controversial on our part. We think it just
22 stands for justice.

23 We're going to have a hearing on it in
24 two weeks time, at which point we would ask
25 members of the public who have any issues with it

2 to just come forward and tell us what those are
3 before we vote on it. Just hope for everyone's
4 support. We'll just leave it at that right now.

5 CHAIRWOMAN GONSALVES: This will go
6 before the Full Leg on the 23rd, with a hearing
7 preceding the vote at the Full Leg.

8 Now, all those in favor of 160 signify by
9 saying aye.

10 (Aye.)

11 Any opposed?

12 (No verbal response.)

13 Any abstentions?

14 (No verbal response.)

15 Seven to zero. Unanimous.

16 We're going to 168, an ordinance
17 supplemental to the annual appropriation
18 ordinance in connection with the Department of
19 Public Works.

20 Motion, please?

21 LEGISLATOR DUNNE: So moved.

22 LEGISLATOR WALKER: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Dunne, seconded by Legislator Walker.

25 Mr. May.

2 MR. MAY: We have Mr. Arnold to answer
3 any questions on the item.

4 CHAIRWOMAN GONSALVES: Okay. Talk to
5 us.

6 MR. ARNOLD: Item 168 is a supplemental
7 to the department's budget associated with
8 various grants the department receives for the
9 NICE Bus operation. It's for 52.1. It's for new
10 equipment and our work for good repair.

11 CHAIRWOMAN GONSALVES: Any questions or
12 comments for Mr. Arnold?

13 (No verbal response.)

14 Any public comment?

15 (No verbal response.)

16 There being none; all those in favor of
17 Item 168 signify by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 It's seven to zero. It passes
22 unanimously.

23 I do want to make a correction. Let Ms.
24 Krieb know, even though the contract did pass,
25 which is U-15, that there is additional

2 information we were looking for, and I believe,
3 if I'm not mistaken, we received that. Do you
4 want to clarify, Ms. Krieb, your comments
5 regarding U-15, the personal services agreement
6 with Dean Kahalaris?

7 MR. MAY: There was a slight mix-up in
8 the back office functions here. We had submitted
9 the 2016 contract to you, but we may have
10 indicated to Ms. Krieb that it was the 2015
11 contract, which is what she had testified to.
12 The 2016 contract is a valid contract that we'd
13 like to see passed, and we will come back to you
14 with the 2015 contract probably, if we get
15 everything in order, if there is a possibility of
16 doing a Rules Committee at the Full Leg, then, if
17 not, at the June meeting.

18 CHAIRWOMAN GONSALVES: Okay. That was
19 for the record. Thank you very much, Mr. May.

20 MR. MAY: You're very welcome.

21 CHAIRWOMAN GONSALVES: Okay. I don't
22 believe there are any other items before us. I
23 think most of the items on the addendum were
24 consent. Yes, they were consent items; so,
25 therefore, they all passed.

2 Motion to adjourn?

3 MR. MAY: Madam Presiding Officer -

4 CHAIRWOMAN GONSALVES: Yes.

5 MR. MAY: before you do the motion.

6 There were a number of appointments on the
7 addendum; were those called during the consent?

8 CHAIRWOMAN GONSALVES: No. They were
9 not called.

10 MR. MAY: Are we not calling them today?

11 CHAIRWOMAN GONSALVES: No.

12 MR. MAY: Okay. Thank you.

13 CHAIRWOMAN GONSALVES: Motion to
14 adjourn?

15 LEGISLATOR DUNNE: So moved.

16 LEGISLATOR KOPEL: Second.

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

19 All those in favor signify by saying aye.

20 (Aye.)

21 All those opposed?

22 (No verbal response.)

23 The Rules Committee is now adjourned.

24 Thank you very much.

25 (Whereupon, the Rules Committee adjourned

1 Rules Committee - 5-9-16
2 at 4:54 p.m.)
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C E R T I F I C A T E

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

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

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 24th day of May, 2016.

FRANK GRAY